



TAMIL NADU GOVERNMENT GAZETTE

PUBLISHED BY AUTHORITY

No. 13] CHENNAI, WEDNESDAY, MARCH 30, 2016
Panguni 17, Manmadha, Thiruvalluvar Aandu-2047

Part VI—Section 2

Notifications of interest to a section of the public
issued by Heads of Departments, etc.

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TAMIL NADU ELECTRICITY REGULATORY COMMISSION.

Amendment to the Renewable Energy Purchase Obligation Regulation, 2010.

(Notification No. TNERC/RPO/19-4, dated 07-03-2016)

No. VI(2)/41/2016.

In exercise of the powers conferred by sections 61(h), 66 and 86 (1) (e) read with section 181 of the Electricity Act, 2003 (Central Act 36 of 2003) and all other powers enabling it in this behalf, the Tamil Nadu Electricity Regulatory Commission hereby makes the following amendment to the Tamil Nadu Electricity Regulatory Commission (Renewable Energy Purchase Obligation) Regulations, 2010, the draft of the same having been previously published as required by sub-section (3) of Section 181 of the said Act.

AMENDMENT

In the said regulations, in regulation 3, after sub-regulation (1), the following sub-regulation shall be inserted, namely:-

"(1A) The following percentage of Renewable Purchase Obligation is fixed:

Sl.No.	Year	Minimum Quantum of total renewable purchase obligation in percentage (in terms of energy in kWh)	Minimum quantum of solar renewable purchase obligation in percentage out of the total renewable purchase obligation mentioned in column (3) (in terms of energy in kWh)
(1)	(2)	(3)	(4)
1	2015-16	9.50%	0.50%
2	2016-17	11.50%	2.50%
3	2017-18	14.00%	5.00%

Explanation: The Renewable Purchase Obligations specified for the year 2011-12 in sub-regulation (1) shall be applicable for the years 2012-13, 2013-14 and 2014-15 to the Distribution Licensee."

(By order of the Tamil Nadu Electricity Regulatory Commission)

Chennai-600 008,
11th March 2016.

S. CHINNARAJALU,
Secretary,
Tamil Nadu Electricity Regulatory Commission.

EXPLANATORY STATEMENT

The Commission has been mandated to fix Renewable Energy Purchase Obligation (RPO) under section 86(1)(e) of the Electricity Act, 2003. Accordingly, the Commission notified the RPO for FY 2011-12 in its RPO Regulations. Distribution Licensee, Open Access Consumers and Captive Consumers are the obligated entities under the above Regulation. A stay was granted by the Hon'ble Madras High Court on a batch of writ petitions filed by the open access and captive consumers, restraining the operation of the Regulation in so far as it seeks to include the open access and captive consumers. Now, the Distribution Licensee has to fulfil the RPO as specified in the Regulations. The RPO fixed by the Commission for FY 2011-12 continues to be applicable for further period of FY 2012-13, 2013-14 & 2014-15 as per the Commission's RPO Regulations.

The Appellate Tribunal of Electricity (ATE) in its order dt.20.4.2015 in O.P No.1 of 2013 etc. after hearing the contentions of the State/Joint Commissions, Central Commission and MNRE, has issued directions under section 121 of the Electricity Act, 2003 to the State Commissions to decide the RPO targets before the commencement of the Multi Year Tariff period to give adequate time to the distribution licensees to plan and arrange procurement of renewable energy sources. In line with the direction of ATE and the enhanced target of solar capacity by Ministry of New and Renewable energy, Commission has fixed the RPO for the years 2015-16, 2016-17 and 2017-18. The enforcement of Renewable Purchase Obligations on captive and open access consumers would be subject to the outcome of the cases filed in the relevant judicial forums.

(By the order of the Tamil Nadu Electricity Regulatory Commission)

Chennai-600 008,
11th March 2016.

S. CHINNARAJALU,
Secretary,
Tamil Nadu Electricity Regulatory Commission.

STATEMENT SHOWING EXISTING PROVISION AND PROVISION AS AMENDED

Tamil Nadu Electricity Regulatory Commission (Renewable Energy Purchase Obligation) Regulations, 2010

Existing provision
(1)

Provision as amended
(2)

3. Renewable Purchase Obligation.-

(1) Every obligated entity shall purchase not less than defined minimum percentage of its consumption of energy from renewable energy sources under the Renewable Purchase Obligation (RPO) during a year as specified below:

xxx

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(1) Every obligated entity shall purchase not less than defined minimum percentage of its consumption of energy from renewable energy sources under the Renewable Purchase Obligation (RPO) during a year as specified below:

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(1A) The following percentage of Renewable Purchase Obligation is fixed:

Sl. No.	Year	Minimum Quantum of total renewable purchase obligation in percentage. (in terms of energy in kWh)	Minimum quantum of solar renewable purchase obligation in percentage out of the total renewable purchase obligation mentioned in column (3). (in terms of energy in kWh)
(1)	(2)	(3)	(4)
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3	2017-18	14.00%	5.00%

Explanation: The Renewable Purchase Obligations specified for the year 2011-12 in sub-regulation (1) shall be applicable for the years 2012-13, 2013-14 and 2014-15 to the Distribution Licensee.

(2) xxx

(2) No Change

(3) xxx

(3) No Change

(By the order of the Tamil Nadu Electricity Regulatory Commission)

Chennai-600 008,
11th March 2016.

S. CHINNARAJALU,
Secretary,
Tamil Nadu Electricity Regulatory Commission.