

**CENTRAL ELECTRICITY REGULATORY COMMISSION  
NEW DELHI**

**Dated : 15.12.2023**

**NOTIFICATION**

**No.L-1/236/2018/CERC:** In exercise of powers conferred under clause (s) of subsection (2) of section 178 of the Electricity Act, 2003 (36 of 2003) read with Section 61 thereof and all other powers enabling it in this behalf, and after previous publication, the Central Electricity Regulatory Commission hereby makes the following regulations, to amend the Central Electricity Regulatory Commission (Terms and Conditions of Tariff) Regulations, 2019 (hereinafter referred to as “the Principal Regulations”), namely:-

**1. Short Title and Commencement:** (1) These regulations may be called the Central Electricity Regulatory Commission (Terms and Conditions of Tariff) (Third Amendment) Regulations, 2023.

(2) These regulations shall come into force from the date of publication of these Regulations in the official Gazette.

**2. Amendment to Clause (4) under Appendix-II “Procedure for Calculation of Transmission System Availability Factor for a Month” of the Principal Regulations:**

2.1 New sub-clause (iii) shall be added after sub-clause (ii) of Clause (4) under Appendix-II of the Principal Regulations as under:

“(iii) Shut down of a transmission line due to shifting or modification of such transmission line or otherwise because of the Project(s) of NHAI, Railways, and Border Road Organisation. Member Secretary, RPC may restrict the deemed availability period to that considered reasonable by him for the work involved;

Provided that DICs are not affected by the shutdown of such a transmission Line;”

**3. Amendment to Clause (5) under Appendix-II “Procedure for Calculation of Transmission System Availability Factor for a Month” of the Principal Regulations:**

3.1 Provisos to sub-clause (ii) to Clause (5) under Appendix-II of the Principal Regulations shall be deleted.

3.2 New sub-clause (iii) shall be added after sub-clause (ii) of Clause (5) under Appendix-II of the Principal Regulations as under:

“(iii) The outage period which can be excluded for the purpose of sub-clauses (i) and (ii) of this clause shall be declared as under:

- a) Maximum up to one month by Member Secretary, RPC
- b) Beyond one month and up to three months after a decision at RPC
- c) Beyond three months by the Commission for which the transmission licensee shall approach the Commission along with reasons, steps taken to mitigate the outage and restoration timeline.”

Sd/  
**(Harpreet Singh Pruthi)**  
**Secretary**

Note: (1) The Central Electricity Regulatory Commission (Terms and Conditions of Tariff) Regulations, 2019 were published in Part III- Section 4, No.144 of the Gazette of India (Extraordinary) dated May 3, 2019.

(2) The Central Electricity Regulatory Commission (Terms and Conditions of Tariff) (First Amendment) Regulations, 2020 were published in Part III- Section 4, No.53 of the Gazette of India (Extraordinary) dated Feb 3, 2021.

(3) The Central Electricity Regulatory Commission (Terms and Conditions of Tariff) (Second Amendment) Regulations, 2021 were published in Part III- Section 4, No.394 of the Gazette of India (Extraordinary) dated September 13, 2021.