

Rajasthan Electricity Regulatory Commission

NOTIFICATION

Jaiur, May.....,2025

No. RERC/Secy/Regulation.....In exercise of the powers conferred under Section 181 of the Electricity Act, 2003 (36 of 2003), read with Sections 39, 40, 42, 61 and 86 thereof and all other powers enabling it in this behalf, and after previous publication, the Rajasthan Electricity Regulatory Commission hereby makes the following Regulations, namely Rajasthan Electricity Regulatory Commission (Terms and Conditions for Green Energy Open Access) Regulations, 2025.

1. Short Title, Commencement and Extent of Application:

- i. These Regulations shall be called the Rajasthan Electricity Regulatory Commission (Terms and Conditions for Green Energy Open Access) Regulations, 2025.
- ii. These Regulations shall come into force from such date as the Commission may notify.
Provided that different dates may be appointed for commencement of provisions of different regulations.
- iii. These Regulations shall extend to the whole State of Rajasthan.
- iv. Notwithstanding anything contrary contained in any other Regulation time being in force, of the Commission, these Regulations shall be applicable for allowing Open Access to electricity generated from Renewable Energy Sources, both captive and third party, for use of Intra-State Transmission System/s (InSTS) and/or distribution system/s of licensee/s in the State, including such Intra-State Transmission and/or

distribution system/s, which are incidental to Inter-State Transmission of electricity.

2. Definitions:

- (i) In these regulations, unless the context otherwise requires,
 - a. "Act" means the Electricity Act, 2003 (36 of 2003);
 - b. "Applicant" means a consumer, trading licensee, distribution licensee or a generating company who has applied seeking Green Energy Open Access as the case may be;
 - c. "Banking" means the surplus green energy injected in the grid and credited with the distribution licensee by the Green Energy Open Access consumers and that shall be drawn along with charges to compensate additional costs, if any;
 - d. "Captive generating plant" means a power plant set up by any person to generate electricity primarily for his own use and includes a power plant set up by any co-operative society or association of persons for generating electricity primarily for use of members of such cooperative society or association;
 - e. "Central Nodal Agency" means the Nodal Agency as notified by the Central Government to set up and operate a single window green energy open access system for renewable energy as per the Rules;
 - f. "Commission" means the Rajasthan Electricity Regulatory Commission;
 - g. "Entity" means following:
 - (i) Consumer who has contracted demand or sanctioned load of one hundred kW or more either through single connection or through multiple connections aggregating one hundred kW or more located in the same electricity division of a

distribution licensee, except for captive consumers. However, in the case of captive consumers, there shall not be any such lower load limitation.

- (ii) Generator who produces Green Energy/Renewable Energy (including RE Captive Generating plant) and intends to avail open access;
- h. "Existing Consumer/Generator" means a person already availing open access for sourcing/supplying Renewable energy to the transmission system and/or distribution system of a licensee in state under an existing agreement or GoR policy on the date of coming into force of these Regulations;
- i. "Green Energy/Renewable Energy" means the electrical energy from renewable sources of energy including wind, solar, hydro, pumped Storages Hydro generation, energy storage system and storage (if the storage uses only renewable energy), Municipal Solid Waste-to-Energy based generation, biomass and bagasse based co-generation plants or any other technology as may be notified by the GOI from time to time and shall also include any mechanism that utilizes renewable energy to replace fossil fuels including production of green hydrogen or green ammonia;
- j. Green Hydrogen / Green Ammonia means Hydrogen / Ammonia produced by using Renewable Energy; including Renewable Energy which has been banked and the Hydrogen/Ammonia produced from biomass.

Provided that Green Hydrogen / Green Ammonia can be manufactured by a developer by using Renewable Energy from a co-located Renewable Energy plant, or sourced from a remotely located Renewable Energy plants, whether set up by the same

developer, or a third party or procured renewable energy from the Power Exchange;

- k. "Green Energy Open Access Consumer" means any person who has contract demand or sanctioned load of 100 kW or more, either through single connection or through multiple connections aggregating one hundred (100) kW or more located in same electricity division of a distribution licensee, shall be eligible to take Green Energy through Open Access (captive consumers shall not have any such lower load limit) or such other limit as may be specified by Commission from time to time, who are supplied with electricity from green energy sources for their own use by a licensee or the Government or from its own Captive Generation Plant or by any other person engaged in the business of supplying electricity to the public including captive under the Electricity Act, 2003 or any other law for the time being in force and includes any person whose premises are for the time being connected for the purpose of receiving green energy with the works of a licensee, the Government or such person, as the case may be; :
- l. "Obligated Entity" means the entities mandated under Clause (e) of subsection (1) of Section 86 of the Act to fulfill the Renewable Purchase Obligation, which includes distribution licensee, captive consumer / user and open access consumer;
- m. "Open Access" means the non-discriminatory provision for the use of transmission lines or distribution system or associated facilities with such lines or system by any licensee or consumer or a person engaged in generation in accordance with the Regulations specified by the Appropriate Commission;

- n. "Person" shall include any company or body corporate or association or body of individuals whether incorporated or not, or artificial juridical person;
- o. "Renewable Hybrid Energy Project" means a renewable energy project where the rated capacity of generation from one renewable energy source is at least 25% of the rated capacity of generation from other renewable energy source(s), having a single point of injection or maximum two points of injection into the grid ;
- p. "Rules" means Rules made under the Electricity Act, 2003, including Electricity (Promoting Renewable Energy Through Green Energy Open Access) Rules, 2022 and subsequent Amendments;
- q. "SLDC" means the State Load Dispatch Centre established under sub-section (1) of Section 31 of the Act;
- r. "State Transmission Utility" means the Board or the Government company specified as such by the State Government under sub-section (1) of Section 39 of the Act;
- s. "Standby charges" means the charges applicable to green energy open access consumers against the standby arrangement provided by the distribution licensee, in case such green energy open access consumer is unable to procure/schedule power from the generating sources with whom they have the agreements to procure power due to outages of generator, transmission systems and the like;
- t. "Wheeling" means the operation whereby the distribution system and associated facilities of a transmission licensee or distribution licensee, as the case may be, are used by another person for the conveyance of electricity on payment of charges to be determined under section 52 of the Act;

