

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

Quorum  
Shri M.K. Goel, Chairperson  
Smt. Neerja Mathur, Member

**Suo-Moto Petition No. 61/2012**  
**Date of Hearing: 09.07.2018**  
**Date of Order: 23.08.2018**

**In the matter of:**

Compliance of the Joint Electricity Regulatory Commission, for the State of Goa and UTs (Procurement of Renewable Energy) Regulations, 2010 regarding Renewable Purchase Obligation (RPO).

**And in the matter of:**

- 1) Secretary (Power), Government of Goa
- 2) Secretary (Power), UT of Andaman & Nicobar
- 3) Secretary (Power), UT of Chandigarh
- 4) Secretary (Power), UT of Dadra and Nagar Haveli
- 5) Secretary (Power), UT of Lakshadweep
- 6) Secretary (Power), UT of Puducherry

..... Respondents

**Present**

**For the Respondent**

1. Shri B. Ajit Kumar, Executive Engineer, Electricity Department, Andaman & Nicobar
2. Shri Rohit Kumar Sekhri, Executive Engineer, Electricity Department, Chandigarh
3. Shri Yunus A. Patel, Executive Engineer, Electricity Department, Dadra & Nagar Haveli
4. Shri D. Stephen Joseph, Executive Engineer, Electricity Department, Puducherry
5. Shri M. Koya, Executive Engineer, Electricity Department, Lakshadweep
6. Shri S.V. Cheriya Koya, Asstt. Engineer, Electricity Department, Lakshadweep

**ORDER**

The Commission, in exercise of Powers conferred under Section 86(1)(e) and 181 of the Electricity Act, 2003, notified the Joint Electricity Regulatory Commission for the State of Goa and Union Territories (Procurement of Renewable Energy) Regulations, 2010 on 30.11.2010. The Commission under Sub Regulation 1 of the said Regulations specified the Renewable Purchase

Obligation (RPO) targets for all the Distribution Licensees / Obligated Entities. These RPO targets were revised by way of 3<sup>rd</sup> Amendment Regulations, 2016 on 22.08.2016 as under:-

Financial Year	Minimum Quantum of Renewable Purchase Obligation (RPO) of Renewable Energy (in KWh). (% of total energy mix of consumption, excluding Hydro Power)	
	Total RPO (%)	Solar RPO (%). Minimum
2010-11	1.00	0.25
2011-12	2.00	0.30
2012-13	3.00	0.40
2013-14	3.00	0.40
2014-15	3.30	0.60
2015-16	3.55	0.85
2016-17	4.85	1.65
2017-18	6.70	2.50
2018-19	9.00	3.60
2019-20	11.50	4.70
2020-21	14.10	6.10
2021-22	17.00	8.00

The Commission has been conducting suo-moto hearings in the matter of compliance of the RPO targets specified above. In continuation to the stated suo-moto proceedings, the present hearing was held in Petition no. 61/2012 to cover the period of compliance of RPO targets up to the FY 2017-18.

#### 1. Electricity Department, Goa: Respondent No. 1

The Commission took a serious note of the absence of Respondent No. 1, ED, Goa in the hearing. The Commission examined the report submitted by ED, Goa and observed that Respondent No. 1 has fully complied with the Renewable Purchase Obligation (RPO) targets upto the FY 2016-17. For the Year FY 2017-18, the Respondent has fulfilled its RPO targets (Solar 95% and Non Solar 97% of the Target) partly by way of purchase of physical power (Solar) and partly by purchase of Renewable Energy Certificates (Solar REC). The compliance for the FY 2017-18 is based on the target of 87.37 MUs Solar and 146.78 MUs Non-Solar which has been projected as 85 MUs and 144 MUs for Solar and Non Solar RPOs respectively by the ED, Goa. The Respondent No. 1 is directed to reconcile the difference in the target figures. The Commission takes notice of the same and directs the Respondent No. 1 to continue its efforts for 100% compliance of Renewable Purchase Obligations as notified by the Commission from time to time. The Commission further directs the Respondent No. 1 to submit quarterly compliance reports of RPOs as provided under Regulation 3.3 of (Procurement of Renewable Energy) Regulations, 2010 to the State Nodal Agency and the Commission, without fail.

