

HIMACHAL PRADESH ELECTRICITY REGULATORY COMMISSION, SHIMLA

Vidyut Aayog Bhawan, Block No. 37, SDA Complex, Kasumpti, Shimla- 171009

**CORAM: Hon'ble Sh. Devendra Kumar Sharma, Chairman
Hon'ble Sh. Bhanu Pratap Singh, Member
Hon'ble Sh. Yashwant Singh Chogal, Member (Law)**

Decided On: 14.09.2022

In the matter of:

Draft amendments of the Himachal Pradesh Electricity Regulatory Commission (Rooftop Solar PV Grid Interactive System) (Second Amendment) Regulations, 2022.

ORDER

The Himachal Pradesh Electricity Regulatory Commission (hereinafter referred as "the Commission") made the Himachal Pradesh Electricity Regulatory Commission (Rooftop Solar PV Grid Interactive System based on Net Metering) Regulations, 2015, which were published in the Rajpatra, Himachal Pradesh, dated 3rd August, 2015. These Regulations were subsequently amended on 6th November, 2018 by way of 1st amendment Regulation and the said amendment Regulations were published in the Rajpatra, Himachal Pradesh on 14th November, 2018 (hereinafter referred as "Rooftop Solar Regulations").

2. The Government of India has notified, in exercise of powers conferred by Section 176 of the Electricity Act, 2003, the Electricity (Rights of Consumers) Rules, 2020, which were also amended in 2021, requiring the State Commissions to make Regulations.
3. Taking the above into consideration, the Commission, in exercise of the powers conferred by Section 181, read with Sections 61, 66 and 86(1) (e) of the 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 notified the draft amendment to the Rooftop Solar Regulations i.e. Himachal Pradesh Electricity Regulatory Commission (Rooftop Solar PV Grid Interactive System) (Second Amendment) Regulations, 2022 and published the same in the Rajpatra, Himachal Pradesh on 07.07.2022.
4. 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 Commission invited public objections and suggestions by way of insertions in two News papers i.e. "Hindustan Times" and "Amar Ujala" on 13th July, 2022. A copy of public notice was also sent to the major stakeholders vide

Commission's letter dated 13.07.2022. The full text of the draft Regulations was also made available on the Commission's website: www.hperc.org. The last date for submission of suggestions/objection was fixed as 10.08.2022.

5. The Public hearing in the matter was scheduled to be held on 22.08.2022 and notice thereof was issued in two News papers i.e. "Times of India" and "Dainik Bhasker" on 2nd August, 2022. A copy of public notice was also sent to the major stakeholders vide Commission's letter dated 04.08.2022. Suggestions were received from only one stakeholder i.e. Himachal Pradesh Energy Development Agency (HIMURJA), Urja Bhawan, SDA Complex, Kasumpti, Shimla-171009 (HP).
6. As scheduled, a public hearing was held on 22.08.2022 in the premises of HPERC at Shimla. The list of participants who attended the aforesaid public hearing is annexed at Annexure-"A". During the course of public hearing, the following views were expressed:-

The Chief Engineer (Comm.), HPSEBL stated that in case the participating Consumers change their shares by mutual agreement under Group metering arrangement, the HPSEBL may require at least 30 days period to reflect such changes in its billing software. Therefore, the HPSEBL may be allowed a reasonable time period to carry out the necessary changes in the billing software.

7. Significantly, during the aforesaid process, the Ministry of New and Renewable Energy, Government of India has circulated, vide reference F. No. 318/13/2022-GCRT dated 04.08.2022, the draft Standard Operating Procedure (SOP) relating to implementation of Virtual Net Metering and Group Net Metering.
8. The Commission has therefore, proceeded in the matter taking into consideration the submissions made by the above stakeholders and the draft Standard Operating Procedure (SOP) circulated by the Ministry of New and Renewable Energy (MNRE) and Commission's views on the matter are as under:-

8.1 Comments on Regulation-4 i.e. General Principals.-

The HIMURJA in their written submission has suggested that the maximum capacity of the rooftop solar system that can be installed under Net Metering arrangement may be enhanced from the proposed 50 kWp capacity to at least 100 kWp capacity.

Commission's View:-

The Commission feels that any Consumer/Prosumer, if he/she wants to install solar PV system of higher capacity i.e. more than 50 kWp, such Consumer/Prosumer may opt for net billing arrangement under which the solar rooftop system with capacity of more than 50 kWp, but not exceeding 1.00 MWp can be installed. As such, the Commission decides to retain the capacity limit of 50 kWp proposed in the amendment for net metering arrangement.

8.2 Comments on Regulation 4(C) i.e. Group Metering .-

During the public hearing as elaborated above, the HPSEBL suggested that in case the participating Consumers change their shares by mutual agreement under Group metering arrangement, time of at least 30 days should be allowed to the HPSEBL to reflect such changes in its billing software.

Commission's View:-

The Commission observes that in the 2nd proviso to item (iii) of Sub-clause (c) of Sub- regulation (C) Regulation 4 already provides as under:-

“Provided further that the Distribution Licensee shall give effect to any such changes, if it otherwise meets the relevant conditions, with effect from the billing period starting immediately after expiry of 60 days from the date of submission of the revised agreement signed by all the Participating Consumers.”

In view of above, the Commission feels that the concern of the HPSEBL has already been taken care of.

8.3 Modification in Regulation 4(c) i.e. Group Metering, Regulation 7 i.e. Procedure for making application and registration and Regulation 8 i.e. Interconnectivity, Standards and Safety.-

Taking into consideration the draft Standard Operating Procedure (SOP) circulated by Ministry of New and Renewable Energy (MNRE), the Commission decides to carry out the following modifications, namely:-

- (a) In the 1st proviso to item (iii) of Sub-clause (c) of Sub- regulation (C) Regulation 4, the words i.e. ‘once in the financial year’ shall be incorporated suitably.
- (b) In the Sub-Regulation (3) of Regulation 7, the words i.e. ‘on first come first serve basis’ shall be incorporated suitably.
- (c) The following shall be inserted in Regulation 8:-

“The distribution licensee shall have the right to inspect the rooftop solar system routinely at any time during the term of the Solar Metering

Connection Agreement. As a part of the inspection, the distribution licensee shall ensure that the following aspects are checked:

- (i) All protective equipment of the rooftop solar systems is functioning as per the specifications.
- (ii) The rooftop solar system including panels, inverters, etc. continue to meet the requirements of Indian & IEC Standards post installation till completion of the Solar Metering Connection Agreement.”

The Commission, thus, taking into consideration the submissions made by the stakeholders and the draft Standard Operating Procedure (SOP) circulated by the Ministry of New and Renewable Energy (MNRE), Government of India, decides to finalize the amendment Regulations by incorporating need based minor modifications of general nature, as may be considered necessary while finalizing draft amendment proposal.

Sd/- (Yashwant Singh Chogal)	Sd/- (Bhanu Pratap Singh)	Sd/- (Devendra Kumar Sharma)
Member	Member	Chairman

List of participants in the public hearing held on 22nd August, 2022.

Sr. No.	Participant
1	Er. Mandeep Singh, Chief Engineer (Comm.), HPSEBL
2	Er. Rakesh Kapoor, SE (SERC), HPSEBL
3.	Er. Manoj Kumar, SE (Electrical), Directorate of Energy
4.	Er. Ajay Kumar , Sr. XEN (Electrical), Directorate of Energy