



**ORDER
OF THE
WEST BENGAL ELECTRICITY REGULATORY COMMISSION
IN CASE NO. OA-377/21-22**

IN REGARD TO THE APPLICATION SUBMITTED BY INDIA POWER CORPORATION LIMITED FOR APPROVAL OF DETAILED PROCEDURE FOR RECEIVING AND DISPOSAL OF APPLICATION FOR CONNECTIVITY OF SOLAR PV GENERATING SYSTEM OF ELIGIBLE CONSUMERS AS REQUIRED UNDER REGULATION 16.9 OF THE WEST BENGAL ELECTRICITY REGULATORY COMMISSION (COGENERATION AND GENERATION OF ELECTRICITY FROM RENEWABLE SOURCES OF ENERGY) (FIRST AMENDMENT) REGULATIONS, 2020

PRESENT:

SRI SUTIRTHA BHATTACHARYA, CHAIRPERSON

SRI DURGADAS GOSWAMI, MEMBER

SRI PULAK KUMAR TEWARI, MEMBER

DATE: 10.12.2021



FACTS IN BRIEF:

- 1.0 India Power Corporation Limited (in short 'IPCL') vide letter dated 31.03.2021 submitted a detailed procedure for receiving and disposal of applications for connectivity of the Solar PV Generating System (SPGS) of eligible consumers under net billing and net metering mechanism for approval of the Commission. Subsequently, IPCL has submitted the procedure through an application vide letter dated 16.09.2021 in terms of Regulation 16.9 of the West Bengal Electricity Regulatory Commission (Cogeneration and Generation of Electricity from Renewable Sources of Energy) (First Amendment) Regulations, 2020 (in short 'RE 1st Amendment Regulations'). The Commission admitted the application in Case No. OA – 377/21-22.
- 2.0 The application of IPCL inter-alia states the following:
- 2.1 IPCL has prepared a general procedure for receiving and disposal of the applications for connectivity of SPGS of the eligible consumers under net billing and net metering mechanism, in terms of regulation 16.9 of the RE 1st Amendment Regulations which has been broadly described below:
- (i) The eligible consumer can apply for net metering / net billing in the prescribed application form with a copy of recent energy bill to IPCL.
 - (ii) A standard agreement will be executed with IPCL, if the rooftop Solar PV generating system are found in order and in line with the regulations.
 - (iii) In case of Net Billing, IPCL shall enter into a Power Purchase Agreement at a generic tariff as determined by the Commission.
 - (iv) Entire quantum of electricity generated shall be procured by the distribution licensee and shall raise the bill on the consumer in accordance with the equations given in the regulation. At the end of financial year any outstanding billing credit shall not be paid by IPCL.
 - (v) Solar PV generation meter, net meter, check meter in case of Net Billing arrangement will be installed by IPCL at a cost to be borne by the consumer.
 - (vi) All applicable fees for Application, Installation testing, Device installation etc. shall be in accordance with the regulations.



- 3.0 The Commission directed IPCL to publish the gist of their application as approved by the Commission inviting suggestions, objections or comments from the stakeholders in respect of the procedure. IPCL, accordingly, published the gist of the application in (i) the "Ananda Bazar Patrika", (ii) "The Telegraph", and (iii) the "Aajkal" on 02.11.2021 inviting suggestions and objections on their application within 14 days (including the date of publication) of publication of the notice in Newspaper. No suggestions, objections or comments have been received by the Commission within the stipulated time-period.