(iii) Words and expressions used and not defined in these regulations but defined in the Act or the Indian Electricity Grid Code (IEGC) or the Rules prescribed by GOI or the State Grid Code or the State Electricity Supply Code shall have the meaning assigned to them under the Act or the IEGC or the Rules or the State Grid Code, or the State Electricity Supply Code or any other Regulations notified by the Commission as the case may be.

3. Criteria for allowing Green Energy Open Access (GEOA)

- i. The long-term GEOA shall be allowed in accordance with the transmission planning criteria and other relevant provisions stipulated in the State Grid Code and distribution plan as prepared by the Distribution Licensee.

Provided that in case a need for strengthening of the existing transmission/distribution system on account of capacity addition of RE plants is established as per the system study undertaken by STU/Discom, the expenses towards the system strengthening shall be borne by the concerned entity.

- ii. The Short-Term/Medium Term open access shall be allowed, if the request can be accommodated, by utilizing:
 - a. Inherent design margins
 - b. Margins available due to variation in power flows and
 - c. Margins available due to in-built spare transmission system capacity and/or distribution system capacity created to cater to future load growth;

Provided that any consumer may elect to purchase green energy either up to a certain percentage of the consumption or its entire consumption and they may place a requisition for this with their distribution licensee, which shall procure such quantity of green energy and supply it and the consumer shall have the flexibility to give separate requisition for solar and non-solar Green Energy.

Provided further that any requisition for green energy from a distribution licensee shall be for a minimum period of one year.

Provided also that the quantum of green energy shall be pre-specified for at least one year.

Provided also that the green energy purchased from distribution licensee or from Renewable Energy sources other than distribution licensee in excess of Renewable Purchase Obligation of obligated entity and not utilized by such entity in any other manner shall be counted towards Renewable Purchase Obligation compliance of the distribution licensee.

Provided also that the Accounting of renewable energy supplied at distribution licensee level shall be on a monthly basis.

4. Categorization of Green Energy Open Access:

The Green Energy Open Access consumers shall be classified into the following categories based on the duration of use of the intra- state transmission and/or distribution system:

- i. “Long-term Green Energy Open Access” means the right to use the intra-State transmission system and/or distribution system for a period exceeding 12 years but not exceeding 25 years.
- ii. “Medium-term Green Energy Open Access” means the right to use the intra-State transmission system and/or distribution system for a period exceeding three months but not exceeding three years.
- iii. “Short-term Green Energy Open Access” means open access for a period up to one month at a time.

Provided that on expiry of granted short term Green Open Access, if such consumer desires to avail the short-term Green Energy Open Access for further period, it shall require to file application for such period and such application shall be considered as fresh application and priority shall be fixed on basis of date of such application.

Provided further that the period for Long Term, Medium Term and Short Term Green Energy Open Access may be appropriately revised by the Commission as and when required through a separate order.

5. Eligibility Criteria for applying GEOA

- i. Subject to the provisions of these Regulations and system availability, consumers shall be eligible for open access to the intra-state transmission system of the State Transmission utility or any transmission licensee/s and distribution system/s of the distribution Licensee/s within the State.

Provided that notwithstanding anything contained in these Regulations, any RE generating company having subsisting Power Purchase Agreement (PPA) with the Distribution Licensee, shall not be

entitled to Open Access for the RE capacity, for which PPA is entered into, except in accordance with the terms of such PPA and also for such capacity (quantum of power) for which Open Access is already granted.

Provided further that, such open access shall be available on payment of such charges as may be determined by the Commission from time to time.

Provided also that such entities having been declared insolvent or bankrupt or having outstanding dues against them for more than 2 months of billing of the distribution/Transmission licensee or having a case of unauthorized use of electricity/ theft against them at the time of application, shall not be eligible for Open Access.

- ii. Every person, who has constructed a captive generating plant, shall have the right to open access as per the provisions of Section 9 of the Act read with rules & Regulations covered under the Act and orders of the Commission on the subject matters from time to time.

Provided that consumers who have contract demand or sanctioned load of 100 kW or more, either through single connection or through multiple connections aggregating Hundred (100) kW or more located in same electricity division of a distribution licensee, shall be eligible to take Green Energy through Open Access under these Regulations.

Provided further that there shall be no such lower limit with respect to contracted load or sanctioned load for the captive use of energy by the consumer opting under Green Energy Open Access. However, this shall

be on payment of charges and on such terms & conditions as may be decided by the Commission.

Provided that new RE projects on the STU network (excluding hydro projects) with an installed capacity of over 5 MW or as may be specified by the Commission will be mandated to install ESS (of at least 2 hours storage) for a minimum of 5% of the RE capacity.

Provided further that maximum permissible capacity of individual new renewable energy based captive power plant including renewable energy based plant installed behind the meter shall be allowed upto 200% of the contract demand.

Provided also that Renewable Energy based captive power plants having capacity above 100% contract demand and upto 200% of contract demand shall be required to install Battery Energy Storage System (BESS) for a minimum 20% of the energy generated by the additional capacity RE captive plant, i.e., capacity beyond the 100% of the contract demand. This percentage of Energy to be stored may further be reviewed by the Commission through a separate order from time to time. The operation of such storage capacity shall be as directed by SLDC/Distribution Licensee through a separate order.

