

Renewable Energy Policy & Regulatory update for Dec 2023

A. Issued by Central Government Organisations

I. Issuing Authority: Ministry of New and Renewable Energy (MNRE)

1. **Gazette Notification for Extension of Self Certification for SPV Inverters above 100 kW in MNRE Quality Control Order 2017 up to 31st December 2024 or till further orders, whichever is earlier, issued on 27.12.2023.**

Brief Details: In view of the availability of test facilities for limited capacities, providing more time for compliance, the implementation of Quality Control Order (QCO), 2017 for SPV inverters (items 4-5) of the capacity of more than 100 kW (>100 kW) stands extended from 31.12.2023 to 31.12.2024 or till further orders, whichever is earlier.

The QCO 2017 for SPV inverters of the capacity up to 100 kW stands implemented w.e.f. 01.01.2024.

Document Link -

<https://cdnbbsr.s3waas.gov.in/s3716e1b8c6cd17b771da77391355749f3/uploads/2023/12/2023122929773174.pdf>

2. **National Repowering & Life Extension Policy for Wind Power Projects, issued on 07.12.2023, Ministry of New and Renewable Energy.**

Brief Details: "National Repowering & Life Extension Policy for Wind Power Projects - 2023" is issued in supersession of "Policy for Repowering of the Wind Power Projects -2016".

The revised policy considers refurbishment of wind turbines for life extension beyond design life subject to safety and performance assessment as per relevant standards. Refurbishment may be done by suitable modifications in the turbine components such as gearbox, blades, generator, controller etc.

The National Institute of Wind Energy has estimated the repowering potential of the country to be 25.406 GW considering Wind turbines below capacity 2 MW.

The following Wind turbines are eligible for repowering/refurbishment under the policy:

- a. All Wind turbines which are not in compliance with the quality control order issued by this Ministry; or
- b. have completed their design life as certified under the Type Test Certificate in accordance with the applicable relevant standards; or
- c. The Wind turbines of rated capacity below 2 MW;
- d. Based on commercial/voluntary consideration after 15 years of installation

Repowering/refurbished project: a project which satisfies one or more of the eligibility conditions mentioned above and the annual energy generation of the repowered/refurbished wind project is enhanced by at least 1.5 times as compared to actual generation of the old wind power project.

Actual generation of the old wind power project: the actual average generation for the last three years (from the date of disconnection from the from the grid) before which the project was taken for repowering/refurbishment will be considered and such repowered/ refurbished project shall satisfy the above condition within a maximum period of 3 years from the date of commissioning.

Repowering project has two categories:

Standalone Project - A Wind power project having a single or group of Wind turbines owned by a single entity

Aggregation Project - A Wind power project having a group of Wind turbines owned by multiple owners with shared common infrastructure

The repowering or refurbishment projects would be implemented through the respective State Nodal Agency/Organization involved in promotion of Wind energy in the State or the Central Nodal Agency appointed by the Central Government.

MNRE shall appoint a monitoring and advisory committee (named as "Wind Repowering Committee (WRC)") in accordance with the provisions of this policy to assist MNRE in implementation of the Repowering/Refurbishment Policy Within one month of announcement of this policy.

Clause 9 of policy has made arrangement of Power Purchase through old PPA and the additional power generated can be sold by the developer/owner as per his will in the power exchange, or through bilateral agreement or by entering into short/medium/ long term PPA as per the existing laws/rules.

Benefits/Incentives:

1. REC/PFC/IREDA will provide loans for repowering on the same terms and conditions as laid down for new projects.
2. In addition, for repowering projects Indian Renewable Energy Development Agency (IREDA) will provide an additional interest rate rebate of 0.25% over and above the interest rate available to the new wind power projects being financed by IREDA. IREDA may also devise a suitable financial product catering to debt financing for repowering of wind power projects.
3. All fiscal and financial benefits available to the new wind power projects shall be available to the repowering project as per applicable conditions.
4. The developer will have the liberty for micro siting based on an optimized energy output.

NIWE shall create and maintain a project data base of all old projects with relevant information about the project such as ownership, technology, turbine details, connected SS, land ownership etc and SNAS/CNA along with SLDCs shall provide all necessary data to NIWE for this purpose

The repowering/refurbishment projects shall be commissioned within a period of 24 (twenty-four) months from the date of consent letter from CNA/SNA or consumer entity. Part commissioning and early commissioning of the project shall be allowed.

Document Link- <https://mnre.gov.in/document/policy-for-repowering-of-the-wind-power-projects-5th-august-2016/>

II. Issuing Authority: Ministry of Power (MoP)

3. Amendments to the Carbon Credit Trading Scheme, 2023, issued on 19 Dec 2023

Brief Details: The Ministry of Power, in consultation with the Bureau has issued the 2nd amendment to the Carbon Credit Trading Scheme, 2023, as outlined in the Energy Conservation Act, 2001. The key changes focus on an “offset mechanism,” means a mechanism under this Scheme where the non-obligated entities can register their projects for accounting greenhouse gases emission reduction or removal or avoidance for issuance of Carbon Credit Certificates.

The National Steering Committee to recommend The Bureau, the sectors in which non-obligated entities may register for generating carbon credits and the methodologies to be used under the offset mechanism.

The Bureau as administrator to identify the sectoral scope and develop the methodologies to be used under offset mechanism and to develop the standards and register the project under offset mechanism.

In the principal Scheme of paragraph 8, the words “under compliance mechanism” shall be omitted.

In the principal Scheme, after paragraph 11, the following paragraph shall be inserted, namely:

11A. Offset Mechanism. – (1) The Bureau shall identify the sectoral scope and methodologies to be used under offset mechanism with the support of respective technical committees;

(2) The Bureau on the recommendation of National Steering Committee for Indian carbon market and after approval of the Central Government, shall publish sectoral scope and methodologies from time to time;

(3) The non-obligated entities can register their projects as per the published sectoral methodologies for greenhouse gases emission reduction or removal or avoidance for seeking issuance of Carbon Credit Certificates.

Document Link :

<https://drive.google.com/file/d/16izYaZZOw--wGC1SaBNrG3Zp3C-pMYWI/view?usp=sharing>

III. Issuing Authority: Central Electricity Regulatory Commission (CERC)

4. The Central Electricity Regulatory Commission (Cross Border Trade of Electricity) (First Amendment) Regulations, 2023 notified on 26.12.2023.

Brief Details: Amendment to Clause (2) of Regulation 30 of the Principal Regulations related to Payment of Transmission charges and other charges.

Settlement Nodal Agency may recover from the participating entities located in the neighboring countries SNA charge of 0.50 paisa (Half paisa)/kWh on the energy scheduled, and shall formulate a suitable payment security mechanism for the charges to be collected by it.

Document Link - <https://cercind.gov.in/Regulations/185-GAZ-CBTE-I-AMD.pdf>

5. The Central Electricity Regulatory Commission (Terms and Conditions of Tariff) (Third Amendment) Regulations, 2023 notified on 26.12.2023.

Brief Details: Amendment to Clause (4) under Appendix-II "Procedure for Calculation of Transmission System Availability Factor for a Month" of the Principal Regulations.

Sub-clause 4(iii) added, Shutdown of a transmission line due to shifting or modification of such transmission line or otherwise because of the Project(s) of NHAI, Railways, and Border Road Organisation. Member Secretary, RPC may restrict the deemed availability period to that considered reasonable by him for the work involved. Provided that DICs are not affected by the shutdown of such a transmission Line.

Amendment to Clause (5) under Appendix-II "Procedure for Calculation of Transmission System Availability Factor for a Month" of the Principal Regulations.

Sub-clause (iii) added after sub-clause (ii) and deleting the provisos;

The outage period which can be excluded for the purpose of sub-clauses (i) and (ii) of this clause shall be declared as under:

- a) Maximum up to one month by Member Secretary, RPC.
- b) Beyond one month and up to three months after a decision at RPC.
- c) Beyond three months by the Commission for which the transmission licensee shall approach the Commission along with reasons, steps taken to mitigate the outage and restoration timeline.

Document Link - <https://cercind.gov.in/Regulations/184-GAZ-T&CT-3-AMD.pdf>

B. Issued by State Government Organisations

IV. Issuing Authority: Rajasthan State Electricity Regulatory Commission

1. Rajasthan Electricity Regulatory Commission (Terms and Conditions for Tariff determination from Renewable Energy Sources) (Second Amendment) Regulations, 2023 issued on 08 Dec 2023.

Brief Details: The applicability period for determination of tariff in cases covered under these Regulations has been amended from March 31, 2024 to March 31, 2026.

The clause related to Scope of Regulation and extent of application, the highlighted portion has been added.

“Notwithstanding anything contained in these Regulations, the Commission shall adopt the tariff, if such tariff has been determined through a transparent process of bidding in accordance with the guidelines issued by the Central Government, as envisaged under Section 63 of the Act or **where no such guidelines are issued by the Central Government, the tariff of such plants shall be adopted as has been determined through transparent bidding process in accordance with the bidding guidelines approved by the Commission.**”

The following new proviso shall be added below the existing provisos to sub regulation 7.2 as under:

"Provided also that for procuring power from power plants of such technology where the competitive bidding guidelines have not been issued by the Central Government, including the biomass power projects, biomass gasifier-based power projects and biogas power projects except for the plants which are already commissioned or for which PPAs have been approved by the Commission before the date of notification of these Regulations, the distribution licensee shall carry out the competitive bidding process as per regulation 7.2.”

