

Before

UTTARAKHAND ELECTRICITY REGULATORY COMMISSION

Miscellaneous Application No. 05 of 2025

In the matter of:

Petition regarding permission to install Grid Interactive Rooftop Solar PV Plant beyond 1.0 MW limit set by the Commission with Net Metering facility by UPCL.

In the matter of:

M/s Opto Electronics Pvt. Ltd, Dehradun

... Petitioner

AND

In the matter of:

Uttarakhand Power Corporation Ltd. (UPCL)

Uttarakhand Renewable Energy Development Agency (UREDA)

... Respondents

CORAM

Shri M.L. Prasad

Chairman

Shri Anurag Sharma

Member (Law)

Date of Hearing: February 27, 2025

Date of Order: July 08, 2025

The Order relates to the Petition dated 16.01.2025 filed by Opto Electronics Factory, a Unit of India OPTEL seeking permission to install additional capacity of 600 kW over and above the ceiling limit specified for Grid Interactive Rooftop & Small Solar PV plants in UERC (Tariff and Other Terms for Supply of Electricity from Renewable Energy Sources and non-fossil fuel based Co-generating Stations) Regulations, 2023 (hereinafter referred to as "RE Regulations, 2023) in accordance with the Ministry of New and Renewable Energy (MNRE) letter dated 03.07.2024 for "Saturation of Government Buildings with Rooftop Solar under PM-Surya Ghar: Muft Bijli Yojana".

1. Background

- 1.1 Opto Electronics Factory, Dehradun (hereinafter referred to as “Petitioner”) is a unit of DPSU India Optel Limited, Raipur Dehradun (A Government of India Enterprise Under Ministry of Defence) engaged in production, repairing and overhauling of different types of Optical, Electronics and opto-electronics devices for the Services and para-military forces of India as well as for export to the friendly countries of India. It is an industrial set-up which provides its services to Indian Army, Airforce, Navy and para-military forces as per their requirements.
- 1.2 Ministry of New & Renewable Energy vide its Office Memorandum dated 03.07.2024 issued operational guidelines for “Saturation of Government Buildings with Rooftop Solar under PM-Surya Ghar: Muft Bijli Yojana” issued by (MNRE), which has been forwarded to the Petitioner by India Optel Limited, headquarter seeking implementation of the same in OLF, Dehradun.
- 1.3 In accordance with above mentioned guidelines, additional capacity of 600 kW over and above the ceiling limit specified by the Commission in its RE Regulations, 2023 is required to be installed to saturate all rooftop of its buildings.
- 1.4 The Petitioner vide letter dated 18.09.2024 requested the Commission to grant permission to the Petitioner to install Grid Interactive Rooftop Solar PV Plant (GRPV) beyond 1 MW (i.e. upto 1.60 MW). The Commission vide letter dated 29.10.2024 directed the Petitioner to file a Petition before the Commission in the matter. Accordingly, the present Petition has been filed by the Petitioner seeking permission to install additional capacity of 600 kW over and above the ceiling limit, i.e. 1 MW, specified for Grid Interactive Rooftop & Small Solar PV plants in RE Regulations, 2023 in accordance with the Ministry of New and Renewable Energy (MNRE) letter dated 03.07.2024 for ‘Saturation of Government Buildings with Rooftop Solar under PM-Surya Ghar: Muft Bijli Yojana’.

2. Petitioner’s submissions

- 2.1 The Petitioner submitted that it has installed GRPV having capacity of 1 MW out of which 400 kW capacity was installed under CAPEX mode by M/s Kalindi Power & Stell Ltd. The said GRPV was installed in accordance with the tender floated by SECI and commissioned in February 2019. Subsequently, a GRPV having capacity of 600 kW was installed by M/s

Rooftop Urja RESCO SPV1 Pvt. Ltd. under RESCO mode. Both the GRPV plants having capacity of 400 kW and 600 kW had been approved by UREDA.

