



**JOINT ELECTRICITY REGULATORY COMMISSION
FOR THE STATE OF GOA AND UNION TERRITORIES
GURUGRAM**

CORAM

Shri M.K. Goel, Chairperson

Petition No. 46/2021

Date of Hearing: 22.06.2021

Date of Order : 15.07.2021

In the matter of:

Relaxation of the Provision 4.4 of the JERC for the State of Goa and Union Territories (Solar PV Grid Interactive System based on Net-Metering) Regulations, 2019, imposing cap on maximum Solar Power Generation Capacity to be installed at Consumer premises.

M/s Rane Brake Lining Limited,
HT Industrial Consumer,
Thirubuvanai, Puducherry

...Petitioner

Versus

The Electricity Department,
Government of Puducherry (PED)
Netaji Subhash Chandra Bose Salai, Duppuypet,
Puducherry 605001

...Respondent

Present

For the Petitioner

Shri. Babu Nizam, General Manager, RANE Brake Lining Limited

For the Respondent

Shri. T. Chanemougam, Superintending Engineer cum Head of Department, Electricity Department,
Puducherry

Planner

ORDER

The Petitioner through this petition has prayed as under –

1. To kindly relax the provision under Clause 4.4 of the regulation and approve our request to augment our Solar Plant capacity from 1,170 KW to 2,000 KW under the existing Group Net Metering arrangement.
2. To issue necessary instructions to the Electricity Department, Puducherry to provide grid connectivity for the additional capacity of the solar power plant with aggregate capacity of 2,000KW.

The Commission heard both the Petitioner and the Respondent at length on dt. 22.06.2021. Both the Petitioner and Respondent have advanced their arguments in detail.

The Petitioner's contentions in brief are as under –

1. M/s Rane Brake Lining Ltd., is functioning at R.S. No. 48, 49 & 50, Sanyasikuppam Village, Thirubuvanai Post, Puducherry provided with HT Electric Service Connection from the Electricity Department, Puducherry. The Contracted Maximum Demand of the HT service is 1,300 KVA.
2. The Petitioner has further submitted that during February, 2020, it has installed Grid Interactive Solar PV Power Plant of capacity 1,170 KW in the available space within its factory premises and obtained Grid Connectivity approval from the Electric Department, Puducherry under Group Net Metering Agreement.
3. The Petitioner has submitted that in order to back corporate initiative of going green, they are intending to install additional capacity of 830 KW of Solar Power augmenting to the existing installed capacity of 1,170 KW under the same Group Net Metering Agreement
4. Accordingly, they had written to PED for augmenting the capacity of the Solar PV Power Plant at their premises from 1170 KW to 2000 KW (letter dated 10.03.2020). In reply, PED vide their letter dated 19.01.2021 have informed that as per Regulation 4.4. of "Joint Electricity Regulatory Commission for the State of Goa and Union Territories (Solar PV Grid Interactive System based on Net Metering) Regulations, 2019" it is not possible to provide approval for the additional 830 KW in the existing power plant capacity of 1170 KW (Net Metering) the aggregate capacity exceeds the Contracted Demand in the existing service connection.
5. The Petitioner has further submitted that the Contracted Demand (in kVA) of Rane Brake Lining Ltd., with Service No. 334/HT-1(a) is 1300 kVA. The factory operates three shifts and electricity consumption is almost constant over 24 hours including night hours. The Electricity Consumption of the factory for a typical month is around 485000 kWh. Whereas, the solar



energy generated from the existing installed capacity of 1170 kW is around 145000 units per month, which serves only one third of our energy requirement.

