

Bhopal, the 20th February 2024

No. MPERC/2024/480 In exercise of the powers conferred by Section 181 read with sub-section (b) of Section 86 of the Electricity Act 2003 (N0.36 of 2003) and all powers enabling it in that behalf, the Madhya Pradesh Electricity Regulatory Commission hereby makes the following amendment in the Madhya Pradesh Electricity Regulation Commission (Power Purchase and other matters with respect to conventional fuel based captive power plants) Regulations, (Revision-I) 2009 [RG 30(I) of 2009] hereinafter referred to as the "Principal Regulations" namely:-

SECOND AMENDMENT TO MADHYA PRADESH ELECTRICITY REGULATORY COMMISSION (POWER PURCHASE AND OTHER MATTERS WITH RESPECT TO CONVENTIONAL FUEL BASED CAPTIVE POWER PLANTS) REGULATIONS, (REVISION-I) 2009

PREAMBLE

Whereas the Commission had notified Madhya Pradesh Electricity Regulatory Commission (Power Purchase and Other Matters with respect to conventional fuel based Captive Power Plants) Regulation, (Revision-I) 2009 (RG-30(I) of 2009) on 20.02.2009 and whereas certain changes are necessary in these Regulations to align them with the Electricity Amendment Rules 2023 notified by the Ministry of Power, Government of India on 01.09.2023 and to revise the charges for standby support, therefore these amendments in Madhya Pradesh Electricity Regulatory Commission (Power Purchase and Other Matters with respect to conventional fuel based Captive Power Plants) Regulation, (Revision-I) 2009 are being notified.

1. Short title, commencement and interpretation

1.1 These Regulations may be called the '**Madhya Pradesh Electricity Regulatory Commission (Power Purchase and Other Matters with respect to conventional fuel based Captive Power Plants) Regulations, (Revision-I) 2009 (Second Amendment) {ARG-30 (I) (ii) of 2024}**'.

1.2 These Regulations shall come into force on the date of their publication in the official gazette of the Government of Madhya Pradesh.

2. Amendment to Regulation 1 of the Principal Regulations:

2.1 Sub-clause (aa) of Regulation 1.4 of the Principal Regulations shall be deleted.

2.2 Regulation 1.5 of the Principal Regulation shall be substituted by the following, namely:

“1.5 A power plant shall be identified as a Captive Power Plant only if it satisfies the conditions contained in Electricity Rules, 2005 and its amendments from time to time.

2.3 Regulation 1.6 of the Principal Regulation shall be substituted by the following, namely:

“1.6 If in any financial year, the conditions contained in the Electricity Rules, 2005 are not satisfied by the captive generator and/or captive user(s), consequences as specified in regulations 7 of the MPERC (Verification of Captive Generation Plants and Captive Users) Regulations, 2023 shall follow. The captive generator and captive user(s) shall have the right to represent against the decision of determination of captive status by the designated authority as per the regulation 9 of the MPERC (Verification of Captive Generation Plants and Captive Users) Regulations, 2023.”

3. Amendment to Regulation 4 of the Principal Regulations:

3.1 Regulation 4.15 of the Principal Regulation shall be amended as follows:

“words and digits “Rs. 31” and “Rs. 25” appearing in Regulation 4.15 shall be substituted by “Rs. 16” and “Rs. 13” respectively.

3.2 2nd proviso of Regulation 4.15 of the Principal Regulation shall be substituted by the following proviso, namely: -

“Provided further that the commitment charges as extended vide order dated 14.12.2023 shall be applicable up to the date of commencement of this amendment and the revised commitment charges indicated above shall be applicable till 31.03.2027 and shall be reviewed thereafter.”

By order of the Commission,
UMAKANTA PANDA, Commission Secy.