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PART-IIA

MEGHALAYA STATE ELECTRICITY REGULATORY COMMISSION, SHILLONG

NOTIFICATION

The 15th April, 2021.

No.MSERC/RPO/Regulations/2018/01. - In exercise of powers conferred under section 61, 66, 86(1) (e) and 181 of the Electricity Act, 2003 and all other powers enabling it on its behalf, the Meghalaya State Electricity Regulatory Commission hereby makes **previous publications** of the following regulations, namely Meghalaya State Electricity Regulatory Commission (Renewable Energy Purchase Obligation & its compliance) Regulations, 2018; which was originally issued on 22nd October, 2018.

1. Short title, extent and commencement 1:-

- (i) These regulations may be called the Meghalaya State Electricity Regulatory Commission (Renewable Energy Purchase Obligation & its Compliance) (1st Amendment) Regulations, 2018.
- (ii) These regulations shall come into force from the date of their publication in the Official Gazette of Meghalaya and shall remain operative until it is revised.
- (iii) These regulations shall apply throughout the State of Meghalaya.

2. Amendment in regulation 5:- Clause 5.2 of Regulation 5 shall be substituted by the following:-
Every Obligated entity shall purchase electricity (in kWh) from renewable energy sources, at a defined minimum percentage of its total consumption as an Obligated Entity during a Year shown as under:

FY	<i>Minimum quantum of purchase in (%) from renewable energy sources (in terms of energy in kWh)</i>		
	Solar	Non-Solar	Total
2018-19	0.75	3.25	4.00
2019-20	1.00	4.00	5.00
2020-21	1.25	4.75	6.00
2021-22	1.50	5.00	6.50
2022-23	1.75	5.25	7.00
2023-24	2.00	5.50	7.50

The Renewable Purchase Obligation (RPO) shall be applicable on total consumption of electricity by an obligated entity, excluding consumption from Hydro sources of power.

Provided that, in case of Distribution Licensee as an Obligated Entity, the RPO target percentage shall be applicable on the Energy Input for concerned Distribution Licensee (i.e. Energy Sales grossed up for transmission and distribution losses).

Provided further that, in case of any other Obligated Entity, the RPO target percentage shall be applicable on the actual Electricity Consumption (excluding consumption supplied by Distribution Licensee) recorded at Drawal point or Consumption point of such Obligated Entity.

Provided further that, such obligation to purchase renewable energy shall be inclusive of the purchases, if any, from renewable energy sources already being made by concerned obligated entity.

Provided further that, the power purchases under the power purchase agreements for the purchase of renewable energy already entered into by the Distribution Licensees and consented to by the Commission shall continue to be made till their present validity, even if the total purchases under such agreements exceed the percentage as specified herein above.

Whereas, Government of India in the Ministry of Power has notified Tariff Policy on 28th January, 2016 in pursuance to Section 3 of Electricity Act, 2003.

Whereas, the said Tariff Policy under Para 6.4 (I) empowers Ministry of Power, Government of India to prescribe long term growth trajectory of Renewable Energy Purchase Obligation (RPO) in consultation with MNRE.

Whereas, in pursuance to Para 6.4. (1) of Tariff Policy, Ministry of Power, in their clarification No.30/04/2018 — R&R, dated 1st October, 2019 has prescribed as follows:

3. Based on the concern raised by various stakeholders and after due consultation with MNRE, CEA and CERC it is further clarified that:

- i. For CPP's commissioned before 1st April, 2016, RPO should be at the level as mandated by the appropriate Commission for the year 2015-16. For CPP's commissioned from 1st April, 2016 onwards, the RPO level as mandated by the appropriate Commission or Ministry of Power, whichever is higher, for the year of commissioning of the CPP shall be applicable,
- ii. In case of any augmentation in the capacity, the RPO for augmented capacity shall be the RPO applicable for the year in which the CPP has been augmented
- iii. In case, for meeting the RPO obligation, CPP has surplus power than its own consumption requirement, such a CPP may sell its surplus power to the DISCOMs under the prevailing arrangements or in the power exchange.

Whereas, as per Section 86 (4) of the Electricity Act, 2003 the State Commission shall be guided by the National Electricity Policy, National Electricity Plan and Tariff Policy published under Section 3 of the Electricity Act.

Whereas, MSERC has a Regulation called "Meghalaya State Electricity Regulatory Commission (Renewable Energy Purchase Obligation & its Compliance) Regulations, 2015".

Whereas, the Regulation 3.1 of the above Regulations provides year-wise RPO for all the obligated entities including any person consuming electricity generated from Conventional Captive Generating Plant for his own use.

Whereas, several industries having CPPs have represented the Commission that they are facing hardship in complying with the MSERC Regulation and that the clarification of Ministry of Power if adopted, will provide them some relief.

Therefore, the Commission in exercise of its power to amend in implementing the Regulations under Regulation 18.0 of MSERC (Renewable Energy Purchase Obligation & its compliance) Regulations, 2015 hereby decides as follows:

- (i) The CPPs which are Commissioned before 1st April, 2016, the RPO for them shall be pegged as prescribed in the above Regulation for FY 2015-16 and shall be as follows:

Solar Source (%)	Non-Solar sources (%)	Total (%)
0.41	1.09%	1.50%

- (ii) For CPPs commissioned from 1st April, 2016 onwards, the RPO shall be pegged at the level of the year of commissioning as mandated by the MSERC under (Renewable Energy Purchase Obligation & its compliance) Regulations, 2015.

- (iii) In case of any augmentation in the capacity of the CPP, the RPO for augmented capacity shall be pegged at a level prescribed by MSERC for the year in which such augmented capacity is commissioned.
- (iv) While meeting the RPO, if CPP has surplus power than its consumption requirement, then such a CPP may sell its surplus power to the DISCOMs/GRIDCO under the prevailing arrangements or to any other consumer.

Secretary
Meghalaya State Electricity Regulatory Commission,
Shillong.