

MADHYA PRADESH ELECTRICITY REGULATORY COMMISSION

BHOPAL

Sub: In the matter of application under MPERC (Grid Connected Net Metering) Regulations 2015 notified on 23.10.2015 and its amendment dated 03.02.2017 for consideration of the prayer for directing the Respondent No.1 to allow full installed capacity of solar unit 950 KW connected to grid for power generation.

Petition No. 09 of 2020

ORDER

(Hearing through Video Conferencing)

(Date of Order: 10th February' 2021)

M/s Roca Bathroom Products Pvt. Ltd.,

Industrial Area No. 2, A.B. Road, Dewas – 455 001

- **Petitioner**

Vs.

(1) M. P. Paschim Kshetra Vidyut Vitaran Co. Ltd.

GPH Compound, Pologround, Indore – 452001

(2) M. P. Madhya Kshetra Vidyut Vitaran Co. Ltd.

Nishtha Parisar, Govindpura, Bhopal – 462023

- **Respondents**

(3) M. P. Poorv Kshetra Vidyut Vitaran Co. Ltd.

Block No. 7, Shakti Bhawan, Rampur, Jabalpur – 482008.

Shri J.G. Thombre appeared on behalf of the petitioner.

Shri Dharmendra Patidar, SE appeared on behalf of the Respondent No. 1.

Shri Deepak Chandela, DGM appeared on behalf of the Respondent No. 3.

The petitioner, M/s. Roca Bathroom Product Pvt. Ltd. is a High Tension (HT) consumer in Industrial Area No. 2 at Dewas (M.P) having contract demand of 1800 KVA. His connection falls under tariff category HV 3.1 of retail supply tariff order. The petitioner is a HT consumer of the Respondent No.1 (M.P. Paschim Kshetra Vidyut Vitaran Co. Ltd).

2. The petitioner Roca Bathroom Products Pvt. Ltd., filed the subject petition under the MPERC (Grid Connected Net Metering) Regulations 2015 notified on 23.10.2015 and its amendment dated 03.02.2017 for directions to the Respondent No.1 to allow full installed capacity of its 950 KW solar connected with the grid for power generation. The petitioner has broadly submitted the following in the subject petition:

“(i) After installation of 950 kW solar plants, the petitioner applied for 950 KW capacity solar generations. Our application got revised for 742 KW only, under the plea that as per notification of 2015 read with amendment dated 3/02/2017 of MPERC there is limit for installation of maximum capacity of rooftop solar generation as should not exceed 30% of capacity of Distribution transformer.

- (ii) *Thus, as against installed capacity of 950 KW, we got permission (vide order No. MD/WZ/SOLAR/2019/8235 INDOR DT. 22/04/2019) to utilize 742 KW only. Rest of the capacity of solar plant i.e., 208 KW is lying idle/ un-utilized. Huge capital expenditure already incurred has been blocked causing recurring losses due to interest on capital lying idle. The copy of the said order dated 22.04.2019 is filed as Annexure C.*
- (iii) *This cause loss not only to our company but also to nation when the promotion of renewable sources of energy including solar power is one of the objectives in the Electricity Act 2003 and National Electricity Plan.*
- (iv) *That the petitioner requested the Respondent No.1 vide letter dated 02.12.2019 (read with letter dated 16.11.2019) and also met the Managing Director WZ also on 09.12.2019, handed over letter dated 9.12.2019 to intimate the rules/ regulations in accordance with which the capacity of his solar plant has been curtailed. Request once again was also made to the MD on 24.12.2019 in person without any results. Copy of the said letter are filed herewith as Annexure D, E & F.*
- (v) *No reply has been intimated by the Respondent No.1 in writing however he has been relying on clause 5 of the MPERC (Net metering Regulation and grid connectivity) Regulation 2015 notified on dated 23.10.2015 read with its amendment notified on date 03.02.2017.*
- (vi) *In this connection, the petitioner reproduces the provision of Clause 5 of the Regulation 2015 which reads as under,*
"5. Capacity of Distribution Transformer: - The Distribution Licensee shall update distribution transformer level capacity available for connecting renewable energy systems under net metering arrangements on yearly basis and shall provide the information on its website.
Provided that the cumulative capacity allowed at a particular distribution transformer shall not exceed 15% of the peak capacity of the distribution transformer."
- (vii) *Subsequently, the MPERC by first amendment of 2015 Regulation notified on 3/2/2017 which amended the Regulation 5 quoted as under:*
*" In the proviso, for the figure and sign 15%, the figure and sign **30% shall be substituted**".*

- (viii) *In this connection in order to derive the interpretation of the above-mentioned clause 5, the Applicant submits following definitions as per the provisions of Electricity Act 2003,*

Clause 2(17)

“Distribution licensee” means a licensee authorized to operate and maintain distribution system for supplying electricity to the consumer in his area of supply.

The Regulation 2015, clause 2 (h) also defines as under,

“ Distribution licensee” or “licensee” means a person granted a license under section 14 of the Act authorizing him to operate and maintain a distribution system for supplying electricity to the consumer.

Clause 2 (18) Distribution system means the system of wires and associated facilities between the delivery points in the transmission lines or the generating station connection and the point of connection to the installation of the consumers.

- (ix) *Thus, on harmonious interpretation of the clause, it is evident that in the case of the petitioner, it is the power Transformer of the Respondent No.1 and not the distribution transformer of the petitioner which is being referred in the Regulation and the interpretation being derived by the Respondent No.1 is not sustainable under law.*
- (x) *The petitioner is getting supply from 132/33 KV MPS S/s at Dewas through 33 KV Industrial feeder No. 8. The capacity of 132/33 KV power transformers are 2x60 MVA plus 1x40 MVA. There are no capacity constraints to allow installed capacity of 950 KW to the Grid of NA1.*
- (xi) *The Applicant therefore humbly submits that the NA1 on an erroneous interpretation curtailed the capacity of solar plant to 742 KW against installed capacity of 950 KW acting in contravention to the various incentive policies notified by the GoMP to encourage generation of electricity from renewable energy system in the state of MP.”*

3. With the above submissions, the petitioner prayed as under:

- (a) Direct the Respondent No. 1 to allow complete installed capacity of 950 KW connected to the grid.
- (b) To clarify/ amend Clause 5 of the Regulation to avoid confusion of the distribution system of the licensee and distribution transformer of the Applicant installing Renewable energy system. The word “distribution” before transformer in first line of

clause 5 may please be considered to be substituted by “distribution/ power as the case may be” so that such anomaly/ refusal may be avoided.

