

M.P. STATE ELECTRICITY REGULATORY COMMISSION

Co-generation and Generation of Electricity from Renewable Sources of Energy Regulations, 2010 (Revision-I) Notification Dated 19th November 2010 with Amendments Dated 30- 6.2011, 9.4.2012, 25.11.2014, 30.1. 2015 and 28.9.2015 (Fifth Amendment)

Sl. No.	Description	Summary																																											
1.	Title	MPSERC (Cogeneration and Generation of Electricity from Renewable Sources of Energy) Regulations, 2010 (Revision-I) Notification Dated 19 th November 2010 with Amendments Dated 30-6.2011, 9.4.2012, 25.11.2014, 30.1.2015 and 28.9.2015																																											
2.	Applicability of the Order	Regulations shall come into force from the date of their publication in the Gazette of Government of Madhya Pradesh and apply to the whole State of the Madhya Pradesh																																											
3.	Quantum of Purchase of Electricity from Co-generation	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th rowspan="2" style="text-align: center;">Financial Year</th> <th colspan="3" style="text-align: center;">Cogeneration and other Renewable Sources of Energy</th> </tr> <tr> <th style="text-align: center;">Solar (%)</th> <th style="text-align: center;">Non Solar (%)</th> <th style="text-align: center;">Total (%)</th> </tr> </thead> <tbody> <tr> <td style="text-align: center;">2010-11</td> <td style="text-align: center;">-</td> <td style="text-align: center;">0.80</td> <td style="text-align: center;">0.80</td> </tr> <tr> <td style="text-align: center;">2011-12</td> <td style="text-align: center;">0.40</td> <td style="text-align: center;">2.10</td> <td style="text-align: center;">2.50</td> </tr> <tr> <td style="text-align: center;">2012-13</td> <td style="text-align: center;">0.60</td> <td style="text-align: center;">3.40</td> <td style="text-align: center;">4.00</td> </tr> <tr> <td style="text-align: center;">2013-14</td> <td style="text-align: center;">0.80</td> <td style="text-align: center;">4.70</td> <td style="text-align: center;">5.50</td> </tr> <tr> <td style="text-align: center;">2014-15</td> <td style="text-align: center;">1.00</td> <td style="text-align: center;">6.00</td> <td style="text-align: center;">7.00</td> </tr> <tr> <td style="text-align: center;">2015-16</td> <td style="text-align: center;">1.00</td> <td style="text-align: center;">6.00</td> <td style="text-align: center;">7.00</td> </tr> <tr> <td style="text-align: center;">2016-17</td> <td style="text-align: center;">1.25</td> <td style="text-align: center;">6.50</td> <td style="text-align: center;">7.75</td> </tr> <tr> <td style="text-align: center;">2017-18</td> <td style="text-align: center;">1.50</td> <td style="text-align: center;">7.00</td> <td style="text-align: center;">8.50</td> </tr> <tr> <td style="text-align: center;">2018-19</td> <td style="text-align: center;">1.75</td> <td style="text-align: center;">7.50</td> <td style="text-align: center;">9.25</td> </tr> </tbody> </table> <p>Note:</p> <ul style="list-style-type: none"> ➤ If the Distribution Licensees fulfill the RPO and still have offers from energy generators, Distribution Licensee/ Investor/Developer can approach the Commission for approval of such additional procurement offers. ➤ If an Obligated Entity is not able to fulfill the RPO, he has to purchase Energy Certificates issued by the Central Agency as specified in these Regulations. ➤ The condition of RPO can be relaxed by the Commission to the extent it is affected by the Force Majeure Conditions ➤ Energy from all RE sources including the Co-generation units to be procured centrally by the M.P. Power Trading Co. Ltd. (MPTCL) on behalf of the Distribution Licensees, at the tariff determined by the Commission from time to time and allocated to all Distribution Licensees in the ratio of total actual energy input to each one of them in previous Financial Year (FY). ➤ Power Purchase Agreement (PPA) shall be signed between the Developer and the MPTCL who in turn will have back to back Power Supply Agreement with the Distribution Licensees. ➤ Distribution Licensees to indicate the proposed quantum of purchase of energy from Co-generation for ensuing year of the control period in the application for determination of distribution/retail tariff duly indicating the sources of purchase based on above allocation. 	Financial Year	Cogeneration and other Renewable Sources of Energy			Solar (%)	Non Solar (%)	Total (%)	2010-11	-	0.80	0.80	2011-12	0.40	2.10	2.50	2012-13	0.60	3.40	4.00	2013-14	0.80	4.70	5.50	2014-15	1.00	6.00	7.00	2015-16	1.00	6.00	7.00	2016-17	1.25	6.50	7.75	2017-18	1.50	7.00	8.50	2018-19	1.75	7.50	9.25
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4.	Procedure for Execution of PPA	Detailed in 1 st Amendment dated 30.6.2011																																											
5.	Determination of Tariff	As decided by the Commission from time to time																																											
6.	Power Purchase Agreement (PPA)	<ul style="list-style-type: none"> • PPA shall be for a minimum period of 20 years, if not otherwise specified in the tariff orders, from the date of commissioning of plant. • Agreement may be for a shorter period in case the Developer opts to supply to the Distribution Licensees after consuming the electricity for self use/ third party sale for lesser period. 																																											

		<ul style="list-style-type: none"> Developers to get all the required statutory consents including permission from the Commission before entering into the Agreement. Such consent shall have validity for the entire period of the Agreement.
7.	Connectivity and Metering	<ul style="list-style-type: none"> Generation and Co-generation except Roof-top Solar PV and Bio-gas Sources, shall be connected to the State Grid at a Voltage level of 132/33/11 kV Roof-top Solar PV sources and Bio-gas Plants may be connected at Low Voltage or 11/33 kV All expenses for power evacuation facility to be borne by the Developer but it shall be the property of the concerned Licensee for all purposes. Licensee shall maintain it at the cost of the Developer and have the right to use the same for evacuation of power from any other Developer subject to the condition that such arrangement shall not adversely affect the existing Developer(s). Metering arrangements shall be installed at Generating Plant site and meter reading will be carried out by the respective Distribution Licensee/Transmission Licensee
8.	Open Access	Allowed within the State as per Open Access Regulations
9.	Scheduling	Scheduling of Wind and Solar Electric Generation collective of 10MW and above, and 5MW and above respectively to be made as per the decision of CERC
10.	Drawing of Power During Shutdown	<ul style="list-style-type: none"> Plant may draw power exclusively for its own use from the Distribution Licensee's network during shutdown /other emergencies. Billing to be done at the temporary rate applicable to HT Industrial category.
11.	Other Applicable Conditions	<ul style="list-style-type: none"> Payment mechanism shall be as prescribed by the Commission in the Tariff orders Reduction in Contract Demand by consumers allowed
12.	Banking	<ul style="list-style-type: none"> Entire power generated during a FY allowed for Banking. Accounting of Banking to be certified by MPTCL/ Distribution Licensees at the end of each FY Quantum of banked power to be returned at a time to be decided by MPTCL /Distribution Licensees. Banked power may normally be returned from 15th July to 15th October from 2300 hours to 2400 hours and 0000 hours to 1700 hours by deducting 2% in terms of units (kWh) towards Wheeling Charges. Banked power may be returned during November to February as decided by MPTCL Ltd./Distribution Licensees. If a portion of Banked power still remains un-adjusted at the end of FY, the remaining power would be construed as power purchased and the payment for the same will be made by MPTCL @ determined by the Commission Wheeling charges, Cross subsidy surcharge and applicable surcharge on wheeling charges to be applicable as decided by the Commission. Captive and Open Access consumers to be exempted from payment of Open Access
13.	Renewable Purchase Obligation (RPO)	<ul style="list-style-type: none"> RPO specified in Regulation 3 above to be kept reserved for procurement of Specific type of Renewable Energy and shall be diverted, if necessary, to other RE Sources, only on a temporary basis, Energy available from this source to be purchased until it reaches the aforementioned percentage even if consequently the total RE purchase exceeds the total RPO considering the Renewable Energy Power Purchase Commitments made under the PPA already entered into and consented to by the Commission. Obligation to purchase Renewable Energy to be inclusive of the purchases, if any, from RE Sources already being made by Obligated Entities. Subject to the provisions of this Regulation, such purchase of energy shall be made from amongst the sources of Renewable Energy approved by MNRE.

		<ul style="list-style-type: none"> Power purchase under the PPAs already entered into by the Distribution Licensees and consented to by the Commission shall continue to be made till their present validity, even if the total purchases under such PPAs exceed the percentage as specified hereinabove.
14.	Certificates under the Regulations of the Central Commission	<ul style="list-style-type: none"> Subject to the terms and conditions contained in these Regulations, Certificates issued under the CERC (Terms and Conditions for recognition and issue of Renewable Energy Certificate for Renewable Energy Generation) Regulations, 2010 as the valid instrument for full or partial discharge of the mandatory obligations set out in these Regulations for the Obligated Entities to buy electricity from RE Sources. Subject to such directions as the Commission may give from time to time, the Obligated Entities shall act consistent with the CERC Regulations, 2010 Certificates purchased by the Obligated Entities from the Power Exchange in terms of the Regulations of the Central Commission shall be deposited by the Obligated Entities with the Commission within 15 days of the purchase
15	Effect of Default	<ul style="list-style-type: none"> If Obligated Entities do not fulfill the mandate of the obligation to purchase energy from RE Sources as provided in these Regulations during any FY and also do not purchase the certificates from the Power Exchange, the Commission may : <ul style="list-style-type: none"> ➤ Direct the Obligated Entity to deposit into a separate Fund, to be maintained by Obligated Entity, such amount as the Commission may determine as required for purchase of Certificates to the extent of the estimated obligation on the basis of the shortfall in units of RPO and the Forbearance Price of the Certificates ➤ Fund shall be utilized, as directed by the Commission, partly for purchase of the certificates and partly for development of Transmission infrastructure for evacuation of power from Generating Stations based on RE Sources: ➤ Obligated Entities shall not be authorized to use the fund without prior approval of the Commission; Distribution Licensee shall be in breach of its license condition if it fails to deposit the amount directed by the Commission within 15 days of the communication of the direction. Any person though required to comply with these Regulations fails to purchase the required percentage of power from RE Sources or REC, shall also be liable for penalty as may be decided by the Commission under Section 142 of the Act.
16	Power to Amend/to Remove Difficulties	<ul style="list-style-type: none"> Vested with the Commission Provisions of these Regulations shall be applicable to co-generation and generation of electricity from RE sources of energy notwithstanding anything contrary contained in various Tariff orders for procurement of power from Non-conventional sources of energy or Regulations prior to notification of 2nd Amendment dated 9.4.2012
17	Savings	<p>Nothing in these Regulations shall</p> <ul style="list-style-type: none"> ➤ Be deemed to limit or otherwise affect the inherent power of the Commission to make such orders ➤ Bar the Commission from adopting in conformity with the provisions of the Electricity Act 2003 (36 of 2003) a procedure, which is at variance with any of the provisions of these Regulations ➤ Bar the Commission dealing with any matter or exercising any power under the Electricity Act 2003 (36 of 2003) for which no Regulations have been framed