OBSERVATIONS OF THE COMMISSION:

- 4.0 In terms of regulation 16.9 of the RE 1st Amendment Regulations notified on 22.12.2020, Distribution Licensees were required to submit a detailed procedure within 30 days for receiving and disposal of applications for connectivity of the solar PV generating system of the eligible consumers and submit it before the Commission for approval. The Commission had extended the last date of submission of the procedure upto 31.03.2021 based on the prayers of the Distribution Licensees.
- 5.0 The Commission observes that, subsequently on 31.12.2020, the Ministry of Power, Government of India has notified Electricity (Rights of Consumers) Rules, 2020 wherein certain procedural guidelines and timeframe have been proposed to facilitate setting up of Solar PV system at the consumer premises.
- 6.0 Thus, the Commission finds it suitable to analyse the detailed procedure submitted by IPCL in light of the provisions of RE 1st Amendment Regulations along with the broad procedural guidelines proposed in the Electricity (Rights of Consumers) Rules, 2020 and observes the followings:
- a) In clause 14 of the procedure, IPCL proposed application fees will be in accordance with the regulations. The Commission finds it suitable to make a simple and uniform application fees structure among the licensees across the State. Accordingly, the application fees for all LV & MV consumers are allowed as Rs. 500 + applicable GST and for all HV&EHV consumers as Rs. 2000 + applicable GST.
 - b) IPCL has not submitted any timelines for allowing connection under Net Metering or Net Billing Arrangement in their application. The Commission observes that the steps proposed by IPCL in their detailed procedures need to be modified as below for



lending better support to the consumer and aligning it with the timeframe suggested in the Electricity (Rights of Consumers) Rules, 2020. Accordingly, the Commission directs the followings:

- (i) IPCL shall create an online portal for receiving applications from consumers for installation, interconnection and metering of roof-top solar PV system and update the same on a regular basis.
- (ii) IPCL shall ensure that the application is complete in all respect and can be submitted both through online and offline modes. If any hardcopy has been submitted, IPCL shall ensure that the same shall be uploaded in their online portal with a unique registration number along with time and date stamp. In case of online application, there will be a system generated acknowledgement with unique registration number. In this regard, IPCL shall maintain adequate facilities in their concerned office to assist the consumers (hereinafter referred as 'applicant') with the online system. IPCL shall consider the applications on 'first come first served' basis.
- (iii) An online application tracking mechanism based on the unique registration number shall be provided by IPCL through web-based application or any other mode to monitor the status of processing of the application like receipt of application, site inspection, meter installation and commissioning, etc. by the applicant.
- (iv) IPCL shall ensure that the process of technical feasibility study, generation of quotation and intimation of "Go-ahead" clearance shall be completed within twenty (20) days from the date of submission of application by the consumers. IPCL shall also provide a copy of the agreement Form along with the "Go-ahead" clearance. The agreement form shall include specific details of technical parameters required to be confirmed by the grid connected Solar PV system. IPCL shall provide an advance notice, not less than three (3) days, to the applicant intimating the date of inspection of its premises. In addition to the cost of meters and cost of alteration of service, if any, the quotation amount shall also include cost of testing regarding fitness certificate, in case the applicant requests IPCL to carry out the fitness test. IPCL shall intimate the



- applicant regarding non-feasibility, if any, based on technical study report within seven (7) days from the date of inspection along with a copy of the report.
- (v) The applicant shall submit the signed agreement and pay the quotation amount to IPCL within ninety (90) days from the date of quotation. On request from the applicant, IPCL may extend the period for maximum thirty (30) days. The application will be cancelled if the quotation money is not paid or the signed agreement copy complete in all respect is not submitted even within the extended time period. In such case the application fees shall be forfeited.
- (vi) Applicant shall submit the work completion report along with clearance from the office of the Chief Electrical Inspector, Government of West Bengal as per provisions of the CEA Safety Regulations within one hundred and eighty (180) days from the date of issuance of "Go-ahead" clearance:

Provided that for consumers connected at the supply voltage below the notified voltage, self-certification as per the Central Electricity Authority (Measures relating to Safety and Electricity Supply) Regulations, 2010, as amended from time to time is sufficient and for consumers connected at a voltage level higher than the notified voltage, clearance from the office of the Chief Electrical Inspector, Government of West Bengal is required. IPCL shall provide a proforma of self-declaration by the consumers in line with Annexure-B of West Bengal Electricity Regulatory Commission (Standard of Performance of Licensees Relating to Consumer Services) (Third Amendment) Regulations, 2019:

Provided further that, in case the applicant fails to submit the work completion report within the specified time-period, the application shall be cancelled by IPCL after giving a notice period of thirty (30) days. In terms of the notice applicant may request for one-time extension of time for a maximum period of 90 days. In case the application is cancelled even after such extended period, if any, the application fees shall be forfeited. The quotation amount after adjusting any expenditure already incurred by IPCL shall be refunded without any interest.



