



## **ASSAM ELECTRICITY REGULATORY COMMISSION**

**A.S.E.B. Campus, Dwarandhar,**

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### **NOTIFICATION**

**No. AERC/578/2016 - WHEREAS** the Assam Electricity Regulatory Commission (hereinafter referred as “the Commission”) notified the AERC (Renewable Power Purchase Obligation and its Compliance) Regulations, 2010, which were published in the ASSAM GAZETTE, dated 2nd November, 2010 and AERC (Renewable Purchase Obligation and its Compliance) Regulations, 2010, (Amendment), 2015 which were published in the ASSAM GAZETTE, 15th October, 2010 (hereinafter referred as “the Principal RPO Regulations, 2010”);

**AND WHEREAS** the Regulation 3 of the Principal RPO Regulations, 2010, provides that the said regulations will be applicable to the obligated entities. **AND WHEREAS** the Central Government notified the revised Tariff Policy which was published vide Gazette of India, Extraordinary, Part-1, Section-1 dated 28.01.2016.

**AND WHEREAS** Para 6.4(1) of the Policy provides that pursuant to provisions of Section 86(1) (e) of the Act, the Appropriate Commission shall fix a minimum percentage of the total consumption of electricity in the area of a distribution licensee for purchase of energy from renewable energy sources, taking into account availability of such resources and its impact on retail tariffs. Cost of purchase of renewable energy shall be taken into account while determining tariff by SERCs. Long-term growth trajectory of Renewable Purchase Obligations (RPOs) will be prescribed by the Ministry of Power in consultation with MNRE.

Provided that cogeneration from sources other than renewable sources shall not be excluded from the applicability of RPOs.

**AND WHEREAS** further, para 6.4 (1) (i) also provides that within the percentage so made applicable, to start with, the SERCs shall also reserve a minimum percentage for purchase of solar energy from the date of notification of this policy which shall be such that it reached 8% of total consumption of energy, excluding Hydro Power, by March, 2022 or as notified by the Central Government from time to time.

**AND WHEREAS**, the Ministry of Power in consultation with Ministry of New and Renewable Energy (MNRE), GoI has notified the Long-term growth trajectory of Renewable Purchase Obligations (RPOs) for Non-Solar as well as Solar Energy, uniformly for all States/Union Territories, initial for three years from 2016-17 to 2018-19 vide Order No. 23/3/2016-R&R dated 22.07.2016.;

**AND WHEREAS**, the Ministry of New and Renewable Energy (MNRE), GoI Vide Order No. 11/1/2016-EFM dated 11.02.2016 has issued instructions for developing an action plan for achieving targets in respect of States for the year 2021-22. The action plan may include: a) year wise targets for different renewable energy technologies upto the year 2022, b) Year wise targets for Solar Roof top c) suggested year wise RPO trajectory to the SERCs for notification so as to reach 17% in the total energy mix by the year 2022 including minimum 8% from Solar d) identification of technology- wise locations for setting up renewable energy plants and e) Power evacuation plan. This has necessitated the amendment of Regulation 4 of the Principal RPO Regulations, 2010;

**AND WHEREAS,** as the FY 2016-17 is almost about to end and any change in this stage will be difficult for the obligated entities to meet RPO, the Commission decided to maintain the present RPO trajectory (Solar- 1% and Non Solar- 3%) for FY 2016-17. For maintaining the RPO trajectory in line with MoP, GoI as well as MNRE, GoI notification, the trajectory is made upto FY2021-22 to maintain the total energy mix of 17% including 8% from Solar.

**NOW, THEREFORE,** in exercise of the powers conferred by sub-section (1) of section 62, section 66, clauses (a), (b) and (e) of section 86 and sub-section (1), clause (zi) of sub-section (2) of section 181, of the Electricity Act, 2003 (36 of 2003), and all other powers enabling it in this behalf, the Commission proposes to amend the Assam Electricity Regulatory Commission (Renewable Power Purchase Obligation and its Compliance) Regulations, 2010 and as required by sub-section (3) of section 181 of the said Act and rule 3 of the Electricity (Procedure for Previous Publication) Rules, 2005, the draft amendment regulations **Assam Electricity Regulatory Commission (Renewable Purchase Obligation and its Compliance) Regulations, 2010, (Second Amendment), 2016** are hereby published for the information of all the persons likely to be affected thereby; and notice is hereby given that the said draft amendment regulations will be taken into consideration after the expiry of twenty one (21) days from the date of notification together with any objections or suggestions which may within the aforesaid period be received in respect thereto.

The text of the aforesaid draft regulations is also available on the website of the Commission i.e. <http://www.aerc.gov.in>

The objections or suggestions in this behalf should be addressed to the **Secretary, Assam Electricity Regulatory Commission A.S.E.B. Campus, Dwarandhar, G. S. Road, Sixth Mile, Guwahati – 781 022**

### **Draft Amendment**

#### **Assam Electricity Regulatory Commission (Renewable Purchase Obligation and its Compliance) Regulations, 2010, (Second Amendment), 2016**

**No. AERC/578/2016 :-**Whereas it is expedient to amend the provisions of the Assam Electricity Regulatory Commission (Renewable Purchase Obligation and its Compliance) Regulations, 2010 in exercise of powers conferred under sections 61, 66, 86(1)(e) and 181 of the Electricity Act, 2003 and all other powers enabling it in this behalf, and after previous publication, the Assam Electricity Regulatory Commission hereby makes the following regulations for the Renewable Purchase Obligation and its compliance:

#### **1. Short title and commencement**

- 1.1 These regulations may be called the AERC (Renewable Purchase Obligation and its Compliance) Regulations, 2010, (Second Amendment), 2016
- 1.2 These regulations shall come into force from the date of their publication in the Assam Gazette.
- 1.3 These Regulations shall apply throughout the State of Assam.

## **2. Amendment of the Regulation 4 of the Principal Regulation**

Regulation 4.1 of the Principal Regulations, shall be substituted as under-

- 4.1 Every Obligated Entity shall purchase the amount not less than percentage of its total Energy Handled from renewable energy sources under the Renewable Purchase Obligation or until reviewed by the Commission as given below:

<b>FY</b>	<b>Renewable Purchase Obligation (RPO) (%)</b>		
	<b>Non –Solar</b>	<b>Solar</b>	<b>Total</b>
<b>2016-17</b>	3%	1%	<b>4%</b>
<b>2017-18</b>	5%	4%	<b>9%</b>
<b>2018-19</b>	6%	5%	<b>11%</b>
<b>2019-20</b>	7%	6%	<b>13%</b>
<b>2020-21</b>	8%	7%	<b>15%</b>
<b>2021-22</b>	9%	8%	<b>17%</b>

The Obligations will be on total consumption of electricity by an obligated entity, excluding consumption met from Hydro sources of power.

Provided, for Distribution Licensee, the Energy Handled shall be the total Energy Sale to the consumers within the area of the distribution licensee.

Provided further, such obligation to purchase renewable energy shall be inclusive of the purchases, if any, from renewable energy sources already being made by concerned obligated entity.

Provided also that the power purchases under the power purchase agreements 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.

(By the order of the Commission)

**S. K. Roy**, Secretary

Assam Electricity Regulatory Commission  
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