



**ORDER  
OF THE  
WEST BENGAL ELECTRICITY REGULATORY COMMISSION  
IN CASE NO. OA – 480 / 24 – 25**

IN REGARD TO THE APPLICATION SUBMITTED BY INDIA POWER CORPORATION LIMITED FOR ISSUANCE OF EXCESS RE POWER PURCHASE CERTIFICATE BEYOND RPO SPECIFIED BY WBERC FOR FACILITATING IPCL TO APPLY FOR RENEWABLE ENERGY CERTIFICATE (REC) BEFORE THE CENTRAL AGENCY (NLDC) IN LINE WITH CENTRAL ELECTRICITY REGULATORY COMMISSION (TERMS AND CONDITIONS FOR RENEWABLE ENERGY CERTIFICATES FOR RENEWABLE ENERGY GENERATION) REGULATIONS, 2022

**PRESENT:**

**DR MALLELA VENKATESWARA RAO, CHAIRPERSON  
SRI PULAK KUMAR TEWARI, MEMBER**

**DATE: 19.06.2024**





Application for issuance of excess RE power Purchase certificate beyond RPO specified by WBERC for facilitating IPCL to apply for renewable Energy Certificate (REC) before the central Agency (NLDC) in line with Central Electricity Regulatory Commission (Terms and Conditions for Renewable Energy Certificates for Renewable Energy Generation) Regulations, 2022



### **CASE IN BRIEF**

- 1.0 India Power Corporation Limited (in short 'IPCL'), a distribution licensee under the West Bengal Electricity Regulatory Commission has applied vide letter dated 22.04.2024 seeking a certificate as per sub-regulation 3 of regulation 10 of Central Electricity Regulatory Commission (Terms and Conditions for Renewable Energy Certificates for Renewable Energy Generation) regulations, 2022 for excess procurement of renewable energy in respect of Renewable Purchase Obligation (in short 'RPO') for FY 2023-24. The requirement of the certificate is for applying for getting Renewable Energy Certificates (REC) from Central Agency. The application has been admitted by the Commission in Case No. OA – 480/ 24 – 25.
- 2.0 The petitioner in its petition prayed for certification of 181.197 MU of purchase of renewable energy in excess of RPO specified for FY 2023 – 24. Subsequently, the petitioner through additional submission dated 16.05.2024 submitted that the quantum of excess renewable energy purchase shall be 208.886 MU i.e., 200.737 MU for solar and 8.149 MU for non-solar.
- 3.0 The petitioner further appealed in the petition for allowing either to retain the Renewable Energy Certificates for fulfilling future RPO or to monetize the same.

### **OBSERVATIONS OF THE COMMISSION**

- 4.0 The Commission has observed the followings:
  - (i) An obligated entity, being a distribution licensee or an open access consumer, which purchases electricity from renewable energy sources in excess of the renewable purchase obligation as determined by the concerned State Commission shall be eligible for issuance of Certificates to the extent of purchase of such excess electricity from renewable energy sources as per sub-regulation 4 of regulation 4 of CERC (Terms and Conditions for Renewable Energy Certificates for Renewable Energy Generation) regulations, 2022.
  - (ii) A distribution licensee or an open access consumer satisfying the eligibility conditions specified in clause (4) of Regulation 4 of CERC (Terms and Conditions for Renewable Energy Certificates for Renewable Energy Generation) Regulations, 2022 shall deemed to have been accredited for grant of registration under those regulations as per sub-regulation 4 of regulation 6 of those regulations.