The existing proviso to sub-regulation 8.1 shall be substituted with the following

"Provided that the generic tariff for the projects which are already commissioned or **for which the PPAs have been approved by the Commission before the date of notification of these Regulations** shall be applicable for such RE Projects of the same type and shall remain valid for the tariff period as specified in regulation 6.”

The existing proviso to sub-regulation 43.1 shall be substituted and a new proviso shall be added below the existing provision of sub-regulation 43.1 as under:

"Provided that the fuel cost arrived at as above shall be applicable to the Biomass power plants which are already commissioned or **for which the PPAs have been approved by the Commission before the date of notification of these Regulations** and also for the plants commissioned during the earlier Control Periods FY 2009-15 and FY 2015-20.

Provided further that for the Biomass power plants to be commissioned under the competitive bidding, the fuel price shall be governed by the bidding documents issued in accordance with regulation 7.2.”

The existing proviso to sub-regulation 88.1 shall be substituted with the following:

"Provided that for the period beyond 2023-24, i.e., for the year 2024-25 & 2025-26, the tariff as applicable in 2023-24 shall remain applicable, if the energy is being supplied from these plants under the PPA period. For the period beyond the PPA period, the Tariff for Renewable Projects during the extended period as per Regulation 10 shall be applicable."

(2) The existing proviso to sub-regulation 88.2 shall be substituted with the following proviso(s):

"Provided that for the period beyond 2023-24, i.e., for the year 2024-25 & 2025-26, the tariff as applicable in 2023-24 shall remain applicable, if the energy is being supplied from these plants under the PPA period. In addition to above, an annual increase or decrease in variable charges, as the case may be, in Rs./kWh over the variable charges of the previous year keeping FY 2023-24 as the base year for the respective technology in terms of regulation 43 of these Regulations shall also be allowed.

Provided further that for the period beyond the PPA period, the tariff during the extended period shall be equivalent to the 85 % of the tariff applicable for the last year tariff of the PPA duration shall be applicable for the Renewable Projects. In addition to above, an annual increase or decrease in variable charges, as the case may be, in Rs./kWh over the variable charges of the previous year keeping FY 2023-24 as the base year for the respective technology in terms of regulation 43 of these Regulations shall also be allowed."

(3) The existing proviso to sub-regulation 88.3 shall be substituted with the following:

"Provided that for the period beyond 2023-24, i.e., for the year 2024-25 & 2025-26, the tariff as applicable in 2023-24 shall remain applicable, if the energy is being supplied from these plants under the PPA period. For the period beyond the PPA period, the Tariff for Renewable Projects during the extended period as per Regulation 10 shall be applicable."

Document Link: <https://rerc.rajasthan.gov.in/rerc-user-files/regulations>

V. Issuing Authority: Government of Bihar

2. Bihar Electric Vehicle Policy, 2023, issued on 05 Dec 2023.

Brief Details: Based on the recent techno-economic developments in the EV sector & the ecotechnological enthusiastic adoption of electric vehicles by the citizens of Bihar and the Government of India aims to support the global EV30@30 campaign by achieving the objective of at least 30% electric vehicle sales in total new vehicles by 2030, the State Government formulates "Bihar Electric Vehicle Policy, 2023" for the promotion of electric vehicles and EV charging stations. This policy shall remain effective for a period of 5 years from the date of notification.

The goal of the policy is to ensure that 15% of the new vehicles purchased and registered in Bihar are electric vehicles by 2028.

Incentives have been given on early adoption of Electric Vehicles, Electric Two-Wheelers, Electric Three-wheeler (Passenger Vehicle & Goods Carriage), Electric Four-wheeler, Light Electric Motor Vehicle (Goods Carriage), Heavy Electric Motor Vehicle (Bus and Goods Carriage).

The State Government shall endeavor to establish a network of both private and public charging stations across the State. Incentives for all types of charging stations will be payable for three years.

Supply of renewable energy shall be promoted for EV charging stations and EV users by the State Government.

The State Government through the Energy Department shall ensure to provide electricity at a reasonable rate for public and semi-public charging stations. A 30% subsidy can be provided on Power Tariff for public and semi-public charging stations for the first three years.

Re-use of EV batteries reaching their end of life will be encouraged and setting up of recycling businesses shall also be promoted in collaboration with battery and EV manufacturers with focus on extracting rare metals from within the battery and re-use of batteries.

A well-defined Policy for encouraging re-use of batteries shall be notified by the Industries Department, Government of Bihar in consultation with the Environment, Forest & Climate Change Department, Government of Bihar and Bihar State Pollution Control Board.

