

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Dated: 30th December, 2014

NOTIFICATION

No.L- 1/12/2010- CERC: In exercise of powers conferred under Section 178 of the Electricity Act, 2003 (36 of 2003) and all other powers enabling it in this behalf, and after previous publication, the Central Electricity Regulatory Commission hereby makes the following regulations to amend the Central Electricity Regulatory Commission (Terms and Conditions for recognition and issuance of Renewable Energy Certificate for Renewable Energy Generation) Regulations, 2010 (hereinafter referred to as “the Principal Regulations”), namely:-

1. Short title and commencement:

- (i) These regulations may be called the Central Electricity Regulatory Commission (Terms and Conditions for recognition and issuance of Renewable Energy Certificate for Renewable Energy Generation) (Third Amendment) Regulations, 2014.
- (ii) These regulations shall come into force with effect from 1st January, 2015.

2. Amendment of Regulation 5 of Principal Regulations:

- 1. A new clause (1A) shall be added after clause (1) of Regulation 5 of the Principal Regulations as under:

(1A) A distribution licensee shall be eligible to apply for registration with the Central Agency for issuance of and dealing in Certificates if it fulfills the following conditions:

- (a) It has procured renewable energy, in the previous financial year, at a tariff determined under Section 62 or adopted under Section 63 of the Act, in excess of the renewable purchase obligation as may be specified by the Appropriate Commission or in the National Action Plan on Climate Change or in the Tariff Policy, whichever is higher:

Provided that the renewable purchase obligation as may be specified for a year, by the Appropriate Commission should not be lower than that for the previous financial year.

Provided further that any shortfall in procurement against the non-solar or solar power procurement obligation set by the Appropriate Commission in the previous three years, including the shortfall waived or carried forward by the said Commission, shall be adjusted first and only the remaining additional procurement beyond the threshold renewable purchase obligation – being that specified by the Appropriate Commission or in the National Action Plan Climate Change or in the Tariff Policy, whichever is higher - shall be considered for issuance of RECs to the distribution licensees.

b) It has obtained a certification from the Appropriate Commission, towards procurement of renewable energy as provided in sub - clause (a) of this regulation.

2. In clause (2) of Regulation 5, the words “or the distribution licensee, as the case may be” shall be added after the words “The generating company”.

3. Amendment of Regulation 7 of the Principal Regulations:

1. The words “other than distribution licensee” shall be added after the words “eligible entity” in the clause (1) of Regulation 7.
2. The following new clause shall be added after clause (1) of Regulation 7 of the Principal Regulations:

“(1 A) The eligible distribution licensees shall apply to the Central Agency for Certificates within three months from the date of obtaining the certification, as provided in clause (1A) of the Regulation 5, from the concerned Appropriate Commission.”

3. New clauses (7) and (8) shall be added under Regulation 7 of the Principal Regulations as under:

“(7) The Commission shall determine through a separate order, the quantum of Certificate to be issued to the eligible entities being the solar generating companies registered under REC framework prior to 1st January 2015, for one Megawatt hour of electricity generated and injected into the grid or deemed to be injected (in case of self consumption by eligible CGP) into the grid as per

the following formula:

Vintage Multiplier = Floor Price of Base Year / Current Year Floor Price

Where,

i . “Base year” means the year 2012-13 being the year in which the floor price was determined for solar REC for a period of five years”

(8) The vintage multiplier as specified in clause (7) of this regulation shall be provided to the solar generating companies registered under REC framework prior 1st January 2015 and shall be applicable for the period from 1st January 2015 upto 31st March 2017, after which such projects shall be eligible for one REC for one megawatt hour of electricity generated.”

4. . **Amendment to Regulation 10 of the Principal Regulations:** The first and second provisos to Clause (1) of Regulation 10 of the Principal Regulations shall be substituted as under:

“Provided further that the Certificate issued under these regulations shall remain valid for one thousand and ninety five days from the date of issuance:

Provided that the RECs which expired in the financial year 2014-15 and the RECs issued till the date of effect of CERC (Terms and Conditions for recognition and issuance of Renewable Energy Certificate for Renewable Energy Generation) (Third Amendment) Regulations, 2014 shall remain valid for one thousand and ninety five days from the date of issuance or up to 31st March 2017, whichever is later.

Provided also that the Certificate issued to an eligible entity for the electricity generated at a time when such entity fulfilled the eligibility criteria for accreditation, shall remain valid for the said period of one thousand and ninety five days, even if accreditation of such entity is revoked at a later date”

(Shubha Sarma)
Secretary

Note:

The principal regulations were published on 18.1.2010 in Gazette of India Extraordinary Part-III Section-4, Sr. No. 26 and first amendment was published on 1.10.2010 in Gazette of India Extraordinary Part-III Section-4, Sr. No.249 and second amendment was published on 11.7.2013 in Gazette of India Extraordinary Part-III Section-4, Sr. No.192.