

**HIMACHAL PRADESH ELECTRICITY REGULATORY COMMISSION,
SHIMLA**

In the matter of draft amendment Regulations of the Himachal Pradesh Electricity Regulatory Commission (Promotion of Generation from the Renewable Energy Sources and Terms and Conditions for Tariff Determination) (Second Amendment) Regulations, 2016.

**CORAM:
S.K.B.S. Negi
Chairman**

ORDER

The Commission was in receipt of various references from the Department of Urban Development (UD) of the Government of Himachal Pradesh, requesting for determination of the Tariff and other terms & conditions applicable for waste to energy project in the State, to enable them to achieve the target of clean India Mission;

The para 6.4 (1) (i) of Tariff Policy notified by the Ministry of Power (MoP), published in the Gazette of India on 28th January, 2016 provides that:-

“Distribution Licensee(s) shall compulsorily procure 100% power produced from all the Waste-to-Energy plants in the State, in the ratio of their procurement of power from all sources including their own, at the tariff determined by the Appropriate Commission under Section 62 of the Electricity Act 2003.”

The para 6.4 (2) of the aforesaid Tariff Policy excludes the renewable energy projects i.e. waste to energy plants from competitive bidding process for tariff determination;

The para-7.9.7 of HPERC MYT Tariff Order dated 10th April, 2015 stipulates that:-

“Waste to Energy- The Commission’s policy of 100% clean energy is not only aimed at energy security on sustainable basis, including long term tariff stability, it is also an important measure to arrest climate change and environment protection. Therefore, the Commission proposed to promote generation of energy from the wastes, including municipal waste and decided that entire energy generated from waste in the State shall be purchased by HPSEBL on the tariff determined by the Commission as renewable energy.”

The norms for generic Tariff for the Rankine Cycle Combustion based power plant, utilizing Municipal Solid Waste (MSW)/Refuse Derived Fuel (RDF) have been specified in the Central Electricity Regulatory Commission (Terms and Conditions for Tariff Determination for Renewable Energy Sources) Regulations, 2012;

Since this Commission presently does not have its own experience in relation to norms for Municipal Solid Waste and Refuse Derived Fuel based power

projects, it proposed to adopt for the technical and financial norms and the tariff(s) (including other terms and conditions), determined by the Central Commission for such projects;

In order to achieve the objective of the Electricity Act, 2003, National Electricity Policy, 2005 (NEP) and Tariff Policy, 2016 and keeping in view, the objective of Swachh Bharat Mission of processing 100% solid waste generated in cities/towns by the 2nd October, 2019, the Commission considered it appropriate 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;

Taking into consideration the above, the Commission notified the draft amendment i.e. HPERC (Promotion of Generation from the Renewable Energy Sources and Terms and Conditions for Tariff Determination) (Second Amendment) Regulations, 2016 on 16th March, 2016 and published the same in Rajpatra, Himachal Pradesh on 18.03.2016 in exercise of the power, conferred under sub-section (1) of section 181 of the Electricity Act, 2003 (36 of 2003);

As required vide sub-section (3) of the section 181 of the Act, the Commission invited public objections and suggestions by way of insertions in two News papers i.e. "Himachal Dastak" and "The Times of India" on 20.03.2016 under Rule (3) of Electricity (Procedure of Previous Publication) Rules, 2005 and the full text of the draft amendment regulations was made available on the Commission's website: www.hperc.org.

The Commission, vide letter dated 19.03.2016, requested the major stakeholders, including Industries Associations, State Government, Directorate of Energy, Distribution Licensee, Municipal Corporation, Shimla, Directorate of Urban Development, HIMURJA and Consumers Representative to send their objections/ suggestions as per the aforesaid public notice.

No comments/suggestions, on the aforesaid draft regulations, have been received in the stipulated period, allowed for filing objections/suggestions on the aforesaid draft amendment regulations.

The draft amendment regulations are finalized without any change and approved as such and be notified accordingly.

Place: Shimla.

Date: 11th April, 2016.

Sd/-
(S.K.B.S Negi)
Chairman