

**THE HIMACHAL PRADESH ELECTRICITY REGULATORY COMMISSION,
SHIMLA**

Notification

Shimla, the 10th March, 2017

No. HPERC/428.- WHEREAS the Himachal Pradesh Electricity Regulatory Commission (hereinafter referred as “the Commission”) made the Himachal Pradesh Electricity Regulatory Commission (Promotion of Generation from the Renewable Energy Sources and Terms and Conditions for Tariff Determination) Regulations-2012 (hereinafter referred as “RE Regulations, 2012”), published in the Rajpatra, Himachal Pradesh, dated 17th December, 2012;

AND WHEREAS RE Regulations, 2012, specify that the control period for SHPs is subject to review after 31.03.2017;

AND WHEREAS the Commission, in order to facilitate the smooth execution of Power Purchase Agreements (PPAs), in relation to renewable projects intending to sell power to the distribution licensee i.e. the Himachal Pradesh State Electricity Board Limited (HPSEBL) on long term basis within the frame work of existing RE Regulations, 2012, finds it expedient to extend the period upto which the existing RE Regulations, 2012 shall remain in force;

NOW, THEREFORE, in exercise of the powers conferred by sub-section (1) of section 61, sub-section(1) of section 62, clauses (a), (b) and (e) of sub-section (1) of section 86 and clause (zd) of sub-section (2) of section 181, of the Electricity Act, 2003 (36 of 2003), read with section 21 of the General Clauses Act,1897 (10 of 1897), and all other powers enabling it in this behalf, the Commission proposes to amend the Himachal Pradesh Electricity Regulatory Commission (Promotion of Generation from the Renewable Energy Sources and Terms and Conditions for Tariff Determination) Regulations, 2012 and as required by sub-section (3) of section 181 of the said Act and rule 3 of the Electricity (Procedure for Previous Publication) Rules, 2005, the draft amendment regulations are hereby published for the information of all the persons likely to be affected thereby; and notice is hereby given that the said draft amendment regulations will be taken into consideration after the expiry of fourteen (14) days from the date of publication of this notification in the Rajpatra, Himachal Pradesh, together with any objections or suggestions which may within the aforesaid period be received in respect thereto.

The text of the aforesaid draft regulations is also available on the website of the Commission i.e. <http://www.hperc.org>.

The objections or suggestions in this behalf should be addressed to the Secretary, Himachal Pradesh Electricity Regulatory Commission, Keonthal Commercial Complex, Khalini, Shimla- 171002.

DRAFT REGULATIONS

1. Short title and commencement. - (1) These regulations may be called the Himachal Pradesh Electricity Regulatory Commission (Promotion of Generation from the Renewable Energy Sources and Terms and Conditions for Tariff Determination) (Third Amendment) Regulations, 2017.

(2) These regulations shall come into force from the date of their publication in the Rajpatra, Himachal Pradesh.

2. Amendment of Regulation 1.- In sub-regulation (2) of Regulation 1 of the Himachal Pradesh Electricity Regulatory Commission (Promotion of Generation from the Renewable Energy Sources and Terms and Conditions for Tariff Determination) Regulations, 2012 (hereinafter referred as “the said Regulations”), for the figures “31.03.2017”, the figures “30.09.2017” shall be substituted.

3. Amendment of Regulation 9.- In sub-regulation (1) of Regulation 9 of the said Regulations.-

(i) for the words and figures “31st day of March, 2017”, the words and figures “30th day of September, 2017” shall be substituted; and

(ii) in the existing 1st proviso after the word “Provided”, the word “further” shall be added, and before the 1st proviso so amended, the following proviso shall be inserted namely:-

“Provided that the generic levelled tariffs, for the SHPs, for the control period, determined under these regulations by the Commission, prior to commencement of the Himachal Pradesh Electricity Regulatory Commission (Promotion of Generation from the Renewable Energy Sources and Terms and Conditions for Tariff Determination) (Third Amendment) Regulations, 2017, shall continue to be in force till 30th day of September, 2017 unless amended or revoked earlier.”

4. Amendment in Regulation 17.- Regulation 17 of the said Regulations.-

(i) for the 3rd proviso to sub-regulation (2), the following proviso shall be substituted namely:-

“Provided further that the Commission may, in order to promote such technologies for smaller capacities, follow, mutatis mutandis, upto the limits as it may consider necessary separately for each such technology but not exceeding 5 MW for any such technology, the technological specific parameters, including capital cost, and other terms and conditions, as notified, or may be notified, by the Central Commission under its Renewable Energy Tariff Regulations in respect of the relevant financial year(s), for the relevant renewable energy technology, as may be considered appropriate by it” ; and

(ii) at the end of sub-regulation (3) the following proviso shall be added, namely:-

“Provided that the Commission may, by suo-moto order, adopt, in respect of any period, the generic levelled tariff determined by the Central Commission for the corresponding period in relation to any or all categories of such renewable energy technologies other than SHPs.”

By order of the Commission

Sd/-

(Chaman Dilta)

**Secretary
HPERC.**