

**JHARKHAND STATE ELECTRICITY REGULATORY COMMISSION,
RANCHI**

**Jharkhand State Electricity Regulatory Commission (Terms and
Conditions for Green Energy Open-access) Regulations, 2024**

In exercise of powers conferred under Section 86(1)(e) which envisages the 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, read with Sections 181, 39(2)(d), 40(c), 42(2), 42(3), 86(1) (c) of the Electricity Act, 2003 and all other powers enabling it in that behalf, the Jharkhand State Electricity Regulatory Commission, hereby makes the following Regulations.

1. Short Title and Commencement

- 1.1. These Regulations may be called the Jharkhand State Electricity Regulatory Commission (Terms and Conditions for Green Energy Open-access) Regulations, 2024.
- 1.2. These Regulations shall extend to the State of Jharkhand.
- 1.3. These Regulations shall come into force from the date of their publication in the Jharkhand State Government Gazette.

2. Objective

- 2.1. These Regulations shall be applicable for allowing Open-access towards generation, purchase and consumption of green energy as defined under clause 3.1 (h) of these Regulations, including but not limited to energy from Waste-to-Energy plant, and for use of the intra-state transmission systems (InSTS) and/or distribution systems of licensees in the State, including such intra-state transmission and/or distribution systems, which are incidental to the inter-state transmission of electricity.

3. Definitions and Interpretation

- 3.1. In this Regulation unless the context otherwise requires:
 - a) **‘Act’** shall mean the Electricity Act, 2003 and subsequent amendments thereof;
 - b) **‘Central Nodal Agency’** shall mean a Central Nodal Agency as notified by the Central Government to set up and operate a single window green energy Open-access system for renewable energy;

- c) **‘Commission’** shall mean the Jharkhand State Electricity Regulatory Commission (JSERC);
- d) **‘Green Energy Open Access Consumer (GEOA)’** shall mean any person who has contract demand or sanctioned load of **100 kW and above**, either through single connection or through multiple connections aggregating 100 kW or more located in same electricity division of a distribution licensee, (captive consumers shall not have any load limit) who is supplied with electricity from RE sources for his own use by a licensee or the Government or by any other person engaged in the business of supplying electricity to the public under this Act or any other law for the time being in force and includes any person whose premises are for the time being connected for the purpose of receiving renewable energy with the works of a licensee, the Government or such other entity, as the case may be;

Provided that in case of captive consumers there shall not be any load limitation;

- e) **‘Entity’** shall mean any consumer who has contracted demand or sanctioned load of 100 kW or more either through single connection or through multiple connections aggregating 100 kW or more located in same electricity division of a distribution licensee, except for captive consumers

Provided that in case of captive consumers there shall not be any load limitation;

- f) **‘Existing Consumer’** shall mean a person already availing Open-access for sourcing/ supplying renewable energy to the transmission system and/ or distribution system of a licensee in the State under an existing agreement or policy on the date of coming into force of these Regulations;

- g) **‘Forum of Regulators’** shall mean the Forum as referred to in sub-section (2) of section 166 of the Act;

- h) **‘Renewable Energy’** or **‘Green Energy’** shall mean the electrical energy from renewable sources of energy including but not limited to but not limited to Solar PV Power Project or Wind Power Project or Hybrid Power Project or Small Hydro Power Project or Biomass, Biofuel, Urban or Municipal Waste, Pumped Storage Hydro Generation, Energy Storage Systems using entire electricity generated from renewable energy for charging or any other technology as may be notified by the Ministry of New and Renewable Energy (MNRE), Government of India from time to time and shall also include any mechanism

that utilises green energy to replace fossil fuels including but not limited to production of green hydrogen or green ammonia;

- i) **‘Month’** shall mean calendar month;
- j) **‘Rules’** shall mean Electricity (Promoting Renewable Energy through Green Energy Open Access) Rules, 2022 and amendments thereof, if any, as notified by the Central Government;
- k) **‘Installation’** shall mean the whole of electric wires, fittings, motors, and apparatus installed and wired by or on behalf of the Consumer on one and the same premises starting from the point of commencement of supply;
- l) **‘SLDC’** shall mean the State Load Dispatch Centre established under sub-section (1) of section 31 of the Act;
- m) **‘Third party’** shall means a developer who is generating renewable energy but does not own the land but enters into a lease / commercial agreement with the land owner;
- n) **‘Obligated Entity’** shall mean the entities mandated under clause (e) of sub-section (1) of section 86 of the Act to fulfil Renewable Purchase Obligation, which includes distribution licensee, captive user, and open access consumer;
- o) **‘Open-access’** shall mean the non-discriminatory provision for the use of transmission lines or distribution systems or associated facilities with such lines or system by any licensee or consumer or a person engaged in generation in accordance with the Regulations specified by the Appropriate Commission and shall stand amended as per sub-section (47) of Section 2 of the Act;
- p) **‘Person’** shall include but not limited to any company or body corporate or association or body of individuals, whether incorporated or not, or artificial juridical person;
- q) **‘Premises’** includes but not limited to any land, building, or structure;
- r) **‘Standby charges’** shall mean the charges applicable to open access consumers against the standby arrangement provided by the distribution licensee, in case the open access consumer is unable to procure power from the generating sources with whom they have the agreements to procure power due to outages of generator, transmission assets, and the like.

- s) **‘State Transmission Utility’ or ‘STU’** shall mean the Board or the Government Company specified as such by the State Government under sub-section (1) of Section 39 of the Act;
 - t) **‘Wheeling’** shall mean the operation whereby the distribution system and associated facilities of a transmission licensee or distribution licensee, as the case may be, are used by another person for the conveyance of electricity on payment of charges to be determined under section 62 of the Act;
- 3.2. Words and expressions used in these Regulations and not defined herein but defined in the Act shall have the meanings respectively assigned to them in the Act.
- 3.3. Reference to any Act, Rules, and Regulations shall include the amendment(s), consolidation(s), or re-enactment(s) thereof.
- 3.4. All proceedings under these Regulations shall be governed by the JSERC (Conduct of Business) Regulations, 2016, as amended or re-enacted from time to time.

4. Renewable Purchase Obligation

- 4.1. On and from the date of commencement of these Regulations, there shall be a uniform renewable purchase obligation, on all obligated entities in area of a distribution licensee.
- 4.2. Any entity, whether obligated or not may elect to generate, purchase and consume renewable energy as per their requirements by one or more of the following methods: -
- a. Own Generation from renewable energy sources:

There shall not be any capacity limit for installation of power plants from renewable energy sources, by entities for their own consumption and such plants may be set up at any location in India and power shall be transmitted by using open access:

Provided that the generating plant may be set up by the entity itself or by a developer with which the entity enters into a power purchase agreement.
 - b. By procuring Renewable Energy through Open Access from any Developer either directly or through a trading licensee or through power markets.

Explanation:

- i. Developer means the generating company who generate

electrical energy from renewable sources of energy.

- ii. Trading Licensee means a person who has been granted a licence by appropriate commission, for purchase of electricity for resale thereof.
- c. By requisition from distribution licensee:
 - i. Any consumer may elect to purchase green energy either upto a certain percentage of the consumption or its entire consumption and they may place a requisition for this with their distribution licensee, which shall procure such quantity of green energy and supply it and the consumer shall have the flexibility to give separate requisition for solar and non-solar;
 - ii. The consumer may purchase on a voluntary basis, more renewable energy, than he is obligated to do and for ease of implementation, this may be in steps of 25% and going upto 100%;
 - iii. The tariff for the green energy shall be determined separately by the Commission, which shall comprise of the average pooled power purchase cost of the renewable energy, cross-subsidy surcharges if any, and service charges covering the prudent cost of the distribution licensee for providing the green energy;
 - iv. Any requisition for green energy from a distribution licensee shall be for a minimum period of one year;
 - v. The quantum of green energy shall be pre-specified for at least one year;
 - vi. The green energy purchased from distribution licensee or from Renewable Energy sources other than distribution licensee in excess of Renewable Purchase Obligation of obligated entity shall be counted towards Renewable Purchase Obligation compliance of the distribution licensee;
 - vii. The Accounting of renewable energy supplied at distribution licensee level shall be on a monthly basis;
- d. By consuming green energy from captive power plant.
- e. By purchasing of renewable energy certificates in accordance with the applicable regulations.
- f. Purchase of green hydrogen or green ammonia: