

- (दो) पंजीयन शुल्क या, यथास्थिति, आवश्यक प्रलेखों के साथ समस्त प्रकार से पूर्ण आवेदन की प्राप्ति पर वितरण अनुज्ञापिधारी आवेदन की पावती देगा ।
- (तीन) वितरण अनुज्ञापिधारी, यदि चाही गई निर्बाध पहुंच विद्यमान संविदा मांग से अधिक है, तो संभाव्यता प्रतिवेदन के अनुसार अपेक्षित आबद्ध उपभोक्ता के साथ निष्पादित किए जाने वाले अनुबंध की प्रति, उपभोक्ता द्वारा जमा की जाने वाली प्रणाली सुदृढीकरण कार्य हेतु रकम, यदि कोई हो के साथ, यथास्थिति, आवेदन की स्वीकृति/निरस्तीकरण के बारे में उपभोक्ता को संसूचित करेगा।
- (चार) नवीकरणीय ऊर्जा आधारित आबद्ध विद्युत्-उत्पादन संयंत्र, समय-समय पर यथा संशोधित मध्यप्रदेश विद्युत् नियामक आयोग अन्तर्राज्यीय खुली पहुंच विनियम, 2005 के अनुसार, इन विनियमों के विनियम 12ख (चार) में विनिर्दिष्ट बाध्यताओं को छोड़कर समस्त की पूर्ति करेगा।

आयोग के आदेशानुसार,
शैलेन्द्र सक्सेना, आयोग सचिव.

Bhopal, the 17th December 2019

No. 1780.—In exercise of the powers conferred by Section 61(h), 86(1) (e) read with Section 181(1) and Section 181(2) (zp) of the Electricity Act, 2003 (36 of 2003) and all other powers enabling it in that behalf, the Madhya Pradesh Electricity Regulatory Commission, hereby, makes the following amendments in the Madhya Pradesh Electricity Regulatory Commission (Cogeneration and Generation of Electricity from Renewable Sources of Energy) (Revision-I Regulations, 2010 namely:—

Eighth amendment to Madhya Pradesh Electricity Regulatory Commission (Cogeneration and Generation of Electricity from Renewable Sources of Energy) (Revision-I) Regulations, 2010 [RG- 33(I) of 2010]

1. Short Title and Commencement –

1.1 These Regulations shall be called “**Madhya Pradesh Electricity Regulatory Commission (Cogeneration and Generation of Electricity from Renewable Sources of Energy) (Revision-I) Regulations, 2010 (Eight Amendment) {ARG-33(I)(viii) of 2019}**”

1.2 These Regulations shall come into force from the date of their publication in the Madhya Pradesh Gazette.

1.3 These Regulations shall extend to the whole of the State of Madhya Pradesh.

2. In the said Regulations, in regulations 3, after sub-regulation (xiv), the following sub-regulations shall be inserted, namely: -

“(xiv-a) For the purpose of these Regulations, the ‘Renewable Energy based Captive Generating Plant’ means a Renewable Energy power plant set up in the state of Madhya Pradesh by any person to generate electricity primarily for his own use and includes a power plant set up in the state of Madhya Pradesh by any co-operative society or association of persons for generating electricity primarily for use of members of such co-operative society or association and satisfies the conditions contained in Rule 3 (1) (a) and 3 (1) (b) of the Electricity Rules, 2005 as amended from time to time.”

3. Amendment of regulation 12:-

(1) In sub-regulation 12.1, for clause (vi), the following clause shall be substituted, namely:

“(vi) If a portion of banked power still remains un-adjusted at the end of Financial Year, then such remaining power would be construed as power purchased and the payment for the same will be made by the Distribution Licensee / MP Power Management Co Ltd at the rate equal to the lowest tariff rate discovered in the solar/wind bidding, as the case may be, for the state of MP in that year. In case no rate is discovered in that year, the available lowest tariff rate discovered in the latest previous year shall be considered. In case of any Renewable Energy based Captive Generating Plant other than solar or wind, this rate shall be the applicable Average Power Purchase Cost as determined by the Commission for such period in its Retail Supply Tariff Order for Distribution Licensees in force.

