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Bihar Electricity Regulatory Commission
Vidyut Bhawan-II, J.L. Nehru Marg, Patna 800 001

NOTIFICATION

The 1st July, 2014

No. BERC-SMP-No.-28/2013-04 – In exercise of powers conferred under section 61 read with section 181(2)(zd) of Electricity Act, 2003 (36 of 2003) and all other powers enabling the Commission in this behalf, the Bihar Electricity Regulatory Commission hereby amends the Bihar Electricity Regulatory Commission (Terms and Conditions for Tariff Determination from Solar Energy Sources) Regulations, 2010 notified vide no. BERC-Reg/Solar-2/2010-03-247 dated 2nd August, 2010.

1. Short Title, extent and commencement :
 - (i) These regulations may be called the Bihar Electricity Regulatory Commission (Terms and Conditions for Tariff Determination from Solar Energy Sources) (3rd Amendment) Regulations, 2014.
 - (ii) These regulations extend to the whole of the State of Bihar.

(iii) These regulations shall come into force on the date of its publication in the Bihar Gazette.

2. Amendment in Regulation 35-

The following new clause (3) shall be added after Regulation 35(2):-

"(3)(i) The facility of banking of solar power will be provided by Bihar State Power Holding Co. Ltd. (BSPHCL) / distribution licensee to solar power generated for captive use, group captive use and for third party sale.

(ii) 2% of the energy fed into the grid for banking by the generator will be paid as banking charge to BSPHCL/distribution licensee.

(iii) Banking facility will be available for full calendar year. In case energy fed into the grid for banking is not consumed within the same calendar year, it cannot be used by the generator or its user in the subsequent calendar year. However, the BSPHCL/distribution licensee will pay to the generator for the unused energy during the calendar year at the average power purchase cost of BSPHCL/distribution licensee during that calendar year.

(iv) Adequate metering facility will be provided by the distribution licensee to enable measurement of input and consumed energy at different points of time including provision of check meters of appropriate accuracy class at consumer's end, calibrated annually.

(v) In case of third party sale of solar power, the transmission licensee, distribution licensee and/or SLDC, as the case may be, will provide open access within 30 days of application on payment of

required open access charges as determined by the Commission and the generator in addition to 2% banking charge, will pay to the BSPHCL/distribution licensee wheeling and transmission charges and T&D losses as determined by the Commission for the voltage level at which power is fed into the grid. However, no cross-subsidy surcharge will be paid.

- (vi) Drawal of Banked energy shall not be permitted during the peak hours.
- (vii) Solar Power Developer having no PPA for supply of power to DISCOM should draw power during shutdown/maintenance of the plant of the applicable UI rate plus 5% of the maximum UI rate or applicable rate for purchase of power from renewable energy source, whichever is higher."

By order of the Commission,
Parmanand Singh,
Secretary.

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