Document Link:

<https://evreporter.com/wp-content/uploads/2023/12/Bihar-EV-Policy-2023.pdf>

VI. Issuing Authority: Telangana State Electricity Regulatory Commission

3. Telangana State Electricity Regulatory Commission (Multi Year Tariff) Regulation, 2023 issued on 30.12.2023

Brief Details: (Multi Year Tariff) Regulation, 2023 issued for determination of Aggregate Revenue Requirement, Tariff, and SLDC Charges in all matters covered under this Regulation for the period commencing from 01.04.2024 onwards for existing and future Generation Companies, Transmission Licensees, Distribution Licensees, deemed distribution licensees, distribution/retail supply utilities exempted from Licence, State Load Despatch Centre (SLDC), and their successors.

Document Link:

[https://tserc.gov.in/file_upload/uploads/Regulations/Final/tserc/2023/MYTRegulation2023/TSERC%20\(MYT\)%20Regulation,2of%202023.pdf](https://tserc.gov.in/file_upload/uploads/Regulations/Final/tserc/2023/MYTRegulation2023/TSERC%20(MYT)%20Regulation,2of%202023.pdf)

In addition, following regulations were issued by various SERCs.

VII. Issuing Authority: Jharkhand State Electricity Regulatory Commission

1. **Jharkhand State Electricity Regulatory Commission (Facilitation of Telecommunication Network) Regulations, 2023, issued on 14 Dec 2023.**

Document Link : https://jserc.org/pdf/regulations/740_2_2023.pdf

VIII. Issuing Authority: Andhra pradesh electricity regulatory commission

2. **First amendment to the Andhra Pradesh Electricity Regulatory Commission Compensation to Victims of Electrical Accidents Regulation, 2017 issued on 27 Dec 2023**

Document Link : <https://aperc.gov.in/admin/upload/RegNo9of2023-upld-28122023.pdf>

IX. Issuing Authority: Karnataka electricity regulatory commission

3. **Karnataka Electricity Regulatory Commission (Sharing of Revenue from Other Business of Transmission and/or Distribution Licensee(s)) (First Amendment) Regulations, 2023, issued on 06 Dec 2023.**

Document Link:

https://kerc.karnataka.gov.in/uploads/media_to_upload1702627629.pdf

X. Issuing Authority: Gujarat electricity regulatory commission

4. **Gujarat Electricity Regulatory Commission (Security Deposit) (Third Amendment) Regulations, 2023, issued on 06 Dec 2023.**

Document Link:

<https://gercin.org/wp-content/uploads/2023/12/Notification-GERC-Security-Deposit-Third-Amendment-Regulations-2023.pdf>

5. **Gujarat Electricity Regulatory Commission (Consumer Grievances Redressal Forum and Ombudsman) (First Amendment) Regulations, 2023, issued on 06 Dec 2023.**

Document Link:

<https://gercin.org/wp-content/uploads/2023/12/Notification-GERC-CGRF-and-Ombudsman-First-Amendment-Regulations-2023-1.pdf>

6. **Gujarat Electricity Regulatory Commission (Standards of Performance of Distribution Licensees) Regulations, 2023, issued on 06 Dec 2023.**

Document Link:

<https://gercin.org/wp-content/uploads/2023/12/Notification-GERC-SoP-Regulations-2023.pdf>

- 7. Gujarat Electricity Regulatory Commission (Electricity Supply Code and Related Matters) (Third Amendment) Regulations, 2023, issued on 06 Dec 2023.**

Document Link:

<https://gercin.org/wp-content/uploads/2023/12/Notification-GERC-Electricity-Supply-Code-and-Related-Matters-Third-Amendment-Regulations-2023.pdf>

- 8. Gujarat Electricity Regulatory Commission (Licensee's Power to Recover Expenditure incurred in providing Supply and other Miscellaneous Charges) (Third Amendment) Regulations, 2023, issued on 06 Dec 2023.**

Document Link:

<https://gercin.org/wp-content/uploads/2023/12/Notification-GERC-Licensees-Power-to-Recover-Expenditure-incurred-in-providing-Supply-and-other-Miscellaneous-Charges-Third-Amendment-Regulations-2023.pdf>

XI. Issuing Authority: Madhya Pradesh electricity regulatory commission

- 9. MPERC Second Amendment, Terms and conditions for determination of tariff for Supply and Wheeling of Electricity and Methods and Principles for Fixation of charges Regulations 2021, issued on 07 Dec 2023.**

Document Link:

https://mperc.in/uploads/regulation_document/MPERC-ARG-35-III-ii-2023-English.pdf

- 10. MPERC First Amendment of Electricity Supply Code, issued on 07 Dec 2023.**

Document Link:

https://mperc.in/uploads/regulation_document/MPERC-Supply-Code-Regulation-ARG-1-II-i-2023-English-2023.pdf

- 11. MPERC First Amendment, Power Purchase and other matters with respect to conventional fuel based Captive Power Plants, issued on 07 Dec 2023.**

Document Link:

https://mperc.in/uploads/regulation_document/MPERC-ARG-30-I-i-2023-English.pdf

-----X-----