

ASSAM ELECTRICITY REGULATORY COMMISSION

AERC Renewable Purchase Obligation and its Compliance Regulations, 2010.

Dated 2.11.2010

Sl. No.	Description	Summary of Regulations												
1	Title	AERC Renewable Purchase Obligation and its Compliance Regulations 2010 Dated 2.11.2010												
2	Date of enforcement	Regulations to come into force from the date of their publication in the Assam Gazette.												
3	Applicability	<ul style="list-style-type: none"> • Throughout the state of Assam • Regulations shall be applicable to the obligated entities. 												
4	Renewable Power Purchase Obligation (RPPO)	<p>Every obligated entity shall purchase not less than of its total energy handled during the following years from RE sources under the Renewable Purchase Obligation or until reviewed by the Commission.</p> <table border="1" style="margin-left: auto; margin-right: auto;"> <thead> <tr> <th style="text-align: center;">Year</th> <th style="text-align: center;">RPO (%)</th> </tr> </thead> <tbody> <tr> <td style="text-align: center;">2010-11</td> <td style="text-align: center;">1.4</td> </tr> <tr> <td style="text-align: center;">2011-12,</td> <td style="text-align: center;">2.8</td> </tr> <tr> <td style="text-align: center;">2012-13</td> <td style="text-align: center;">4.2</td> </tr> <tr> <td style="text-align: center;">2013-14</td> <td style="text-align: center;">5.6</td> </tr> <tr> <td style="text-align: center;">2014-15</td> <td style="text-align: center;">7</td> </tr> </tbody> </table> <ul style="list-style-type: none"> • Provided that 0.05 percentage point out of the RPO so specified in the year 2010-11 shall be procured from generation based on solar energy and shall be increased at a rate of 0.05 percentage every year thereafter till 2014-15 or until reviewed by the Commission. • Provided further, such obligation to purchase renewable energy shall be inclusive of the purchases, if any, from RE sources already being made by concerned obligated entity. • Provided also that the power purchases under the PPA for the purchase of renewable energy sources already entered into by the distribution licensees and consented to by the Commission shall continue to be made till their present validity, even if the total purchases under such agreements exceed the percentage as specified hereinabove. 	Year	RPO (%)	2010-11	1.4	2011-12,	2.8	2012-13	4.2	2013-14	5.6	2014-15	7
Year	RPO (%)													
2010-11	1.4													
2011-12,	2.8													
2012-13	4.2													
2013-14	5.6													
2014-15	7													
5	Certificates under the Regulations of the Central Commission	<ul style="list-style-type: none"> • Subject to the terms and conditions contained in these regulations the Certificates issued under the CERC (Terms and Conditions for recognition and issuance of REC for Renewable Energy Generation) Regulations, 2010 shall be the valid instruments for the discharge of the mandatory obligations set out in these regulations for the obligated entities to purchase electricity from RE sources. • Provided that in the event of the obligated entity fulfilling the RPO by purchase of certificates, the obligation to purchase electricity from generation based on solar energy can be fulfilled by purchase of solar certificates only and from other RE sources by purchase of non –solar certificates. • Subject to such direction as the Commission may give from time to time, the obligated entity shall act consistent with the CERC Regulations, 2010 • Certificates purchased by the obligated entities from the power exchange in terms of the regulations of the Central Commission mentioned above shall be deposited by the obligated entities to the Commission in accordance with the detailed procedure issued by the Central Agency 												
6	State agency	<ul style="list-style-type: none"> • Commission to designate an agency as State Agency for accreditation and recommending the renewable energy projects for registration and to undertake functions under these regulations • State agency to function in accordance with directions issued by the Commission and shall act in consistent with the procedures/rule laid by central agency for discharge of its function under CERC Regulations, 2010 as amended from time to time 												

		<ul style="list-style-type: none"> • State agency to submit quarterly status to the commission in respect of compliance of RPPO by the obligated entity(s) as per stipulated format. • Commission may from time to time fix the remuneration and charges payable to the State Agency to be recovered from the accredited entities and obligated entities. • If the commission is satisfied that the state agency is not able to discharge its functions satisfactorily, it may by general or special order and by recording reasons in writing, designate any another agency to function as state agency as it considers appropriate.
7	Effect of Default	<ul style="list-style-type: none"> • If the obligated entity(s) does not fulfill RPPO the commission may direct the entity to deposit in a separate fund to be created and maintained by the state agency. • Amount to be determined by the commission. • Fund so created to be utilized for purchase of certificates or as may be directed by the commission • Obligated entities shall be in breach of its licence condition if it fails to deposit the amount directed by the Commission within 15 days of the communication of such direction • In case the entity(s) fails to comply with the obligation prescribed it shall be liable for penalty as may be decided by the commission under section 142 of the Act • in case of genuine difficulty in complying with the RPO because of non availability of certificates, the obligated entity can approach the Commission for carry forward of compliance requirement to the next year
8	Overriding Effect	<p>Notwithstanding anything contained contrary these regulations will have overriding effect.</p> <ul style="list-style-type: none"> • In the AERC (Terms and Conditions for Determination of Tariff) Regulations, 2006 and • In the AERC (Terms and Conditions for Open Access) Regulations. 2005; and • In the AERC (Co-generation and Generation of Electricity from Renewable Sources of Energy) Regulations 2009
9	Power to remove difficulties	Vested with the commission
10	Issue of Orders and Directions	Commission may, from time to time, issue orders and practice directions with regard to the implementation of these regulations and procedure to be followed for such implementation and matters incidental or ancillary thereto.
11	Saving of Inherent Powers of the Commission	Nothing contained in these Regulations shall limit or otherwise affect the inherent powers of the Commission to adopt a procedure, which is at variance with any of the provisions of these regulations
12	Power to Amend	Vested with the commission
13	Interpretation of Regulations	Vested with the commission