

F. No. 13/02/2023-RCM
Government of India
Ministry of Power
(RCM Division)

Shram Shakti Bhawan, Rafi Marg,
New Delhi, 13th May, 2023

To

The Secretary of all SERCs/JERCs

Subject: Determination of Green Tariff under Electricity (Promoting Renewable Energy Through Green Energy Open Access) Rules, 2022 and Implementation of the Rules - reg.

Madam/Sir,

The Electricity (Promoting Renewable Energy Through Green Energy Open Access) Rules, 2022 were notified on 6th June, 2022 (amended on 27th January, 2023) to facilitate use of Renewable Energy (RE) by the consumers and to further accelerate India's RE programs. SERCs/JERCs vide letter dated 10.10.2022 (**copy enclosed**) were informed to take appropriate action for determination of Green Tariff under Rule 4 (2) (C) (c).

2. The aforementioned rule provides that the tariff for the supply of green energy shall be determined separately by the Appropriate Commission based on the Average Pooled Power Purchase Cost of the renewable energy, cross-subsidy charges (if any), and service charges covering the prudent cost of the distribution licensee for providing the green energy. Electricity Rules, 2005 (as amended) also provide that cross subsidy surcharge shall not exceed 20% of Average Cost of Supply.

3. It has come to notice that only a few States have determined the Green Tariffs, however such tariffs had been set at a rate much higher than the Average Power Purchase Cost of renewable energy procured by the Discoms. It is imperative that for incentivizing more and more use of renewable energy, the tariff is strictly in accordance with said Rules. In view of this position, it is clarified that in no case the Green Tariff should be higher than Average Power Purchase Cost of RE + Surcharge @ 20% of ACoS + (say) a reasonable margin of 25 paise.

4. Further, it was noticed that some SERCs which have notified the Green Energy Open Access Regulations have not completely aligned the regulations in accordance with the rules notified by the Ministry. In this regard attention is drawn towards the provisions of section 181 of the Act, which mandates that Regulations by SERCs shall be in consistent with the Act and Rules. The SERCs which have not notified Green Energy Open Access regulations need to notify the regulations in a time bound manner. It may be noted that Rules framed under the Act have the force of law, and any violation of the law is liable for action under the provisions of the law.

5. Accordingly, it is conveyed to all SERCs to take appropriate action for determination of Green Tariff, implement the Green Open Access Rules notified by the Central Government and align Open Access Regulations in accordance with the notified Rules, at the earliest. The status of compliance may be sent within 15 days of issue of this letter.

6. This issues with the approval of competent authority.

Encl.: As above.

Yours faithfully,



(Suresh Annepu)
Director (RCM)

Tel: 011-2371-7737

Copy to:

1. Secretary , MNRE, New Delhi
2. ACS/Principal Secretaries (Energy/Power), All States/UTs
3. Secretary, FOR/CERC, New Delhi
4. CMD/MDs of All Discoms
5. Heads of all SLDCs

Copy also to: PS to Hon'ble Minister of Power and NRE/ PPS to Secretary (Power)/PSO to CE(R&R)/PPS to Director (RCM), MoP.

No. 23/09/2021-R&R
Government of India
Ministry of Power

Shram Shakti Bhawan, Rafi Marg,
New Delhi, 10 October, 2022

To,
All SERCs
(As per list attached)

**Sub: Electricity (Promoting Renewable Energy Through Green Energy Open Access)
Rules, 2022- Reg**

Sir,

Ministry of Power and Ministry of New and Renewable Energy have taken various reform initiatives for promoting non-fossil fuel sources of energy. To facilitate use of renewable energy by the consumers and to further accelerate India's renewable energy programmes, Ministry of Power has notified the Green Open Access (GoA) Rules 2022 on 6th June, 2022 (Copy enclosed).

2. Rule 4 (2) (C) (c) of GoA Rules provides that the tariff for the supply of green energy by DISCOMs shall be determined separately by the Appropriate Commission, which shall comprise of the average pooled power purchase cost of the renewable energy, cross-subsidy charges if any, and service charges covering the prudent cost of the distribution licensee for providing the green energy.

3. These Rules provides for a uniform renewable purchase obligation, on all obligated entities in area of a distribution licensees. Consumers opting for green energy supply from DISCOMs will also get green certificates, by the distribution licensee, beyond renewable purchase obligation and there will be a rating, of such consumers, by State Commissions, based on their consumption.

4. All the State and Joint Commissions are, therefore, requested to take appropriate action for determination of green tariff under Rule 4 (2) (C) (c) at the earliest.

Encl: - As above.


(Piyush Singh)
Joint Secretary

Copy to:-

1. Secretary , GOI, MNRE
2. ACS/Principal Secretaries Energy of All States/UTs
3. Secretary, FOR and CERC
4. CMD/MDs of All Discoms

Copy to:-

PS to Hon'ble Minister of Power and NRE/ Sr. PPS to Secretary (Power)