

NOTICE

Subject: Suo moto proceeding in the matter of taking on record the Deemed Distribution Licensee status of the Indian Railways and issuing Specific Conditions of Distribution Licence applicable to it.

- **Case No. 149 of 2017**

1. I am directed to bring to your notice the following facts:-

i. The Indian Railways in its Petition No. 197/MP/2015 before the Central Electricity Regulatory Commission (CERC) had claimed that it is Deemed Licensee under third proviso to Section 14 of the Electricity Act, 2003.

ii. CERC, in its Order dated 5 November, 2015 on the above Petition, has made following observations:

“ (b) The petitioner is a deemed licensee under third proviso to Section 14 of the Electricity Act and no separate declaration to that effect is required from the Appropriate Commission. The petitioner as a deemed licensee shall be bound by the terms and conditions of licence specified or to be specified by the Appropriate Commission under proviso to Section 16 of the Electricity Act.”

iii. Being a Deemed Distribution Licensee, the MERC (General Conditions of Distribution Licence) Regulations, 2006 are applicable to the Indian Railways. However, it would be necessary to specify the following specific conditions of Licence apart from the General conditions of Licence:

i. Area of operations for the Indian Railways

ii. Term/Period of Licence

iii. Any other additional condition considering peculiarity of operations of the Indian Railways

iv. Further, the Indian Railways, being Deemed Licensee under the Electricity Act, 2003 has to comply with various provisions such as Universal Service Obligations, Renewable Purchase Obligations, granting of non-discriminatory Open Access on its network, etc.

2. In view of above, I am directed to communicate that the Commission proposes to take on record the Deemed Distribution Licensee status of the Indian Railways and issue Specific Conditions of Distribution licence applicable to it.

3. I am directed to communicate that the hearing in the matter will be held on **Wednesday, 04 July, 2018 at 10.00 hrs** in the office of the Commission at 13th floor, Centre No.1, World Trade Centre, Cuffe Parade, Mumbai - 400 005.

4. The Indian Railways is directed to submit its say relating to the proposed Specific Conditions of its Deemed Licence, in 1+6 copies to the Commission alongwith relevant documents, if any, within 2 weeks from receipt of this Notice with a copy to the authorized Institutional Consumer Representatives.

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5. The notice of hearing in the above matter will be communicated separately.

Sd/-
(R. S. Sonawane)
Dy. Director (Legal)

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