

## ASSAM ELECTRICITY REGULATORY COMMISSION

### Assam Electricity Regulatory Commission (Co-generation and Generation of Electricity from Renewable Sources of Energy) Regulations, 2014” – Notification Dated 31<sup>st</sup> July, 2014

Sl. No	Description	Summary
1	<b>Title (Clause1-Regulations)</b>	Assam Electricity Regulatory Commission (Co-generation and Generation of Electricity from Renewable Sources of Energy) Regulations, 2014” Dated 31 <sup>st</sup> July, 2014
2	<b>Date of enforcement (Clause1)</b>	Regulations to come into force from the date of their publication in the Assam Gazette.
3	<b>Eligibility Criteria (Clause4)</b>	Projects using new plant and machinery based on Technologies approved by MNRE: <ul style="list-style-type: none"> <li>• Small Hydro Projects upto 25 MW</li> <li>• Solar PV Power Projects, including rooftop and other small plants</li> <li>• Solar Thermal Power Projects</li> <li>• Biomass based projects using gasification technology</li> <li>• Biomass based projects using ranking cycle technologies.</li> <li>• Biogas based Power Project that uses 100% Biogas fired engines</li> <li>• Waste to Energy Project</li> <li>• Cogenerating plants using non fossil based fuel</li> <li>• Wind Power Projects.</li> <li>• Hybrid projects such as Wind Solar, Diesel-Solar, Hydro-Solar etc.</li> <li>• Any other new and techno-economically viable technology in the State as accepted by the MNRE</li> </ul>
4	<b>Applicable (Clause1&amp;5)</b>	<ul style="list-style-type: none"> <li>• Regulations shall extend to the whole of the State of Assam.</li> <li>• Applicable to projects approved for implementation by the State Government (or a State Agency) or by the Govt. of India</li> </ul>
5	<b>Category of Project covered (Clause6)</b>	<ul style="list-style-type: none"> <li>• MW size power generating units connected to the grid to be set up by State agencies, private developer or implemented in public- private partnership mode.</li> <li>• Grid interactive Small Solar PV power plants including Roof top plants (from 1KW to 500 KW).</li> <li>• Captive power generating plants in industrial and other premises, running off grid or connected to grid.</li> <li>• RE power generated and supplied off grid in the Decentralised Distributed Generation (DDG) projects in Off Grid Rural areas to be set up and managed by Private Developers, Panchayati Raj Institutions , Users Associations, Co-operative Societies etc. Such projects may be connected to grid if such exigencies arises</li> </ul>
6	<b>Evacuation of Power and Connectivity (Clause10a,b)</b>	<ul style="list-style-type: none"> <li>• DISCOM/TRANSCO to determine the voltage and specifications of the interconnecting facilities required upto the interconnecting point at which the RE Generators installation shall be connected to the Grid.</li> <li>• Interconnecting facilities/ equipment to be installed by the RE Generators at their own cost</li> <li>• DISCOM/TRANSCO to construct the interface line less than 5 Km.</li> <li>• Cost of line in excess of 5 km shall be borne by the DISCOM/TRANSCO and the generators on 50: 50 basis.</li> <li>• DISCOM/ TRANSCO to construct such lines and also maintain the same.</li> </ul>
7	<b>Metering (Clause10c)</b>	<ul style="list-style-type: none"> <li>• Metering equipments for generation/ sale to be installed by the generator at their own cost as per specifications of power utility or the same may be provided by the utility at the cost of the generator.</li> <li>• Net metering allowed for grid interactive SPV plants of capacity up to 500KW</li> </ul>
8	<b>Sale of Power : (Clause11a)</b>	<ul style="list-style-type: none"> <li>• State distribution licensee to have first claim to the power generated from a power plant or excess power from a captive plant.</li> <li>• Power available after meeting the need of the license for meeting R.P.O. obligation may be sold to 3rd party.</li> </ul>

		<ul style="list-style-type: none"> <li>Generator may sell power to a DISCOM at average pooled price and participate in the REC Mechanism as per AERC (Renewable Purchase Obligation and its Compliance) Regulations, 2010 and the CERC Regulations, 2010.</li> </ul>										
<b>9</b>	<b>Tariff (Clause 11b)</b>	As determined by the AERC										
<b>10</b>	<b>Open Access (Clause 11c)</b>	Allowed										
<b>11</b>	<b>Charges for Open Access (Clause 11d)</b>	Payable as per AERC (Terms and Condition of Open Access) Regulations, 2005 and Tariff Regulations										
(a)	Transmission Charges (Clause 11-i)	Payable for open access @ two-third of charges applicable for open access customers for long term and short term open access as determined in relevant tariff order										
(b)	Wheeling Charges (Clause 11d-ii)	<ul style="list-style-type: none"> <li>To be either one-third of the wheeling charges calculated as per tariff order under Tariff Regulations or cost of 7.5% of the energy fed to the grid irrespective of the distance of wheeling, whichever is higher.</li> <li>No Wheeling/ Transmission charges applicable in case all saleable power is sold to the State DISCOM/TRANSCO</li> </ul>										
<b>12</b>	<b>Banking of Power (Clause 11e)</b>	<p>Allowed within a period of one calendar year subject to:</p> <ul style="list-style-type: none"> <li>Upto 100% during peak hours from time to time</li> <li>(ii) Withdrawal of power not allowed during peak hours</li> <li>(iii) Plants to provide ABT compliant Special Energy Meters</li> <li>Monthly settlement of energy sales to be done based on Power supplied during the peak hours as per SEM meter readings shall be considered as banked power.</li> <li>(iv) Banking charges to be 10% of the energy banked.</li> <li>Small Hydro Projects allowed to bank power for a period upto six months as provided in the Assam 'Small Hydro Policy, 2007'</li> </ul>										
<b>13</b>	<b>Third Party Sale (Clause 11f)</b>	Allowed within the State, at a Tariff determined by the AERC										
<b>14</b>	<b>Sharing of CDM Benefits (Clause 11j)</b>	<p>CDM benefits between developers and beneficiaries to be as follows:</p> <ul style="list-style-type: none"> <li>100% by project developer in the first year after the date of commercial operation of the generating station.</li> <li>2<sup>nd</sup> year – share of beneficiaries @ 10% to progressively increase by 10% every year up to 50% where after to be shared in equal proportion, by the generating company and the beneficiaries</li> </ul>										
<b>15</b>	<b>Scheduling (Clause 11k)</b>	Wind, solar PV and solar thermal power projects to be out of the purview of 'scheduling' and 'merit order dispatch principles'										
<b>16</b>	<b>Power Purchase Agreement (PPA) (Clause 12a)</b>	After allotment of Project Developer intending to sell power to TRANSCO/DISCOM, to wheel/to bank shall execute a PPA for a minimum period as mutually agreed upon.										
<b>17</b>	<b>Metering and Billing (Clause 12b)</b>	As detailed in the Regulations										
<b>18</b>	<b>Payment Mechanism (Clause 12c)</b>	As detailed in the Regulations										
<b>19</b>	<b>Renewable Purchase Obligation (RPO) (Clause 13)</b>	As per AERC Regulations, 2010										
<b>20</b>	<b>Obligations and Duties of The Generating Station (Clause 14)</b>	As detailed in the Regulations										
<b>GRID INTERACTIVE SOLAR POWER PLANTS (GISPP) INCLUDING ROOF TOP PLANTS</b>												
<b>21</b>	<b>Capacity Limits &amp; Interconnection Voltage (Clause 15.2)</b>	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th colspan="2">Capacity of System</th> <th>Voltage Level</th> </tr> </thead> <tbody> <tr> <td>1.</td> <td>Upto 4 KW</td> <td rowspan="3">Single Phase (230 Volt) 3 Phase (400 Volt) 11 KV</td> </tr> <tr> <td>2.</td> <td>4 KW and above upto 100 KW</td> </tr> <tr> <td>3.</td> <td>Above 100 KW up to 500 KW</td> </tr> </tbody> </table>	Capacity of System		Voltage Level	1.	Upto 4 KW	Single Phase (230 Volt) 3 Phase (400 Volt) 11 KV	2.	4 KW and above upto 100 KW	3.	Above 100 KW up to 500 KW
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		<ul style="list-style-type: none"> <li>• Maximum permissible capacity for GIP shall be 500 KW for a single net-metering point</li> <li>• No restriction on state power utilities installing bigger plants, subject to their compatibility with the system</li> </ul>
22	<b>Technical and Operational aspects of GISPP (Clause 15.3)</b>	As detailed in the Regulations
23	<b>Promotional Incentives And Preferential Tariff For Gispp (Clause16)</b>	Under the National Solar Mission, subsidy between 30% to 90 % on benchmark capital cost of a GISPP is available
24	<b>Incentives &amp; General (Clause9,11g,h&amp;i)</b>	<ul style="list-style-type: none"> <li>• Benefit of subsidy, financial support and incentives for any project shall be available only from one source and similar benefit would not be available from two sources.</li> <li>• Promotional Incentives shall be available to all co-generating plants irrespective of fuel used subject to fulfillment of certain eligibility conditions to be specified by the Commission.</li> <li>• Generator shall be entitled to draw start up Power to be adjusted against the energy generated and also auxiliary consumption power from the Distribution Licensee's network subject to prior intimation of the requirement to the supplier and availability of required power</li> <li>• Solar PV and solar thermal power generator shall be entitled to draw power from the DISCOM's network during shutdown period of its plant or other emergencies.</li> <li>• Energy consumed shall be billed at the temporary rate applicable to HT Industrial category</li> <li>• Drawal of power shall not normally exceed 10 % of the peak MW capacity it delivers to the DISCOM</li> </ul>
25	<b>Overriding Effect (Clause17)</b>	<p>These regulations to have overriding effect Notwithstanding anything contained contrary</p> <p>(a) In the AERC (Renewable Purchase Obligation and its Compliance) Regulations, 2010 and framed by the Commission under section 181 of the Electricity Act, 2003,</p> <p>(b) In the AERC (Terms and Conditions for Determination of Tariff from Renewable Energy Sources) Regulations, 2012; and</p> <p>(c) In the AERC (Terms and Conditions for Open Access) Regulations, 2005</p>
26	<b>Repeal and Saving (Clause18)</b>	AERC (Cogeneration and Generation of Electricity from Renewable Sources of Energy) Regulations, 2009, issued under Notification dated 3rd July 2009 and published in the Assam Gazette Extraordinary dated 22.01.2010 are hereby repealed.
27	<b>Power to Remove Difficulties(Claue19)</b>	Powers vested with the Commission
28	<b>Issue of Orders And Directions(Claue20)</b>	Powers vested with the Commission