## **2. Electricity Department, UT Andaman and Nicobar: Respondent No. 2**

The Commission examined the report and observed that Respondent No. 2 has fulfilled its RPO obligations upto FY 2016-17. The RPO compliance for the FY 2017-18 has also been achieved by the Respondent. The Commission however notes that the ED (A&N) had worked out the Solar RPO Targets based on the Gross Energy Sales, which is required to be worked out on net energy sales after reducing the Hydro Power Consumption in the total energy sales mix. The Commission directs the Respondent No. 2 to continue its efforts for 100% compliance of Renewable Purchase Obligations as notified by the Commission from time to time. The Commission further directs the Respondent No. 2 to submit quarterly compliance reports of RPOs as provided under Regulation 3.3 of (Procurement of Renewable Energy) Regulations, 2010 to the State Nodal Agency and the Commission, without fail.

## **3. Electricity Department, UT Chandigarh : Respondent No. 3**

The Commission examined the report and observed that Respondent No. 3 has already fulfilled the target of Renewable Purchase Obligations upto the FY 2016-17 and there is no backlog. The Commission observed that the Respondent had accounted for the surplus RPOs of FY 2016-17 for the year FY 2017-18. The Commission directed the Respondent No. 3 that any credit for the excess renewable energy purchased in a year would not be adjusted in the next year as per Para VIII of the second amendment dated 22.12.2015 of the (Procurement Renewable Energy) Regulations, 2015. Accordingly, there is a shortfall in compliance of the Non-Solar RPOs for the FY 2017-18. The Commission directs the Respondent No. 3 to comply with RPOs including backlog for the FY 2017-18 and continue efforts for 100% compliance of Renewable Purchase Obligation as notified by the Commission from time to time. The Commission further directs the Respondent No. 3 to submit quarterly compliance reports of RPOs as provided under Regulation 3.3 of (Procurement of Renewable Energy) Regulations, 2010 to the State Nodal Agency and the Commission, without fail.

## **4. Electricity Department, UT Daman and Diu: Respondent No. 4**

The Commission took a serious note of the absence of any representative of ED, Daman & Diu in the hearing. A Consultant came to attend hearing on behalf of ED, Daman & Diu without any authorization and was not allowed to participate in the proceedings of the Commission. However, the Commission examined the report and observed that the RPOs for the FY 2016-17 have been fully complied and there is no backlog of Solar and Non-Solar RPOs in respect of the Respondent No. 4 as on 31.03.2017. During FY 2017-18 there is a shortfall of 64% in compliance of Solar RPOs and 1% shortfall of Non-Solar RPOs. The Commission directs the Respondent No. 4 to make good this shortfall of FY 2017-18 during the FY 2018-19 and to continue efforts for 100% compliance of Renewable Purchase Obligations as notified by the

Commission from time to time. The Commission further directs the Respondent No. 4 to submit quarterly compliance reports of RPOs as provided under Regulation 3.3 of (Procurement of Renewable Energy) Regulations, 2010 to the State Nodal Agency and the Commission, without fail.