4. None appeared on behalf of the petitioner in the motion hearing held on 25.02.2020. To provide an opportunity to the petitioner, the case was fixed for motion hearing 24.03.2020. The hearings in all cases including the subject petition were postponed due to outbreak of Covid-19 followed by nation-wide lockdown. Therefore, the motion hearing in this matter was re-scheduled on 14th May’ 2020 through video conferencing.
5. The petition was admitted on 14.05.2020 and the petitioner was directed to serve copy of subject petition on all Respondents in the matter. The Respondents were directed to file their replies to the petition within 15 days.
6. At the hearing held on 29.09.2020, the following status of submissions was observed:
 - (i) Vide letter dated 03.07.2020, the petitioner confirmed service of petition on all the Respondents.
 - (ii) Vide letter dated 24.08.2020, the Respondent No.1 filed reply to the subject petition.
 - (iii) Vide letter dated 19.09.2020, the Respondent No.3 filed reply to the subject petition.
 - (iv) Vide letter dated 24.09.2020, the Respondent No. 2 filed reply to the subject petition.
 - (v) The petitioner has filed rejoinder on 22.09.2020.
7. The representatives for the petitioner and the Respondents concluded their arguments on 29.09.2020.
8. Vide letter dated 24.08.2020 (received on 27.08.2020) Respondent No. 1 (MPPaKVVCL) submitted the following:
 - “(i) *At the outset, it is submitted that, the Respondent No. 01 has acted as per the relevant Regulation of the Hon’ble Commission/State Government, in not allowing the Petitioner full installed capacity of solar roof top unit 950 KW connected to grid for power generation. In this context, it is submitted that, earlier the Petitioner applied for 742 KW solar plant installation and as per the provisions of the relevant Regulations, Respondent No. 01 has sanctioned installation of 742 KW plant vide letter no. 8235 dated 22.04.2019 and accordingly an Agreement for Solar Net Metering of 742 Capacity Plant has already been executed, on the Application the Petitioner. Copies of the Application & letter dated 22.04.2019 is annexed and collectively marked as **Annexure R-I**.*
 - (ii) *Further, it is submitted that, after sanctioning of the installation of 742 KW plant, the Petitioner applied for additional 208 KW rooftop solar generation plant, vide letter No. NIL dated 02.12.2019 and requested for the permission to utilise full 950 KW roof top solar generation & Net metering as already lying installed. The request made by the*

*Petitioner for additional 208 KW rooftop solar generation plant is not as per the provisions of the MPERC Regulation 2015 and therefore the same has not been considered and denied vide letter No. 956 dated 18.01.2020. Copy of the said letter dated 02.12.2019 and letter dated 18.01.2020 are annexed and marked as **Annexure R-II & R-III**.*

- (iii) *It is submitted that, as per the relevant Regulation the Petitioner may not be allowed for additional 208 KW solar roof top installed capacity connected to grid for power generation. In this context, it is submitted that, the Petitioner applied for total 950 KW Capacity Solar Generator but the same was not permissible as per the MPERC (Grid Connected Net Metering) Regulation 2015, Notified on dated 23.10.2015, as amended vide First Amendment to MPERC (Grid Connected Net Metering) Regulation 2015 notified in the Gazette dated 03.02.2017. It is provided in the proviso to the Clause 5 of the said Regulation, 2015 that, “... **the cumulative capacity allowed at a particular distribution transformer shall not exceed 15% of the peak capacity of the distribution transformer.**” and in the said Regulation 5 the cumulative capacity has been amended and fixed 30% vide First Amendment to the said Regulation 2015. It is provided in the First amendment that, “**In Regulation 5, in the proviso, for the figure and sign “15”, the figure and sign “30” shall be substituted.**” Further, it is submitted that, instructions to the IT Cell of the Respondent No. 01 has already been issued to comply with the Regulation 05 i.e. “**The Distribution licensee shall update distribution transformer capacity available for connection renewable energy system under net metering arrangements on yearly basis and shall provide the information on its’ website.**” not relevance.*
- (iv) *In this regard on bare perusal of the said Regulation, it is submitted that, the Solar Plant Capacity should not exceed 30% of the Distribution Transformer Capacity installed in the premises of the Consumer and in the instant case that, the Capacity of the Distribution Transformer, installed in the premises of the Petitioner is 2750 KVA and therefore in view of the provisions of aforementioned Regulation 2015 readwith the Policy for the Renewable Energy Department Bhopal of October 2016 & amended Policy 14.11.2017 and according to the MPERC Regulation 2016, the installation of the Solar Plant of the 950 KW capacity is not possible, considering the Capacity of the Distribution Transformer available in the premises of the Petitioner, as it exceeds the ceiling fixed in aforesaid Regulation, 2015.*
- (v) *Further, it is submitted that, in reference to various letters No. NIL dated 02.12.2019, 09.12.2019, 17.11.2019 and 13.12.2019 given by the Petitioner, for allowing full installed capacity of solar unit 950 KW connected to grid for power generation, the Petitioner has been informed of the same vide letter No. 956 dated 18.01.2020 of the Respondent No. 01.*

- (vi) *It is contended by the Petitioner, in view of the definitions given under Section 2 (17) "Distribution Licensee", Section 2 (18) Distribution System of the Electricity Act, 2013 and also in view of the Single line diagram for Roof Top solar Grid connectivity arrangement as provided in the Madhya Pradesh Policy for Rooftop Renewable Energy Project 2016 that, the capacity of grid at Grid and not the capacity of transformer of HT Consumer is to be taken in to consideration and therefore there are no capacity constraints to allow installed capacity of 950 KW to the Grid of NA1. In this context, it is submitted that, aforesaid contention of the Petitioner is baseless and based on the wrong interpretation of the relevant provisions. It is submitted that, the Cumulative Capacity of the Distribution Transformer is to be taken into consideration and not the capacity of the Grid for the purpose of connectivity to grid for power generation, as per the said Regulation 2015 alongwith other relevant provisions. Here, it is relevant to mention the definition of the Distribution Transformer as given in Indian Standard i.e. in IS1180 (Part 1) :2014*

"3.1 Distribution Transformer - A distribution transformer is a transformer that provides the final voltage transformation in the electric power distribution system, stepping down the voltage used in the distribution lines to the level used by the customers."

- (vii) *The contention of the Petitioner that, it is getting supply from 132/33 KV MSP S/s at Dewas through 33 KV industrial feeder No. 8, the capacity of 132/33 KV power transformers are 2 X 60 MVA plus 1 X 40 MVA and therefore there are no capacity constraints to allow installed capacity of 950 KW to the Grid Respondent No. 01, is false, incorrect and based on wrong interpretation of the relevant provisions.*
- (viii) *The contention of the Petitioner that, the Respondent No. 01, on an erroneous interpretation curtailed the capacity of solar plant to 742 KW against installed capacity of 950 KW and thereby acted in contravention to the various incentive policies notified by the GOMP to encourage generation of electricity from renewable energy system in the state of MP is misconceived. In this context, it is emphatically denied that, the Respondent No. 01 has contravened aforesaid policies notified by the GOMP and has submitted the Respondent No. 01 is always keen to comply with the Regulations/Policies in discharging its various functions. It is submitted that, the Respondent No. 01 has not curtailed the capacity of solar roof top plant whereas earlier the petitioner has applied for 742 KW and the same has been sanctioned. However, the respondent No. 01 has refused full capacity of 950 KW, as per the relevant provisions of the Regulations, on the application dated 02.12.2019 of the petitioner submitted for additional 208 KW roof top plant generation.*
- (ix) *Further, it is submitted with regard to the submission of the Petitioner, to clarify/amend the clause 5 of the regulation to avoid confusion of the distribution system of the licensee*

and distribution transformer of the Applicant installing Renewable energy system that, the clause 5 of the Regulation, 2015 is clear and there is no ambiguity/confusion and therefore the prayer of the Petitioner made in this regard that, "... The word "distribution" before transformer in first line of clause 5 may please be considered to be substituted by "distribution/power as the case may be" so that such anomaly/refusal may be avoided." may not be considered. In this context, it is pertinent to mention that, Regulation are framed, following due process prescribed in this regard. These are framed after research, examining the technical issues relates to the subject matter, its feasibility/viability and after conducting public hearing etc. and therefore may not be amended on the instance of a specific case.

- (x) In this context, it is submitted that, aforesaid prayer of the Petitioner is not maintainable, as two distinct remedies may not be sought in a single Petition. As per settled legal principles the Petitioner may be directed to file separate petition before the Competent Court/Commission.*
- (xi) In view of above, it is submitted that, the present Petition is devoid of the merit and misconceived and hence may be dismissed. The Respondent No. 01 craves leave of the Hon'ble Commission to give additional submission/Reply, if so required.*
- (xii) Hence, the **Respondent No. 01 (M.P.P.K.V.V. Co. Ltd., Indore)** most humbly prays to the Hon'ble Commission that, the present Petition may be dismissed and necessary directions may be passed, in the light of the facts and circumstances of the present Petition, considering the statutory provision in this regard."*

9. Vide letter dated 19.09.2020 (received on 22.09.2020), the Respondent No. 3 (MPPoKVVCL) while mentioning provisions under Regulation 5 of MPERC (Net Metering) Regulations, 2015, broadly submitted the following:

- "(i) At the outset, Respondent-3 would like to submit that the issues regarding the circumstances of the instant matter would be submitted by the Respondent-1 are not pertaining to the respondent-3 and detailed submission would be made by Respondent-1 on these issues.*
- (ii) It may kindly be seen that the cumulative capacity allowed at a particular distribution transformer shall not exceed 30% of the peak capacity of the distribution transformer. Therefore, as per present provision of the regulation the MPPKVVCL, Indore rightly limit the Solar RE Capacity of the petitioner upto 742 KW.*
- (iii) The Word "Distribution Transformer" is defined in ISI 180 (Part I) 2014 (Annexure-1) in point 3.1 as under: "**A distribution transformer is a transformer that provides***

the final voltage transformation in the electric power distribution system, stepping down the voltage used in the distribution lines to the level used by the consumer.”

- (iv) *It is clear that the transformer used for stepping down the distribution line voltage to the voltage level used by the consumer is distribution transformer.*
- (v) *It may kindly be seen from the above that there is no misinterpretation of Regulation 5 of the MPERC (Net Metering) Regulations, 2015 and amendment thereof by the Respondent-1. The said provision of Regulation 5 of the MPERC (Net Metering) Regulations, 2015 and amendment thereof are clear and there is no ambiguity in this regard.*
- (vi) *It is pertinent to mention here that in joint reply in petition 42 of 2019 filed before the Hon'ble Commission the Discoms of the state of MP has already submitted to increase the Maximum allowable Capacity upto 40%. The said petition is under adjudication.*
- (vii) *Further, the MP Policy for Decentralized Renewable Energy System, MP Gazette dated 04.10.2016 states that “4.5 This policy sets the roadmap for growth of decentralized RE System in the state. The Regulations, especially pertaining to Net metering, might be further liberalized, so as to enable growth of RE projects in accordance with the target set by Government of India. However, in case of any discrepancy between the provisions of this policy and the regulations of the Commission, at present or in future, the provision of the orders/ regulations of the commission shall prevail.”*
- (viii) *It may be clearly observed from para (vii) that in case of any discrepancy between the provisions of this policy and the regulations of the Commission, at present or in future, the provision of the orders/ regulations of the commission shall prevail. Therefore, the existing provision of the MPERC (Net Metering) Regulations, 2015 and amendment thereof will prevail over the provisions of the policy.*
- (ix) *In view of the above, the Hon'ble Commission is hereby requested to quash the prayer of the petitioner as per existing provision of the MPERC (Net Metering) Regulations, 2015 and amendment thereof.”*

10. The Respondent No. 2 vide its letter dated 24.09.2020 (received on 05.10.2020) submitted as under:

“Going through the contents of the petition, it has been revealed that M/s. ROCA Bathroom Products Pvt. Ltd., Dewas has applied for 950KW capacity solar generation, out of which the West Discom Indore has allowed them for 742 KW only. For the balance capacity, it has

been mentioned by them that as per Clause 5 of MPERC (Grid connected Net Metering) Regulation, 2015 as amended time to time, the maximum capacity of Rooftop solar generation should not exceed 30% capacity of distribution transformer and by allowing the consumer full capacity, this capacity exceeds from this limit.

In the MPERC (Grid connected Net Metering) Regulation, 2015, there is no mention regarding capacity of power transformer, the Commission may kindly take an appropriate view on this matter by suitably amending this Regulation.”

