WEST BENGAL ELECTRICITY REGULATORY COMMISSION

NOTIFICATION

No.81/WBERC Dated, the 31.07.2025

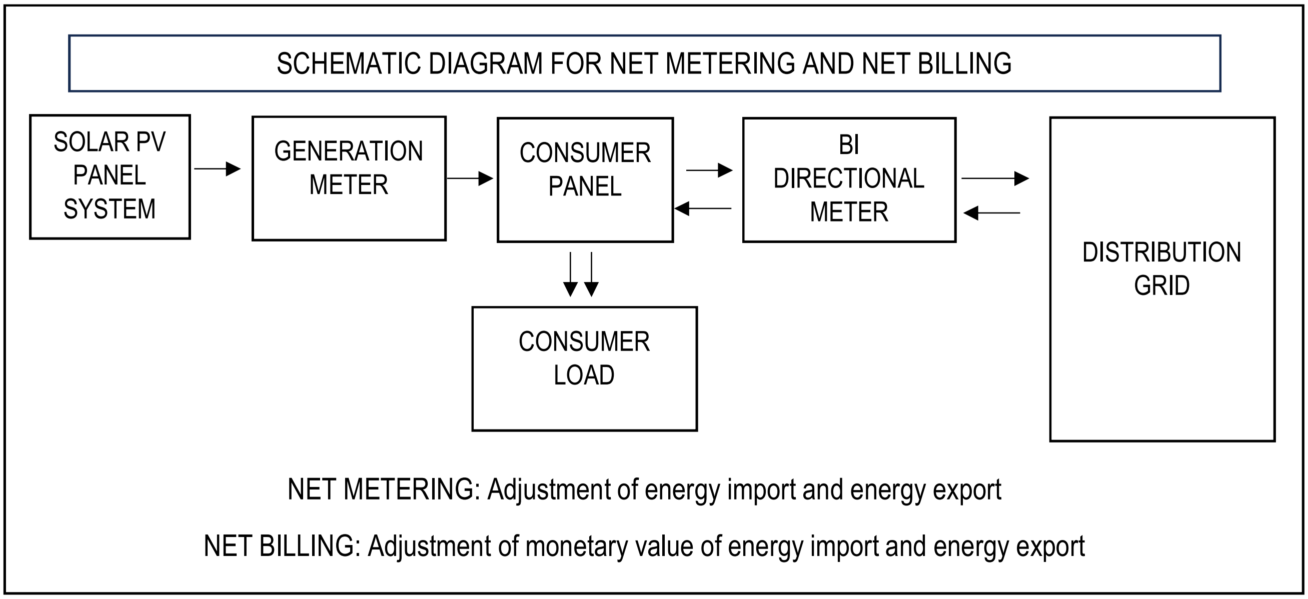
SOR in respect of West Bengal Electricity Regulatory Commission (Grid Interactive Rooftop Solar Photovoltaic System for Prosumers) Regulations, 2025

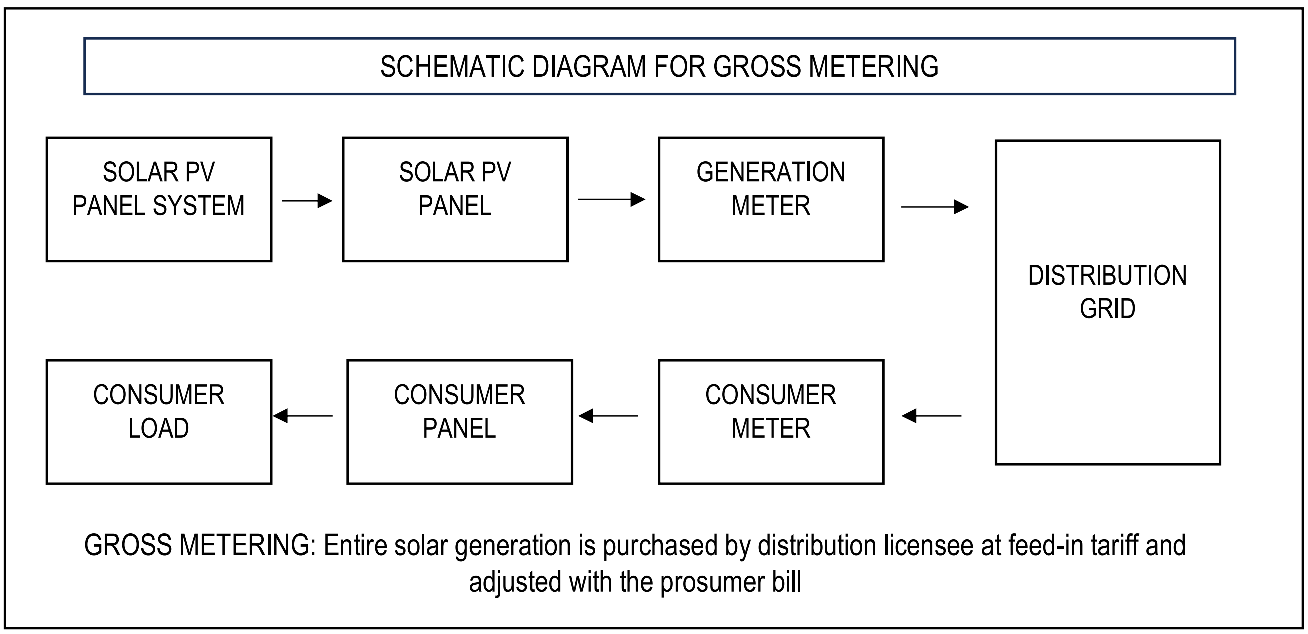
Statement of Reasons

1. Promoting renewable energy generation remains a priority across India. The Electricity (Rights of Consumers) Rules, 2020, issued under the Electricity Act, highlight the rights of consumers by enabling them to become electricity producers and setting regulations for Grid Interactive Rooftop Solar PV systems within specific timeframes. The legislative framework, particularly sections 86(1)(e) and 86(4) of the Electricity Act 2003 mandates the State Commissions to foster renewable energy generation and ensure alignment with national tariff policies. Under section 181(1) of the Electricity Act, the State Commission has the authority to establish regulations in support of these objectives.

2. In this context, the West Bengal Electricity Regulatory Commission issued the Draft West Bengal Electricity Regulatory Commission (Grid Interactive Rooftop Solar PV System for Prosumers) Regulations, 2024, on October 3, 2024 along with an Explanatory Memorandum. Stakeholders and interested parties were invited to provide suggestions, objections, and comments on the draft by November 14, 2024 (3 P.M.). The objective of the draft regulations was to (i) promote Rooftop Solar PV System in the State, (ii) facilitate the consumers intended to install Rooftop Solar PV System by way of net-metering, net-billing and gross-metering arrangements, (iii) align the provisions of the State Regulations with the Electricity Rules and (iv) Balancing the interest of consumers and the licensees considering optimal harvesting of solar potential in the State.

The metering arrangements as proposed in the draft has been given hereunder for better understanding:





3. The Commission received suggestions and comments from fourteen numbers stakeholders, whose names are as follows.

    (i) Department of Non-conventional & Renewable Energy Sources, Government of West Bengal ('Dept. of NRES, GoWB")

(ii) West Bengal State Electricity Distribution Company Limited ("WBSEDCL")

(iii) CESC Limited ("CESC")

(iv) India Power Corporation Limited ("IPCL")

(v) Ampin Energy Transition Private Limited

(vi) Eastern Solar Federation

(vii) HCK Solar Energy Limited

(viii) Oasys Infocom Pvt. Ltd.

(ix) Zinious Power Solution Pvt. Ltd.

(x) Geetanjali Solar Enterprise

(xi) Subhashree Projects Pvt. Ltd.

(xii) Bani Solar Solution

(xiii) J. C. Energy

(xiv) Arkajyoti Bhattacharjee

The Stakeholders from sl no. (v) to (xiv) is hereinafter termed as 'Solar RE Developers/ Entrepreneurs'.

4. Pursuant to the provisions of the Electricity Act, 2003 and the Electricity (Procedure for Previous Publication) Rules, 2005, the Commission proceeded to finalize the West Bengal Electricity Regulatory Commission (Grid Interactive Rooftop Solar Photovoltaic System for Prosumers) Regulations, 2025. The Regulations have been finalized after considering the comments and suggestions of stakeholders on the Draft Regulations. The analysis of the issues and findings of the Commission thereon are discussed in the subsequent paragraphs.

   All suggestions and comments have been reviewed, and this Statement of Reasons outlines the key issues raised and the Commission's corresponding decisions. Where multiple stakeholders have given suggestions or comments on similar issues, those have been addressed collectively. However, in case any suggestions or comments is not specifically elaborated, it does not mean that the same has not been taken into account for consideration.

5. The main issues raised during the public consultation process, and the Commission's analysis and decisions on the issues, that underlie the Regulations as finally notified, are given under:

   (1) Comments on draft regulation no. 2 regarding Definitions:

Dept. of NRES, GoWB and the Solar RE Developers/ Entrepreneurs proposed two new definitions for Group Net Metering and Virtual Net Metering to be included in the regulation. Dept. of NRES, GoWB also advocated for the introduction of Peer-to-Peer (P2P) solar energy transactions through a blockchain-based platform.

Commission's Analysis and Decision:

The draft regulation is limited to net-metering, net-billing and gross-metering in line with the Electricity Rules. The proposal for introduction of Group-net metering, Virtual Net metering, Peer-to-peer (P2P) proposed by NRES department needs detailed evaluation, consultation with stakeholders, etc and may be taken up subsequently.

(2) Comments on draft regulation no. 4 regarding the Rights of Prosumers:

(a) Dept. of NRES, GoWB, Solar RE Developers/ Entrepreneurs, IPCL has pointed out that the expression “Grid Interactive Rooftop Solar PV System” was referred to as “Rooftop Solar Photovoltaic (PV) System” in the draft regulations.

(b) WBSEDCL proposed to insert a new clause enabling the existing prosumers connected before publication of these regulations to continue the existing status or they may opt to switch among gross-metering/ net-metering/ net billing as per the new regulation within three months from the date of notification of this regulation. WBSEDCL also proposed that a prosumer can be permitted to switch only once in a financial year.

Commission's Analysis and Decision:

(a) The Commission considered the suggestion of Dept. of NRES and maintained same terminology throughout the regulations.

(b) Regarding the proposal of WBSEDCL of enabling the existing prosumers an option to switch among the metering arrangements, the Commission observed that regulation 5(10) adequately covers the aspect for all existing and new prosumers in the system.

(c) It is found necessary to specify the timeline regarding affecting of the switchover. Considering the time required for changing metering infrastructure and modification of accounting mechanism, it is considered that any switchover shall be affected from next billing cycle. Moreover, the prosumers shall be permitted to switchover once in a financial year.

(3) Comments on draft regulation no. 5 (3) regarding payment of application fees

Dept. of NRES, GoWB and the Solar RE Developers/ Entrepreneurs suggested that the fees shall be determined by the Commission in consultation with all stakeholders. IPCL suggested that the fees should be levied on actual basis as per applicable regulations.

Commission's Analysis and Decision:

The Commission has observed that specifying a uniform application fee within the regulation is necessary to ensure ease and transparency in the application process. Accordingly, the Commission prescribes a non-refundable application fee of Rs. 1,000/- for Low Voltage (LV) and Medium Voltage (MV) consumers, and Rs. 5,000/- for High Voltage (HV) and Extra High Voltage (EHV) consumers. This fee is intended to enable the distribution licensee to recover processing expenses and to discourage frivolous applications.

(4) Comments on draft regulation no. 5 (5) regarding installation certificate

Dept. of NRES, GoWB and the Solar RE Developers/ Entrepreneurs suggested replacing the term “installation certificate” for rooftop solar PV installations, which prosumers are required to submit to the distribution licensee as per draft regulations 5(5) and 6(10), with the term “self-certified installation certificate”.

Commission's Analysis and Decision:

The suggestion is considered and the term 'installation certificate' is replaced with 'self-certified installation certificate' in the regulations.

(5) Comments on draft regulation no. 5(7) regarding Net billing or net feed-in

IPCL has suggested to consider ‘Net Feed-in’ wherever the terminology of Net Billing comes in the draft regulations. CESC proposed that any unsettled units or amount carried forward, at the time of the prosumer opting for switching from one category to another may be allowed to lapse or a Generic Tariff may be used to convert accumulated carried forward units or amounts suitably.

Commission's Analysis and Decision:

The Commission observed that the definition of 'Net Billing or Net Feed-in' covers the aspect. Further, in consideration of CESC's proposal, a proviso has been added under Regulation 5(7) as follows:

"Provided that, at the time of switching from one system to another, any unsettled units shall be converted using the feed-in tariff."

(6) Comments on draft regulation no. 6 (1) regarding timeline of detailed procedure

WBSEDCL, CESC and IPCL proposed for three months' time for preparation or modify the detailed procedure and submitting the copy of the same to the Commission for approval.

Commission's Analysis and Decision:

The Commission observed that the draft proposed for approval of detailed procedure by the Commission within one month. It is further observed that, under the Regulation 71/WBERC, the Commission has already approved detailed procedure for net-metering and net-billing. Moreover, this proposed draft regulation almost covers the procedural details - starting from processing of application to giving connections along with time line. It also describes the functions of distribution licensee in details. Thus, there is no reason for further approval from the Commission. Hence that proposal is dropped. The licensee shall upload the procedure, in line with the regulation, in its website / portal.