**5. Electricity Department, UT Dadra & Nagar Haveli: Respondent No. 5**

The Commission examined the report and observed that Respondent No. 5 had a backlog of 25.88 MUs of Solar and 109.29 MUs of Non-Solar till FY 2016-17, thus achieving a compliance level of 85.3% for Solar RPOs and 83% for Non-Solar RPOs. The Respondent during FY 2017-18 has achieved a compliance of 56% of Solar RPOs (including backlog) and 66% of Non-Solar RPOs (including backlog). The Commission has also noted that during the FY 2017-18 the availability of RECs started at the end of the FY 2017-18. The Commission allows the backlog till FY 2017-18 to be carried forward to the FY 2018-19. The Commission directs the Respondent No. 5 to comply with the directions of the Commission in Section 3.7 of its Tariff Order dated 09.06.2017 and these are to be complied along with the RPOs compliance for the FY 2018-19. The Commission further directs the Respondent No. 5 to submit quarterly compliance reports of RPOs as provided under Regulation 3.3 of (Procurement of Renewable Energy) Regulations, 2010 to the State Nodal Agency and the Commission, without fail.

The Commission also noted that no RPO compliance report has been submitted by the Respondent no. 5 for the Open access users within its jurisdiction. The Commission directs to ensure that there is no backlog of RPO compliance by the Open Access users and submit the report to the Commission by 30.09.2018.

**6. Electricity Department, UT Lakshadweep: Respondent No. 6**

The Commission examined the report and observed that the Respondent No. 6 has fully complied with the RPOs target of 8.08 MUs till FY 2016-17. Further, during the FY 2017-18, the Respondent has fulfilled the Solar RPOs with a surplus of 0.27 MUs. The excess Solar RPOs have been adjusted against compliance target of 2.55 MUs of Non-Solar RPOs for the year FY 2017-18. In spite of the above adjustment of Solar RPOs, the total RPO compliance fell short by 9%, which is equivalent to 2.28 MUs in respect of Non-Solar compliance. The Commission further directs the Respondent no. 6 to enhance the Solar Power Generation Capacity to meet the total compliance target of the RPOs. The Commission also directs the Respondent No. 6 to continue efforts for 100% compliance of Renewable Purchase Obligation as notified by the Commission from time to time and to submit quarterly compliance report of RPO as provided under Regulation 3.3 of (Procurement of Renewable Energy) Regulations, 2010 to the State Nodal Agency and the Commission without fail.

7. Electricity Department, UT Puducherry: Respondent No. 7

The Commission examined the report and observed that Respondent No. 7 had a backlog of 36.46 MUs of Solar and 123.43 MUs of Non-Solar RPOs at the end of FY 2016-17, which in terms of percentage is 34% and 32% respectively for Solar and Non-Solar RPOs. For the FY 2017-18, the Respondent has fulfilled only 1% of the Solar RPOs, which is just 0.61 MUs against a target of 61.66 MUs. For Non-Solar RPOs, RECs equivalent to 97.30 MUs have been purchased as against a RPO Compliance target of 103.58 MUs, thus meeting 94% of the compliance target during the FY 2017-18. The Commission thus observes that the Respondent No. 7 has now to comply with 97.51 MUs of Solar & 129.71 MUs of Non-Solar RPOs for the backlog of RPOs up to 2017-18.

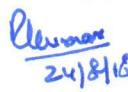
The Commission has taken a serious view of the non-compliance of its Order / directions and the JERC Regulations by the Respondent No. 7. The Commission directs the Respondent No. 7 to comply with the directions of the Commission in Chapter 5.8 of its Tariff Order dated 16.05.2017 and submit quarterly compliance report of RPOs regularly as provided under Regulation 3.3 of (Procurement of Renewable Energy) Regulations, 2010 to the State Nodal Agency and the Commission without fail. The shortfall in RPO Compliance along with the backlog till 31.3.2018 has to be complied during FY 2018-19.

The Commission is concerned about the compliance of the RPOs by Open Access Consumers also and directs all the Respondents to ensure compliance of the RPOs by Open Access Consumers in their respective territories and submit the quarterly status report of the RPO compliance of Open Access users to the Commission.

Ordered accordingly.

Sd/-  
(NEERJA MATHUR)  
MEMBER

Sd/-  
(M.K.GOEL)  
CHAIRPERSON

Certified Copy  
  
(Rakesh Kumar)  
Secretary