

**GUJARAT ELECTRICITY REGULATORY COMMISSION  
GANDHIAGAR**

**Draft Gujarat Electricity Regulatory Commission (Procurement of  
Energy from Renewable Sources) (Third Amendment) Regulations,  
2020**

**Draft Notification No.....of 2020**

In exercise of the powers conferred under sections 61, 66, 86 and 181 of the Electricity Act 2003 (Act No.36 of 2003) and all powers enabling it in that behalf, and after previous publication, the Gujarat Electricity Regulatory Commission hereby makes the following Regulations, to amend Gujarat Electricity Regulatory Commission (Procurement of Energy from Renewable Sources) Regulations, 2010 (hereinafter referred to as “The Principal Regulations”) namely:

**1. Short Title, Extent and Commencement**

- i. These regulations shall be called the Gujarat Electricity Regulatory Commission (Procurement of Energy from Renewable Sources) (Third Amendment) Regulations, 2020.
- ii. These Regulations extend to the whole of the State of Gujarat.

**2.** These regulations shall come into force with effect from the date of their publication in the Official Gazette.

**3. Amendment in Regulation 2.1(aa) of the Principal Regulations to be read with First Amendment:**

Regulation 2.1(aa) of the Principal Regulations to be read with First Amendment shall be deleted.

**4. Amendment in Regulation 2.1(p) of the Principal Regulations:**

Regulation 2.1(p) of the Principal Regulations shall be substituted as under:

“(p) ‘Renewable energy sources’ in this context means non- conventional, renewable electricity generating sources such as mini/ micro hydel, wind, solar, biomass, Biogas and bagasse based co-generation, urban/municipal waste, or such other sources, (which are generally inexhaustible and can be replenished in a short period of time)

as approved by the Ministry of New and Renewable Energy, Government of India or by the State of Gujarat;”

**5. Amendment in Regulation 4.1 of the Principal Regulations to be read with First and Second Amendments:**

Para 1 and 2 of Principal Regulation 4.1 read with First and Second Amendments shall be substituted as under:

**Para: 1**

Each distribution licensee shall purchase electricity (in kWh) from renewable energy sources, at a defined minimum percentage of the total consumption of its consumers including T&D losses, excluding consumption met from hydro sources of power other than mini hydel sources of power during the year. Similarly, Captive and Open Access user(s) / consumer(s) shall purchase electricity (in kWh) from renewable energy sources, at a defined minimum percentage of his/her total consumption, excluding consumption met from hydro sources of power other than mini hydel sources of power during the year.

Provided that in case of Captive User of a Captive Generating Plant commissioned before 1<sup>st</sup> April, 2016, the composite RPO target with respect to the energy procured from such Captive Generating Plant shall be *as decided by the Commission for the Year 2015-16*;

Provided further that in case of Captive Generating Plant commissioned on or after 1<sup>st</sup> April, 2016, the composite RPO target shall be equal to the target applicable for the year in which project is commissioned;

Provided further that in case of any augmentation of the Captive Generating Plant, the RPO target for augmented capacity shall be equal to the RPO target applicable for the year in which such augmented capacity has been commissioned;

**Para: 2**

If the above mentioned minimum quantum of power purchase either from Solar or Wind or Others (including Biomass, Bagasse, Biogas, Hydro and MSW) is not available in a particular year of FY 2017-18 to 2021-22, then in such cases, additional renewable energy available either from Solar or Wind or Others shall be utilised for fulfilment of RPO in accordance with Column 5.

**6. Amendment in Proviso of the Regulation 5.1 of the Principal Regulations to be read with First and Second Amendments:**

Proviso of the Regulation 5.1 of the Principal Regulations to be read with First and Second Amendments shall be substituted as under:

Provided that in the event of the obligated entity fulfilling the renewable purchase obligation by purchase of certificates, the obligation to purchase electricity from generation based on renewable energy other than solar can be fulfilled by purchase of non-solar certificates and the obligation to purchase electricity from generation based on solar as renewable energy source can be fulfilled by purchase of solar certificates only. If solar certificates are not available in a particular year, then in such cases, additional non-solar certificates shall be purchased for fulfilment of the RPO in accordance with the Regulation 4.

**7. Amendment in Regulation 5.4 of the Principal Regulations to be read with First Amendment:**

Regulation 5.4 of the Principal Regulations to be read with First Amendment shall be deleted.

**8. Amendment in Regulation 5.5 of the Principal Regulations read with First Amendment:**

Regulation 5.5 of the Principal Regulations read with First Amendment shall be renumbered as Regulation 5.4 and substituted as under:

5.4 In case of renewable energy generator set up under the REC scheme notified by the Central Electricity Regulatory Commission supplying power for captive use or sale to third party, the distribution licensee shall compensate to such RE generator at the rate as determined by the Commission from time to time for the surplus energy available after giving set off for the consumption by such captive consumer or the third party.

**9. Amendment in Regulation 8.3 of the Principal Regulations read with First and Second Amendments:**

Regulation 8.3 of the Principal Regulations read with First and Second Amendments shall be substituted as under:

8.3 Captive and Open Access Consumer(s)/ User(s) shall purchase renewable energy as stated in the Regulation 4 as above. If the Captive user(s) and Open Access consumer(s) are unable to fulfil the criteria, the shortfall of the targeted quantum would attract payment of regulatory charge as per Regulation 9.

**10.Amendment in Regulation 11 of the Principal Regulations :**

Regulation 11 of the Principal Regulations shall be deleted.

Sd/-  
[Roopwanti Singh, IAS]  
Secretary  
Gujarat Electricity Regulatory Commission  
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Date: 17.07.2020  
Place: Gandhinagar.