

Provided further that for distribution licensee such target obligation indicated hereinbefore in the above table shall be considered on the basis of summated energy available as detailed in regulation 3.4 of these Regulations:

Provided further that for the purpose of renewable purchase obligation the power purchases under the power purchase agreements already entered into by the distribution licensees from renewable energy sources 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 in regulation 3.1 of these Regulations:

Provided further that notwithstanding anything contained contrary to any other regulations, for Captive Power Plant commissioned before 01.04.2016, RPO shall be at the level of applicable RPO as mandated for 2015-16. For captive power plant commissioned from 01.04.2016 onwards, the RPO level as mandated by the Commission or RPO target set by Government of India whichever is higher for the year of commissioning of captive power plant will be applicable. In case of any augmentation of the capacity, the RPO for augmented capacity shall be the RPO applicable for the year in which the augmented capacity is commissioned:

Provided further that, for open access consumers also drawing power in consumer mode from a licensee, the RPO is restricted to the open access purchase only:

Provided further that for the year 2020-21 the minimum target set in the table above shall be applicable from the date of publication of these amendment regulations on the consumption for the balance period of the year."

8. For regulation 3.2 of the Principal Regulations the following regulation shall be substituted:

"3.2 The quantum of obligation is with regard to the energy input in the system of the distribution licensee(s) after adjustment of losses. For subsequent years (from 2023-24 and onwards) the Commission in terms of clause (e) of sub-section (1) of section 86 of the Act, will specify the RPO trajectory through separate order.
9. Regulation 3.3 of the Principal Regulations shall be deleted.
10. In regulations 3.4, 3.7, 3.9 and 3.13 of the Principal Regulations, the phrases "renewable and / or cogeneration", "renewable or cogeneration" and "cogeneration and / or renewable" are to be replaced by the word "renewable".
11. For clause (iv) of regulation 3.4 of the Principal Regulations the following clause shall be substituted:

"(iv) purchasing renewable energy from any generator through open access at a mutually agreed price within the capping price as mentioned in regulation 6.0 or through power exchange at market determined price or from Solar Energy Corporation of India Limited (SECI) at competitively determined price or from other sources where tariff is discovered in accordance with section 63 of the Act;"
12. After clause (vii) of regulation 3.4 of the Principal Regulations the following clause shall be added:

"(viii) As a last resort to fulfil RPO obligation, distribution licensee may purchase solar and non-solar REC, as the case may be."
13. For regulation 3.5 of the Principal Regulations the following regulation shall be substituted:

"3.5 To meet the RPO distribution licensees shall make advertisement in at least two widely published national English daily newspapers and at least one widely published Bengali daily newspaper every year and upload a copy of such advertisement in their website. Distribution licensees shall also actively participate in the portal made by Government for purchase of renewable energy through competitive biddings or endeavour to purchase renewable power through Government agencies like SECI where tariff is discovered through competitive bidding in pursuance of section 63 of the Act."
14. For regulation 3.10 of the Principal Regulations the following regulation shall be substituted:

"3.10 The renewable energy drawal by any open access customer or a person using power from own captive power plant based on conventional fossil fuel with installed capacity of 1 MW and above, in the area of distribution licensee in excess of its own RPO shall be considered for meeting the RPO of the distribution licensee. The energy generated by the consumer from roof-top solar system under net-metering or net billing arrangement, in excess of its renewable purchase obligation as per regulation 3.1 of these Regulations, shall

also be considered for meeting the RPO of the distribution licensee. The open access customers and the person using power from own captive power plant based on conventional fossil fuel with installed capacity of 1 MW and above, shall quarterly submit a report containing actual consumption, energy sourced through open access / from captive plant, purchase / sourcing from renewable energy sources and solar & non-solar RPO compliance to the connected distribution licensee. The renewable energy which is being considered as a part of distribution loss during wheeling through the distribution network of any licensee at injection end or drawal end of open access or as intervening network and for which in the wheeling agreement of open access such loss is accounted in kind or price then such amount of energy against distribution loss shall also be considered while calculating the RPO of the distribution licensee:

Provided that if any renewable energy is registered for renewable energy certificate, that energy shall not qualify for fulfilment of RPO:

Provided further that licensee shall consider the excess renewable purchase / generated by an entity /consumer obligated under regulation 3.1 after completion of the financial year subject to annual RPO fulfilment of the obligated entity/consumer:

Provided further that, renewable energy drawl by a user of renewable based captive power plant shall be considered for meeting the RPO of the distribution licensee in whose area of supply such user is located."

15. Regulations 3.11 and 3.13 of the Principal Regulations shall be deleted.
16. Regulation 4.0 of the Principal Regulations shall be deleted.
17. Regulation 4.1 of the Principal Regulations shall be deleted.
18. After regulation 4.1 of the Principal Regulations the following regulation shall be inserted:

"4.2 Purchase of Power from fossil fuel-based co-generation plants:

Distribution licensee may purchase energy from conventional fossil-fuel based co- generation plant located in the State at a mutually agreed price subject to the ceiling price specified in these Regulations. However, purchase of electricity from fossil fuel-based co-generation plant would not qualify for fulfilment of RPO."

19. For regulation 5.3 of the Principal Regulations the following regulation shall be substituted:

"5.3 Notwithstanding anything contained to the contrary in any other regulations, distribution licensee shall purchase solar power through competitive bidding only except purchase from grid-connected solar projects below the notified capacity for competitive bidding located within the State. However, the solar power purchased from any source under JNNSM bundled power or SECI which are selected through competitive bidding or from power exchange, will not be required to go through any separate competitive bidding by the licensee:

Provided that purchase of power from grid-connected solar projects below the notified capacity for competitive bidding located within the State shall be within the limit of feed-in-tariff to be notified by the Commission from time to time. Till such notification is made by the Commission tariff for such solar projects will be determined by the Commission on case to case basis."

20. For paragraph (c) of clause (v) of regulation 6.1 of the Principal Regulations the following paragraph shall be substituted:

"(c) Solar PV Generation System can be installed for injecting into the distribution system of a licensee by any eligible consumer in its premises:

Provided that total installed capacity in such premises does not exceed the sanctioned load (in kW) or contract demand (in kVA) of the consumer, as applicable:

Provided also that eligible consumers having sanctioned load/ contract demand upto 5 kW may set up solar PV system under the Net Metering Arrangement specified in Schedule-1 of these Regulations and eligible consumers, except agriculture consumers, having sanctioned load/ contract demand above 5 kW may set up the solar PV system only under Net Billing Arrangement specified in Schedule-2 of these Regulations. All eligible agriculture consumers may set up solar PV under Net Metering Arrangement: