

GUJARAT ELECTRICITY REGULATORY COMMISSION (GERC)

GUJARAT ELECTRICITY REGULATORY COMMISSION (NET METERING ROOFTOP SOLAR PV GRID INTERACTIVE SYSTEMS) (SECOND AMENDMENT) REGULATIONS, 2019

DRAFT NOTIFICATION NO. _____ OF 2019

In exercise of the powers conferred under Sections 61, 86 and 181 of the Electricity Act, 2003 (Act No. 36 of 2003) and all other powers enabling it in this behalf, and after previous publications, the Gujarat Electricity Regulatory Commission hereby makes the following Regulations, to amend the Gujarat Electricity Regulatory Commission (Net Metering Rooftop Solar PV Grid Interactive Systems) Regulations, 2016 (hereinafter referred to as "Principal Regulations") namely:

1) Short Title Extent and Commencement:

(i) These Regulations shall be called the Gujarat Electricity Regulatory Commission (Net Metering Rooftop Solar PV Grid Interactive Systems) (Second Amendment) Regulations, 2019.

(ii) These Regulations shall extend to the whole of the State of Gujarat.

2) These Regulations shall come into force with effect from the date of their publication in the Official Gazette.

3) **Amendment in Regulation 2.1 of the Principal Regulations:**

(a) **Addition of New Definition clause “Micro, Small and Medium (Manufacturing) Enterprise or MSME (Manufacturing)” in Regulation 2.1 of the Principal Regulations:**

The following new definition clause shall stand inserted in Regulation 2.1 after existing Regulation 2.1(o) of the Principal Regulations as Regulation 2.1 (oa):

(oa) “Micro, Small and Medium (Manufacturing) Enterprise or MSME (Manufacturing) Enterprise” shall mean a registered enterprise as per the definition of Micro, Small and Medium Manufacturing Enterprises and in accordance with the provisions of the Micro, Small and Medium Enterprises Development (MSMED) Act, 2006 as amended from time to time.

As per Micro, Small and Medium Enterprises Development (MSMED) Act, 2006 the MSME (Manufacturing) category is defined as – The enterprises engaged in manufacture or production of goods pertaining to any industry specified in first schedule to Industries (Development and Regulation) Act, 1951 or employing plant and machinery in the process of value addition to the final product having a distinct name or character or use. The Manufacturing Enterprises are defined in terms of Investment in Plant and Machinery as under:

TYPE	MANUFACTURING
	Investment in Plant & Machinery
Micro Enterprises	Not more than Rs. 25 Lakh
Small Enterprises	More than Rs. 25 Lakh but does not exceed Rs. 5 Crore
Medium Enterprises	More than Rs. 5 Crore but does not exceed Rs. 10 Crore

4) **Amendment in Regulation 5 of the Principal Regulation**

The second para of Regulation 5 of the Principal Regulations shall stand amended as under:

Provided that the cumulative capacity to be allowed at a particular distribution transformer shall not exceed capacity of the distribution transformer;

5) **Amendment in Regulation 6.2 of the Principal Regulations read with First Amendment:**

(a) **The first para of Regulation 6.2 of the Principal Regulations as well as the amended Regulations (First Amendment) shall stand amended as under:**

The maximum Rooftop Solar PV System capacity to be installed at any Eligible Consumer's premises except Residential Consumers (including connections for common utilities such as water works, elevators, common passage lights, street lights, garden, gym, swimming pool etc. which are being charged residential tariff) and MSME (Manufacturing) Enterprise shall be upto a maximum of 50% of consumer's sanctioned load/contract demand; whereas in case of Residential Consumers (including connections for common utilities such as water works, elevators, common passage lights, street lights, garden, gym, swimming pool etc. which are being charged residential tariff) and MSME (Manufacturing) Enterprise, the Rooftop Solar PV System capacity shall be irrespective of their sanctioned load/contract demand.

6) **Amendment in Regulation 7 of the Principal Regulations:**

In this Regulation wherever the word 'GEDA' appears, the same shall stand replaced by 'GEDA or agency designated by the Government of Gujarat'.

7) **Amendment in Regulation 9 of the Principal Regulations:**

Regulation 9 "Energy Accounting and Settlement" of the Principal Regulations shall stand replaced as under:

9) Energy Accounting and Settlement

Any energy injected prior to commissioning shall be deemed as inadvertent power. The consumer/Solar PV owner is not eligible to receive any monetary compensation for such inadvertent power.