- 2.2 The Petitioner submitted that India Optel Limited, Headquarter forwarded MNRE's operational guidelines for "Saturation of Government Buildings with Rooftop Solar under PM-Surya Ghar: Muft Bijli Yojna" to the Petitioner. In these guidelines, it is directed that all the Government rooftops under the administrative control of Central Government, Ministries/Departments, including autonomous bodies, subordinate offices etc. shall be saturated with rooftop solar to the extent technically feasible by 31.12.2025 and the Ministries may utilise available rooftop space for such saturation, through RESCO mode or CAPEX mode.
- 2.3 The Petitioner submitted that it is planning to saturate all the rooftops of its building with GRPV upto 31.12.2025 as per the directives of MNRE. The Petitioner submitted that its buildings have a total potential of 1.60 MW capacity out of which 1 MW has already been installed and commissioned successfully in the past.
- 2.4 The Petitioner submitted that it is observed from the Commission's Order dated 13.02.2023 in Petition no. 01 of 2023 filed by UPCL that UPCL is lacking in achieving its Solar PRO obligations. Therefore, UPCL should not oppose the proposal of the Petitioner of installation of additional capacity of 600 kW. The Petitioner also submitted that in line with the objective of promoting maximum solar power generation in the State of Uttarakhand, the GoUK has issued Uttarakhand State Solar Policy, 2023 (hereinafter referred to as "Solar Policy, 2023") which aims to accelerate the growth of solar energy in the State through the implementation of distributed solar systems. Further, the said Solar Policy, 2023 is comprehensive, clear and simply does not impose any restriction of 1 MW limit on the installation of Solar Rooftop Solar PV plant under net metering.
- 2.5 The Petitioner submitted that the ceiling limit, i.e. 1 MW specified under RE Regulation, 2023 for GRPV is contrary to the provisions of Solar Policy, 2023 and such restriction needs to be relaxed so as to allow solar power developers willing to install/use solar power plants with capacity more than 1 MW with net metering facility. In order to achieve the State policy objective, the Petitioner requested the Commission to allow the developer to establish and use solar power plants of any size without any limits of GRPV with net

metering facility. Further, interpretation of the Regulations, must be consistent with the objectives of the Solar Policy, 2023. Restriction on the capacity is against the objective of Solar Policy, 2023.

- 2.6 The Petitioner submitted that it is having sanctioned load of 4500 kVA at 33 kV voltage supply from UPCL. The Petitioner submitted that the Commission is assured that the Petitioner is having sufficient internal electrical load. Therefore, even if the Petitioner is not working on Sunday or on any holiday, there will be no such instance that solar power in UPCL's supply system is injected more than 1 MW after installation of GRPV plant upto 1.60 MW. During FY 2023-24, minimum value of recorded Maximum Demand in the said service connection was 2664 kVA during November 2023 which is much higher than requested additional capacity of 600 kW. Further, during April 2023 the minimum electricity consumption of the Petitioner was 653400 kVA. Therefore, there will never be any instance during any billing cycle that Petitioner will be in position to consume net Zero power from UPCL. The installation of additional GRPV having capacity of 600 kW by the Petitioner will have nominal impact on present conventional power consumption from UPCL.
- 2.7 The Petitioner submitted that the Petitioner vide an application dated 18.09.2024 sought permission to install additional 600 kW GRPV over and above the ceiling limit of 1 MW under net metering arrangement. The Commission sought comments of UPCL in the matter. The Commission forwarded the copy of the response submitted by UPCL to the Petitioner directing to submit its comments. The Petitioner vide letter dated 29.10.2024 again requested the Commission to permit installation of additional capacity of 600 kW over and above 1 MW under net metering arrangement.
- 2.8 The Petitioner submitted that it is planning to saturate all the rooftops of its building with GRPV upto 31.12.2025 as per directive of MNRE regarding saturation of Government buildings with rooftop solar plants under PM- Surya Ghar: Muft Bijli Yojana. The Petitioner also submitted that the surplus energy, if any, to be generated from GRPV shall be injected into UPCL's grid and all the electricity bills raised by UPCL shall be adjusted in accordance with the net kVAh units of electricity supplied by UPCL to the Petitioner after deducting surplus kWh units generated and injected into the grid by the Petitioner.

- 2.9 The Petitioner prayed the Commission to grant permission for installation of additional capacity of 600 kW GRPV under RESCO mode beyond 1 MW limit set by the Commission in RE Regulations, 2023 with net metering facility.

3. Respondents' replies

- 3.1 The copy of the Petition was forwarded to UPCL and UREDA directing to submit their comments with a copy of the reply to be sent to the Petitioner. UPCL submitted its reply on 13.02.2025 and UREDA submitted its reply on 15.02.2025 before the Commission. Further, the Petitioner was directed to submit rejoinder within one week from the date of receiving the replies from the Respondents. The Petitioner vide its letter dated 20.02.2025 submitted its rejoinder. Replies and Rejoinder submitted by the Respondents and the Petitioner respectively have been discussed in the subsequent paragraphs of this Order.
- 3.2 UREDA submitted that it had requested UPCL to provide grid connectivity and net metering for 600 kW Solar power plant against electricity connection no. 970K000002637 having a contracted load of 4500 kVA to the Petitioner. UREDA also submitted that MNRE has issued an operational guideline for 'Saturation of Government Buildings with Rooftop Solar under PM-Surya Ghar Muft Bijli Yojna' vide its OM dated 03.07.2024. Further, the GoUK has allocated an amount of Rs. 100 Crore to UREDA for saturation of government buildings with rooftop solar power plants. In the first phase, UREDA is setting up grid connected solar power plants of cumulative capacity of 18.50 MW on government buildings of the State.
- 3.3 UREDA submitted that Solar Policy, 2023 has also been notified by the State Government on 13.04.2023 with an aim of increasing solar energy in the State. The Solar Policy, 2023 aims for 350 MW of solar capacity development by the Government and institutional consumers. Further, the Solar Policy, 2023 states that the State shall promote the development of rooftop solar power plants for captive/self-consumption on the roof/premises of the Government departments and State Government owned institutions as defined by the policy upto the sanctioned load/contracted load. However, in accordance with the provisions of RE Regulations, 2023, the maximum limit is fixed at 1 MW for rooftop solar power plants under net metering arrangement.
- 3.4 UREDA submitted that the Commission previously in the Petition of MES, Dehradun and

MES, Roorkee, vide its Order dated 17.09.2020 had allowed to set up a solar power plants of 2 MW capacity on net metering basis.

- 3.5 UREDA submitted that at the time of providing electricity connection to any consumer, all the technical requirements are done by UPCL, hence, there does not seem to be any other technical problem in setting up a solar power plant upto the sanctioned load/contract demand limit.
- 3.6 UPCL vide its reply dated 13.02.2025 submitted that the present Petition has been filed under Regulation 53, 54 and 55 of RE Regulations, 2023 seeking relaxation of norms as per which installed capacity on solar power plants under net metering is restricted upto 1 MW. UPCL submitted that under Section 86(1)(f) of the Electricity Act, 2003, the basic requirement is of a dispute between generating companies and licenses and the Petitioner has not been able to demonstrate as to how such provision is applicable.
- 3.7 UPCL submitted that application of the 'power to remove difficulty' is very limited and a bare perusal of the provisions shows that the directions with respect to the removal of difficulty can be passed only in case if any difficulty arise in giving effect to the provisions of the regulations. With regard to the provisions of 'power to relax', UPCL submitted that the condition imposed by a Regulation may be dispensed with by the Commission only under special circumstances and not in a routine manner. The power to relax a Regulation cannot be exercised owing to commercial hardship being faced by the Petitioner. UPCL submitted that the Petitioner is seeking relaxation from the mandatory condition/qualification stipulated in the Regulation w.r.t. the ceiling limit of capacity under net metering arrangement. It is a settled principle of law that if the statute prescribes for a thing to be done in a particular manner, then it should be done in that manner alone and in no other manner.
- 3.8 UPCL submitted that the request of the Petitioner is without merit as it fails to take into account the adverse impact on the revenue billed and its subsequent realisation on distribution licensee which would ultimately lead to a burden on the consumers of the State at large. UPCL also submitted that the Electricity Act, 2003 does not permit to satisfy the interest of a few consumers at the cost of other consumers at large. Under the net metering facility, the consumer already has the advantage of offsetting its consumption as well as

injecting surplus power. Relaxing the limit put on the installed capacity would result in a further loss of billed revenue and would consequentially lead to reduction in revenue realisation from such prosumers. Further, UPCL submitted that the Petitioner has failed to clarify as to what difficulty it is facing for which relaxation is sought.

- 3.9 UPCL submitted that scope of inherent power granted under the Regulations with respect to 'power to remove difficulty' and 'power to relax' is confined to a narrow space and can be exercised only in case any difficulty arises in giving effect to the provisions of these regulations and not in a routine manner owing to merely commercial hardship.

4. Petitioner's rejoinder

- 4.1 The Petitioner vide its submission dated 20.02.2025 submitted that the Present Petition has been filed under Section 86(1)(e) of the Electricity Act, 2003 which specifies that the State Commission shall discharge the function for promotion of co-generation and generation of electricity from renewable sources of energy by providing suitable measures for connectivity with the grid and sale of electricity to any person.
- 4.2 The Petitioner submitted that it is willing to install GRPV beyond 1 MW, i.e. upto 1.6 MW limit set by the Commission to comply with the operational guidelines issued by MNRE vide letter dated 03.07.2024 for Saturation of Government Buildings with Rooftop Solar under PM-Surya Ghar: Muft Bijli Yojana which states that all the Government rooftops under the administrative control of Central Government Ministries/Departments, including autonomous bodies, subordinate offices etc. shall be saturated with rooftop solar to the extent that is technically feasible by 31st December, 2025. Further, Regulation 54, i.e. 'Power to Relax', states that the Commission is the sole authority to vary any of the Regulations for reasons to be recorded in writing on its own motion or an application made before it by an interested person.
- 4.3 The Petitioner submitted that Solar Policy, 2023 specifies that all Commercial & Industrial consumers shall be allowed to install rooftop solar system upto their sanctioned load subject to the ceiling limit specified by the Commission in the Regulations. The RE Regulations, 2023 allows GRPV upto 1 MW under net metering arrangement, therefore, the Petition has filed present Petition seeking relaxation in the relevant provisions of the RE Regulations, 2023.

- 4.4 The Petitioner submitted that it is not requesting to remove the ceiling limit specified in the RE Regulations, 2023, but requesting to uplift it so that the Petitioner can comply with the guidelines of MNRE regarding saturation of Government buildings with Rooftop Solar under PM-Surya Ghar: Muft Bijli Yojna.
- 4.5 The Petitioner requested the Commission to set aside the objections raised by UPCL and requested the Commission to grant permission to install GRPV up to 1.60 MW to comply with the guidelines of MNRE so that the Petitioner can saturate all its solar power feasible rooftops with rooftop power plants.

5. Commission's Analysis and view

- 5.1 The present Petition has been filed under Section 86(1)(e), 86(1)(f) of the Electricity Act, 2003 and Regulation 53, Regulation 54 and Regulation 55 of UERC (Tariff & Other Terms for Supply of Electricity from Renewable Energy Sources and non-fossil fuel based Co-generating Stations) Regulations, 2023 (hereinafter referred to as "RE Regulations, 2023")

Section 86(1)(e) of the Act specifies as follows:

"Section 86. (Functions of State Commission):- (1) The State Commission shall discharge the following functions, namely:

...

(e) Promote co-generation and generation of electricity from renewable source of energy by providing suitable measures for connectivity with grid and sale of electricity to any person, and also specify, for purchase of electricity from such sources, a percentage of total consumption of electricity in the area of a distribution licensee.

(f) adjudicate upon the disputes between the licensees, and generating companies and to refer any dispute for arbitration"

Regulation 53, Regulation 54 and Regulation 55 of RE Regulations, 2023 specifies as follows:

"53. Power to Remove Difficulties

If any difficulty arises in giving effect to these regulations, the Commission may, of its own motion or otherwise, by an order and after giving a reasonable opportunity to those

likely to be affected by such order, make such provisions, not inconsistent with these regulations, as may appear to be necessary for removing the difficulty.

54. Power to Relax

The Commission, for reasons to be recorded in writing, may vary any of the provisions of these regulations on its own motion or on an application made before it by an interested person.

55. Power to Amend

The Commission may, at any time add, vary, alter, modify or amend any provision of these Regulations."

- 5.2 The Commission conducted a hearing on the Petition on 27.02.2025. All the parties reiterated their submissions before the Commission. The Commission heard the parties and carefully considered their written submissions and examined the relevant material available on records. Subsequently, the Commission vide its daily Order dated 27.02.2025 reserved the judgement.

The issues raised by the Petitioners/Respondents have been discussed and dealt in the subsequent paragraphs of this Order.

- 5.3 The Petitioner has requested the Commission to grant permission for installation of additional 600 kW GRPV under RESCO mode beyond 1 MW limit set by the Commission in RE Regulations, 2023.

With regard to ceiling limit for GRPV, Regulation 37 of RE Regulations, 2023 specifies as follows:

"37. Grid Interactive Roof-top Solar PV Plants (GRPV)/Grid Interactive Small Solar PV Plants (GSPV)

(1) XXX

(2) *GRPV/GSPV can be installed for injecting power into the distribution system of a licensee by any Eligible consumer:*

Provided that the maximum GRPV/GSPV installed capacity at any Eligible Consumer's premises shall be upto a maximum of 100% of consumer's sanctioned

load/contract demand;

Provided that in case of Domestic Consumer, such installed capacity of GRPV/GSPV shall be irrespective of consumer's sanctioned load/contract demand;

Provided, the maximum installed capacity of GRPV/GSPV at the premises of eligible consumer shall not be more than 1 MW."

From the above-mentioned regulation, it is explicitly clear that the maximum installed capacity shall be upto 100% of consumer's sanctioned load/contracted load (except domestic) subject to the ceiling limit of 1 MW capacity for GRPV and GSPV plants.

- 5.4 The Commission observed that the Petitioner has requested for relaxation of the above-mentioned ceiling limit specified for solar PV plants to be installed under net metering arrangement to act upon the operational guidelines issued by MNRE vide its Office Memorandum dated 03.07.2024 for 'Saturation of Government Buildings with Rooftop Solar under PM-Surya Ghar: Muft Bijli Yojana'.

The Commission has gone through the said guidelines and observed that the Government of India has approved the PM Surya Ghar: Muft Bijli Yojana on 29.02.2024 and under the scheme, all Government rooftops under the administrative control of Central Government are required to be saturated with rooftop solar to the extent that is technically feasible by 31.12.2025 through RESCO mode or CAPEX mode. Further, the guidelines specifies that Rooftop Solar plants can be installed under gross metering/net billing/net metering arrangement or any other arrangement approved by State Commission. The relevant extract of the said guidelines are as follows:

"1 Background

1.1 The Government of India has approved the PM Surya Ghar: Muft Bijli Yojana on 29th February, 2024 to increase the share of solar rooftop capacity and empower residential households to generate their own electricity. The scheme has an outlay of Rs 75,021 crore and is to be implemented till FY 2026-27. The administrative approval was granted to the scheme vide Order No. 318/17/2024-Grid Connected Rooftop dated 16th March, 2024.

1.2 Under the scheme, all Government rooftops under the administrative control of Central Government Ministries/Departments, including autonomous bodies, subordinate offices

etc. shall be saturated with rooftop solar to the extent that is technically feasible by 31st December, 2025. Ministries may utilize available rooftop space for such saturation, through the RESCO mode or capex mode, on a priority basis....

1.3 Xxx

...

4. Mechanisms for SIP for saturating Government rooftops under Implementing Ministries

4.1

4.2 Mechanism 1: SIP Owned Deployment

XXX

4.3 Mechanism 2: SIP as Intermediary Aggregator

(i) xxx

(ii) xxx

(iii) xxx

(iv) *The SIP may install RTS plants under gross metering/net billing/net metering arrangements or any other arrangement approved by the respective State Electricity Regulatory Commission (SERC), as per the requirements of the implementing Ministry/State/UT."*

(...Emphasis Added)

It is explicitly clear from the above provisions that Rooftop Solar PV plant can be installed under any of the arrangement, i.e. gross metering, net billing, net metering, or any other arrangement approved by the Commission. The said guidelines do not bind the Petitioner to saturate its rooftop area by installing GRPV under net metering arrangement only. The prime motive of the Scheme is saturation of available area of the roof of central government buildings which can be done in any manner.

5.5 The Petitioner has also mentioned that Solar Policy, 2023 aims to accelerate the growth of solar energy in the State through implementation of distributed solar system and it does not put any restriction of 1 MW limit on the installation of GRPV under net metering.

In the matter, the Commission observes that the Petitioner is having an electricity connection under RTS-5- HT industries above 1000 kVA and for the purpose of installation

of distributed solar/net metering, clause 8.2.3 of the Solar Policy, 2023 specifies provisions w.r.t. Commercial & Industrial consumers, which are as follows:

“8.2.3 Commercial and industrial (C&I) Consumers

The policy aims to achieve deployment of 750 MW of solar capacity by commercial and industrial consumers through rooftop solar (including ground mount systems within the consumer premise), captive power plants (on-site and off-site) and open access projects. All commercial and industrial consumers, as notified by UERC in their Grid Tariff Orders, shall be eligible to install solar as per the following provisions.

I. Rooftop Solar

Process

The state shall promote the development of captive/group captive rooftop solar power plants by C&I consumers on rooftops as well as ground-mounted systems within consumer premises.

All C&I consumers shall be allowed to install rooftop solar systems up to their sanctioned load subject to the ceiling limit specified by UERC in their regulations.

...

...

Tariff

Injection from rooftop solar power plants during peak hours shall be considered towards banking as per the provisions specified in banking regulations.

Excess energy fed into the grid during non-peak hours shall be considered towards green banking and shall be compensated at a rate specified by UERC from time to time, as specified in section 7.5.

Excess drawl by the consumer from the grid, if any, after giving set-off shall be charged by Discom at an applicable tariff of the respective category of the consumer as determined by UERC from time to time.”

It can be construed from the above-mentioned provision that the State government has emphasised on installation of captive/group captive solar power plants with banking facility and GRPV has been allowed subject to the ceiling limit specified by the Commission for distributed solar for Commercial & Industrial Consumers.

Further, it is observed that UREDA vide its reply dated 15.02.2025 has submitted that GoUK has allocated an amount of Rs. 100 Crore to UREDA for saturation of government buildings with rooftop solar power plants. Further, Clause 8.2.4 of the Solar Policy, 2023 aims for development of solar capacity of 350 MW at government and institutional consumers premises. The relevant extract of the Clause 8.2.4 of the Solar Policy, 2023 specifies as follows:

“8.2.4 Government/institutional Consumers

The policy aims for 350 MW of solar capacity deployment by the Government and institutional consumers in the state.

The state shall promote the deployment of rooftop solar power plants for captive/self-consumption on the roofs/premises of the government departments and state government-owned institutions as defined by the policy upto the sanctioned load/contract demand.”

In the matter, it is pertinent to mention that as per definitions provided at Point no. 08 under the head of ‘Glossary’ in Solar Policy, 2023, ‘Government and State’, means the Government of Uttarakhand and the state of Uttarakhand, respectively. Accordingly, clause 8.2.4 of the Solar Policy, 2023 shall be applicable on the State Government departments and State Government owned institutions only whereas the Petitioner comes under Central Government ministry. Therefore, provisions of clause 8.6.4 of Solar Policy, 2023 are not applicable to the Petitioner.

