

Before

UTTARAKHAND ELECTRICITY REGULATORY COMMISSION

In the matter of:

Petition to increase the Solar Renewable Purchase Obligation (SRPO) as stipulated by Uttarakhand Electricity Regulatory Commission.

In the matter of:

Uttarakhand Renewable Energy Development Agency ... Petitioner

AND

Uttarakhand Power Corporation Ltd. ... Respondent

CORAM

Shri Subhash Kumar Chairman

Shri K.P. Singh Member

Date of Hearing: August 04, 2015

Date of Order: August 04, 2015

The Order relates to the applications filed by Uttarakhand Renewable Energy Development Agency (hereinafter referred to as "UREDA" or "Petitioner"), seeking increase in Solar Renewable Purchase Obligation (SRPO) to be complied by the Obligated entities as stipulated in UERC (Tariff and Other Terms for Supply of Electricity from Non-conventional and Renewable Energy Sources) Regulations, 2013 (hereinafter referred to as "RE Regulations, 2013).

1. The Petitioner submitted that it is a Nodal Agency for implementation of "Uttarakhand Solar Power Policy-2013" and as per regulations 6 and 7 of UERC (Compliance of Renewable Purchase Obligation) Regulation, 2010 it has been designated as the State Agency to carry out the certain functions in matter of compliance of RPO.

2. UREDA submitted that in the State of Uttarakhand at present total installed capacity of solar based power project is 6.612 MW. Vide its Petition UREDA informed that various solar projects with aggregate capacity of 35.4 MW are being implemented under various Schemes of Central & State Government. Petitioner further stated that 457 MW capacity of solar based projects are under development in the State, total Solar PV power project capacity shall be increased to 499 MW by the year 2017-18.
3. The Petitioner requested to increase the Solar-RPO from existing 0.1% to 1.50% for current financial year. It has also proposed to increase Solar-RPO from 0.30% to 2.5% & 0.5% to 3.5% for FY 2016-17 & 2017-18 respectively.
4. A copy of the application submitted by it was forwarded to UPCL for submission of reply. UPCL vide its reply dated 29.07.2015 submitted that review of Regulations cannot be undertaken by the Commission through an order.
5. The Commission held a hearing on 04.08.2015 in the matter wherein, representatives from both the parties submitted their views before the Commission. UREDA reiterated its submissions made in the Petition regarding need for development of solar project of various Schemes approved by MNRE and also in accordance with the Solar Policy, 2013 approved by GoU & simultaneously the requirement for increasing the solar RPO of the obligated entities. The Respondent (UPCL) during the hearing proceedings submitted that the distribution licensee has no objection for enhancement of solar RPO subject to the Petitioner taking proactive action in development of solar projects commensurating with the increased solar RPO obligations so that UPCL does not encounter a situation where it is required to purchase costlier RE certificates in place of actual solar generation.
6. The Commission observed that in accordance with the regulations obligated entities are required to plan their compliances, in advance, prior to initiation of a financial year. However, more than a quarter of the financial year has been passed. Stipulating higher Solar RPO during the current financial year, as proposed by the Petitioner, in anticipation of upcoming Solar Plants which are under various stages of developments cannot be justified. Further, Capacity addition Plan indicated by Petitioner in its submission does not seem to be feasible.

7. Keeping in view of the various schemes and policies issued by Centre as well as State government and also considering ground realities in the State the Commission may take an appropriate view for revision of Solar-RPO through public process in accordance with the provisions of the Electricity Act, 2003/Regulations appropriately and the same cannot be revised through an Order under the comprehensive current proceedings.
8. However, UREDA is required to submit detailed concrete plan for implementation of Solar PV power plants indicating capacity under development/construction at the beginning of financial year, capacity to be added during the financial year, date by which the said capacity shall be made available to the obligated entities, expected energy to be made available to obligated entity within 7 days of the date of Order. These details are required to be submitted under affidavit by UREDA depicting upcoming solar plants to be commissioned financial year wise clearly indicating scheme under which these projects shall be implemented.
9. The Commission holds that the Petition is not maintainable as review/modification of Regulations cannot be undertaken by the Commission through an order while discharging its judicial function under the Act/Regulations.
10. However, considering the roadmap submitted by the Petitioner (UREDA) for development of Solar PV power projects in the State under various schemes approved by MNRE and also the submission made by UPCL during the hearing, the Commission directs its staff to frame a draft amendment to RE Regulations, 2013 for inviting comments from all stakeholders. The Application is hereby disposed off accordingly.
11. Ordered accordingly.

(K.P. Singh)
Member

(Subhash Kumar)
Chairman