For each billing period, the licensee shall show the quantum of electricity injected by Eligible Consumer/Solar PV system in the grid, electricity supplied by the distribution licensee, net billed electricity for payment by the consumer and net exported energy after adjustment against the consumption separately.

9.1 For Residential and Government Consumers

In the event the electricity supplied by the distribution licensee during any billing period exceeds the electricity generated by the Eligible Consumer's Rooftop Solar PV System, the distribution licensee shall raise an invoice for the net electricity consumption at the consumer's prevailing tariff;

In the event the electricity injected exceeds the electricity consumed during the billing period, such excess injected electricity

shall be compensated by the concerned Distribution Licensee at the rate of Rs. 2.25 per unit or the rate as may be specified by the Commission for Surplus Injection Compensation (SIC) from time to time for the whole life of the Rooftop Solar PV System.

Banking of energy shall be allowed within one billing cycle of the consumer.

The distribution licensee in addition to consumer tariff shall be eligible to raise an invoice for any other charges as allowed by the Gujarat Electricity Regulatory Commission from time to time.

9.2 For Industrial other than MSME (Manufacturing) Enterprise, Commercial and Other Consumers utilizing the 'energy attribute' of the generated solar energy from the Rooftop Solar PV System and not registered under REC mechanism

In the event the electricity supplied by the distribution licensee during any billing period exceeds the electricity generated by the Eligible Consumer's Rooftop Solar PV System, the distribution licensee shall raise an invoice for the net electricity consumption at the consumer's prevailing tariff;

In the event the electricity injected exceeds the electricity consumed during the billing period, such excess injected electricity after adjustment of consumption shall be compensated by the concerned Distribution Licensee at the rate Rs. 1.75 per unit or the rate as may be specified by the Commission for Surplus Injection Compensation (SIC) from time to time for whole life of the Rooftop Solar PV System;

Banking of energy shall be allowed within one billing cycle of the consumer, wherein set off may be given against energy consumed

at any time of the billing cycle. However, peak charges shall be applicable for consumption during peak hours.

The distribution licensee in addition to consumer tariff shall be eligible to raise an invoice for any other charges as allowed by the Gujarat Electricity Regulatory Commission from time to time.

9.3 For MSME (Manufacturing) Enterprise Consumers utilizing the 'energy attribute' of the generated solar energy from the Rooftop Solar PV System and not registered under REC mechanism.

The energy accounting shall be carried out on 15 minutes time block basis

In the event the electricity injected by the Rooftop Solar PV System exceeds the electricity consumed during any 15 minutes time block resulting in net energy injection in to the grid, such excess injection after in to the grid shall be compensated by the concerned Distribution Licensee at the rate of Rs. 1.75 per unit or the rate as may be specified by the Commission for Surplus Injection Compensation (SIC) from time to time for whole life of the Rooftop Solar PV System;

In the event the electricity consumption by the eligible consumer during any 15 minutes time block period exceeds the electricity injected by the Eligible Consumer's Rooftop Solar PV System resulting in energy supplied by the distribution licensee, the distribution licensee shall raise an invoice for the aggregated sum of such electricity supply in each 15 minutes time block during the billing period at the consumer's prevailing tariff.;

The distribution licensee in addition to consumer tariff shall be eligible to raise an invoice for any other charges as allowed by the Gujarat Electricity Regulatory Commission from time to time.

However, if the installation of Roof Top Solar PV by the MSME (Manufacturing Enterprise) consumer is within 50% of the Contracted capacity, then it shall be governed by Regulation 9.2 as above.

9.4 For Industrial, Commercial and Other Consumers utilizing the 'energy attribute' of the generated solar energy from the Rooftop Solar PV System and utilizing the 'renewable attribute' for RPO compliance.

The energy accounting shall be carried out on 15 minutes time block basis.

In the event the electricity injected by the Rooftop Solar PV System exceeds the electricity consumed during any 15 minutes time block resulting in net energy injection in to the grid, such excess injection after adjustment of consumption in 15 minutes time block shall be compensated by the concerned Distribution Licensee at the rate of Rs. 1.75 per unit or the rate as may be specified by the Commission for Surplus Injection Compensation (SIC) from time to time for whole life of the Rooftop Solar PV System;

In the event the electricity consumption by the eligible consumer during any 15 minutes time block period exceeds the electricity generated by the Eligible Consumer's Rooftop Solar PV System resulting in energy supplied by the distribution licensee, the

distribution licensee shall raise an invoice for the aggregated sum of such electricity supply in each 15 minute time block during the billing period at the consumer's prevailing tariff.

9.5 For Industrial, Commercial and Other Consumers utilizing the 'energy attribute' of the generated solar energy from the Roof top Solar PV System and utilizing the 'renewable attribute' for REC.

The energy accounting shall be carried out on 15 minutes time block basis.

In the event the electricity injected by the Rooftop Solar PV System exceeds the electricity consumed during any 15 minutes time block resulting in net energy injection in to the grid, such excess injection after adjustment of consumption in 15 minutes time block shall be compensated by the concerned Distribution Licensee at the rate of Rs. 1.50 per unit or the rate as may be specified by the Commission for Surplus Injection Compensation (SIC) from time to time for whole life of the Rooftop Solar PV System;

In the event the electricity consumption by the eligible consumer during any 15 minutes time block period exceeds the electricity injected by the Eligible Consumer's Rooftop Solar PV System resulting in energy supplied by the distribution licensee, the distribution licensee shall raise an invoice for the aggregated sum of such electricity supply in each 15 minute time block during the billing period at the consumer's prevailing tariff.

9.6 The energy accounting and settlement for wheeling power from solar projects other than Rooftop set up for self consumption

purpose shall be in line with the provision at Regulation 9.2 to Regulation 9.5.

9.7 In the event of any amount payable by the concerned DISCOM at the end of billing cycle, the same shall be shown as credit and to be carried forward in the next billing cycle. At the end of Financial Year, if the credit amount for the consumer is more than Rs. 100/- , such credit amount shall be paid by the concerned DISCOM to the consumer. In case the credit amount at the end of the Financial Year is less than Rs. 100/-, the same shall be carried forward in the next billing cycle of the following Financial Year.

8) **Amendment in Regulation 13.5 of the Principal Regulations:**

Para 13.5 of the Principal Regulations, shall be replaced with the following para:

“The main Solar Meter and Net Meter shall be of 1.0 and 0.5S or better class accuracy as per Table (a) ‘Meter for Solar Generation Measurements’ and Table (b) ‘Meter for Net Metering Measurements’ respectively at Annexure VI and with facility for recording meter readings using Meter Reading Instrument (MRI) or wireless equipment. Check Meters shall be mandatory for Rooftop Solar PV Systems having capacity more than 20 kW. For installations size of less than or equal to 20 kW, the Solar Check Meters would be optional.

Provided that the cost of new/additional meter (s) shall be borne by the Eligible Consumer and that such meter(s) shall be tested and installed by the distribution licensee.

The meters installed shall be inspected, verified for the accuracy

and sealed by the distribution licensee in the presence of the representative of the consumer.

Provided that in case the Eligible Consumer is under the ambit of time of day tariff, meters capable of recording time of day consumption/generation shall be installed.”

9) **Deletion of both the diagrams under “Net Metering configuration options” i.e. (1) Two meter configuration without storage and (2) Two meter configuration with storage of the Principal Regulations:**

The diagrams under “Net Metering configuration options” of the Principal Regulations i.e. (1) Two meter configuration without storage and (2) Two meter configuration with storage shall stand deleted.

10) **Amendment in Clauses 7 (A) (ii) of Annexure IV to Principal Regulations pertaining to Interconnection Agreement between Distribution Licensee and Solar Rooftop PV Project Owner.**

The above Clause of Annexure- IV to the Principal Regulations, shall stand replaced with the following para:

(ii) “In case of net export (net injection) of energy by the consumer to distribution grid during billing cycle, the Distribution Licensee shall compensate for surplus power, after giving set off against consumption during the billing period, at the rate of Rs. 2.25 per unit or the rate as may be specified by the Commission for Surplus Injection Compensation (SIC) from time to time , over the life of the Rooftop Solar PV system i.e. 25 years. The entire Solar energy generation of such consumer shall be utilized for meeting the RPO of that Distribution Licensee. However, fixed / demand charges,

other charges, penalty, etc. shall be payable as applicable to the respective category of consumers.”

