Explanatory Memorandum

The CSERC (Intra-State Open Access in Chhattisgarh) Regulation, 2011, clauses 33(6)(iii), 33(6)(iv), and 33(6)(v), specifies methodology of determination of cross subsidy surcharge and its applicability, which is required to be paid by open access customers purchasing power through open access route.

2. The Ministry of Power, Government of India has recommended to State Commissions to align their Regulations with Rule 13 of the Electricity (Amendment) Rules, 2022. The Rule 13 of Electricity (Amendment) Rules 2022 is as under:

"Surcharge payable by the consumers seeking open access - The surcharge determined by the State Commission under clause (a) of sub- section (1) of section 86 of the Electricity Act, 2003 shall not exceed 20% of the average cost of supply."

3. The prevailing State open access Regulations does not specify maximum ceiling limit of cross subsidy surcharge for open access customers. In order to harmonise and align the State open access Regulations with Rule 13 of Electricity (Amendment) Rules 2022, draft CSERC (Intra-State Open Access in Chhattisgarh) Regulation, (second amendment) 2023 is prepared and uploaded on the Commission's website for inviting objections/suggestions from the stakeholders.