- (iii) Para 1.3 of Part 1 of NLDC's approved detailed Procedure for implementation of REC mechanism specified that, based on Energy Account prepared by SLDC, the eligible entity may apply for issuance of REC.
- (iv) The levelized tariff for renewable energy technologies estimated less than or equal to Rs. 4/- is assigned a 'Certificate Multiplier' of 1 (one) by CERC in Annexure-1 of CERC (Terms and Conditions for Renewable Energy Certificates for Renewable Energy Generation) Regulations, 2022. IPCL's RE power procurement falls under this category.
- (v) National Load Despatch Centre, the 'Central Agency', has provided a format 3.5 in 'Procedure for Implementation of REC Mechanism' for issuing certificates by the State Electricity Regulatory Commission which they noted as 'model format' and specified that actual format will be as per trajectory specified by Appropriate Commission.
- (vi) Regulation 3.1 of WBERC (Cogeneration and Generation of Electricity from Regulation 3.1 of WBERC (Cogeneration and Generation of Electricity from Renewable Source of Energy) (First Amendment) 2020 specified that the minimum quantum of purchase (in %) of total consumption from renewable energy sources for 2022 – 23 is 6% for solar and 11% for non-solar cumulative to 17%. The Commission vide Suo Motu Order dated 30.10.2023 decided that the RPO target for 2022 – 23 shall continue till further order of the Commission in view of the decision of the Hon'ble High Court of Calcutta in MAT No. 568 of 2022 and in MAT No. 569 of 2022. Accordingly, the RPO Target for 2023 – 24 stands same as that of 2022 – 23.
- (vii) The Commission observes that there is lack of reconciliation between the submission of IPCL and the certificates issued by SLDC and auditors as provided by them. Thus, the Commission considers the certificates of SLDC and auditors for the purpose of this order.
- (viii) The petitioner IPCL provided auditor's certificate which verified that the total consumption of electricity in the area of supply of IPCL including own consumption is 919.478 MU. However, IPCL did not provide any document regarding actual distribution losses during 2023 – 24.
- (ix) As per schedule - 9A of WBERC (Terms and Conditions of Tariff) (Fourth Amendment) Regulations 2023, the norms for distribution loss for IPCL for 2023-24 was 5%. Therefore, energy input for calculation of RPO of IPCL incorporating loss is 967.871 MU.





- (x) Accordingly based on the consumption of electricity, the RE target as per the RPO for 2023 – 24 comes to 58.072 MU for solar and 106.466 MU for non-solar.
- (xi) IPCL has submitted certificate of SLDC, energy purchase bills for solar energy purchase of WBGEDCL and certificate of energy received from prosumer having net metering in support of their claim for purchase of solar renewable energy. From the certificates, the net Solar Energy procurement of IPCL comes to 272.333 MU in aggregate and thus 214.261 MU (272.333 MU – 58.072 MU) is excess than the solar RPO target for 2023 – 24.
- (xii) IPCL has submitted certificate of SLDC in support of their claim for purchase of non-solar renewable energy. From the certificates, the net Non-Solar Energy procurement of IPCL comes to 114.615 MU in aggregate and thus 8.149 MU (114.615 MU – 106.466 MU) is excess than the non-solar RPO target for 2023 – 24.

### ORDER

- 5.0 Based on the certification of WBSLDC regarding procurement of solar and non-solar power, bills of energy purchase from WBGEDCL, certificate of energy received from prosumers having net metering and the auditor's certificate regarding total consumption of electricity in the area of supply of IPCL during the FY 2023 – 24, the Commission is satisfied that a quantum of 222.409 MU (214.261 MU + 8.149 MU) of excess RE power had been purchased by IPCL during FY 2023 – 24.
- 6.0 IPCL is at liberty to approach NLDC for the issuance of the REC.
- 7.0 Further, IPCL is disallowed to retain the REC for redemption to meet future RPO since there is no provision in WBERC regulations for such facility.
- 8.0 A copy of the order shall be posted on the website of the Commission.





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- 9.0 IPCL shall download a copy of the order from the website of the Commission and act on it. A 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 fee.

**Sd/**  
**(PULAK KUMAR TEWARI)**  
**MEMBER**

**Sd/-**  
**(MALLELA VENKATESWARA RAO)**  
**CHAIRPERSON**

**Dated: 19.06.2024**

**Sd/-**  
**(SECRETARY)**