11) **Amendment in Clause 7 (B) (a) (ii) of Annexure IV to Principal Regulations pertaining to Interconnection Agreement between Distribution Licensee and Rooftop PV Project Owner.**

The above Clause of Annexure- IV to the Principal Regulations, shall be replaced with the following para:

(ii) “In case of net export (net injection) of energy by the consumer to distribution grid during billing cycle, the Distribution Licensee shall compensate for surplus power, after giving set off against consumption during the billing period, at the rate of Rs. 1.75 per unit or the rate as may be specified by the Commission for Surplus Injection Compensation (SIC) from time to time, over the life of the Rooftop Solar PV system i.e. 25 years. The entire Solar energy generation of such consumer shall be utilized for meeting the RPO of that Distribution Licensee. However, fixed / demand charges, peak charges, other charges, penalty, etc. shall be payable as applicable to the respective category of consumers.”

12) **Addition of new Clause 7(B)(a)(iii) after Clause 7(B)(a)(ii) of Annexure IV to Principal Regulations pertaining to Interconnection Agreement between Distribution Licensee and Rooftop PV Project Owner.**

(iii) “In case of installation of Roof Top Solar PV by the MSME(Manufacturing Enterprise) consumer is within 50% of Contracted Demand, then it shall be governed by Clause (i) & (ii) as above.

In case of installation of Roof Top Solar PV by the MSME (Manufacturing Enterprise) consumer is more than 50% of Contracted Demand, then the energy accounting shall be carried out on 15 minutes time block basis. In case of net export (net injection) of power on 15 minutes basis after giving set off against consumption, the Distribution Licensee shall compensate for such surplus power at the rate of Rs. 1.75 per unit or the rate as may be specified by the Commission for Surplus Injection Compensation (SIC) from time to time, over the life of the Rooftop Solar PV system i.e. 25 years. Such surplus energy purchased by the Distribution Licensee shall be utilized for meeting the RPO of that Distribution Licensee. However, fixed / demand charges, peak charges, other charges, penalty, etc. shall be payable as applicable to the respective category of consumers.”

13) **Amendment in Clause 7 (B) (b) (ii) of Annexure IV to Principal Regulations pertaining to Interconnection Agreement between Distribution Licensee and Solar Rooftop PV Project Owner.**

The above Clause of Annexure- IV to the Principal Regulations, shall be replaced with the following para:

- (ii) “In case of net export (net injection) of power on 15 minutes basis after giving set off against consumption, the Distribution Licensee shall compensate for such surplus power at the rate of Rs. 1.75 per unit or the rate as may be specified by the Commission for Surplus Injection Compensation (SIC) from time to time, over the life of the Rooftop Solar PV system i.e. 25 years. Such surplus energy purchased by the Distribution Licensee shall be utilized for meeting the RPO of that Distribution Licensee. However, fixed /

demand charges, peak charges, other charges, penalty, etc. shall be payable as applicable to the respective category of consumers.”

14) **Amendment in Clauses 7 (B) (c) (ii) of Annexure IV to Principal Regulations pertaining to Interconnection Agreement between Distribution Licensee and Solar Rooftop PV Project Owner.**

The above Clause of Annexure- IV to the Principal Regulations, shall be replaced with the following para:

- (ii) “In case of net export (net injection) of power on 15 minutes basis after giving set off against consumption, the Distribution Licensee shall compensate for such surplus power at the rate of Rs. 1.50 per unit or the rate as may be specified by the Commission for Surplus Injection Compensation (SIC) from time to time, over the life of the Rooftop Solar PV system i.e. 25 years. However, fixed / demand charges, peak charges, other charges, penalty, etc. shall be payable as applicable to the respective category of consumers.”

15) **Amendment in Clause 1.3 of Annexure IV of the Principal Regulations:**

The existing Clause 1.3 of Annexure IV to the Principal Regulations shall stand replaced with the following clause:

- 1.3 “Consumers other than Residential Consumers (Residential Consumers shall be including the connections for common utilities such as water works, elevators, common passage lights, street lights, garden, gym, swimming pool etc. which are being charged

Residential Tariff) and MSME (Manufacturing Enterprise) shall ensure capacity of Rooftop Solar not to exceed 50% of his contract load/demand/sanctioned load during the currency of the connectivity agreement.

Sd/-
[Roopwant Singh, IAS]
Secretary
Gujarat Electricity Regulatory Commission
Gandhinagar, Gujarat

Date: 18/12/2019.
Place: Gandhinagar.