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PART I—Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury, etc.

WEST BENGAL ELECTRICITY REGULATORY COMMISSION

NOTIFICATION

No. 71/WBERC

Kolkata, the 21st December, 2020

In exercise of the powers conferred by sub-section (1) and clauses (zp) of sub-section (2) of section 181, sections 61, 66 read with clause (e) of sub-section (1) of section 86 of the Electricity Act, 2003 (36 of 2003) and all powers enabling it on that behalf, the West Bengal Electricity Regulatory Commission hereby makes the following regulations to amend the West Bengal Electricity Regulatory Commission (Cogeneration and Generation of Electricity from Renewable Sources of Energy) Regulations, 2013 published under notification no. 50/ WBERC dated 22nd March 2013 (hereinafter referred to as the "Principal Regulations").

1. Short title, extent and commencement:

- 1.1. These Regulations may be called the West Bengal Electricity Regulatory Commission (Cogeneration and Generation of Electricity from Renewable Sources of Energy) (First Amendment) Regulations, 2020.
- 1.2. These extend to the whole of West Bengal.
- 1.3. These shall come into force on the date of their publication in the Official Gazette.

2. After clause (xi) of regulation 2.1 of the Principal Regulations the following clause shall be inserted:

"(xi)(A) 'Eligible Consumer' means a consumer of electricity in the area of supply of the distribution licensee who has installed or proposes to install a solar PV generating system, having a capacity of 1 kW and above, on a roof-top or any other mounting structure in his premises, to meet all or part or no requirement of electricity of his own use, and to supply to such distribution licensee on net- metering / net-billing basis using the same network. This shall include a consumer catering to a common load such as a Housing Society."

3. After clause (xix) of regulation 2.1 of the Principal Regulations the following clauses shall be inserted:

(xix)(A) 'Net Billing Arrangement' means an arrangement under which energy generated from solar PV generating system of an eligible consumer is purchased by the distribution licensee and the distribution licensee raises the bills on the consumer for his consumption at the approved grid tariff, after giving credit for total electricity sold out to the distribution licensee against a pre-determined tariff;

- (xix)(B) 'Net Billing Connection Agreement' means an agreement entered into by a distribution licensee and an eligible consumer for executing a Net Billing arrangement;
- (xix)(C) 'Net Meter' means a bi-directional energy meter, which is capable of recording both the import and export of electricity;
- (xix)(D) 'Net Metering Arrangement' means an arrangement under which a solar PV generating system with net meter installed at an eligible consumer's premises, delivers surplus electricity, if any, to the distribution licensee subject to the stipulations explained at Schedule-1;
- (xix)(E) 'Net Metering Connection Agreement' means an agreement entered into by a distribution licensee and an eligible consumer for executing a Net Metering Arrangement;
4. For clause (xxiii) of regulation 2.1 of the Principal Regulations the following clause shall be substituted:
- "(xxiii) 'Renewable Energy Sources' means sources such as small hydro, wind, solar including its integration with combined cycle, biomass, bio fuel cogeneration, urban or municipal waste and other such sources as approved by the MNRE;"
5. For clause (xxv) of regulation 2.1 of the Principal Regulations the following clause shall be substituted:
- "xxv) 'Renewable Purchase Obligation' or 'RPO' means the obligation of purchase of electricity from renewable energy sources by a distribution licensee in pursuance to section 86 (1) (e) of the Act which is detailed out in regulations 3.1 to 3.4 of these Regulations;"
6. Clauses (xxxvi) and (xxxvii) of regulation 2.1 the Principal Regulations shall be deleted:
7. For Regulations 3.0 and 3.1 of the Principal Regulations the following regulation shall be substituted:
- "3.0 Renewable Purchase Obligation (RPO) Target:

3.1 All efforts shall be made to meet the targets in the table below by purchase of electricity and/or generation of electricity from renewable energy sources by (i) the distribution licensees, (ii) a person using power from own captive power plant based on conventional fossil fuel with installed capacity of 1 MW and above and (iii) Open Access Consumer, expressed as percentage of their total consumption of electricity in a year during the years 2020-21 to 2022-23.

Year	Minimum quantum of purchase (in %) of total consumption from Renewable energy sources		
	Solar	Non- Solar	Total
2020-21	3.00	9.00	12.00
2021-22	4.50	10.00	14.50
2022-23	6.00	11.00	17.00

RPO target stipulated above are minimum target(s) to be achieved. Obligated Entity shall endeavour to achieve RPO target notified by the Government of India from time to time:

Provided that the obligation will be on total consumption of electricity excluding consumptions met from hydro sources of power other than small hydro sources:

Provided further that distribution licensee shall compulsorily procure 100% power generated from waste to Energy plants located in their respective supply area:

Provided further that on achievement of Solar RPO compliance to the extent of 85% and above, remaining shortfall if any, can be met by excess Non-Solar energy purchased beyond specified Non-Solar RPO for that particular year:

Provided further that on achievement of Non-Solar RPO compliance to the extent of 85% and above, remaining shortfall if any, can be met by excess Solar energy purchased beyond specified Solar RPO for that particular year: