

## HIMACHAL PRADESH ELECTRICITY REGULATORY COMMISSION, SHIMLA

### NOTIFICATION

Shimla, the 8<sup>th</sup> October, 2018

**No. HPERC-H(1)-11/2015.- WHEREAS** the Himachal Pradesh Electricity Regulatory Commission (hereinafter referred as “the Commission”) notified 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 3<sup>rd</sup> August, 2015;

**AND WHEREAS** the total target of 100 GW generation by 2022 from solar in the country, a capacity of 40 GW is targeted to be achieved from solar rooftop. The MNRE requested to modify the solar rooftop regulations incorporating the standard of performance i.e. time lines for various activities for installation of rooftop solar system which may help in achieving the national target of solar capacity addition of 40 GW by 2022;

**AND WHEREAS** the Himachal Pradesh Electricity Board Ltd. (HPSEBL) is of the view that since the main objective of solar rooftop system is that the consumer generates the electricity and consumes it too and also since a considerable amount of subsidy is available for installing said systems, there should not be any payments for net surplus energy exported by the consumer at the end of the settlement period;

**AND WHEREAS** the Himachal Pradesh Energy Development Agency (HIMURJA) being a State Nodal Agency suggested that consumers may be allowed to install grid interactive solar PV System equal to their sanctioned connected load in case of the consumers having connected load upto 5kW;

**NOW, THEREFORE**, 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 proposes to amend the Himachal Pradesh Electricity Regulatory Commission ((Rooftop Solar PV Grid Interactive System based on Net Metering) Regulations, 2015 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 publishes the draft amendment regulations for the information of all the persons likely to be affected thereby; and notice is hereby given that the said draft amendment regulations, together with any objections or suggestions which may within the aforesaid period be received in respect thereto, will be taken into consideration after the expiry of fifteen (15) days from the date of their publication in a Rajpatra, Himachal Pradesh;

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, HP Electricity Regulatory Commission, Vidyut Aayog Bhawan, Block-37, SDA Complex, Shimla-171009.

### **DRAFT REGULATIONS**

1. **Short title and commencement.** - (1) These regulations may be called the Himachal Pradesh Electricity Regulatory Commission (Rooftop Solar PV Grid Interactive System based on Net Metering) (First Amendment) Regulations, 2018.

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

2. **Amendment in regulation 2.**-For Clause (18) of regulation 2 of Himachal Pradesh Electricity Regulatory Commission (Rooftop Solar PV the Grid Interactive System based on Net Metering) Regulations, 2015 (hereinafter referred as “the said regulations”), the following shall be substituted, namely:-

“(18) “**premises**” means rooftops and/or open areas on the land, building or infrastructure or part or combination thereof in respect of which a separate meter or metering arrangements have been made by the licensee for supply of electricity;”.

3. **Amendment in regulation 5.**- For the sub-regulation (2) of regulation 5 of the said regulations, the following shall be substituted, namely;-

“(2) The maximum peak capacity of the rooftop solar system to be installed by any individual consumer covered under two part tariff shall not exceed 80 % of the sanctioned contract demand and such maximum limit in case of individual consumers, covered under single part tariff, shall be as follows, namely;-

**Table-1**

Sr. No.	For consumers having sanctioned connected load.	Maximum capacity of Solar PV Project.
1	5 kW or less.	100% of sanctioned connected load.
2	Exceeding 5kW but not exceeding 10 kW.	70% of sanctioned connected load or 5 kW; whichever is higher.
3	Exceeding 10 kW.	50% of sanctioned connected load or 7 kW; whichever is higher:

Provided that the capacity of rooftop solar PV system to be installed by an eligible consumer shall not exceed the following limits:-

**Table-2**

Sr. No.	Voltage at which consumer(s) gets supply	Maximum capacity of rooftop Solar PV System
1	LT (1 $\phi$ )	7 kWp
2	LT (3 $\phi$ )	20kWp
3	11 kV or higher voltage level	1 MWp:

Provided further that the maximum capacity of the Rooftop Solar PV Grid Interactive System so worked out shall be rounded to next integral value:

Provided further that the distribution licensee shall maintain the redundancy of 30% in its distribution system and in cases where any equipment of the distribution system is loaded or is likely to be loaded beyond 70% of the rated capacity as a result of the installation of such systems, the licensee shall, save as provided in Himachal Pradesh Electricity Regulatory Commission (Recovery of Expenditure for Supply of Electricity) Regulations, 2012, take immediate action to augment the system/equipment by making suitable provisions in CAPEX plan.”

4. **Amendment of regulation 7.-** in regulation 7 of the said regulations-
- (a) in sub-regulation (1), for the words “the distribution licensee to connect”, the words “the distribution licensee to install and connect” shall be substituted;
  - (b) in sub-regulation(2), after the word “application” and before the words “and take all necessary actions”, the words “ as per the timelines given in the Table-3 of sub-regulation (9) of this regulation” shall be inserted;
  - (c) in sub-regulation (3).-
    - (i) for the words and figure “within 30 days” occurring for the first time, the words and figure “as per the timelines given in the Table-3” shall be substituted;
    - (ii) for the words and figure “within 30 days” occurring for the second time, the words and figure “ as per the timelines given in the Table-2”;
    - (iii) for the words and figure “within 240 days”, the words and figure “as per the timelines given in the Table-3” shall be substituted; and
    - (iv) in 3<sup>rd</sup> proviso, the words “of 30 days” shall be omitted.
  - (d) in sub-regulation (5).-
    - (i) for the words and figure “within 10 days”, the words and figure “as per the timelines given in the Table-3” shall be substituted; and
    - (ii) at the end the sentence “ If the distribution licensee has no stock of meters, the consumer will, upon intimation by the distribution licensee, purchase the same” shall be added;
  - (e) in sub-regulation(6),-
    - (i) for the words “ within one week” the words and figure “as per the timelines given in the Table-4” shall be substituted; and
    - (ii) at the end following words and figure, “and, thereafter, if considered eligible, shall record in principle approval and also

take further action to grant subsidy , as per the timelines given in the Table-4” shall be added;

- (f) in sub-regulation (7), for words “ for purposes of procedure of these regulations”, the words “ to avoid procedural delay in smooth implementation of these regulations” shall be substituted; and
- (g) the following sub-regulation (9) shall be added.- “(9) The distribution licensee, the eligible consumers, State Nodal Agency and the Chief Electrical Inspector or any competent authority shall adhere to the time lines for various activities pertaining to them as given in the following Tables-3 and 4, namely;-

**Table-3**

<b>Activity</b>	<b>Responsibility</b>	<b>Timeline (Maximum Working Days)</b>
Submission of application.	the consumer	Zero date
Acknowledgment of application by the distribution Licensee.	the distribution Licensee	02
Site Verification/Technical Feasibility & Issuance of Letter of Approval (LOA)/Termination.*	the distribution licensee	15
Execution of Net Metering Agreement after issuance of Letter of Approval (LOA).	the distribution licensee and consumer	15-20
Intimation to the distribution licensee about expected date of installation of Solar PV System.	the consumer	30 days prior to the expected date of installation.
Intimation to consumer, after receipt of intimation from consumer about expected date of readiness to procure meter if not available in stocks of the distribution licensee.	the distribution licensee	7
Installation of Rooftop Solar System including solar meter and submission of Work Completion Report/ Certificate including installation of Solar Meter.	the consumer	90-180 days from issuance of Letter of Approval.
Inspection by the Chief Electrical Inspector, or any other competent authority and intimating deficiencies, if any.	the Chief Electrical Inspector or any other competent authority.	15-20
Removal of deficiencies, if any.	the consumer	15
Issuance of Safety Certificate (informing the distribution licensee) after inspection and removal of deficiencies if any.	the Chief Electrical Inspector or any other competent authority.	5-10
Intimation to the distribution licensee, after receipt of Safety Certificate to Install Meter.	the consumer	5

Inspection by the distribution licensee and intimation of deficiencies, if any.	the distribution licensee	15-20
Removal of deficiencies, if any.	the consumer	15
Permission to synchronise the Solar Rooftop PV System unit with the Grid.	the distribution licensee	5-7 days after removal of deficiencies.
Synchronizing the system with the Grid and commissioning of the same after receipt of permission from the distribution licensee and sealing of meters by the distribution licensee.	the distribution licensee and consumer	2
Billing Process after receipt of Safety Certificate from the Chief Electrical Inspector or any other competent authority.	the distribution licensee	after first synchronization with Grid

\*Note:- In case of any deficiency, the distribution licensee to communicate the same to Consumer and provide an opportunity to rectify the same within a period of 15 days and in such cases, this timeline shall be got extended correspondingly.

**Table-4**

<b>Activity</b>	<b>Responsibility</b>	<b>Timeline (Maximum Working Days)</b>
Submission of Application for registration and for subsidy after obtaining Letter of Approval (LOA) from the distribution licensee.	the consumer	Zero date for Subsidy Process.
Acknowledgment of Subsidy Application by the State Nodal Agency.	the State Nodal Agency	02
In-Principle Approval for Subsidy.	the State Nodal Agency	10
Inspection for release of subsidy on receipt of request from the consumer & intimation to be sent to the consumer regarding deficiencies, if any.	the State Nodal Agency *	7-10 days after commissioning of Solar Rooftop PV System.
Release of Subsidy.	the State Nodal Agency	5-10 days after removal of deficiencies, if any.

\*Note:-Joint Inspection by the State Nodal Agency, for achieving the relevant milestones under Table-3 and Table-4, Chief Electrical Inspector or any other competent authority and distribution licensee can reduce the timelines substantially.

**4. Amendment of regulation 9.-** In regulation 9 of the said regulations-

(i) for the sub-regulation (1), following shall be substituted, namely;--

“(1) The eligible consumer shall, for recording the electricity generation install and maintain main Solar Meter of 0.2s class accuracy with facility for recording meter reading using Meter

Reading Instrument (MRI) or Wireless equipment. Check meter shall be mandatory for Rooftop Solar PV System having capacity of more than 20 kW. For installation of capacity of less than or equal to 20 kW, the solar check meter would be optional. The cost of such meter(s) shall be borne by the eligible consumer.”; and

- (ii) in sub-regulation (4) for the words “meter reading taken by the distribution licensee”, the words “the meter readings of the Net Meter as well as the Solar Meter (main as well as check meter where installed) taken by the distribution licensee” shall be substituted.”

**5. Amendment of Regulation 10.-** In sub-regulation (9) of regulation 10 of the said regulations:-

- (A) for the existing provisos to the sub-clause (b) of clause (i), the following provisos shall be substituted, namely:-

“Provided that if the amount of subsidy or grant or both, available to eligible consumer from Government agencies exceeds 50% of the capital cost of the rooftop solar PV system, the aforesaid rates of Rs. 5.00 per kWh and Rs. 4.50 per kVAh, as applicable, shall be reduced by 50% and in case eligible consumer avails such subsidy or grant or both, less than 50% of the capital cost of rooftop solar PV system, such eligible consumer shall be deemed to have avail such available subsidy grant or both;

Provided further that in the event of revision of such rates as per the second proviso to this sub-regulation, such revised rates shall be applicable only for such cases in which letter of approval is yet to be issued in accordance with the provisions contained in the regulation 7.

Provided further that in cases where Letter of Approval (LOA) as per the sub-regulation 3 of Regulation 7, also duly taking into account the 3<sup>rd</sup> proviso to the same, is issued on or after 01.11.2018 the distribution licensee shall not make any payment for the net quantum of surplus energy for any time of the day to be settled at the end of the settlement period;” ;

- (B) for clause (iii), the following shall be substituted, namely:-

**“(iii) Other charges:-**

(a) Any other charges as per the applicable tariff shall be charged to the consumer at par with other consumers of similar category who are not generating any Rooftop Solar PV power under this scheme.

(b) In cases where the consumer is getting supply at a voltage lower than the standard supply voltage specified in the Supply Code, the Low Voltage Supply Surcharge (LVSS) shall be charged as per the rate(s) approved in the tariff orders issued by the Commission from time to time on the sum total of the solar generation and the total consumption of the consumer in each billing month.”; and

(C) at the end sub-regulation (10) but before the sign “; the words, and also for computing the energy consumption of the consumer”, shall be added.

**By order of the Commission**

**Sd/-  
Secretary**