11. In response to the reply filed by the Respondent No.1 (West Discom), the petitioner vide letter received on 22.09.2020 broadly submitted the following para-wise reply:

- “(i) The statement of MPPKVVCL, Indore that the petitioner initially applied for 742 KW is false/ not correct. Initially we applied for 950 KW. It is the Discom who got our application revised for 742 KW and accorded sanction for 742 KW.*
- (ii) After commissioning 742 KW, we again started pursuing sanction for 950 KW. Such that we could utilize full 950 KW installed capacity. Rejection of our request is altogether arbitrary and contrary to the provisions of MPERC Regulation 2015 and amendment thereof in 2017.*
- (iii) We had installed 950 kW and from beginning we wanted sanction for full 950 KW. Permission of 950KW which is well within the rules and regulation.*
- (iv) In para 4 of the reply filed by MPPKVVCL, Indore, it has arbitrarily added words “Installed in the premise of the consumer” whereas, there are no such words in regulations.*
- (v) The contention of the respondent is arbitrary, totally wrong and baseless. It seems that the entire concept of grid connected roof top solar plant is not clear to the respondent.*

The petitioner agrees:

“A distribution transformer or service transformer is a transformer that provides the final voltage transformation in the electric power distribution system, stepping down the voltage used in the distribution lines to the level used by the customer.

The distribution transformer means, a transformer of Discom used to step down the voltage the level required by consumer. Moreover, the term “Distribution” always relates to distribution of power to consumer by licensee. The term is never used on consumer’s equipment. Thus, in the regulation: Distribution Transformer is the transformer of licensee which steps down voltage used in the distribution lines to the

level used by the 33 kV HT customer. Since ours is HT connection on 33 KV hence according to the regulation 2015 clause 5, the Distribution transformer would be transformer installed at 132/33 KV s/s (Step down) whereas transformer in our HT premises is 33/0.4 KV and called consumer's transformer not Distribution Transformer.

- (vi) *Also: Appellate Tribunal for electricity (Appellate jurisdiction) in appeal no. 30 of 2012 vide order dated 14 December 2012 in para 39 has explained the word "Distribution Transformer as follows:*

"Transformer in the consumer premises although a transformer but not a distribution transformer. A distribution transformer can operated and maintained by distribution licensee only and not by the consumer."

Commission's observation and Findings:

12. The Commission has observed the following from the subject petition and the submissions made by the Petitioner Respondents:

(i) The petitioner is a HT consumer of the Respondent No.1 (M.P. Paschim Kshetra Vidyut Vitaran Co. Ltd) having contract demand of 1800 KVA. The electricity is supplied to the petitioner through 33 KV Industrial feeder emanating from 132/33 KV MPS S/s at Dewas. The capacity of consumer's transformer installed in the premises of the petitioner is 2750 KVA and this transformer is owned and maintained by the petitioner.

(ii) The petitioner applied for 950 KW capacity of its roof top solar generation plant under the provisions of MPERC (Grid connected Net Metering) Regulations, 2015 and its first amendment notified on 03.02.2017. Out of total installed capacity of 950 KW, the Respondent No.1 accorded sanction for the capacity of 742 KW only mentioning that the balance capacity of 208 KW of petitioner's roof top solar generation plant cannot be sanctioned as per provisions of aforesaid Regulations as amended. Accordingly, an agreement has been executed between the petitioner and the Respondent No.1 for Solar Net Metering capacity of 742 KW.

- (iii) Clause 5 of MPERC (Grid connected Net Metering) Regulations, 2015 provides as under,

"5. Capacity of Distribution Transformer: - The Distribution Licensee shall update distribution transformer level capacity available for connecting renewable energy systems under net metering arrangements on yearly basis and shall provide the information on its website.

Provided that the cumulative capacity allowed at a particular distribution transformer shall not exceed 15% of the peak capacity of the distribution transformer."

