



South Asia Regional Initiative for Energy (SARI/Energy)



Nepal Electricity Authority - Workshop on Transmission Service Agreements

July 19 - 20 2009
Nepal Electricity Authority.

Organised by:



NEPAL ELECTRICITY AUTHORITY
WORKSHOP ON TRANSMISSION SERVICE AGREEMENTS

Workshop Topics

- Parties to TSA
 - Commercial entities
 - Guarantors
- Term of TSA
 - Commencement date
 - Length of TSA
- Obligations of Transmission Company
 - Operation and maintenance
 - Availability requirement
 - Outages
- Obligations of Purchaser(s)
 - Payment
 - Security
 - UIOLI
- Transmission charges
 - Calculation of charges
 - Abatement of Transmission charges
- Upgrades
 - Right to propose
 - Pricing and awarding
 - Disagreement as to need
 - Disagreement as to cost
 - Adjustment of transmission charge
- Payments
 - Invoice
 - Bank transfers
 - Invoice disputes
- Technical Arrangements
 - Communications systems
 - Metering
 - Scheduling of maintenance outages
- Defaults and Remedies
 - Notice
 - Cure right
 - Damages
 - Suspension of service
- Force Majeure
 - Effect
 - Definition
 - Limitations
 - Notice
- Transfer of Interest
 - Assignment of rights and obligations
- Termination
 - Termination Date
 - Early Termination
- Dispute Resolution
 - Mediation
 - Expert resolution
 - Arbitration
- Legal Arrangements
 - Governing law
 - Submission to jurisdiction
 - Change in law
 - Waiver of sovereign immunity

This workshop is being conducted by the PA Consulting Group, and sponsored by the USAID South Asia Regional Initiative for Energy Program. The workshop is being conducted by Mr. John Gulliver of Pierce Atwood LLP. M. Gulliver is a Senior Partner at Pierce Atwood and enjoys over 30 years of experience in energy sector commercial and regulatory matters.

Mr. Gulliver's experience involves literally all elements of legal and regulatory power sector issues. He has represented clients on a broad range of energy sector transactions, policy issues, financing, mergers and acquisitions, privatization, competition, and regulatory reform matters. He has worked throughout the United States and in over 50 countries around the world, including Europe, Central and South America, Asia, Central Asia, Africa, and the Mid-East. His experience includes project development and finance; transmission planning and transmission support and interconnection agreement, sustainable development, energy efficiency, renewable resources, global warming and CO2 offset trading; oil and gas sector agreements; pipeline allocation and related oil and gas project work; power pools, power markets, market design and cross-border trading; complex corporate and commercial transactions; and nuclear issues.

Under a multi-year USAID contract, Mr. Gulliver managed the program for Pierce Atwood, advised the countries in the Central and South East Europe region on essential energy sector reform, including privatization of their electricity sectors, preparing assessments for privatization opportunities and constraints of the current systems and developing alternative privatization and public partnering strategies.

In the U.S., Mr. Gulliver represents transmission and distribution utilities; power project developers and operators; major customers; lenders and investors. He has worked with a variety of private sector clients before the Federal Energy Regulatory Commission, the U.S. Department of Energy, ISO New England, and state public utility commissions in establishing policies and regulations related to restructuring and competition in the electric utility industry, the IPP industry, transmission access and wheeling, and other proceedings pertaining to the generation, transmission, importation, distribution, and pricing of electricity.

Mr. Gulliver received his B.A. degree summa cum laude from Yale University (1974) and his J.D. from the Yale Law School (1977). He was an Assistant in Instruction at the Yale Law School (1976-1977).