

**GOVERNMENT OF INDIA
POWER
LOK SABHA**

UNSTARRED QUESTION NO:1972
ANSWERED ON:17.07.2009
OPERATIONALISATION OF OPEN ACCESS SYSTEM
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Will the Minister of POWER be pleased to state:

- (a) whether some States are not selling their surplus power to the power deficit States;
- (b) if so, the details thereof;
- (c) whether any direction has been issued to the State Governments to operationalize the Open Access as laid down in the Electricity Act, 2003;
- (d) if so, the details thereof;
- (e) whether the Government has appointed any Committee for the purpose; and
- (f) if so, the details thereof and the recommendations made by the Committee?

Answer

THE MINISTER OF STATE IN THE MINISTRY OF POWER (SHRI BHARATSINH SOLANKI)

(a) & (b) : Short-term sale of electricity is taking place through bilateral contract directly between licensees, bilateral contracts through traders and through power exchange from one state to another state.

There have been instances where some of the State governments such as Karnataka, Tamil Nadu, Orissa, Andhra Pradesh, Maharashtra and Rajasthan have issued orders under Section 11 or Section 108 of the Electricity Act, 2003, prohibiting sale of power to consumers and utilities outside the State

A statement indicating the State-wise short-term transactions of electricity during August, 2008 to April, 2009 furnished by CERC indicating States/UTs selling electricity and the States/Union Territories buying electricity during the aforesaid period is at Annex-I.

(c) & (d) : The Ministry vide DO letter of October 20, 2008 requested the State Governments to ensure

- (i) the State Load Despatch Centres (SLDCs) must give permission for open access in three days from date of application and refusal should only be on verifiable ground
- (ii) SLDCs be ring fenced by March, 2009, with no direct or indirect operational/management link of SLDCs or State Transmission Utilities (STUs) with Distribution Companies (DISCOMs) and
- (iii) State Electricity Regulatory Commissions (SERCs) determine open access surcharge, wheeling charge and standby charge of electricity according to the provisions of the Tariff Policy latest by February, 2009.

(e) & (f) : The inter-Ministerial Task Force on Measures for Operationalising Open Access in the Power Sector was constituted on February 8, 2008 under the Chairmanship of Shri B.K. Chaturvedi, Member (Power), Planning Commission, pursuant to the decision taken in the fifteenth meeting of the Empowered Sub-Committee on Infrastructure held on January 25, 2008. The Task Force was asked to examine the current status and make recommendations on measures for operationalisation of the provisions of the Electricity Act, 2003 (the `Act`) in respect of open access.

A copy of the recommendations of the Task Force is at Annex-II.