6. Further it is submitted that their group holding companies are operational and are located within the jurisdictional area of the Electricity Department . The excess solar energy if any injected into the grid may also be adjusted against the energy consumption of the group units.
7. Thus, it is further submitted that as part of his green initiative and to cater to the energy requirement of his industrial unit and the group unit, the petitioner intends to install additional capacity of solar power to the extend of 830 KW in the available space within the premises of M/s Rane Brake Lining Ltrd., under the existing Group Net Metering Agreement.
8. The Petitioner has further submitted that even with the augmentation of installed capacity of Solar Power Plant aggregating to 2,000 KW , the monthly Solar Units generated would account for about 45% to 50% of their total monthly consumption and thus the Electricity Department, Puducherry shall never pay for the excess units injected into the grid.
9. Whereas, as per the provisions of the existing Solar Regulation, installation of additional capacity of Solar Power in the existing unit, aggregating to 2000 KW which exceeds the Contracted Demand of 1300 kVA is not allowed . However, in order to fulfil our commitments towards development of green power and as the land space required for installation of proposed additional capacity of solar power is not available within the premises of group companies. It is further stated that additional solar capacity of 830 KW shall intend to be installed in the space available in the premises of M/s Rane Brake Lining Ltd. The energy generated from these solar plants may be accounted as part of Group Net Metering.
10. It is further submitted that the total connected load of the factory is 2200 KW and the capacity of the existing Transformer at site is 2500 kVA. Thus, it is submitted that it is technically feasible for augmenting the capacity of the existing solar power plant aggregating to around 2000 KW, under the existing Group Net Metering arrangement.
11. That the entire energy generated from the proposed solar capacity would be adjusted by their self consumption and by the consumption of their group units. The Petitioner will not demand for payment for the excess energy injected into the Grid if any, at the end of settlement period. Moreover, the Electricity Department is also benefited by accounting the additional solar energy from the plant for its RPO compliance.
12. It was further submitted that Regulation 5(iii) of the JERC Solar Regulations, which indicates that Distribution Licensee may explore other business models that may facilitate the proliferation of Grid Connected Rooftop Solar Projects and that JERC will approve such business models based on specific petition to be filed in this regard. The Petitioner understands from the JERC Regulations that the Hon'ble Commission intends to promote and support the proliferation of more Grid connected Rooftop Solar Projects. Rane Brake Lining Ltd., as a Corporate Entity is committed to reducing its carbon footprint and is constantly increasing the percentage of solar and wind power units in its consumption profile.



The submissions of the Respondent in brief are as under –

1. The Respondent has submitted that the Grid Connectivity has been provided to the Solar PV Power Plant of capacity 1170 KW setup in the industrial Premises of M/s Rane Brake Linings Ltd., with Group Net Metering arrangement under the provisions of Joint Electricity Regulatory Commission for the State of Goa and the Union Territories (Solar PV Grid Interactive System based on Net Metering) Regulations, 2019.
2. The respondent submits that the Petitioner has requested the Electricity Department, Puducherry to provide Grid Connectivity to the additional capacity of 830 KW over and above the capacity of the existing Solar Power Plant of 1170 KW aggregating to 2000 KW, under the existing group Net Metering arrangement, which is inconsistent with the provisions of Regulation 4.4 of Joint Electricity Regulatory Commission for the State of Goa and Union Territories (Solar PV Grid Interactive System based on Net Metering) Regulations, 2019 and as such the Department has declined to consider their request.
3. However, in the present Petition, the Petitioner has prayed before the Hon'ble Commission for relaxation of the above mentioned provisions in the JERC Regulation, in support of their endeavour to increase the share of green energy use in their overall energy consumption.
4. The PED humbly submits that the above stand of the PED was taken strictly in the interest of obliging to the provisions of the JERC's Regulation or otherwise, the Department do not have any specific objections, as the powers to relax the provisions of the Regulations vest with the Hon'ble Commission.
5. Further PED submits that there is no technical constraint for augmenting the capacity of the existing solar power plant aggregating to around 2000 KW, under the existing Metering arrangement, except the regulatory constraint. Further, the additional Solar Energy generated on account augmentation of the Solar Power Plant could be utilised for RPO accounting of the Department as per the provisions of the Regulations.

The Commission has considered the submission of both the Petitioner and Respondent. It has also examined the Petition and the entire record placed before it along with reply of the Respondent and rejoinder filed by the Petitioner. Further the written arguments filed by both the parties are also considered by the Commission.

Besides above the Commission has also examined the specific provisions of the Act, the relevant provisions of the Joint Electricity Regulatory Commission for the State of Goa and Union Territories (Solar PV Grid Interactive System based on Net Metering) Regulations, 2019 and other rules and regulations made thereunder.

1. "Group Net Metering" has been defined in Regulation 2.1 (18) of the (Solar PV Grid Interactive System based on Net Metering) Regulations, 2019 as under –



An arrangement whereby surplus energy is generated and injected from a Renewable Energy System through Net Meter and the exported energy is adjusted in more than one electricity service connection(s) of the same consumer either at the same or different premise located within the same Distribution Licensee's area of supply;

2. Regulation 2.1 (23) defines Net Metering as under –

An arrangement under which Solar PV System installed at Eligible Consumer's premises is delivering surplus electricity, if any, to the grid of the Distribution Licensee after off-setting the electricity supplied by the Distribution Licensee to such Eligible Consumer during the applicable billing period;

3. Regulation 2.1 (28) defines Project Developer as under –

The developer of the Solar Project, who shall develop such a project on his own premises or on premises taken on lease or rent;

4. Regulation 2.1 (29) defines Prosumer as under –

A Consumer who is also a Producer of Solar Power;

5. Regulation 2.1 (30) defines Producer of Solar Power as under –

An individual or an entity or a group of people intending to set up or who has/have set up a Solar Project for the purpose of generation of Solar power for own consumption and sale of surplus power to the Distribution Licensee;

6. Regulation 2.1 (31) defines Premises as under –

Rooftop of a house / factory/ Ware house / Government building/ Panchayat Bhavan / Community Centre/ School/ dispensary / hospital / parking place / Bus Stand / Group Housing Society/ Market Society / market roof top / Canals / Water Reservoir/ any such place/ or vacant space and elevated area on the land, building or the Infrastructure or part or combination thereof, or the area taken on rent or on lease, or the area for the common facility in the premises of any multi-storeyed building, Group Housing Society / Residential Welfare Association / Market Welfare Association/ Industrial Welfare Group and in respect of which a separate meter or metering arrangements have been made by the Licensee for supply of electricity. The premises exclude the structures of historic significance (unless permission is taken from appropriate authority);

7. Regulation 2.1 (40) defines Solar Project Developer (SPD) as under –

A Consumer or an entity whose Solar Project has been granted connectivity by the Distribution Licensee;

8. Regulation 2.1 (40) defines Solar Project Generator (SPG) as under –

Anyone who has started generating solar power from the approved project;

9. Regulation 4.2 provides –

The Eligible Consumer may install the Solar Project under these Regulations, provided the Solar Project is:

- i. Within the permissible rated capacity as defined under these Regulations;

- ii. Located at the Consumer's Premises;
- iii. Interconnected and operated safely in parallel with the Distribution Licensee's network.

10. Regulation 4.3 provides-

Consumers will generate solar power for self-consumption and are allowed to feed the excess solar power into the grid, which shall be adjusted under Net Metering as per provisions of these Regulations.

11. Regulation 4.4 provides-

The maximum Solar Power Generation capacity to be installed at any Eligible Consumer's Premises shall not exceed his Contract Demand (in kVA) or Sanctioned Load (in kW).