(iv) Subsequently, by first amendment in the aforesaid Regulations notified on 03.02.2017, the limit of cumulative capacity allowed at a particular distribution transformer has been enhanced from 15% to 30 % of its peak capacity.

(v) The core issue involved in the subject petition is that the Respondent No.1 has considered the capacity of the transformer (2750 KVA) installed by the petitioner in its premises for availing 33 kV HT supply in terms of Proviso to the abovementioned Clause 5 of MPERC (Grid connected Net Metering) Regulations, 2015 and its amendment. On the other side, the petitioner has contended that the capacity of Power Transformer of the Respondent No.1 (Distribution Licensee) instead of petitioner's transformer should be considered to limit the roof top Solar capacity of the petitioner for connection with the grid in terms of Clause 5 of aforesaid Regulations.

(vi) The petitioner and the Respondents in support of their arguments have placed the following definitions under the Electricity Act'2003, MPERC (Grid connected Net Metering) Regulations, 2015 and Indian Standard i.e., IS1180 (Part 1): 2014

(a) Section 2(17) of the Electricity Act '2003 provides as under:

"distribution licensee" means a licensee authorized to operate and maintain distribution system for supplying electricity to the consumer in his area of supply.

(b) Section 2 (19) of the Electricity Act'2003 provides as under:

"distribution system" means the system of wires and associated facilities between the delivery points in the transmission lines or the generating station connection and the point of connection to the installation of the consumers.

(c) Regulation 2 (h) of MPERC (Grid connected Net Metering) Regulations, 2015 defines as under,

"Distribution licensee" or "licensee" means a person granted a license under section 14 of the Act authorizing him to operate and maintain a distribution system for supplying electricity to the consumers in his area of supply;

(d) The Word "Distribution Transformer" is defined in ISI 180 (Part I) 2014 (Annexure-1) in point 3.1 as under: ***"A distribution transformer is a transformer that provides the final voltage transformation in the electric power distribution***

system, stepping down the voltage used in the distribution lines to the level used by the customers.”

(vii) On conjoint reading of all above definitions, it is observed that the “distribution system” which is operated and maintained by the Distribution licensee for supply of electricity to the consumers, is the system of wires and associated facilities between the delivery points and the point of connection to the installation of the consumers. In terms of the provisions under MP Electricity Supply Code 2013, the point of supply to the petitioner is HT meter/metering equipment before the consumer’s transformer. As per provisions under MP Electricity Supply Code, 2013, the transformer installed by HT consumer in its premises (consumer’s transformer) is beyond the point of connection provided by the Respondent No.1 to the petitioner. Further, as per the definition of “Distribution Transformer” in ISI 180 (Part I) 2014 (Annexure-1) mentioned by the Respondents No.1 and 3, the Distribution Transformer steps down the voltage used in the distribution lines to the level used by the customers. In the subject matter, the distribution lines are the Distribution System of the Respondent No.1 and the voltage level availed/used by the petitioner is 33 kV. Further, clause 5 of the Grid Connected Net Metering Regulations provides that the Distribution Licensee shall update distribution transformer level capacity available for connecting renewable energy systems under net metering arrangement on yearly basis and shall provide the information on its website. Proviso of this clause provides that cumulative capacity allowed at a particular distribution transformer shall not exceed 30% of peak capacity of the distribution transformer. So, the restriction of 30% is applicable on the transformer of the Distribution Licensee feeding to consumer.

13. In view of all above observations, the Commission is of the view that the capacity of transformer feeding the distribution system of the Respondent No.1 through which it is supplying electricity to HT connection of the petitioner be considered for the purpose of arriving at limit of roof top Solar capacity of the petitioner in terms of proviso to Clause 5 of MPERC (Grid connected Net Metering) Regulations, 2015 as amended. With the aforesaid observations and finding, the subject petition is disposed of.

(Shashi Bhushan Pathak)
Member

(Mukul Dhariwal)
Member

(S.P.S. Parihar)
Chairman