

(TO BE PUBLISHED IN DELHI GAZETTE EXTRAORDINARY PART)
GOVERNMENT OF NATIONAL CAPITAL TERRITORY OF DELHI

Delhi Electricity Regulatory Commission
Viniyamak Bhawan, C-Block, Shivalik, Malviya Nagar, New Delhi-110017

NOTIFICATION
Delhi

F.3(679)/Tariff/DERC/2022-23/7460: In exercise of powers conferred under Section 181 read with Section 61 and Section 86(1)(b) of the Electricity Act, 2003 (Act 36 of 2003) and all other powers enabling it in this behalf and after previous publication, the Delhi Electricity Regulatory Commission hereby makes the following Regulations to amend the *Delhi Electricity Regulatory Commission (Renewable Purchase Obligation and Renewable Energy Certificate Framework Implementation) Regulations, 2021* (hereinafter referred to as “the Principal Regulations”)

1.0 Short Title and Commencement:

- (1) These Regulations may be called the *Delhi Electricity Regulatory Commission Renewable Purchase Obligation and Renewable Energy Certificate Framework Implementation (First Amendment) Regulations, 2023* and shall be applicable from 1/04/2023 onwards.

2.0 Amendment in Regulation 2(10) of Principal Regulations:

(10) “Consumption” means –

In case of Distribution Licensees percentage of Total Sale of Power to its Retail Consumers in its Area of Supply.

In case of Open Access consumers as the Total Energy recorded by the meter for the whole year.”

3.0 Amendment in Regulation 4 of Principal Regulations:

4. RENEWABLE PURCHASE OBLIGATION (RPO)

- (1) Every Obligated Entity shall purchase electricity from Renewable Energy Sources for fulfilment of a defined minimum percentage of the total consumption during the year, under the Renewable Purchase Obligation, as specified below:-

Table 1: RPO Targets for Obligated Entities

Sr. No.	RPO Targets	FY 2023-24	FY 2024-25	FY 2025-26
1	Wind RPO	1.60%	2.46%	3.36%
2	Other RPO	24.81%	26.37%	28.17%
3	HPO Target (only for Distribution Licensee)	0.66%	1.08%	1.48%
4	Total RPO Target	27.07%	29.91%	33.01%

Provided further that the targets specified for Obligated Entities for FY 2025-26 shall be continued beyond FY 2025-26 unless specified by the Commission separately.

- (2) Wind RPO shall be met by energy produced from Wind Power Projects (WPPs) commissioned after 31st March 2022 and the wind energy consumed over and above 7% from WPPs commissioned till 31st March 2022.
- (3) HPO shall be met by Energy produced from Hydro Power Projects *[including Large Hydro Projects (LHPs), Pumped Storage Projects & Small Hydro Projects (SHPs)]* commissioned after 8th March 2019.
- (4) Other RPO shall be met by Energy produced from any Renewable Energy Power Project not mentioned in 4 (2) & 4(3) above and shall include Hydro Power Projects *[including Large Hydro Projects (LHPs), Pumped Storage Projects & Small Hydro Projects (SHPs)]* commissioned before 8th March 2019.
- (5) Any shortfall remaining in achievement of 'Other RPO' category in a particular year shall be met with either the excess energy consumed from WPPs, commissioned after 31st March 2022 beyond 'Wind RPO' for that year or with excess energy consumed from eligible LHPs *[including Large Hydro Projects (LHPs), Pumped Storage Projects & Small Hydro Projects (SHPs)]*, commissioned after 8th March 2019 beyond 'HPO' for that year or partly from both. Further, any shortfall in achievement of 'Wind RPO' in a particular year shall be met with excess energy consumed from Hydro Power Plants, which is in excess of 'HPO' for that year and vice versa.
- (6) Renewable Energy Certificates shall be considered as per *Central Electricity Regulatory Commission (Terms and Conditions for Renewable Energy Certificates for Renewable Energy Generation) Regulations, 2022* as amended from time to time, for computation of further shortfall in RPO, if any.

- (7) Hydro power imported from outside India shall not be considered for meeting HPO and the HPO Trajectory shall be trued up on an Annual Basis depending on the Revised Commissioning schedule of Hydro projects. Further to facilitate compliance of HPO, Hydro Energy Certificate mechanism, as available, may be utilized by Obligated Entity.

4.0 Addition in Regulation 6(1) of Principal Regulations:

(f) Certification of Purchase of Electricity from Renewable Energy Sources in excess of RPO for all eligible entities and Computation of Quantum of RPO Compliance & Excess Renewable Purchase for non-obligated and obligated entities.

5.0 Amendment in 1st proviso of Regulation 7(3) and 8(2) of Principal Regulations:

Provided that the value of BG/FDR shall be weighted average price of Renewable Energy Certificates (REC) discovered at Power Exchange (IEX) for past three (3) months.

6.0 Amendment in 1st proviso of Regulation 9(1) of Principal Regulations:

Provided that for shortfall of units to meet RPO target, after physical procurement of power, the Distribution Licensees may be allowed REC cost which shall be considered as per *Central Electricity Regulatory Commission (Terms and Conditions for Renewable Energy Certificates for Renewable Energy Generation) Regulations, 2022* as amended from time to time and shall be Trued-up.

7.0 Amendment in Heading of Regulation 10 of Principal Regulations:

10. *TREATMENT OF SHORTFALL FOR RPO COMPLIANCE*

8.0 Amendment in Regulation 12 of Principal Regulations:

12. PENALTY FOR NON COMPLIANCE OF RPO

- (1) Non-compliance of the RPO targets by an Obligated Entity shall attract penalty at the rate of 10% of weighted average REC price discovered at Power Exchange (IEX) for the relevant year, for quantum of shortfall in RPO.

Provided that the amount of penalty imposed on the Distribution Licensees due to non-compliance of the RPO targets shall be reduced from the ARR during True up of the relevant Financial Year in terms of the Regulation 124 of the *DERC (Terms and Conditions for Determination of Tariff) Regulations, 2017*.

Provided further that the amount of penalty to be levied on obligated Open Access consumers shall be computed for relevant year by SNA and communicated to Distribution Licensee with a copy to Commission. The Distribution Licensee shall bill such penal amount in the electricity bill of Open Access consumers.

Provided further that the penalty to be levied on remaining obligated entities will be computed for relevant year by SNA and the mechanism for its recovery will be dealt by the Commission on case to case basis.

Date: 29/03/2023

**Sd/-
Rajesh Dangi
Secretary, DERC**