12. Regulation 5 provides as under –

Third Party Owned Solar Project

In the third party owned Solar Project, the following conditions shall apply:

- i. The Consumer may lease out / rent the Rooftop Space/ Land/ Water bodies to a Solar Project Developer on a mutual commercial arrangement for setting up Solar Project under Net Metering framework. The Consumer will pay the Solar Project Developer for all the energy generated by the Solar Project at a mutually agreed tariff. The commercial arrangement between the Project Developer and the Prosumer will be submitted to the Distribution Licensee for records and the Distribution Licensee will not have any role in such commercial arrangement. All the provisions of Net Metering framework shall be applicable for Solar Project set up by a Solar Project Developer.
- ii. Such Solar Projects set up under these Regulations shall be exempted from Open Access restrictions and associated charges including losses.
- iii. The Distribution Licensee / Nodal Agency may explore other business models that may facilitate the proliferation of Grid connected Rooftop solar projects. For any new business model not envisaged in these Regulations, the Commission will approve the framework for such business model based on the specific Petition to be filed in this regard.

The Commission has noted that the Petitioner has been provided HT Electric Service Connection from the Electricity Department, Puducherry and the contracted maximum demand of the HT Service is 1,300 KVA. The Petitioner has already installed Grid Interactive Solar PV Power plant of capacity 1,170 KW in his factory premises and obtained Grid Connectivity Approval under group net metering agreement. Now the Petitioner intends to install additional capacity of 830 KW of solar power to augment the existing installed capacity of 1170 KW under the same group net metering agreement up to 2000 KW. The Petitioner has further explained that its factory operates 3 shifts and its electricity consumption is almost constant over 24 hours. The electricity consumption for a factory for a typical month is around 485000 kwh whereas the solar energy generated from the existing solar plant is around 145000 units per month which serves only one third of the energy requirement per month.

The Commission has further noted that Petitioner has contended that its group holding companies are operational and are located within the jurisdictional area of the Respondent. The excess solar energy generated after augmentation of the existing plant if any injected into the grid may also be



adjusted against the energy consumption of group units. The Petitioner put emphasis that the entire energy generated from the proposed solar capacity would be adjusted by its self-consumption and by the consumption of its group units and it will not demand for payment from distribution licensee for the excess energy injected into the grid if any at the end of settlement period. Moreover, the electricity department is also benefited by accounting the additional solar energy from its plant for its RPO compliance.

The Commission further noted that the Petitioner argued that Regulation 5(iii) of the solar regulations indicates that distribution licensee may explore other business models that may facilitate the proliferation grid connected roof top solar projects and that the Commission will approve such business models based on specific petition to be filed in this regard.

The Commission has noted that the Respondent has clearly mentioned that the request of the Petitioner to allow additional capacity of 830 KW in the existing solar plant of 1170 KW is not permissible as it violates the said provision of Regulation 4.4 of JERC (Solar PV Grid Interactive system based on Net Metering) Regulations, 2019. At the same time Respondent submitted that there is no technical constraint for augmenting the capacity of existing solar plant up to 2000 KW under the existing metering arrangement.

The Commission has considered the arguments of the Petitioner and the Respondent in depth. The Commission is of the opinion that the contentions raised by the Petitioner are not lending any legal support to its main prayer. The contentions raised above are legally not tenable as they violate some specific provisions of the Joint Electricity Regulatory Commission for the State of Goa and Union Territories (Solar PV Grid Interactive System based on Net Metering) Regulations, 2019 in question in this petition. Further petitioner has relied on Regulation 5(iii) of the Joint Electricity Regulatory Commission for the State of Goa and Union Territories (Solar PV Grid Interactive System based on Net Metering) Regulations, 2019 which is not at all relevant in this matter. The Commission is of the view that the contentions raised by the Petitioner in support of augmentation of existing solar plant of 1170 KW also lacks in merit. The Commission is not convinced with the contentions advanced by the petitioner and therefore is not inclined to accept the prayer of the petitioner.

In the light of above discussions Commission intends to reject this Petition as it violates the certain provisions of the Solar PV Grid Interactive System based on Net Metering Regulations, 2019 and particularly Regulation 4.4 of this Regulation. Accordingly, the Commission hereby dismisses this Petition.

Ordered accordingly

**Sd/-
(M.K Goel)
Chairperson**

Certified Copy


**(Rakesh Kumar)
Secretary**

