

**NAGALAND ELECTRICITY REGULATORY COMMISSION**  
**Renewable Purchase Obligation and its Compliance Regulations, 2011**  
**Notification Dated 29.08.2011**  
**(Summary of Order)**

Sl. No	Description	Summary of Regulations								
1	<b>Title</b>	Nagaland ERC(Renewable Purchase Obligation and its Compliance Regulations )2011 Dated 29.08.2011								
2	<b>Date of enforcement</b>	To come into force from the date of their publication in the Official Gazette of Nagaland								
3	<b>Applicability</b>	<ul style="list-style-type: none"> <li>• To the whole of the State of Nagaland</li> <li>• Regulations shall be applicable to all matters falling within the jurisdiction of the Commission.</li> <li>• To Apply to               <ul style="list-style-type: none"> <li>(a) Distribution Licensee;</li> <li>(b) Any other person consuming electricity of 1MW and above                   <ul style="list-style-type: none"> <li>(i) generated from conventional Captive Generating Plant for his own use and/or;</li> <li>(ii) procured from conventional generation through open access / third party sale.</li> </ul> </li> </ul> </li> </ul>								
4	<b>Promotion of Generation of Electricity from RE Sources (Clause-1 of Regulations)</b>	May please refer Regulations								
5	<b>Renewable Power Purchase Obligation (RPPO) – Clause 2 of Regulations</b>	<table border="1" style="margin-left: auto; margin-right: auto;"> <thead> <tr> <th>Year</th> <th>RPO (%)</th> </tr> </thead> <tbody> <tr> <td>2010-11</td> <td>6%</td> </tr> <tr> <td>2011-12</td> <td>7%</td> </tr> <tr> <td>2012-13</td> <td>8%</td> </tr> </tbody> </table> <ul style="list-style-type: none"> <li>• For subsequent years, Commission to separately specify RPO</li> <li>• Provided that 0.25% percentage point out of the total consumption to be procured from solar generation</li> <li>• Provided such obligation to purchase renewable energy shall be inclusive of the purchases, if any, from RE sources already being made by concerned obligated entity.</li> <li>• Power purchase /produced by the Licensee also to be included in the obligation</li> <li>• Commission may review the quantum of purchase from renewable sources by a licensee once in every 3 years or at lesser intervals as may be necessary.</li> </ul> <p>For more details refer Regulations</p>	Year	RPO (%)	2010-11	6%	2011-12	7%	2012-13	8%
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6	<b>Certificates under the Regulations of the Central Commission- Clause -3 of Regulations</b>	<ul style="list-style-type: none"> <li>• Subject to the terms and conditions contained in these regulations the Certificates issued under the CERC (Terms and Conditions for recognition and issuance of REC for Renewable Energy Generation) Regulations, 2010 shall be the valid instruments for the discharge of the mandatory obligations set out in these regulations for the obligated entities to purchase electricity from RE sources.</li> <li>• Provided that in the event of the obligated entity fulfilling the RPO by purchase of certificates, the obligation to purchase electricity from generation based on solar energy can be fulfilled by purchase of solar certificates only and from other RE sources by purchase of non –solar certificates.</li> <li>• Subject to such direction as the Commission may give from time to time, the obligated entity shall act consistent with the CERC Regulations, 2010</li> </ul>								

		<ul style="list-style-type: none"> <li>• Certificates purchased by the obligated entities from the power exchange in terms of the regulations of the Central Commission mentioned above shall be deposited by the obligated entities to the Commission in accordance with the detailed procedure issued by the Central Agency</li> </ul>
7	<b>State Agency Clause -4 of Regulations</b>	<ul style="list-style-type: none"> <li>• Commission to designate an agency as State Agency for accreditation and recommending the renewable energy projects for registration and to undertake functions under these regulations</li> <li>• State agency to function in accordance with directions issued by the Commission and shall act in consistent with the procedures/rule laid by central agency for discharge of its function under CERC Regulations, 2010 as amended from time to time</li> <li>• State agency to submit quarterly status to the commission in respect of compliance of RPPO by the obligated entity(s) as per stipulated format.</li> <li>• Commission may from time to time fix the remuneration and charges payable to the State Agency to be recovered from the accredited entities and obligated entities.</li> <li>• If the commission is satisfied that the state agency is not able to discharge its functions satisfactorily, it may by general or special order and by recording reasons in writing, designate any another agency to function as state agency as it considers appropriate.</li> </ul>
8	<b>Determination of Tariff for electricity from Renewable sources and Cogenerations Clause -5 of Regulations</b>	<ul style="list-style-type: none"> <li>• Tariff to be mutually agreed by the licensees and the suppliers at a level not above the price cap specified by the Commission.</li> <li>• In case the parties are unable to agree mutually, the matter shall be referred to the Commission</li> </ul> <p>For more Details please refer Regulations</p>
9	<b>Effect of Default Clause -6 of Regulations</b>	<ul style="list-style-type: none"> <li>• If the obligated entity(s) does not fulfill RPPO the during any year and also does not purchase the certificates, commission may direct the entity to deposit in a separate fund to be created and maintained by the state agency.</li> <li>• Amount to be determined by the commission.</li> <li>• Fund so created to be utilized for purchase of certificates or as may be directed by the commission</li> <li>• Obligated entities shall be in breach of its licence condition if it fails to deposit the amount directed by the Commission within 15 days of the communication of such direction</li> <li>• In case the entity(s) fails to comply with the obligation prescribed it shall be liable for penalty as may be decided by the commission under section 142 of the Act</li> <li>• in case of genuine difficulty in complying with the RPO because of non availability of certificates, the obligated entity can approach the Commission for carry forward of compliance requirement to the next year</li> </ul>
10	<b>Overriding Effect Clause - 7 of Regulations</b>	<p>Notwithstanding anything contained contrary to these regulations will have overriding effect in so far as Generation &amp; Purchase of power from RE sources is concerned</p> <ul style="list-style-type: none"> <li>• In the Nagaland Electricity Regulatory Commission (Terms and Conditions for Determination of Tariff) Regulations 2010; and</li> <li>• In the NERC (Terms and Conditions for Open Access) Regulations.</li> </ul>
11	<b>Power to Remove Difficulties- Clause -8 of Regulations</b>	Vested with the commission
12	<b>Issue of Orders and Directions- Clause -9 of Regulations</b>	Commission may, from time to time, issue orders and practice directions with regard to the implementation of these regulations and procedure to be followed for such implementation and matters incidental or ancillary thereto.
13	<b>Saving of Inherent Powers of the Commission-- Clause -10 of Regulations</b>	Nothing contained in these Regulations shall limit or otherwise affect the inherent powers of the Commission to adopt a procedure, which is at variance with any of the provisions of these regulations
14	<b>Interpretation of Regulations Clause -11 of Regulations</b>	Vested with the commission