



Petition No. 1700 of 2021

BEFORE

THE UTTAR PRADESH ELECTRICITY REGULATORY COMMISSION

LUCKNOW

(Date of Order: 27 .08.2021)

PRESENT:

1. Hon'ble Sh. Raj Pratap Singh, Chairman
2. Hon'ble Sh. Kaushal Kishore Sharma, Member
3. Hon'ble Sh. Vinod Kumar Srivastava, Member (Law)

IN THE MATTER OF: Petition for seeking directions to provide net metering facility for the solar rooftop power plant installed at Petitioner's factory.

M/s Hindustan Aeronautics Limited, Accessories Division, Faizabad Road, Lucknow

----- **Petitioner**

1. M/s Madhyanchal Vidyut Vitran Nigam Ltd. (through its Managing Director), 4A, Gokhale Marg, Lucknow
2. M/s Madhyanchal Vidyut Vitran Nigam Ltd. (through its Executive Engineer, EUDD MVVNL) 33/11 kV Sub Station, HAL Indira Nagar, Lucknow
3. M/s Uttar Pradesh New and Renewable Energy Development Agency (UPNEDA), Vibhuti Khand, Gomti Nagar, Lucknow

----- **Respondent**

Following were present:

1. Sh. Ajay Vikram Singh, Counsel, HAL
2. Sh. Ajeet Kumar, HAL
3. Sh. Nishant Shukla, Counsel, UPNEDA
4. EE, Indira Nagar, Lucknow

ORDER

(Date of Hearing 02.08.2021)

1. HAL, the Petitioner, a State-owned aerospace and defense company, has filed this Petition seeking net metering facility for grid connected roof top solar power facilities at its premises. The Commission vide Order dated



23.01.2018 in Petition no. 1269 of 2017 had relaxed the provision of 1 MW ceiling, under UPERC RSPV Regulation, 2015, on rooftop solar for the Petitioner.

2. The Petitioner has prayed for direction to MVVNL to provide net metering facility to the Petitioner's newly installed solar rooftop power plant.

Brief facts

3. The petitioner had proposed to set up 4.0 MW grid connected rooftop solar power facilities at its premises under MNRE, Govt. of India mandate to implement rooftop solar plant at CPSU buildings. The petitioner, being aggrieved of the decision of Executive Engineer EUDD Indira Nagar, Lucknow denying Net Metering facility for the Roof Top Grid connected Solar PV Power Project installed under the RESCO Model at the petitioner's company at Faizabad Road, Lucknow.
4. The Commission vide its order dated 23-01-2018 in Petition No. 1269/2017 granted approval to the petitioner to set up 4MW Rooftop Solar Power plant by relaxing the provisions of the Regulations. Thereafter the petitioner entered into a Power Purchase Agreement (PPA) with M/s Sudhir Power Ltd., Gurgram on 14-06-2018 for the installation and operation of solar photovoltaic power plant at the premises of the petitioner's factory and plant of capacity of 2.5MW was installed.
5. The petitioner had on 13.09.2018 also informed the office of the Executive Engineer EUDD. HAL Indira Nagar, Lucknow about their upcoming solar rooftop power plant and a request was also made for providing net metering facility.
6. Subsequently, inspection of the solar power plant was done by the office of Directorate Electrical Safety and certificate dated 28.5.19 in this regard was issued to the petitioner. However, the Executive Engineer vide his letter dated 29-11-2020, Lucknow, expressed his inability to provide net metering facility to the petitioner's solar rooftop power project on the ground that the petitioner is not covered by the order dated 01-08-2019 passed by the Commission.

Record of proceedings

The commission held the hearing in the matter on 15.07.21 wherein UPNEDA was direction to submit its report. UPNEDA submitted its report on 29.07.21. The Commission concluded the hearing on 2nd August 21.

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Commission's View

7. The Commission vide its order dated 01-08-2019 in petition no.1433/2019, regarding eligibility of net metering held that those consumers who had
- (i) Applied to Discom for availing net metering before the notification of RSVP Regulation 2019 or
 - (ii) Placed order for roof top solar plant under CAPEX model and have made the payment for purchase order prior to the notification of RSPV Regulation 2019 or.
 - (iii) Signed PPA with developer under RESCO model and the RESCO developer had placed site specific purchase order prior to the notification of RSPV regulation 2019 will also be covered under earlier RSPV Regulations and will be eligible for net metering.
8. The petitioner vide its letter dated 13.09.2018 i.e., before the notification of RSPV Regulation 2019, requested the Executive Engineer for providing net metering. The petitioner had also entered in PPA with M/s Sudhir Power Ltd. Gurugram on 14-06-2018 for the installation of solar photovoltaic power plant at its site and the site-specific purchase order were also placed before the notification of RSPV Regulations of 2019.
9. The petitioner had also approached UPNEDA in July 2019, however, due to some misunderstanding the capacity of only 900 kW was indicated in the list submitted to the Commission by UPNEDA. Subsequently, UPNEDA vide letter dated 29.07.21 has informed that in UPNEDA meeting dated 14.07.21, based on documents submitted by HAL, Lucknow, net metering facility for 2.4 MW grid connected roof top solar power facilities at its premises, can be granted.
10. Therefore, in view of complying to all the conditions of the Commission's order dated 01.08.2019, referred at para 7 above, the Commission approves the net metering facility for 2.4 MW grid connected roof top solar power facilities at Petitioner's premises


(Vinod Kumar Srivastava)
Member


(Kaushal Kishore Sharma)
Member


(Raj Pratap Singh)
Chairman

Place: Lucknow

Date: 27. 08.2021

