

(2) The ESS shall be utilised either as standalone system or as a grid element or network asset or in complementary with generation, transmission and distribution.

(3) The ESS shall be accorded status based on its application area i.e. generation, transmission and distribution.

(4) The ESS can be developed, owned, leased and/or operated by a generating company or a transmission licensee or a distribution licensee or a system operator or a standalone energy storage service provider. When an ESS is owned and operated by and co-located with a generating station or a transmission licensee or a distribution licensee, it shall have the same legal status as that of the owner.

Provided that if such an ESS is not co-located with, but owned and operated by, the generating station or distribution licensee, the legal status shall still be that of the owner but for the purpose of scheduling and dispatch and other matters it shall be treated at par with a standalone ESS.

(5) The developer/owner of the ESS shall have an option to sell/lease/ rent out the storage space in whole or in part to any utility engaged in generation or transmission or distribution; or to a Load Despatch Centre.

Provided that the owner of the ESS may use part/whole of the storage space himself to buy and store electricity and sell the stored electricity at a later time/date.

(6) The standalone ESS shall be a delicensed activity at par with a generating company.

Provided that if the owner/developer seek to operate the ESS on a standalone basis it shall be registered with the Authority for the capacity, verified by the Authority. It shall comply the Regulations notified by the Authority.

19. **Implementation of Uniform RE Tariff for Central Pool.**—(1) a) There shall be a different Central Pool for each of the sectors like Solar, Wind, Hybrid, Hydro, Small Hydro Power and Power from any other renewable energy resource including storage or their combination thereof as may be notified by an order by the Central Government.

Provided that such Central Pool shall be for five years, for every five years, a new Central Pool shall be formed.

b) The implementing Agency shall compute the Uniform Renewable energy tariff for selling of electricity to End Procurer(s) by Intermediary Procurer(s), on a monthly basis, as per the methodology given at Schedule-I of these Rules. The implementing Agency shall also issue the monthly account statements for adjustment of any surplus or deficit among the Intermediary Procurers. Intermediary Procurer(s) shall within 15 days make the payment as per the monthly account statements to the other intermediary procurer(s), if the payment is due to it.

c) The Contractual Obligations between Power Generators & Intermediary Procurer and Intermediary Procurer & End Procurer such as liquidated damages, penalties, extension charges, dispute resolutions shall be governed by respective bidding document including Power Purchase Agreements, Power Sale Agreements and will have no bearing on Uniform Renewable Energy Tariff.

d) The impact on the tariff due to Change in Law shall be in accordance with the Bidding Documents and shall be reflected in the pooled tariff computed in accordance with these Rules.

e) Uniform Renewable Energy Tariff shall be applicable only to power procured by the End Procurers and shall not in any manner have any implication on the Renewable energy tariff discovered under the respective tariff based competitive bid process and payable to Renewable energy Generators by Intermediary Procurer as per the Power Purchase Agreement.

f) The trading margin, as notified by the Appropriate Commission / Central Government (or in the absence of such notification, as mutually agreed between the Intermediary Procurer and the End Procurer), shall be payable by the End Procurer to the Intermediary Procurer.

g) The Appropriate Commission, on an application made by the Intermediary Procurer(s) or End Procurers, as the case may be, shall adopt the tariff discovered through competitive bidding process carried out by Intermediary Procurers under Section 63 of the Act and as per provisions of Bidding Guidelines notified by the Government from time to time. Adopted tariff of one category of Renewable energy power shall be part of the respective category of the Central Pool.

h) The End Procurer(s) shall obtain the approval of the concerned State Commission for the procurement of the electricity from a pool at Uniform Renewable Energy Tariff computed under these Rules from time to time.

i) Bilateral scheduling from the Renewable energy generators shall be done directly to the end procurers as per the Power Supply Agreement.

j) Scheduling, Accounting, Deviation Settlement Mechanism (DSM) shall be as per extant regulation of Appropriate Commission.

k) The Intermediary Procurer shall raise the bill on a monthly basis as per the Uniform Renewable Energy Tariff computed by the Implementing Agency for the relevant month and in accordance with the terms of the respective Power Sale Agreement.

l) The Implementing Agency shall make public the relevant details including the monthly accounts statements, on its website and shall have no liability except for computing Tariff on a monthly basis for sale of power from the Central Pool as per these Rules and shall be kept indemnified.