

Bhopal, the 4th March 2025

No. MPERC / 2025/ 423 In exercise of the powers conferred by Section 181 read with Section 61(h) and 86(1)(e) of the Electricity Act 2003, (36 of 2003) and all other powers enabling it in that behalf, the Madhya Pradesh Electricity Regulatory Commission, hereby makes the following Regulations to amend the Madhya Pradesh Electricity Regulatory Commission (Cogeneration and Generation of Electricity from Renewable Sources of Energy (Revision-II) Regulations 2021[RG-33(II) of 2021], herein after referred to as the “Principal Regulations” namely :-

FOURTH AMENDMENT TO MADHYA PRADESH ELECTRICITY REGULATORY COMMISSION (COGENERATION AND GENERATION OF ELECTRICITY FROM RENEWABLE SOURCES OF ENERGY (REVISION-II) REGULATIONS 2021[ARG-33(II)(iv) of 2025]

1. Short Title and Commencement-

- 1.1. These Regulations shall be called “**Madhya Pradesh Electricity Regulatory Commission (Cogeneration and Generation of Electricity from Renewable Sources of Energy (Revision-II) Regulations 2021(Fourth Amendment) [ARG-33(II)(iv) of 2025]**”.
- 1.2. These Regulations shall come into force from the date of their publication in the Madhya Pradesh Gazette.
- 1.3. These Regulations shall extend to the whole of the State of Madhya Pradesh.

2. Amendment to Regulation 2 of the Principal Regulations.

- 2.1 Regulation 2 (xi) of the Principal Regulations is omitted:
- 2.2 Regulation 2(xiv), 2 (xx) and 2 (xxiii) of the Principal Regulations is substituted as under, namely: -

“2 (xiv) ‘Open Access Consumer’ means a person who has availed open access either under CERC (Connectivity and General Network Access to the inter-State Transmission System) Regulations, 2022 (as amended and revised from time to time) or under Madhya Pradesh Electricity Regulatory Commission (Terms and Conditions for Intra-State Open Access in Madhya Pradesh) Regulations, 2021 (Revision-I)(as amended

and revised from time to time) and shall include Short-term Transmission/Distribution Consumers also as defined in any other Regulations specified by CERC/MPERC from time to time;”

“2 (xx) ‘Renewable Purchase Obligation(RPO)’ means a minimum quantum of electricity to be procured under the provisions of Electricity Act 2003 by all the Obligated Entities from generators of renewable energy including co-generation from renewable sources of electricity expressed as percentage of their total annual procurement of electrical energy during the Financial Year as per Regulation 3 of these Regulations;”

“2 (xxiii) ‘State Agency’ means the State Agency to be designated by the Commission through an order to act as the agency for accreditation of eligible entities connected with intra state transmission system for grant of renewable energy certificates and recommending the renewable energy projects in Madhya Pradesh;”

2.3 A new Regulation namely 2 (xxiii) (a) shall be inserted after Regulation 2 (xxiii) and before Regulation 2 (xxiv), as under, namely: -

2 (xxiii) (a) ‘State RPO Monitoring Agency/Agencies’ means The State RPO Monitoring Agency/Agencies to be designated by the Commission through order(s) to act as the nodal agency for monitoring, verification and reporting RPO compliance of each of the obligated entity in their jurisdiction;”

2.4 A new Regulation namely 2 (xx) (a) shall be inserted after Regulation 2 (xx) and before Regulation 2 (xxi), as under, namely: -

2 (xx) (a) ‘RPO Portal’ means a web portal developed by the Commission for reporting of RPO compliance by the Obligated Entities including Distribution Licensees and Indian Railways;”

3. Amendment to Regulations 3 of the Principal Regulations.

Regulation 3.1.9 of the Principal Regulations shall be substituted as under, namely:

“ 3.1.9 Any shortfall remaining in achievement of ‘Other RPO’ category in a particular year can be met with either the excess energy procured from Wind Power Projects (WPPs) commissioned after 31st March 2022 beyond ‘Wind RPO’ for that year and the wind energy procured over and above 7% from WPPs commissioned till 31st March 2022 or with excess energy procured from eligible Hydro Power Projects [including Pumped Storage Projects (PSPs) and Small Hydro Projects (SHPs)], commissioned after 8th March, 2019 beyond ‘HPO’ for that year or partly from both. Further, any shortfall in achievement of Wind RPO in a particular year can be met with excess energy procured from Hydro Power Plants,

which is in excess of 'HPO' for that year and vice versa. Moreover, any excess energy consumption under Other renewable energy category in a particular year, can be utilised to meet the shortfall in RPO compliance of Wind renewable energy or Hydro renewable energy."

4. Amendment to Regulations 5 of the Principal Regulations.

Regulation 5.3 of the Principal Regulations shall be substituted as under, namely:

" The metering shall be installed at Generating Plant site by the Distribution Licensee for measuring parameters required as per Tariff Orders issued from time to time and for energy accounting by SLDC, in accordance with Madhya Pradesh Electricity Balancing and Settlement Code, 2023 , MPERC (Forecasting, Scheduling, DSM and related matters of Wind and Solar Generating Stations) Regulations, 2018, Madhya Pradesh Electricity Grid Code (Revision-III), 2024 and Madhya Pradesh Electricity Distribution Code (Revision-1), 2024 {RG-29(I) of 2024} as amended and revised from time to time."

5. Amendment to Regulations 7 of the Principal Regulations.

In Regulation 7 (a) of the Principal Regulations, for the words "MP Electricity Grid Code, 2019", words "Madhya Pradesh Electricity Grid Code (Revision-III), 2024" shall be substituted.