(2) after sub-regulation 12.2, the following sub-regulations shall be added, namely: -

“12.3. The Renewable Energy based Captive Generating Plant which shall be registered with the Distribution Licensee under Regulation 12D of these Regulations shall not be eligible to avail banking facility as provided in sub-regulation 12.1.

“12.4 The Renewable Energy based Captive Generating Plant which shall not be registered with the Distribution Licensee under Regulation 12(D) of these Regulations, shall be eligible to avail banking facility as provided in sub-regulation 12.1.”

4. After regulation 12, the following regulations shall be added, namely:-

“12 (A) The Principles, Energy Accounting and Settlement, RPO and Manner of Application for Renewable Energy based Captive Generating Plant shall be as under:

- (a) The Renewable Energy based Captive Generating Plant, whether installed in the premises of its captive user(s) or outside the premises of its captive user(s) shall be eligible to sale its surplus power to the Distribution Licensee subject to provisions of these Regulations provided that:
- (i) The captive user(s) of such Captive RE Generation Plant shall mandatorily be a consumer(s) of any Distribution Licensee in the state of Madhya Pradesh.
 - (ii) The expenses, if any, incurred on the infrastructure development for evacuation of power are required to be borne by the owner of Renewable Energy based Captive Generating Plant.
 - (iii) The captive consumer is not availing facility of net metering in its premises in accordance with the Madhya Pradesh Electricity Regulatory Commission (Grid connected Net Metering) Regulations, 2015 as amended from time to time.
- (b) The Captive RE Generation Plant shall also be eligible to sale its surplus power to any 3rd party subject to provisions of these Regulations provided that:
- (i) The expenses, if any, incurred on the infrastructure development for evacuation and supply of power are required to be borne by the owner of Captive RE Generation Plant or the 3rd Party consumer as the case may be.
 - (ii) The 3rd party consumer is not availing facility of net metering in its premises in accordance with the Madhya Pradesh Electricity Regulatory Commission (Grid connected Net Metering) Regulations, 2015 as amended from time to time.”

12 B. Forecasting, Scheduling, Energy Accounting and Settlement: -

- (i) For Renewable Energy based Captive Generating Plant forecasting, scheduling and deviation settlement, energy accounting and settlement shall be done in 15 minute time-block wise as per MPERC (Forecasting, Scheduling, Deviation Settlement Mechanism and related matters of Wind and Solar Generating stations) Regulations, 2018 subject to limits stipulated in the aforesaid Regulations as amended time to time.

Provided that the energy accounting and settlement of energy supplied to the beneficiary consumers by the Renewable Energy based Captive Generating Plants shall be done in 15 minute time-block wise for the entire billing period applicable to such consumers as per subsisting agreement.

- (ii) Surplus power injected by a Solar and Wind Renewable Energy based Captive Generating Plant shall be metered for each 15 minutes time block and surplus power shall be computed. Settlement of such surplus power shall be made at the end of every billing period at the rate equal to the lowest tariff rate discovered in the solar/ wind bidding in that year and for which the Distribution licensee/ M.P. Power Management Co. Ltd. has entered into a Power Purchase Agreement with the solar or wind generating plants, as the case may be. In case no rate is discovered in that year, the available lowest tariff rate discovered in the latest previous years shall be considered. In case of any Renewable Energy based Captive Generating Plant other than solar or wind, the settlement of such surplus power at the end of every billing period shall be done at the applicable Average Power Purchase Cost as determined by the Commission for such period in its Retail Supply Tariff Order for Distribution Licensees in force.
- (iii) If a RE captive consumer with Renewable Energy based Captive Generating Plant imports electricity from grid, settlement of such energy shall be made at the tariff applicable for such captive consumer in Retail Supply Tariff Order for Distribution Licensees in force and settlement of such energy shall also be governed by the provisions of respective agreement executed by RE captive users with the concerned Distribution Licensee in the state of M.P.

