



Petition No. 1759 of 2021

BEFORE

THE UTTAR PRADESH ELECTRICITY REGULATORY COMMISSION  
LUCKNOW

**Quorum**

Hon'ble Shri Raj Pratap Singh, Chairman

Hon'ble Shri Kaushal Kishore Sharma, Member

Hon'ble Shri V. K. Srivastava, Member (Law)

**In the matter of:**

In the matter of implementation of The Gazette of India Part-II, Section-3, Sub-section(i) dated 29-June-2021 Tuesday, Ministry of Power- Govt of India for allowing Solar Net Metering and Net Feed-In for Grid Tied Solar prosumers of Uttar Pradesh.

U.P. Solar Energy Development Association  
Through Founder Secretary Sanchit Raj Garg  
17-Bhopal House, Lalbag, Lucknow- 226001

.....Petitioner

Vs.

1. Uttar Pradesh Power Corporation Limited,  
Shakti Bhawan Extn.,  
14 Ashok Marg, Lucknow. -226001
2. UPNEDA  
Vibhuthi Khand, Gomti Nagar,  
Lucknow- 226010

..... Respondents

The following were present:

1. Asthana, UPPCL
2. Sanchit Raj Garg, UPSEDA
3. Nishant Shukla, Counsel for UPNEDA

**ORDER**

**(Date of Hearing: 18<sup>th</sup> January, 2022)**

1. The Petition has been filed by U.P. Solar Energy Development Association (UPSEDA) in the matter of implementation of amendment to Electricity (Right to Consumers) Rules, 2020 dated 29-June-2021.





2. The Petitioner submitted that as per regulation 10.4. (iii) of UPERC (Rooftop Solar PV Grid Interactive System Gross/ Net Metering) Regulation, 2019, Net Metering and Gross Metering was allowed by the Commission. Further, the Petitioner submitted that as per Gazette notification of first amendment to Electricity (Right to Consumers) Rules, 2020, Solar Consumers have three types of facility i.e. Gross Metering, Net Metering and Net Feed-in. The Rule 11(4) has been amended to include Net Feed-in system. The Net Feed-in is defined as below:

*"Net-Billing or Net Feed-in" means a single bidirectional energy meter used for Net-Billing or Net Feed-in at the point of supply wherein the energy imported from the Grid and energy exported from Grid Interactive rooftop Solar photovoltaic system of a Prosumer are valued at two different tariffs, where-*

*(i) the monetary value of the imported energy is based on the applicable retail tariff;*

*(ii) the monetary value of the exported solar energy is based on Feed-in tariff determined by the Commission;*

*(iii) the monetary value of the exported energy is deducted from the monetary value of the imported energy to arrive at the net amount to be billed (or credited / carried-over);*

3. As per UPERC (Rooftop Solar PV Grid Interactive System Gross/ Net Metering) Regulation, 2019, the Net Metering is allowed for metered agricultural (under LMV-5 category) and metered residential/ domestic consumer premises (under LMV-1 category) and for other category consumers Gross Metering is allowed.
4. The Petitioner also submitted that as per Electricity (Rights of Consumers) Amendment Rules, 2021, the following has been provided with respect to Net Feed-in:-

*"3. In the said rules, in rule 11-*

*(a) For sub rule (4), the following sub-rule shall be substituted, namely:-*

*"(4) The arrangements for Net-Metering, gross-metering, Net-Billing or **Net Feed-in** shall be in accordance with the regulations made by the State Commission, from time to time:*

*Provided that where the regulations does not provide for Net-metering, Net-Billing, or Net Feed-in, the Commissions may allow*





*Net-Metering to all the Prosumer for loads upto 500 five hundred kilowatt or upto the sanctioned load, whichever is lower, and Net-Billing or **Net Feed-in** for other loads:*

5. During the hearing the Petitioner apprised the Commission that Government of Uttar Pradesh has directed to install rooftop solar PV system on various Government Buildings. Apart from this, a large number of Private industrial and commercial consumers have also installed the rooftop solar PV system. Sri Sanchit Raj Garg, secretary UPSEDA further elaborated that such buildings are not operating for around 150 days every year due to weekends and other public holidays. Also, the facility of bi-directional meters is also not available. As a result of this, there is wastage of clean energy. Sri Garg also raised that there is non-fulfilment of RPO by UPPCL. In case green energy, as mentioned above, generated from rooftop solar PV system installed on government buildings and premises of industrial and commercial consumers, UPPCL/ Discoms will be able to meet the RPO to the extent energy is generated. In light of above the prayer has been made to grant Net Feed-in facility as per Electricity (Rights of Consumers) Amendment Rules, 2021 and allow such consumers to install bi-directional meter.
6. Shri Nishant Shukla counsel for UPNEDA submitted that UPNEDA has no objection and requested the Commission may consider the prayer. The Commission enquired UPPCL that how the requested change/ amendment will impact the Discom. Sri Asthana of UPPCL requested to grant some time to file their reply. The Respondent, UPPCL made the submissions opposing to make these provisions in the regulations by means of this petition.
7. The Respondent No. 1 UPPCL filed written submission on 17.01.2022 and 18.02.2022 vide which several other concerns have been raised. The Commission has taken into consideration the points that have been raised by UPPCL.

### **Commission's View**

8. The Commission has taken into consideration the submissions made by the parties. The Commission is seized with the matter and feels that the same is





being covered under the legislative functions of the Commission and hence, decides that the relief sought by the Petitioner cannot be granted in these proceedings.

9. Accordingly, the petition is hereby dismissed.

  
(V.K. Srivastava)  
Member (Law)

  
(Kaushal Kishore Sharma)  
Member

  
(Raj Pratap Singh)  
Chairman

Place: Lucknow

Dated: 31 .03.2022