Provided also that for the associated Green Hydrogen/Ammonia plant the peak power generation capacity of wind/solar/hybrid plant (with or without storage facility) shall be allowed as per the State Govt Policy.

Provided also that green energy open access consumer shall not change the quantum of power consumed through open access within 12-time

blocks, so as to avoid high variation in demand to be met by the distribution licensee.

6. Nodal Agency

- i. All the applications related to green energy open access shall be submitted through the portal set up by the Central Nodal Agency. The applications shall be routed to the State Nodal Agency (SNA) by the Central Nodal Agency.

Provided that the application received through Central Nodal Agency by SNA shall be processed as per procedure & formats devised by STU.

Provided further that the application shall be disposed within 15 days from the date of receiving the same from CNA.

- ii. Rajasthan State Transmission Utility (STU) shall operate as the State Nodal Agency (SNA) for grant of long-term and medium-term green energy open access and Rajasthan State Load Despatch Centre (SLDC) shall operate as the State Nodal Agency (SNA) for grant of short-term green energy open access.
- iii. The STU shall submit detailed procedures covering, but not limited to, timelines, Bank Guarantee, fees, Rejection, Energy Accounting and Settlement and other matters incidental thereto, required for smooth operation of Green Energy Open Access, for the approval of the Commission [along with required formats for granting GEOA] within 30 days from the notification of these Regulations.

iv. The SNA shall coordinate with transmission licensees including STU and the Distribution Licensees to make available all relevant information regarding green energy open access to the public on the portal of the Central Nodal Agency.

7. Treatment for existing Consumers:

The existing consumer(s)/generators may continue to avail the RE under open access as per the existing agreements or government policy for the period specified in those agreements or policies.

Provided that the existing consumers/generators shall continue to pay the applicable charges as specified in their respective agreements or as may be determined by the Commission from time to time.

Provided further that Green Energy Open Access for the period subsequent to their respective agreements in respect of such consumer(s)/generator(s) shall be governed by provisions of these Regulations.

Provided also that if Open Access for any additional RE capacity is sought by such existing consumer(s)/generator(s) in addition to the capacity already contracted under open access, the same shall be treated as a new application for Green Energy Open Access to the extent of additional capacity sought.

Provided also that the existing consumers/generators shall be eligible to convert their existing RE based open access agreements under the Green Energy Open Access for the remaining validity of their existing agreements on a one-time basis and shall be governed by the provisions of these Regulations.

8. Allotment priority

- i. Distribution Licensees shall have highest priority.
- ii. GEOA consumers shall have preference over normal Open Access consumers within the same respective open access category.
- iii. Among the GEOA consumers, long-term GEOA consumers shall have preference followed by Medium term and subsequently short-term, at any given time, subject to availability of spare transmission/distribution system capacity margins.

Provided that, the decision for allowing the green energy open access shall be on the basis of first come first served.

9. Non-Utilization of open access service by Open Access Consumers

- i. In the event of inability of the short-term open access consumer to utilize for more than four hours, full or substantial part of the capacity allocated to him, such a short-term open access consumer shall inform the respective SLDC of his inability to utilise the capacity, along with reasons therefore and may surrender the use of capacity allocated to him. However, such short-term consumer shall bear full transmission and /or wheeling charges based on the original reserved capacity and the period for which such capacity was reserved.
- ii. A medium-term/long-term consumer shall not relinquish or transfer his rights and obligations specified in the open access agreement without prior approval of the state nodal agency.
- iii. The State Nodal Agency may cancel or reduce the capacity allocated to a short-term open access consumer to the extent it is underutilized, when such a short-term open access consumer under-

utilizes the allocated capacity more than 4 times in a month with duration of under utilization exceeding 4 hours each time or fails to inform the distribution licensee of his inability to utilize the allocated capacity. Such cancellation shall be resorted to after giving due notice.

- iv. The surplus capacity available as a result of its surrender by the short-term open access consumer under clause (i) above or reduction or cancellation of capacity by the SLDC under clause (iii) above, may be allocated to any other short-term open access consumer in the order of pending applications based on the point of injection and drawl.
- v. The relinquishment or transfer of such rights and obligations by a long-term/medium term entity shall be subject to payment of compensation, as provided below:
 - (1) A long term green energy open access entity who has availed open access rights for at least 12 years may relinquish the long term open access rights fully or partly before the expiry of the full term of long term open access, by making payment of compensation for stranded capacity as under:
 - (a) If a long term green energy open access entity submits an application to the Nodal Agency at least 1 (one) year prior to the date from which such customer desires to relinquish the open access rights, he shall be liable to pay no charges;
 - (b) If a long term green energy open access entity submits an application to the Nodal Agency at any time lesser than a period of 1 (one) year prior to the date from which such

customer desires to relinquish the open access rights, such customer shall pay an amount equal to 66% of the transmission and wheeling charges, as applicable on the date on which the application for relinquishment of the open access right is made, for the stranded transmission and/ or distribution capacity for the period falling short of a notice period of one (1) year.

- (2) A long term green energy open access entity, who has not availed open access rights for at least 12 (twelve) years, shall pay an amount equal to 66% of the transmission and wheeling charges, as applicable on the date on which the application for relinquishment of the open access right is made, for the stranded transmission and/or distribution capacity for the period falling short of 12 (twelve) years of open access rights subject to a maximum period of three years.

Provided that such an open access entity shall submit an application to the Nodal Agency at least 1 (one) year prior to the date from which such customer desires to relinquish the open access rights.

Provided further that in case such an open access entity submits an application for relinquishment of long term open access rights at any time at a notice period of less than one year, then such open access entity shall pay an amount equal to 66% of the transmission and wheeling charges, as applicable on the date from which the open access right is relinquished, for the period falling short of a notice period of one (1) year, in addition to 66% of

the transmission and wheeling charges, as applicable on the date on which the application for relinquishment of the open access right is made, for the stranded transmission and/or distribution capacity for the period falling short of 12 (twelve) years of open access rights subject to a maximum period of three years.

- (3) A medium term green energy open access entity may relinquish open access rights, fully or partly, by giving at least 30 days prior notice to the Nodal Agency and such medium term open access entity shall pay applicable transmission and wheeling charges for the period of relinquishment or 30 days whichever is less.
- (4) No refund shall be made by the Distribution/ Transmission Licensee to an open access customer who has created the system at his own cost for availing open access irrespective of whether he avails the open access for full term or partly.

10. Energy Accounting :

i. Inter-state transactions:

In case of Green Energy Open Access carried out under inter-state transaction, energy accounting shall be as per the CERC Regulations.

Notwithstanding anything contrary contained in any other Regulations time being in force, if the generator situated in the State of Rajasthan and connected with the State grid and selling power outside the State the energy accounting for deviation settlement be carried out, wherein the deviation charge shall be either (A) Contract Rate or (B) Normal Rate of Charges for deviation, whichever is higher.

Explanation: Contract Rate and Normal Rate of Charges for deviation shall have the meaning as defined in the CERC DSM Regulations from time to time.

ii. Intra-state transactions:

Long Term Access/Medium-Term Open Access/Short-Term Open Access:

The deviation charges shall be payable by the generator as per the RERC (Forecasting and Scheduling and Related Matters for Solar and Wind Generation Sources) Regulations, 2017 as amended from time to time.

Provided that the Green Energy Generator (RE generator) other than Solar, Wind and Wind-Solar Hybrid generator which were commissioned under the respective RE tariff orders passed by the Commission from time to time and in operation shall be governed by the provisions of relevant orders of the Commission.

Provided further that mechanism for energy settlement shall be provided in the procedure to be approved by the Commission.

11. Charges for Green Energy Open Access :

The charges payable by the Green Energy Open Access consumers shall be as follows: -

- i. Transmission Charges
- ii. Wheeling Charges
- iii. Cross subsidy charges
- iv. Additional surcharge
- v. Banking Charges

- vi. Standby charges, wherever applicable
- vii. Reactive Energy Charges.
- viii. Other fees and charges such as SLDC fees and scheduling charges, deviation settlement (DSM) charges as per the relevant Regulations or orders of the Commission.
- ix. Any other charges as may be decided by the Commission from time to time

11.1 Transmission Charges

Green Energy Open Access Consumer using transmission system shall pay the charges as stated hereunder:

11.1.1 For use of inter-State transmission system:

As specified by the Central Commission from time to time.

11.1.2 For use of intra-State transmission system:

The determination of Transmission Charges for Long-Term, Medium-Term and Short-Term open access shall be determined by the Commission as per the prevailing provisions of the RERC Tariff Regulations from time to time. The applicable rate of Transmission Charge payable by Green Energy Open Access Consumer shall be specified by the Commission in its Tariff Order subject to provisions of RERC (Terms and Conditions for Tariff determination from Renewable Energy Sources) Regulations, 2020 as amended from time to time.

11.2 Wheeling Charges

Wheeling charges payable to distribution licensee, by the Green Energy Open Access Consumer for usage of its system shall be as determined by the Commission in the tariff order from time to time subject to provisions of RERC (Terms and Conditions for Tariff

determination from Renewable Energy Sources) Regulations, 2020 as amended from time to time.

- 11.3 For the use of both EHV and the distribution network, both transmission and wheeling charges as well as losses as applicable shall be payable.

Provided that, the Transmission & wheeling charges for the Co-located Wind-Solar hybrid power plants shall be levied as follows:

- a. For the existing as well as the new hybrid power plants, the transmission charges shall be levied on the transmission capacity contracted.

Provided also that for non-co-located (two separate points of injections) projects, the charges shall be paid for solar and wind projects separately corresponding to the transmission capacity contracted of solar and wind projects respectively.

Provided also that in case of wind solar hybrid projects, the generation should not exceed the contracted capacity. Notwithstanding the above, the SLDC may curtail the additional injection keeping in view the security/reliability of the grid operation. The energy injected in excess of the above limit shall be the inadvertent injection and shall neither be paid for nor settled by the distribution licensee.

Provided also that the Transmission & Wheeling charges shall be exempted on supply of power from BESS during peak hours

or non-solar hours for a capacity of 2000 MW capacity or capacity installed by 2030 whichever is earlier for the followings:

- (i) RE Integrated Storage project with a capacity of 5% of RE capacity will be eligible for exemption of 75% on Transmission and Wheeling charges for a period of seven (7) years. For BESS beyond 5% of RE capacity will be eligible for extra exemption of additional 1% Transmission and Wheeling charges on enhancement of each 1% capacity of storage system up to 30% capacity. For BESS beyond 30% of RE capacity, will be exempted from 100% Transmission & Wheeling charges.
- (ii) Standalone Battery Energy Storage System (BESS) will be exempted 100% transmission and wheeling charge on supply of power from BESS during peak hours or non-solar hours for a period of seven (7) years.
- (iii) BESS connected at 11 kV or 33 kV grid sub-stations will be exempted from 100% transmission and wheeling charges.

Provided that 50% waiver of intra-state transmission & wheeling charges will be applicable for the power produced from solar/wind plants (with/without storage) to be established for the Green Hydrogen/Ammonia plants to be set up by 2030. The transmission & wheeling losses shall be applicable as determined by the Commission.

11.4 Cross Subsidy Surcharge

- a. The Green Energy Open Access facility availed by a consumer shall be required to pay cross subsidy surcharge as provided in relevant Tariff Order issued by the Commission from time to time, in addition to transmission and/or wheeling charges. Cross subsidy surcharge determined by the Commission on Per Unit basis shall be payable, on billing cycle basis, by the open access customers based on the actual energy consumed during the billing period through open access. The amount of surcharge shall be paid to the distribution licensee in whose area of supply such consumer is situated.

Provided that such cross-subsidy surcharge shall not be levied in case green energy open access is provided to a person who has established a captive generation plant for carrying the electricity to the destination of his own use.

Provided further that the Commission may not increase cross-subsidy surcharge for Green Energy Open Access Consumer purchasing green energy, from a generating plant using green energy (renewable energy) sources, during twelve years from the date of operating of the generating plant using renewable energy sources, by more than fifty percent of the surcharge fixed for the year in which open access is granted;

Provided also that Cross Subsidy Surcharge shall not be applicable in case power produced from a non-fossil fuel-based Municipal Solid Waste-to-Energy plant is supplied to the Open Access Consumer;

Provided also that Cross-Subsidy Surcharge shall not be applicable if green energy drawn from wind/solar energy plant (s) (with or without storage facilities) through green energy open access is utilized for production of green hydrogen and green ammonia.

- b. Cross-Subsidy Surcharge shall not exceed 20% of the Average Cost of supply.
- c. The Cross Subsidy Surcharge payable by a consumer shall be such so as to meet the current level of cross subsidy within the area of supply of the distribution licensee.

11.5 Additional Surcharge

The Additional Surcharge shall not be applicable to the Green Energy Open Access consumer for the quantum of Green Energy Open Access availed if the fixed charge is being paid by such Green Energy Open Access consumer to the distribution licensee for the quantum of Green Energy Open Access availed up to contract demand / sanctioned load with the licensee.

Provided that the additional surcharge may remain leviable till there is a gap in recovery of fixed charge and the fixed cost incurred by the licensee. However, the Additional surcharge shall not be more than the per unit fixed cost of power purchase of the distribution licensee concerned.

Provided further that in case the quantum of Green Energy Open Access availed by the Green Energy Open Access consumer is more than the contracted demand / sanctioned load with the licensee and no fixed charge or demand charge is being paid or payable for additional quantum, in that case the Additional Surcharge determined by the Commission from time to time as per the Orders of the Commission shall be applicable for such additional quantum availed over the contracted demand / sanctioned load.

Provided also that such additional surcharges shall not be levied in case green energy open access is provided to a person who has established a Captive Generation Plant for carrying the electricity to the destination of his own use.

Provided also that Additional Surcharge shall not be applicable in case power produced from a Municipal Solid Waste-to-Energy plant is supplied to the Green Open Access Consumer.

Provided also that additional surcharge shall not be applicable in case electricity produced from offshore wind projects, which are commissioned up to December, 2032 and supplied to the Open Access Consumers.

Provided also that Additional Surcharge shall not be applicable if green energy is utilized for production of green hydrogen and green ammonia.

11.6 The incentives/rebates provided under the RERC (Terms and Conditions for Tariff Determination from Renewable Energy Sources) Regulations, 2020, including any amendments thereto, in respect of transmission charges, wheeling charges, cross-subsidy surcharge, and additional surcharge, shall continue to apply for the control period of the said Regulations unless otherwise specified in these Regulations.

11.7 Standby charges for drawl of power by Green Energy Open Access consumer from distribution licensee :

In case the green energy open access consumer is unable to procure/schedule power from the generating sources with whom they have the agreements to procure power due to outages of generator, transmission systems and the like, standby arrangement shall be provided to Green Energy Open Access consumer by the distribution licensee of the area and the licensee shall be entitled to collect Standby charges as specified by the Commission.

Provided that the applicable standby charges shall be Twenty-Five per cent of the energy charges applicable to consumer tariff category.

Provided further that the standby charges shall be in addition to the applicable tariff on standby energy supplied by the Distribution Licensee to the Green Energy Open Access Consumer.

Provided also that the standby charges shall not be applicable, if the green energy open access consumer has given notice, in advance, at least a day in advance before closure time of Day

Ahead Market (DAM) on “D – (minus) 1” day, 'D' being the day of delivery of power for standby arrangement to the distribution licensee.

Provided also that Green Energy Open Access consumers would have the option to arrange standby power from any other source.

11.8 Banking :

A. Banking for RE power plants of capacity upto 100% of Contract Demand:

- i. The terms and conditions of Banking specified in these Regulations shall be applicable for both existing Renewable Energy based plants and new Renewable Energy based plants during the application of control period of these Regulations.
- ii. For availing the banking facility, the Renewable Energy based captive power plant shall install ABT compliant Special Energy Meters (SEMs), capable of energy accounting for each block of 15 minutes.
- iii. Banking of Energy subject to a maximum ceiling of 25 % of the energy injected by Renewable Energy Captive Generating Station during the month or 30% of the total monthly consumption of electricity from the distribution licensee by the consumer, whichever is higher, at consumption end shall be allowed only for captive consumption within the State:

Provided that no banking facility shall be allowed for Renewable Energy plants supplying power to third party under open access and for the Renewable Energy plant installed behind the meter:

Provided further that for availing Banking Facility, Renewable Energy Captive Generating Station shall enter into Wheeling and Banking Agreement with Distribution Licensee.

Provided also that the banking shall be allowed on annual basis.

Provided also that the banking as well as withdrawal of banked energy shall be subject to scheduling as required.

Provided also that in a month the energy injected after accounting for losses shall be set off against the energy drawn from the Discom in the same month except excess energy drawn during the peak hours in the month declared by Distribution Licensee from time to time. The excess energy, if any, shall be carried forward to next month subject to limits specified above, after adjusting the banking charges

Provided also that the Commission through a separate order may allow banking on the basis of Time of Day tariff slots.

Illustration for plants of capacity upto 100% of Contract Demand:

If in any month, 1000 units of energy have been injected after accounting for losses and the total monthly consumption of electricity from the Distribution licensee by the consumer is 900 units out of which excess units consumed in peak hours are 100. Then excess injected energy to be considered for the particular month shall be 200 units $(1000 - (900 - 100))$ and

the same shall be carried forwarded to next month as it is within the banking energy limit (higher of the 25% of 1000 units or 30% of 900 units). The banked energy considered for next month will be $200 \times (1-8\%) = 184$ units. The Discom will raise the bill for excess 100 units of energy consumed during peak hours as per applicable tariff.

Explanation: The excess energy drawn during the peak hours in a month = (Total energy drawn during the peak hours in the month minus (-) Total energy injected during the peak hours in the month).

If during the next month, 1000 units of energy have been injected after accounting for losses and the total monthly consumption of the electricity from the Discom by the consumer is 750 units out of which excess units consumed in peak hours are 100, the excess energy injected to be considered for that particular month shall be 350 units ($1000 - (750 - 100)$). Out of excess energy of 350 units, only 250 units (higher of the 25% of 1000 unit or 30% of 750) shall be banked and carried forwarded to next month, remaining 100 units ($350 - 250$) shall lapse. Accordingly, $230 (250 \times (1 - 8\%)) + 184$ (Banked during previous month) equal to 414 units shall be carried forward to the next month. The Discom will raise the bill for excess 100 units of energy consumed during peak hours as per the applicable tariff.

If during the next month, 1000 units of energy have been injected after accounting for losses and the monthly consumption of the electricity from the Discom by the consumer is 1500 units out of which excess units consumed in peak hours are 200 units then the energy consumed during off peak hours in that particular month shall be $(1000 - (1500 - 200)) = -300$ units. In this case the above excess drawn 300 units will be adjusted against previously banked 414 units and balance 114 units will be carried

forward to the next month. The Discom will raise the bill for excess 200 units consumed during the peak hours as per the applicable tariff.

- iv. Unutilized banked energy at the end of financial year shall lapse and the renewable energy captive generating plant shall be entitled to get Renewable Energy Certificates to the extent of the lapsed banked energy in accordance with rules/regulations framed by the MoP/CERC.
- v. Banking charges at the rate of 8% of banked energy would be payable in kind and shall be adjusted against the banked energy before withdrawal, or any such other rate or in monetary terms or their combination thereof, as may be specified by the Commission through a separate order.

Illustration: If 100 Units of energy have been banked at the consumption end after accounting for losses, the Captive consumer will be able to draw 92 units of banked energy and 8 units will be deducted as banking charges.

- vi. The above provisions related to banking shall be applicable to all existing projects, as well as to new projects commissioned after the commencement of these Regulations, and shall remain in force until 31.03.2030 or any other date as may be separately appointed by the Commission through an order. .

B. Banking for RE power plants of capacity from 100% to 200% of Contract Demand:

- i. The terms and conditions of Banking specified in these Regulations shall be applicable for both existing Renewable Energy based plants

and new Renewable Energy based plants during the application of control period of these Regulations.

- ii. For availing the banking facility, the Renewable Energy based captive power plant shall install ABT compliant Special Energy Meters (SEMs), capable of energy accounting for each block of 15 minutes.
- iii. Banking of Energy subject to a maximum ceiling of 30% of the total monthly consumption of electricity from the distribution licensee by the consumer at consumption end shall be allowed only for captive consumption within the State:

Provided that no banking facility shall be allowed for Renewable Energy plants supplying power to third party under open access and for the Renewable Energy plant installed behind the meter:

Provided also that for availing Banking Facility, Renewable Energy Captive Generating Station shall enter into Wheeling and Banking Agreement with Distribution Licensee.

Provided also that the banking shall be allowed on billing cycle basis.

Provided also that the banking as well as withdrawal of banked energy shall be subject to scheduling as required.

Provided also that in a billing cycle the energy injected after accounting for losses shall be set off against the energy drawn from the Discom in the same billing cycle. The credit of banked energy shall

not be permitted to be carried forward to subsequent billing cycle and shall be adjusted during the same billing cycle.

Provided also that in a month the energy injected after accounting for losses shall be set off against the energy drawn from the Discom in the same month except excess energy drawn during the peak hours in the month declared by Distribution Licensee from time to time.

Provided also that the Commission through a separate order may allow banking on the basis of Time of Day tariff slots.

- iv. Unutilized banked energy at the end of billing cycle shall lapse and the renewable energy captive generating plant shall be entitled to get Renewable Energy Certificates to the extent of the lapsed banked energy in accordance with rules/regulations framed by the MoP/CERC.
- v. Banking charges at the rate of 8% of banked energy would be payable in kind and shall be adjusted against the banked energy before withdrawal, or any such other rate or in monetary terms or their combination thereof, as may be specified by the Commission through a separate order.

C. Banking for RE projects established for Green Hydrogen/Green Ammonia generation plants:

The terms and conditions of banking for RE plants (with or without storage) set up for Green Hydrogen/Ammonia generation plant shall be applicable as per the provisions of the State Govt. Policy.

12. Curtailment Priority

In case due to transmission/distribution system constraints or otherwise, it is necessary to curtail the service of GEOA consumer, the following priority shall be followed.

- a. The short-term open access consumer (other than GEOA consumer) shall be curtailed first followed by short-term GEOA consumers.
- b. Next, medium-term OA consumer (other than GEOA consumer) followed by medium-term GEOA consumer shall be curtailed.
- c. Next long-term OA consumer (other than GEOA consumer) followed by long-term GEOA consumer shall be curtailed.

Provided that within a category, the GEOA consumers shall have equal curtailment priority and shall be curtailed on pro-rata basis.

Provided further that distribution licensees shall be curtailed as last resort.

13. Metering

- i. Green Energy Open Access consumer shall have to install ABT compliant Special Energy Meters (SMEs) or such other meters, capable of energy accounting for each block of 15 minutes, at the generator end, interface points, consumption place which shall conform to the Central Electricity Authority (Installation and Operation of Meters) Regulations, 2006, as amended from time to time.
- ii. The metering point as well as the interconnection point for grid connectivity shall be the nearest transmission/distribution licensee sub-station.

- iii. Above Meters shall always be maintained in good condition and shall be open for inspection by any person authorized by the State Transmission Utility, Distribution Licensee or the State Load Despatch Centre.
- iv. The green energy open access entity shall get his meters tested periodically as specified in Central Electricity Authority (Installation and Operation of Meters) Regulations, 2006, as amended from time to time after depositing necessary testing fee with the concerned Distribution Licensee.
- v. The Meters shall be tested, calibrated & sealed by Distribution Licensee in the presence of the other party involved and representative of concerned Transmission Licensee/STU if meter is installed at their grid substation. Any defective meter shall be replaced within 30 days, failing which the entity shall be disallowed open access.
- vi. All the Green Energy Open Access entity shall abide by the metering standards of CEA."

14. Reactive Energy Charges

In respect of green energy generator/consumer, the Reactive power management including pricing shall be in accordance with Regulations /order(s) passed by the Commission from time to time.

15. Energy losses

Energy losses of the transmission and distribution system shall be applicable to the GEOA consumers as specified by the Commission from time to time.

16. Application Fee, Payment Security and Other Commercial Conditions

(1) For Long Term & Medium Term Green Energy Open Access

- (a) A long term and Medium term green energy open access entity shall file an application in the manner and format as prescribed in the detailed procedure.
- (b) An entity intending to avail green energy open access shall also submit a copy of his application to the Distribution Licensee(s) of his area of supply.
- (c) The application shall be accompanied by a non-refundable fee of Rs 1,00,000 (Rs. One Lac only) for long-term and Rs. 20,000 (Rs. Twenty Thousand Only) for medium term green energy open access in the name and manner laid down in the detailed procedure.
- (d) The application shall be accompanied by a bank guarantee corresponding to Rs 10,000/MW (Rs. Ten Thousand per MW) of the total power to be transmitted for long term open access in addition to the specified application fee in the manner laid down in the detailed procedure. The bank guarantee shall be kept valid and subsisting till commencement of long term open access.

- (e) As a payment security towards transmission charges, open access customer shall deposit an amount equal to 3 months of the transmission charges for allotted open access capacity with the State Transmission Utility;
- (f) As a payment security towards SLDC charges, open access customer shall deposit an amount equal to 3 months of the SLDC fee and charges including scheduling and operating charges for allotted open access capacity with the State Load Dispatch Centre;
- (g) As a payment security towards wheeling charges, cross subsidy surcharge and additional surcharge, a deposit equal to 3 months of billing for these charges for allotted open access capacity shall be maintained with the Distribution Licensee of the area of supply;

Provided that unity power factor shall be considered for the purpose of unit conversion from MVA/kVA to MW/kW or vice versa.

Provided further that, in case of an existing open access customer availing open access for more than a financial year, security shall be revised on the basis of average monthly open access charges of the previous financial year.

Provided also that, the IPPs/ CPPs selling power outside the State, shall also deposit a security towards under injection, if any, with the Distribution Licensee, equivalent to 10% of the proposed

monthly contracted generation for sale, at the energy charge rate of HT Industrial tariff, the amount of which shall be recalculated after the actual sale of the previous quarter of the financial year.

- (h) Such security may be in the form of cash deposit/ demand draft.

(2) For Short Term Open Access

- (a) A short term green energy open access entity shall file an application in the manner and format as prescribed in the detailed procedure.
- (b) An entity intending to avail short term intra-state green energy open access shall also submit a copy of his application to the Transmission and Distribution Licensee(s) of his area of supply.
- (c) The application shall be accompanied by a non-refundable fee of Rs 5,000 (Rs. Five Thousand only) for short term green energy open access in the name and manner laid down in the detailed procedure.
- (d) A green energy open access entity shall pay the transmission charges, SLDC charges, wheeling charges, surcharge, additional surcharge, and such other charges as applicable, in advance for the period for which the open access has been granted.
- (e) The other terms and conditions including the commercial conditions for transmission charges, wheeling charges and

scheduling & system operation charges, such as, terms of payment, creditworthiness, indemnification, and force majeure conditions etc., shall be as provided in the detailed procedure.

17. Compliance of Grid Code/Supply Code

GEOA consumers shall abide by the State Grid Code, Supply Code and all other Codes and Standards, DSM Regulations as applicable from time to time.

18. Collection and Disbursement of charges

- (1) The transmission charges and wheeling charges in respect of open access customers shall be payable by the open access customer directly to respective licensees.
- (2) The SLDC fee and charges including scheduling and operating charges in respect of open access customers shall be paid to the State Load Despatch Centre.
- (3) The Unscheduled Interchange/DSM charges shall be paid in the manner as directed by the State Load Despatch Centre.
- (4) The cross subsidy surcharge, additional surcharge or any other charges pertaining to the Distribution Licensee shall be paid by the open access consumer directly to the Distribution Licensee in whose area of supply he is located.
- (5) In case fee, or any other charges, and specified on monthly basis, these charges shall be worked out on pro-rata daily basis for transactions for part of a month.

- (6) The supplier end Distribution Licensee, that is, the Distribution Licensee in whose area of supply point of injection of open access supply is situated, shall convey (or download) the time block wise meter readings taken at an appointed time to the SLDC, RVPN, supplier and consumer end Distribution Licensee(s).
- (7) The consumer end Distribution Licensee, that is the Distribution Licensee in whose area of supply an open access consumer is situated, shall convey (or down load) the time block wise meter readings taken at an appointed time to SLDC, consumer, RVPN & supplier.
- (8) The consumer end Distribution Licensees shall prepare the provisional energy account based on the injection schedule, drawal schedule, and meter readings and contract demands for HT power and standby & start up supply and serve monthly bills. The provisional bill shall be served in the first week of the month. A copy of the provisional energy account shall also be supplied to SLDC. UI/deviation shall have to be considered and prepared by Distribution Licensee provisionally and conveyed to the SLDC. SLDC shall issue the final UI/deviation charge account.

19. Information System:

- i. SLDC shall post the following information in a separate web page titled "Green Energy Open Access Information" and also issue a monthly and annual report containing such information;
 - a. A status report on long -term/medium-term/short term consumers covering points of injection and drawal period of the

access granted (start date and end date) and open access capacity used.

- b. Floor rate for bidding in case of congestion
 - c. Peak load flows and capacity available on EHV and HV lines
 - d. Information regarding average loss in the transmission system and distribution system as approved by the Commissions on a monthly basis.
 - e. List of pending applications, their status and reasons for rejections.
- ii. The information shall be updated upon every change in status.
 - iii. All previous report shall be available in the web-archives.
 - iv. The SLDC shall post the above information on its website within one month from the date of notification of these Regulations.

20. Reports

The State Nodal Agency shall publish a report on a monthly basis on its official website, consisting of the information in the following format:

S. No.	Name and address of the GEOA/ wheeling consumer	Point of Injection	Point of drawl	Capacity allowed (MW)	Period of open access allowed	Actual annual utilization of energy in MU

21. Communication facility

Green Energy Open Access consumer shall have the requisite communication systems in place to facilitate seamless communication of data/orders/ information to/from the generator place to State Nodal

Agency (SLDC) and from consumer place to distribution licensees on real time basis.

22. Green Energy Tariff

- i. Any consumer may elect to purchase green energy either up to a certain percentage of the consumption or its entire consumption and they may place a requisition for this with their distribution licensee, which shall procure such quantity of green energy and supply it and the consumer shall have the flexibility to give separate requisition for solar and non-solar;
- ii. The consumer may purchase on a voluntary basis, more renewable energy, than he is obligated to do and for ease of implementation, this may be in steps of Twenty-five per cent and going up to Hundred per cent;
- iii. The tariff for the green energy shall be determined separately by the Commission through a separate order, considering various cost components of the Distribution Licensee;
- iv. Any requisition for green energy from a distribution licensee shall be for a minimum period of one year;
- v. The quantum of green energy shall be pre-specified for at least one year;
- vi. The green energy purchased from distribution licensee or from Renewable Energy sources other than distribution licensee in excess of Renewable Purchase Obligation of obligated entity shall be counted

towards Renewable Purchase Obligation compliance of the distribution licensee;

- vii. The Accounting of renewable energy supplied at distribution licensee level shall be on a monthly basis.

23. Green certificate

The distribution licensee shall give green certificate on yearly basis to the consumers for the green energy supplied by the licensee to consumer on his request beyond the renewable purchase obligation of the consumers.

24. Rating

The Commission may introduce the concept of rating for the consumer of the distribution licensee, based on the percentage of green energy purchased by such consumer.

25. Dispute Resolution:

- (i) No application for open access shall be denied unless the applicant has been given an opportunity of being heard in the matter.
- (ii) All disputes and complaints relating to GEOA shall be made to the SLDC, which may investigate and endeavor to resolve the grievance.
- (iii) If the SLDC is unable to redress the grievance, the same shall be referred to the State Power Committee constituted under the State Grid Code which shall endeavor to resolve the grievance within 30 days and

(iv) Where State Power Committee is unable to resolve the grievance, it shall be referred to the Commission and Commission decision in this regard shall be final and binding.

26. Issue of orders and practice directions

Subject to the provision of the Electricity Act, 2003 and these Regulations, the Commission may, from time to time, issue orders and practice directions with regard to the implementation of the Regulations and procedures to be followed.

27. Power to remove difficulties:

In case of any difficulty in giving effect to any of the provisions of these Regulations, the Commission may by general or special order, direct the GEOA consumers, generators, SNA and the licensees to take suitable action, not being inconsistent with the provisions of Electricity Act, 2003, which appears to the Commission to be necessary or expedient for the purpose of removing the difficulty.

The GEOA consumers/generator/licensees/SNA may make an application to the Commission and seek suitable orders to remove any difficulties that may arise in implementation of these Regulations.

28. Power to amend:

The Commission may from time to time add, vary, alter, modify or amend any provisions of these Regulations after following the necessary procedures.

29. Power to Relax:

The Commission may by general or special order, for reasons to be recorded in writing, and after giving an opportunity of hearing to the parties likely to be affected, may relax any of the provisions of these Regulations suo-motu or on an application made before it by an interested person.

30. Interpretation:

The decision of the Commission regarding the interpretation of these Regulations shall be final and binding.

31. Saving clause:

The provisions of the RERC (Terms and Conditions for Tariff determination from Renewable Energy Sources) Regulations 2020 and RERC (Open Access) Regulations, 2016 which are not inconsistent with provisions under these Regulations or not covered under these Regulations or Procedure made hereunder shall be also applicable *mutatis mutandis* as part of these Regulations.

By Order of the Commission

Babu Lal Goyal, IAS
Secretary.