

MEGHALAYA STATE ELECTRICITY REGULATORY COMMISSION

New Admn. Building, Left Wing, 1st Floor

Lower Lachumiere: Shillong – 793001

Dated: 3rd April 2024

No. MSERC/Green Tariff/Regn/2023/01 : In exercise of the powers conferred under section 181, of the Electricity Act, 2003 (36 of 2003), read with section 42, section 61 and section 86 thereof and all other powers enabling in this behalf, the Meghalaya State Electricity Regulatory Commission hereby makes **previous publication** of the following Regulations, namely-

Meghalaya State Electricity Regulatory Commission

(Terms and Conditions of Green Energy Open Access) Regulations 2023

CHAPTER 1

PRELIMINARY

1. Short Title, Extent and Commencement

- (1) These Regulations may be called the Meghalaya State Electricity Regulatory Commission (Terms and Conditions of Green Energy Open Access) Regulations, 2023.
- (2) These Regulations shall come into force from the date of their notification in the Official Gazette of Meghalaya.
- (3) These Regulations shall extend to the whole of the State of Meghalaya.

2. Objective

The objective of these regulations is to provide a methodology for the determination of Open Access charges and Banking charges for Green Energy Open Access consumers.

3. Definitions

- (1) In these regulations, unless the context otherwise requires,
 - (a) "**Act**" means the Electricity Act, 2003 (36 of 2003);

- (b) **“Banking”** means the surplus green energy scheduled and injected into the grid and credited with the distribution licensee by the Green Energy Open Access consumers;
- (c) **“Banking Cycle”** means a continuous period of 3 months starting from the date of commencement of banking provided that the Distribution Licensee depending upon the feasibility and for reasons to be recorded in writing shall be entitled to extend the period of banking cycle not beyond the end of a financial year and such extension of banking cycle shall not be altered more frequently than once in a financial year.
- (d) **‘Central Commission’** means the Central Electricity Regulatory Commission referred to in sub-section (1) of Section 76 of the Electricity Act 2003;
- (e) **“Central Nodal Agency”** means 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;
- (f) **“Commission”** means the Meghalaya State Electricity Regulatory Commission constituted under the Electricity Act 2003;
- (g) **“Day Ahead Market (DAM)”** means a market where Day Ahead Contracts are transacted on the Power Exchange(s);
- (h) **“Forum of Regulators”** means the Forum as referred to in sub-section (2) of section 166 of the Act;
- (i) **“Fossil Fuel”** means fuels such as coal, lignite, gas, liquid fuel or combination of these as its primary source of energy, which are used in Thermal Generating Station for generating electricity;
- (j) **“Green Energy”** means the electrical energy from renewable sources of energy including hydro and storage (if the storage uses renewable energy) or any other technology as may be notified by the Government of India from time to time and shall also include any mechanism that utilizes green energy to replace fossil fuels including production of green hydrogen or green ammonia as may be determined by the Central Government;
- (k) **“Green Energy Open Access Consumer”** means any person who has contracted demand or sanctioned load of 100kW or more or such other limit as may be specified by Commission from time to time, except for

captive consumers, who are supplied with electricity from green energy sources for their 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 green energy with the works of a licensee, the Government or such person, as the case may be.

- (l) **“Medium-term open access”** means the open access for a period exceeding three months but not exceeding three years
- (m) **“Month”** means a calendar month as per the Gregorian calendar;
- (n) **"State Nodal Agency"** means the nodal agency defined in Regulation 7 of these regulations;
- (o) **“Open access”** means the non discriminatory provision for the use of transmission lines or distribution system or associated facilities with such lines or system by any licensee or consumer or a generating company in accordance with these regulations and includes long- term open access, medium-term open access and short-term open access.
- (p) **“Rules”** means the Electricity (Promoting use of Renewable Energy Through Green Energy Open Access) Rules, 2022 and subsequent amendments;
- (q) **“Renewable Energy Sources”** means renewable electricity generating sources such as small hydro, wind, solar, biomass, bio fuel, cogeneration (including biogases based co-generation), urban or municipal waste and such other sources as recognized or approved by MNRE or State Government;
- (r) **“SERC”** means the State Electricity Regulatory Commission;
- (s) **“Short-term open access”** means open access for a period up to one month at a time.
- (t) **“SLDC”** means the State Load Dispatch Centre established under sub section (1) of section 31 of the Electricity Act 2003;
- (u) **"State Grid Code"** means the State Grid Code notified by the Commission under clause (h) of sub-section (1) of section 86 of the Act,

applicable on the date of commencement of these regulations and as amended from time to time;

- (v) **"Standby charges"** means the charges applicable to green energy open access consumers against the standby arrangement provided by the distribution licensee, in case such green energy open access consumer is unable to procure/schedule power from the generating sources with whom they have the agreements to procure power due to outages of generator, transmission systems and the like;
 - (w) **"State Transmission Utility (STU)"** means the State Electricity Board or the Government Company notified by the State Government under sub-section (1) of section 39 of the Electricity Act 2003;
 - (x) **"Wheeling"** means 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 Electricity Act 2003;
- (2) Words and expressions used and not defined in these regulations but defined in the Act or IEGC or State Grid Code or any other regulation of the Commission shall have the meaning assigned to them under the Act or the IEGC or the State Grid Code or any other regulation of the Commission as the case may be.

4. Scope and Applicability

These regulations shall be applicable for allowing Open Access of electricity generated from green energy sources as defined under clause (1) of Regulation 3 of these Regulations, including the energy from non-fossil fuel-based Waste-to-Energy plant for use of Intra-State Transmission System (InSTS) or distribution system or both, which are incidental to Inter- State Transmission of electricity.

CHAPTER 2

GENERAL PROVISIONS OF OPEN ACCESS

5. Categorization of Open Access:

The open access consumers shall be classified into the following categories based on the duration of use of the Intra -state transmission and/or distribution system

- i. Long-term Open Access consumers- persons availing or intending to avail the open access for a Period equal to or more than three years.
- ii. Medium-term Open Access consumers - persons availing or intending to avail the open access for a period more than three months and less than 3 years.
- iii. Short-term Open Access consumers- persons availing or intending to avail the open access for a period of one month at a time .

Provided that the short-term open access consumers shall be eligible & re-eligible to obtain fresh entitlement on filing of application after the expiry of his term and subject to availability. Such eligibility shall be on priority determined on the basis of the date of application

6. Eligibility criteria for Green Energy Open Access:

1. Subject to the provisions of these Regulations and system availability, consumers, licensee and/or “Green Energy” generating stations shall be eligible for Green Energy Open Access to the inter-state as well as intra-state transmission.
2. The consumers who have contracted demand or sanctioned load of hundred kW (100 kW) and above shall be eligible to take power through Green Energy Open Access and there shall be no limit of supply of power for the captive consumers taking power under Green Energy Open Access.
3. The limit of open access that can be granted will be subject to the voltage level to which the Green Energy Open Access consumer is connected.
 - i. For consumers connected at 11 KV level, the open access that can be granted is between 100 KW but less than 2 MW.
 - ii. For consumers connected at 33 KV level, the open access that can be granted is between 2 MW but less than 5 MW.