(7) Comments on draft regulation no. 6 (4) (a)

Dept. of NRES, GoWB and Solar RE Developers/ Entrepreneurs highlighted repetition of the phrase "within one month from the date of notification of these regulations" in regulation 6 (4) (a) of the draft regulations.

Commission's Analysis and Decision:

The regulation 6 (4) (a) is modified accordingly.

(8) Comments on draft regulation no. 6 (5) (ii)

Dept. of NRES, GoWB, Solar RE Developers/ Entrepreneurs and IPCL suggested to modify the draft regulation 6 (5) (ii) as

"in case the application form is submitted in hard copy, the same shall be uploaded by the DISCOM official in the web portal as soon as it is received and web-based acknowledgement with the unique registration number for that application shall be generated and intimated to the applicant in their registered mobile number and email id. A hard copy of that web-generated registration slip may be provided to the applicant also"

Commission's Analysis and Decision:

The Commission considered the suggestion and required modifications are made.

(9) Comments on Draft Regulation 6 (5) (v) regarding application tracking mechanism:

Dept. of NRES, Solar RE Developers/ Entrepreneurs and IPCL suggested omitting the expression "or any other mode" in draft regulation 6 (5) (v) in relation to generating the unique registration number through web-based application.

Commission's Analysis and Decision:

The Commission considered the suggestion and modified the regulation accordingly.

(10) Comments on draft regulation no. 6 (13) and 8 (3)

Dept. of NRES, GoWB and Solar RE Developers/ Entrepreneurs suggested replacing the term "net meter" in regulations 6 (13) and 8 (3) with the term "bi-directional meter."

Commission's Analysis and Decision:

The definition provided in regulation 2 (11) specifies that a net meter and a bi-directional meter are identical. Therefore, no change is required.

(11) Comments on draft regulation no. 8 (1) regarding interconnection

Dept. of NRES, GoWB, Solar RE Developers/ Entrepreneurs and IPCL suggested that the option of connecting solar PV at any voltage as per the discretion of distribution licensee should be removed and proposed to modify draft regulation 8 (1) as below:

"The Rooftop Solar PV sources of eligible prosumers shall be allowed connectivity at the same voltage level at which the consumer has been given supply by the distribution licensee."

Commission's Analysis and Decision:

The Commission considered the suggestion and accordingly modifies the regulation 8(1).

(12) Comments on regulation 8 (6) regarding synchronization device

Dept. of NRES, GoWB, Solar RE Developers/ Entrepreneurs, IPCL suggested to merge the clauses (6), (7), (8) and (9) of regulation 8 and incorporate applicable specification standards for clarity of expression.

Commission's Analysis and Decision:

The Commission considered the merit of the proposal and accordingly modified the regulation.

(13) Comments on Regulation 9 regarding metering

Dept. of NRES, GoWB, Solar RE Developers/ Entrepreneurs, IPCL suggested modifying Draft Regulation 9 to provide an option for the procurement of meters either on a payment basis or as meter rent. WBSEDCL and CESC proposed that the meters be procured exclusively by the utility to standardize meter systems.

Commission's Analysis and Decision:

The Commission maintains that prosumers have the right to procure their own meters. However, the Commission does not support the rental procurement model. Therefore, the provision allowing prosumers the right to procure meters is retained without introducing a rental option.

(14) Comments on regulation 11 regarding Feed-in Tariff for net billing prosumers:

(a) WBSEDCL proposed a lower feed-in tariff for net billing prosumers than the gross metering prosumers to discourage export of surplus by them.

(b) WBSEDCL and CESC further requested to clarify or modify the terminology of 'feed-in tariff' considering the provisions of the instant regulation and regulation 5.3 of the West Bengal Electricity Regulatory Commission (Cogeneration and Generation of Electricity from Renewable Sources of Energy) (First Amendment) Regulations, 2020.

Commission's Analysis and Decision:

(a) The Commission finds no merit in such a proposal and therefore retained the draft regulation 11.

(b) The Commission noted that in the instant regulation the provision feed-in tariff is to determine the monetary value of the solar energy exported or generated from Grid Interactive Rooftop Solar Photovoltaic System under net-billing or gross metering arrangement. However, in terms of 1st proviso of regulation 5.3 of the West Bengal Electricity Regulatory Commission (Cogeneration and Generation of Electricity from Renewable Sources of Energy) (First Amendment) Regulations, 2020, the distribution licensees have the option to purchase power from grid-connected solar projects below the notified capacity for competitive bidding located within the State within the limit of feed-in tariff. The Commission clarifies that the feed-in tariff determined for the purpose of the instant regulation will be applicable for the aforesaid purpose.

(15) Comments on draft regulation no.12 regarding eligibility of Net Metering

WBSEDCL, CESC and IPCL proposed consider the eligibility of net metering by reducing the maximum limit from 500 kW. Dept. of NRES, GoWB suggested to increase the limit in range of 1 MW to 5 MW.

WBSEDCL also pointed out a textual error in the last line of the first proviso of draft regulation 12.

Commission's Analysis and Decision:

The Commission observes that the Explanatory Memorandum issued along with the Draft Regulation adequately covers the rationale of eligibility of net metering by the prosumers. The comments put forwards by the distribution licensees in regard to the impact in retail tariff have also been considered while preparing the draft. Thus, the Commission retains the provision of eligibility of net-metering upto 500 kW or contract demand as proposed in the draft.

Further, the Commission considered the suggestion regarding the textual error and accordingly revised the proviso incorporating the corrections.

(14) Comments on Regulation 13 regarding net metering allowance by distribution licensees in FY 2024-25:

CESC proposed a reduction in the allowance limit for net metering in its license area from 15 MW to 5 MW during FY 2024-25 .

Commission's Analysis and Decision:

Clause (e) of sub-section (1) of Section 86 of the Electricity Act, 2003 casts upon the State Commission the responsibility to promote the generation of electricity from renewable sources of energy. To maintain a balance between the promotion of roof-top solar and the impact of off-set of consumption in distribution tariff, a limit based on 20^{th} Electric Power Survey of India published by the Central Electricity Authority (CEA), was proposed in the draft for each distribution licensee supply area. The matter has been elaborated in the Explanatory Memorandum accompanying the Draft Regulation. Distribution licensee has to allow upto the limit on first-come-first-serve basis. However, it is further mentioned that distribution licensee has the liberty to allow additional connection based on its network position.

It is noted that the year 2024-25 has been completed. Thus, the Commission decides to specify the overall capacity limit for the years 2025-26 and 2026-27 based on 20^{th} EPS report following the same principle adopted in the draft. The projected energy offset requirement for 2025-26 and 2026-27 is 251 MU and 334 MU respectively. This limit has been allocated among the distribution licensees in proportion to their approved energy sales as admitted in the Tariff Order for 2025–26, rounded to the nearest multiple of five. For 2025-26 only remaining months are considered. The Commission may review the capacity limit every six months and issue necessary orders to further promote Rooftop Solar PV System installations by prosumers.

(15) Comments on regarding energy accounting:

Dept. of NRES, GoWB and Solar RE Developers/ Entrepreneurs proposed that if there is any excess export (net export) at the end of financial year, distribution licensee shall purchase the same from the prosumer at feed-in tariff. Whereas, WBSEDCL and CESC proposed imposing banking charges on the energy injected by prosumers, treating it as banking of energy.

Commission's Analysis and Decision:

The Commission observes that the Draft Regulation, together with the Explanatory Memorandum, adequately sets forth the rationale for energy accounting.

The draft seeks to maintain a balance of interests under the net-metering mechanism. It is noted that prosumers generally export solar energy to the grid during daytime hours when grid demand is comparatively low, necessitating, in certain instances, the backing down of existing thermal generation in the State. Conversely, such prosumers import power from the grid during non-solar hours when the cost of power is typically higher. Accordingly, the contention that distribution licensees ought to remunerate net exports does not hold merit in its simple form. Rather, the pattern of injecting power during low-demand periods and drawing power during high-demand periods imposes an additional burden upon the distribution licensees. To mitigate such implications, certain Time-of-Day (ToD) restrictions have been proposed in the draft. Under the net-metering or net-billing mechanism, the adjustment of exported energy is carried out either in terms of energy units (kWh-to-kWh) or its monetary equivalent, as prescribed. Therefore, any excess export beyond such adjustment does not constitute a sale transaction *per se*, and accordingly, the question of purchase of such excess energy by the distribution licensee does not arise as a matter of principle. The Commission further observes that the facility of using the grid for banking itself confers a substantial benefit upon prosumers. In view thereof, the proposal advanced by the Department of NRES, Government of West Bengal, and Solar RE Developers/Entrepreneurs, if accepted, would result in an additional financial burden upon the distribution licensees, ultimately affecting the retail tariff.

On the other hand, it is recognized that distribution licensees derive benefits from distributed generation in terms of fulfillment of their Renewable Purchase Obligations (RPO) and reduction in Aggregate Technical & Commercial (AT&C) losses. Having considered these factors, the Commission does not find it appropriate at this stage to accede to the proposal of the distribution licensee for imposition of banking charges. Accordingly, the draft regulation is retained as proposed.

Sd/-

(DR. MALLELA VENKATESWARA RAO)
CHAIRPERSON

Dated: 31.07.2025