

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

Coram*
Shri S.Ā. Chaturvedi, Member
Petition No. 110/2013
Date of Order 6.01.2014

In the matter of

Petition under sections 61, 62, 86 and 181 of the Electricity Act, 2003 read with Joint Electricity Regulatory Commission for Goa and Union Territories (Procurement of Renewable Energy) Regulations, 2010 for seeking determination of preferential Tariff under Net Metering for Rooftop Solar Photovoltaic Power Project of Chandigarh Renewal Energy Science & Technology Promotion Society (CREST) and for sale of such power to the Electricity Department of UT of Chandigarh.

And in the matter of

Chandigarh Renewal Energy Science & Technology Promotion Society (CREST)

1st Floor, Paryavaran Bhawan, Sector- 19, Chandigarh

: Petitioner

Vs.

Electricity Department, UT of Chandigarh

: Respondent

Present for Petitioner

1. Shri Ravinder Singh, P.D, CREST, Chandigarh

Present for Respondent

1. Shri Sunil Sharma, Executive Engineer, ED- Chandigarh

Order

The Petitioner - Chandigarh Renewal Energy Science & Technology Promotion Society (CREST) has filed the present petition under sections 61, 62, 86 and 181 of the Electricity Act, 2003 read with Joint Electricity Regulatory Commission for Goa and Union Territories (Procurement of Renewable Energy) Regulations, 2010 for seeking determination of preferential Tariff under Net Metering for Rooftop Solar Photovoltaic Power Project of Chandigarh Renewal Energy Science & Technology Promotion Society (CREST) and for sale of such power to the Electricity Department of UT of Chandigarh (ED- Chandigarh).

The respondent failed to submit hard copy of reply of the petition and the parties also failed to submit hard copy of initialled PPA as directed by the Commission. The Commission down load reply of the respondent dated 1.01.2014 and initialled PPAs from e-mail of the Commission. The Commission examined the reply submitted by the respondent.

The representative of the respondent submitted that according to Regulation 2 of JERC (Procurement of Renewable Energy) Regulations, 2010 valid instrument for discharge of mandatory obligation set out in these Regulations for the obligated entities to purchase Electricity from

Renewable Energy Sources shall be the certificates issued under CERC (Terms & Conditions for recognition and issuance of REC for renewable energy generation) Regulation, 2010. Therefore, the energy/ power produced by the petitioner and purchased by the respondent will not discharge obligation of the respondent for purchase of electricity from renewable energy sources. The certificates issued under CERC (Terms & Conditions for recognition and issuance of REC for renewable energy generation) Regulation, 2010 only fulfill obligation of the respondent for purchase of energy/ electricity from renewable energy sources.

The Commission after giving thoughtful consideration to the submissions of the representative of the respondent and going through the JERC (Procurement of Renewable Energy) Regulations, 2010 observed that under Regulation 1 of the JERC (Procurement of Renewable Energy) Regulations, 2010 distribution licensee is required to purchase defined minimum percentage of total consumption of all the consumers as per table -1 given in Regulation 1 of JERC (Procurement of Renewable Energy) Regulations, 2010 electricity from renewable energy sources and as per Regulation 2 of JERC (Procurement of Renewable Energy) Regulations, 2010 if any distribution licensee fails to fulfill its obligation for purchase of energy from renewable energy sources the licensee is to discharge its obligation by way of purchase of certificates issued under CERC (Terms & Conditions for recognition and issuance of REC for renewable energy generation) Regulation, 2010. The Commission further observed that purchase of solar energy by the respondent from the petitioner shall certainly discharge the renewable purchase obligation of the respondent for purchase of energy from renewable energy sources as set-out in Regulation 1 of JERC (Procurement of Renewable Energy) Regulations, 2010.

The representative of the respondent further submitted that as per Clause 3.1 of JERC (Procurement of Renewable Energy) Regulations, 2010, the Commission has already designated the Science and Technology Department of Chandigarh Administration for accreditation and recommending the renewable energy project for registration and to undertake the functions under the above regulations. As such the accreditation/recommendation of the Science and Technology on these specific projects needs to be taken before signing of the PPA.

The Commission keeping in view the submissions made by the representative of the respondent directed the petitioner to obtain accreditation/recommendation of the Science and Technology on these specific projects immediately and supply a copy thereof to the respondent and submit before the Commission on or before 16.01.2014.

The Commission also examined the initialled Power Purchase Agreement for purchase of power from Solar Photovoltaic Power Projects (50 KWp) set up at Paryavaran Bhawan, Sector -19, Chandigarh on LT side by Chandigarh Renewal Energy Science & Technology Promotion Society (CREST), Chandigarh and Power Purchase Agreement for purchase of power from Solar Photovoltaic Power Projects (210 KWp) set up at Govt. Postgraduate College, Sector -46, Chandigarh on HT side by Chandigarh Renewal Energy Science & Technology Promotion Society (CREST), Chandigarh.

The Commission after hearing the representatives of the parties at length and going through the petition, reply and initialled PPAs pointed out some grammatical/ typographical/ pharmacological

mistakes/ errors in the initialled PPAs and directed the parties to submit corrected initialled PPAs on or before 16.01.2014.

The Commission further directed the petitioner to submit order of sanction of funds for the projects and report of actual completed cost of the projects on or before 16.01.2014 to enable the Commission to determine tariff.

Scheduled for hearing on 21.01.2014 at 11:00 AM.

Sd/-

(S.K.Chaturvedi)

Member

- * As per Regulation 9 (II) of JERC (Conduct of Business) Regulations, 2009 "Coram is two". Whereas as per proviso of Regulation 9 (II) of JERC (Conduct of Business) Regulations, 2009 if Chairperson or the Member is prevented from attending hearing of which he has been given notice the Member or the Chairman as the case may be attending the meeting shall validly constitute the Coram. Post of the Chairperson is vacant. According to provisions of Section 93 of the Electricity Act, 2003 no act or proceedings of the appropriate Commission shall be questioned or invalidated merely on the ground of existence of any vacancy or defect in the Constitution of the appropriate Commission. So the Member only constitute a valid Coram.

Certified Copy



(Rajeev Amit)

Secretary