

RAJASTHAN ELECTRICITY REGULATORY COMMISSION

NOTIFICATION

Jaipur, March 15, 2016

No.RERC/Secy./Regulation -116

In exercise of the powers conferred under Section 86(1)(e) read with Section 181 of the Electricity Act, 2003 and all powers enabling it in this behalf, the Rajasthan Electricity Regulatory Commission makes the following Regulations to amend Rajasthan Electricity Regulatory Commission (Renewable Energy Certificate and Renewable Purchase Obligation Compliance Framework) Regulations, 2010 (hereinafter referred to as the 'Principal Regulations') namely:

1. Short title and commencement

- (1) These Regulations shall be called the "Rajasthan Electricity Regulatory Commission (Renewable Energy Certificate and Renewable Purchase Obligation Compliance Framework) (First Amendment) Regulations, 2016."
- (2) These Regulations shall come into force from 1.04.2016.

2. Amendment in Regulation 4:

The Regulation 4 of the Principal Regulations shall be replaced as under:

"4. Renewable Purchase Obligation

Every 'Obligated Entity' shall procure electricity generated from renewable energy sources as defined in these Regulations as per purchase obligation specified as under:

- (a) *Distribution licensees:
Renewable Purchase Obligation in respect of Solar, Wind and Biomass energy shall be as per RERC (Power purchase & procurement process of distribution licensee) Regulations, 2004 as amended from time to time.*
- (b) *Captive consumers of CPP/Open Access consumers:
Renewable Purchase obligation in respect of CPP/Open Access consumers shall be as per RERC (Renewable Energy Obligation) Regulations, 2007 as amended from time to time.*

3. Amendment in the Regulation 8:

The Regulation 8 of the Principal Regulations shall be deleted.

4. Amendment in Regulation 9:

The sub-regulation (1) of Regulation 9 of the Principal Regulations shall be substituted by the following:

“(1)(a) The obligated entities shall submit the details of their compliance of RPO to the State Agency quarterly. The final annual accounts shall be submitted by 31st July of the Assessment Year.

(b) After receiving the compliance from the obligated entities as per (a) above, the State Agency shall assess the shortfall, if any, in meeting the RPO by the obligated entities in the State for the relevant Financial Year.

(c) The State Agency shall serve the notices to the obligated entities identified as defaulters in the assessment done under (b) above by 30th September of the Assessment Year requiring them to pay RPO charge determined in the manner mentioned under (d).

(d) The obligated entities in default shall pay, by 30th November of the Assessment Year, the RPO charge assessed equivalent to the product of shortfall and forbearance price of solar or non-solar REC, as applicable on 31st March of the relevant Financial Year, to a separate account maintained by the State Agency. All sums received by the State Agency shall be paid to STU for crediting in a fund created and maintained by the STU within one month from the last day of the month in which such sums are received.

Provided that the fund so created shall be utilized by STU for development of transmission infrastructure for evacuation of power from Renewable Energy generating stations or promoting renewable energy sources as approved by the Commission for which the STU shall submit the proposal(s).

(e) In addition to above, the State Agency shall also file a petition before the Commission recommending penal action under Regulation 9 (2) of these Regulations for the obligated entities identified as defaulters under (c) above by 31st December of the Assessment Year.

Explanation: For the purpose of this sub-regulation,

- (i) *'Relevant Financial Year' shall mean the year in which RPO was to be complied.*
- (ii) *'Assessment Year' shall mean the Financial Year following the relevant Financial Year.*
- (iii) *Forbearance price shall be the price as determined by the CERC from time to time."*

By Order of the Commission

Secretary

Note: The Principal Regulations were published on 22nd February, 2011 in the Rajasthan Gazette Extraordinary.