- (vii) As soon as the installation is completed, the applicants shall either opt for fitness test on their own in presence of authorized representative of IPCL or request IPCL to carry out such test in terms of clause (i) of regulation 7.2 of RE 1st Amendment Regulations and intimate IPCL accordingly. In both the cases, IPCL shall carry out the fitness test or send its authorized representative, as the case may be within ten (10) days of receipt of such intimation after giving an advance notice not less than three (3) days.
- (viii) In case, IPCL carries out the testing and finds the system in order, it shall provide a copy of fitness certificate within five (5) days from the date of such testing. In case the testing is done by the applicant, in presence of authorized representative of IPCL, the applicant shall submit the fitness certificate to IPCL within five (5) days from the date of such testing. If any deficiency is observed during testing, the applicant shall cure the deficiency(ies) and further apply for fitness test along with required charges of testing, if any.
- (ix) Within fifteen (15) days from the date of submission of the fitness certificate by the applicant, IPCL shall complete all formalities including final inspection, if required, signing of agreement, alteration of connection, installation of meters and synchronizing the solar system with the grid.

7.0 The Commission also observes that the solar energy generated by roof top solar PV of the consumers connected to net metering / net billing arrangement shall be considered for fulfilling the Renewable Purchase Obligation of the distribution licensees in terms of RE 1st Amendment Regulations. Thus, proper meter reading and record of such generation is to be ascertained by the distribution licensees as per the provisions of RE 1st Amendment Regulations.

ORDER OF THE COMMISSION:

- 8.0 In view of the above, the Commission directs IPCL to modify their proposed connection procedures in line with the observations made in paragraphs 6 above and submit revised copy of connection procedure within seven (7) days from the date of issuance of this order before the Commission for approval.
- 9.0 The Commission directs IPCL to ensure completion of the required software upgradation, if any, so that the net-metering and net-billing arrangement can be implemented from 1st January, 2022.



Approval of Detailed Procedure for receiving and disposal of application for connectivity of Solar PV generating system of eligible consumers as required under regulation 16.9 of the West Bengal Electricity Regulatory Commission (Cogeneration and Generation of Electricity from Renewable Sources of Energy) (First Amendment) Regulations, 2020



10.0 The Commission also directs IPCL to prominently display the following points in its website and all its offices:

- (i) detailed standardized procedure for installation and commissioning of roof top solar system along with formats and model agreements;
- (ii) a single point of contact to facilitate the consumers in installation of roof top solar system from the stage of submission of application form to successful commissioning;
- (iii) address and telephone numbers of offices where filled-up application forms can be submitted;
- (iv) complete list of documents required to be furnished along with such applications;
- (v) applicable charges to be deposited by the applicant.

11.0 A copy of the order shall be posted in the website of the Commission.

12.0 IPCL and concerned entities shall download the copy of the order from the website of the Commission and act on it. Certified copy of the order, if applied for, be given to the parties on completion of formalities laid down in the West Bengal Electricity Regulatory Commission (Conduct of Business) Regulations, 2013, as amended and on submission of necessary fees.

Sd/-
(PULAK KUMAR TEWARI)
MEMBER

Sd/-
(DURGADAS GOSWAMI)
MEMBER

Sd/-
(SUTIRTHA BHATTACHARYA)
CHAIRPERSON

Dated: 10.12.2021

Sd/-
SECRETARY