- 5.6 Further, the Petitioner has submitted that the interpretation of the Regulations, must be consistent with the objective of the Solar Policy, 2023, i.e. promotion of Solar energy. In the matter, it is to be noted that the regulations are explicit & clear and there is no ambiguity regarding applicability of provisions w.r.t. net metering so as to require any which need interpretation. Further, it is worth mentioning that Policies are not legally binding like an Act or a Regulation, but they carry persuasive value. Policies set the vision, goals, and strategy for sectoral growth ensuring that different agencies work in harmony to achieve a particular goal. Policies act as guiding documents and do not override statutory provisions or regulations.
- 5.7 The Petitioner has submitted that UPCL had filed a Petition no. 01 of 2023 before the Commission for relaxation in balance quantum of Renewable Purchase Obligation of FY

2021-22 not met to the tune of 25.61 MUs (Non-Solar) and 350.49 MUs (Solar) which indicates that UPCL is lacking in achieving its Solar RPO. Therefore, UPCL should not oppose the request of the Petitioner to grant permission to install GRPV of additional capacity of 600 kW (total 1.60 MW).

In the matter, it is pertinent to mention that UPCL has already met its RPO for FY 2023-24 in accordance with the trajectory specified in RE Regulations, 2023 as amended from time to time and is likely to meet its RPO for ensuing years from its tied-up capacity with renewable energy-based power plants. Therefore, the ground placed before the Commission that allowing additional capacity under GSPV beyond ceiling limit of 1 MW will help the distribution licensee to meet its RPO, is not only untenable but also this cannot be any justification for amending or revoking the provisions of RE Regulations.

- 5.8 Further, UREDA vide its submission dated 15.02.2025 and the Petitioner also vide its submissions dated 20.02.2025 submitted that the Commission vide its Order dated 17.09.2020 has allowed Military Engineer Services (MES), Roorkee and Dehradun to install Solar PV plants having capacity of 2 MW each under net metering arrangement. The Petitioner has further submitted that the minimum energy for FY 2023-24 was 653400 kVAh against the contracted load of 4500 kVA and there will never be any instance during any billing cycle that the Petitioner will be in position to export power to UPCL.

In the matter, it is pertinent to mention that the Commission vide Order dated 17.09.2020 had allowed MES, Roorkee and MES Dehradun to install Rooftop Solar PV plants having capacity of 2 MW by invoking Regulation 52 'Power to relax' of RE Regulations, 2018 under NoC model wherein surplus solar power injected into the grid of UPCL shall be free of cost considering the average load of MESs. However, in the present Petition, the Petitioner has prayed to allow installation of additional 600 kW GRPV (total capacity 1.6 MW) under RESCO mode beyond 1 MW limit specified under regulation 37 of RE Regulations, 2023 with net metering arrangement. Therefore, the submissions made by UREDA and the petitioner in this regard are incorrect.

- 5.9 It is also observed from the submissions of the Petitioner that 400 kW capacity GRPV was installed and commissioned under SECI scheme in February 2019. Subsequently, a capacity of 600 kW was installed and commissioned on 31.010.2024 under 'NoC for net metering of

Solar Rooftop Plants under Other than SECI Scheme’. It is pertinent to mention that the condition under both these Schemes provides that if in any billing cycle the energy supplied by the licensee is less than the energy injected by the Rooftop Solar PV source of the beneficiary, then the excess energy injected into the grid would be deemed to be injected free of cost.

In the present case, the Petitioner has requested the Commission to allow net metering by relaxing the ceiling limit of 1 MW specified for GRPV/GSPV to be installed under net metering arrangement under Regulation 37 of RE Regulation 2023 wherein for the surplus energy injected into the grid by the prosumer shall be payable by the distribution licensee at the generic tariff specified by the Commission from time to time, however, for the reasons mentioned above, the submissions of the Petitioner cannot be accepted. Moreover, as the Petitioner has already installed a 1000 kW solar plant under a particular scheme stated above and want to further increase the installed capacity upto 1.60 MW, in this regard, the Commission is of the view that two type of net metering arrangement cannot be allowed to the Petitioner for solar power plants to be installed under same connection number.

Accordingly, based on the above discussions, the Commission does not find it, just and prudent to allow the Petitioner to install Solar GRPV of additional capacity of 600 kW (upto 1.60 MW) by relaxing the ceiling limit of 1 MW specified under RE Regulations, 2023.

5.10 Ordered accordingly.

(Anurag Sharma)
Member (Law)

(M. L. Prasad)
Chairman