Provided that the total units consumed by RE captive consumer (including the units consumed from RE captive Generating Source) shall be considered for the purpose of computation of Load Factor, In no case, the surplus energy generated by Renewable Energy based Captive Generating Plant shall be used to net off the energy imported by the RE Captive user from the grid.

- (iv) The RE captive consumer of Renewable Energy based Captive Generating Plant shall not be liable to pay cross subsidy surcharge, wheeling charge and additional surcharge but it shall be liable to bear the losses for carrying the generated electricity from its plant to the destination for its own use or for the use of its captive user as defined by the Act or the rules made thereunder.

Provided that the captive user shall not bear the losses in case the captive consumption is being done without using the distribution and / or transmission system of the Distribution and / or Transmission Licensee as the case may be;

Provided further that in case of supply of power to a consumer or to a person other than captive users, such consumer or person shall pay all open access charges including cross-subsidy surcharge, additional surcharge and wheeling charges as determined by the Commission and shall bear the losses.

- (v) The captive consumer/user of such Renewable Energy based Captive Generating Plant shall not be eligible for any rebates for captive power plant consumer under HV- 3 category in applicable Retail Supply Tariff Order for Distribution Licensees issued by the Commission.
- (vi) It shall be the obligation of the Renewable Energy based Captive Generating Plant to ensure that the requirement of the captive generating plant as provided in the Electricity Rule, 2005 and subsequent amendments are maintained.

Provided that in case the requirement of the captive generating plant as provided in the Electricity Rule, 2005 is not maintained in any financial year, the generating plant shall not be eligible for the benefits of a captive generating plant in that financial year.

“12 (C) Renewable Purchase Obligation: -

The surplus electricity purchased by the distribution licensee from Renewable Energy based Captive Generating Plant shall qualify towards compliance of Renewable Purchase Obligation (RPO) of the Distribution licensee. The quantum of electricity consumed by consumer from its Renewable Energy based Captive Generating Plant shall first qualify towards compliance of its own Renewable Purchase Obligation

(RPO). However, if the self-consumption of the captive consumer is over and above its Renewable Purchase Obligation (RPO), such quantum of electricity over and above RPO shall be considered towards compliance of Renewable Purchase Obligation of the Distribution Licensee.

“12 (D) Processing of application and applicable fee: -

- (i) The Renewable Energy based Captive Generating Plants intending to avail the facility made available under the provisions of this Amendment shall have to submit an application and register with Distribution Licensee in the specified form as provided by the Distribution Licensee along with non-refundable registration fee of Rs. 1000 (one thousand only) at the office designated by the concerned Distribution Licensee. The Distribution Licensees shall provide the details of their respective designated offices on their web-site in this regard. The Distribution licensee shall make the form available on its website and at its designated office. The existing Captive RE Consumers who intend to avail the above facility shall also be required to submit the application and register their Renewable Energy based Captive Generating Plant with the concerned Distribution Licensee. No fee shall be levied on existing Renewable Energy based Captive Generating Plant.
- (ii) On receipt of application complete in all respect along with registration fee, or as the case may be, and necessary documents, the Distribution licensee shall acknowledge the application.
- (iii) The Distribution Licensee shall communicate to the consumer the sanction/ rejection of the application, as the case may be, along with amount for system strengthening work, if any, required as per feasibility report, if the open access sought is over and above existing contract demand, to be deposited by the consumer along with a copy of agreement to be executed with the captive consumer.
- (iv) The Renewable Energy based Captive Generating Plant shall also fulfill all the obligations except those specified in Regulation 12(B) (iv) of these Regulations as per the MPERC Intra-State Open Access Regulations, 2005 as amended from time to time.

By order of the Commission,
SHAIENDRA SAXENA, Secy.