

UTTAR PRADESH ELECTRICITY REGULATORY COMMISSION
(Promotion of Green Energy through Renewable Purchase Obligation)
Regulations - 2010 dated 17-8-2010

Sl. No.	Description	Summary																							
1.	Short title, extent and commencement.	UPERC (Promotion of Green Energy through Renewable Purchase Obligation) Regulations 2010. Order No. UPERC/Secy/Regulation/10-787 dated 17 th August 2010.																							
2.	Definitions & Interpretation	As per Regulations																							
3.	Scope and Extent of Application	To apply to generating companies in respect of grant of accreditation by the State Agency to the renewable energy projects. (a) Distribution licensees (b) Captive user(s) who consumes electricity generated from its grid connected captive generating plant having installed capacity of 1 MW and above (or as may be decided by the Commission) (c) Open access consumer(s) – who consumes electricity procured from conventional fossil fuel based generation through open access subjected to RPO to the extent of his consumption met through such source.																							
4.	Renewable Purchase Obligation	(i) Every obligated entity shall purchase a minimum of its total consumption of electricity (in kWh) from renewable energy sources under the RPO during each financial year as given below: <table border="1" style="margin-left: 40px;"> <thead> <tr> <th rowspan="2">Year</th> <th colspan="3">Minimum quantum of purchase from renewable energy sources as % age of total energy consumed (in kWh)</th> </tr> <tr> <th>Non-Solar</th> <th>Solar</th> <th>Total (2+3)</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>2</td> <td>3</td> <td>4</td> </tr> <tr> <td>2010-11</td> <td>3.75</td> <td>0.25</td> <td>4</td> </tr> <tr> <td>2011-12</td> <td>4.50</td> <td>0.5</td> <td>5</td> </tr> <tr> <td>2012-13</td> <td>5.0</td> <td>1</td> <td>6</td> </tr> </tbody> </table> <p style="margin-left: 40px;">If solar power or solar certificate is not available, then extra non-solar power shall be purchased to meet total RPO. It shall include other purchase from RE sources already being made.</p> (ii) RE generation consumed from its own generating station shall be accounted for fulfillment of RPO. (iii) Power from RE sources being purchased by the distribution licensee under existing PPA shall continue till validity of existing arrangement even if the total purchases exceed the percentages specified herein above. (iv) The RPO specified for the year 2012-13 shall continue beyond 2012-13 until any revision is effected by the Commission in this regard.	Year	Minimum quantum of purchase from renewable energy sources as % age of total energy consumed (in kWh)			Non-Solar	Solar	Total (2+3)	1	2	3	4	2010-11	3.75	0.25	4	2011-12	4.50	0.5	5	2012-13	5.0	1	6
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5.	Certificates under the Regulations of the Central Commission	Certificates issued under the CERC REC Regulations shall be the valid instrument for the discharge of mandatory obligations set out in these Regulations for the obligated entities to purchase electricity for renewable energy sources. RPO can be met by purchase of non-solar and solar certificates instead of purchase of electricity from non solar & solar source.																							
6.	Obligated Entities	(a) Distribution Licensee (b) Captive User and Open Access Consumer If the distribution licensee, captive user or open access consumer is unable to fulfill the minimum purchase criteria then it shall deposit into a separate fund the amount as per Clause 7 below.																							

7.	RPO Regulatory Fund	<p>(i) The Commission may direct the obligated entity to deposit into a separate fund such amount as the Commission may determine on the basis of shortfall in units of RPO, RPO Regulatory charges, and the forbearance price. For this purpose a fund shall be created and maintained by such obligated entity.</p> <p>(ii) If obligated entity fails to comply with above, it shall be liable for action.</p> <p>(iii) The Regulatory charges shall be equivalent to the applicable preferential tariff for solar or non solar renewable energy sources or any other rate as may be stipulated by the Commission.</p>
8	State Agency	<p>The State Agency shall act as the agency for accreditation and recommending the RE projects for registration and to undertake such functions incidental to the compliance of RPO as may be assigned by the Commission from time to time. The Commission shall designate any agency to function as State Agency.</p>
9	Eligibility for Accreditation	<p>A generating company engaged in generation of electricity from RE sources shall be eligible to apply for accreditation subject to following conditions:</p> <p>(a) It does not have PPA to sell electricity generated at a preferential tariff determined by the Commission.</p> <p>(b) It possesses the necessary infrastructure required to carry out energy metering and time block-wise accounting.</p>
10	Grant of Accreditation	<p>(i) The application received for accreditation shall be processed by the State Agency in consultation with the concerned transmission and/or distribution licensee.</p> <p>(ii) The accreditation shall be valid for a period of 5 years from the date of accreditation certificate unless otherwise revoked prior to expiry of such validity under Clause 13.</p>
11	Renewable Energy Pricing under REC mechanism	<p>The generating Company (i.e. eligible entity) after obtaining accreditation shall sell the electricity so generated and subsequently obtains and sells renewable energy certificates (representing environmental attributes associated with RE generation) in the following manner:</p> <p>(a) It shall sell the electricity generated either</p> <ul style="list-style-type: none"> (i) To the distribution licensee (s) of the state at a price not exceeding pooled cost of power purchase of such distribution licensee(s) (ii) To any other licensee, open access consumer or a captive user in the State at a mutually agreed rate (iii) To any other person through power exchange <p>(b) It shall obtain certificates from Central Agency based on Certified injection report of SLDC.</p> <ul style="list-style-type: none"> (i) It may sell the certificates in Power exchange subject to provisions of CERC REC Regulations. <p>Provided that the Central Commission may in consultation with the Central Agency and Forum of Regulators from time to time provide for the floor price and forbearance price separately for solar and non-solar certificates.</p>
12	Monitoring during Accreditation	<p>State Agency shall in co-ordination with concerned transmission licensee and/or distribution licensee, monitor the accredited project, maintain operation of accounts and undertake other functions incidental to the monitoring of such accredited project.</p>
13	Revocation of Accreditation	<p>State Agency after making an enquiry or based on the report of Central Agency is satisfied that public interest so requires, it may revoke accreditation of generating Co. where such company (a) breaches any of the terms and conditions of its accreditation (b) makes willful and prolonged default.</p>
14	Fees and Charges	<p>The Commission may from time to time, based on the proposal in this regard from State Agency or on its own motion, determine the fees and charges payable by the obligated entities/persons applying/maintaining for accreditation.</p>
15	Information System	<p>The State Agency shall post the documents/information on its website in a separate web page titled "Accreditation of RE Projects".</p>
16	Redressal Mechanism, General Power to amend, Power to relax and Miscellaneous	<p>Vested with the Commission</p>