6. Amendment to Regulations 9 of the Principal Regulations.

In Regulation 9.3 of the Principal Regulations, for the words "MPERC Balancing and Settlement Code, 2015" and "MP Electricity Grid Code, 2019", words "Madhya Pradesh Electricity Balancing and Settlement Code, 2023" and "Madhya Pradesh Electricity Grid Code (Revision-III) 2024" shall be substituted respectively.

7. Amendment to Regulations 11 of the Principal Regulations.

7.1 In Regulation 11.1 (a)(iii) and 11.1 (b) (ii) of the Principal Regulations, for the words "Madhya Pradesh Electricity Regulatory Commission(Grid connected Net Metering) Regulations, 2015", words "Madhya Pradesh Electricity Regulatory Commission (Grid Interactive Renewable Energy Systems Related Matters) Regulations [Revision-II], 2024" shall be substituted.

- 7.2 In Regulation 11.2(a) of the Principal Regulations, for the words “MP Electricity Balancing and Settlement Code, 2015” and “MP Electricity Grid Code, 2019”, words “Madhya Pradesh Electricity Balancing and Settlement Code, 2023” and “Madhya Pradesh Electricity Grid Code (Revision-III), 2024” shall be substituted respectively.

8. Amendment to Regulation 12 of the Principal Regulations.

After Regulation 12.4 of the Principal Regulations, following Regulations namely 12.5, 12.6 and 12.7 shall be inserted respectively as under, namely: -

“12.5 All the Obligated Entities referred to in Regulation 2(xiii) and State RPO Monitoring Agencies referred to in Regulation 14 (B) shall be required to register on RPO Portal of the Commission within a period of 1 month from the date of notification of these Regulations and start reporting RPO compliance every month. A protocol for reporting RPO obligation and compliance by Obligated Entities and monitoring and verification of RPO obligation and compliance by State RPO Monitoring Agencies shall be notified separately by the Commission.”

“12.6 A report on RPO obligation and compliance of each of the Obligated Entities shall be submitted by the State RPO Monitoring Agencies by 15th May of each year. The report shall contain the RPO obligation and compliance status of each obligated entity along with supporting documents.”

“12.7 The Commission shall examine the reports submitted by the State RPO Monitoring Agencies and shall pass a declaration of RPO compliance status of each obligated entity through separate orders or through a common order as it may deem fit.”

9. Amendment to Regulations 13 of the Principal Regulations.

In Regulations 13.1 and 13.2 of the Principal Regulations, for the words “Central Electricity Regulatory Commission (Terms and Conditions for recognition and issue of Renewable Energy Certificate for Renewable Energy Generation) Regulations, 2010”, words “CERC (Terms and conditions for recognition and issuance of Renewable Energy Certificate for Renewable Energy Generation) Regulations, 2022” shall be substituted.

10. Amendment to Regulations 14 of the Principal Regulations.

Regulation 14 of the of the Principal Regulations shall be substituted as under, namely: -

“14. (A) State Agency

- 14.1 The State Agency shall function in accordance with the directions of the Commission and shall act in a manner consistent with the procedures and rules of the Central Agency for discharge of its functions under the CERC (Terms and conditions for recognition and issuance of Renewable Energy Certificate for Renewable Energy Generation) Regulations, 2022 as amended from time to time.
- 14.2 The Commission may, at any time, by general or specific order, designate any other entity to function as State Agency.

(B) State RPO Monitoring Agency

- 14.3 The State RPO Monitoring Agency/ RPO Monitoring Agencies shall be responsible for monitoring and reporting RPO obligation and compliance of obligated entities within their jurisdiction and shall function in accordance with the directions of the Commission as may be specified from time to time through separate orders. The State RPO Monitoring Agency/Agencies so designated shall be provided limited access to RPO portal to get information filed by obligated entities with regard to procurement of Renewable Energy/REC.
- 14.4 The Commission may, at any time, by general or special Order, designate any other entity/entities to function as the State RPO Monitoring Agency/Agencies.”

11. Amendment to Regulations 15 of the Principal Regulations.

Regulation 15 of the of the Principal Regulations shall be substituted as under, namely: -

“15. Effect of Default

- 15.1 In the event the Obligated Entities do not fulfil the mandate of the obligation to purchase energy from Renewable Energy Sources as provided in these Regulations during any Financial Year and also do not purchase the certificates from the Power Exchange, the Commission may:
- (i) direct the Obligated Agency to deposit into a Separate Fund, to be maintained by such Obligated Entity, such amount as the Commission may determine as required for purchase of renewable energy certificates (RECs) to the extent of the estimated obligation on the basis

of the shortfall in units of RPO and the average price of the RECs on power exchanges during preceding 6 months, which shall be utilised as may be directed by the Commission, primarily for purchase of RECs and for development of Transmission Infrastructure for evacuation of power from Generating Stations based on Renewable Energy Sources, if after purchase of required RECs, unutilised amount remains in the separate fund:

Provided that the Obligated Entities shall not be authorised to use the fund created in pursuance of Clause (i) above, without prior approval of the Commission;

- (ii) to the extent of the shortfall in the fulfilment of the obligations, the Commission may empower an officer of the State Agency to procure from Power Exchange the required number of Certificates out of amount in the Fund;
- (iii) may direct the nodal agency for short term open access to regulate intra state short term open access of energy other than green energy of the obligated entity as per provisions OF Madhya Pradesh Electricity Regulatory Commission (Terms and Conditions for Intra-State Open access in Madhya Pradesh) Regulations, 2021.

15.2 The Distribution Licensee shall be considered to be in breach of its Licence conditions if it fails to deposit the amount directed by the Commission within 15 days of the communication of the direction.

15.3 Further, where any person though required to comply with these Regulations fails to purchase the required percentage of power from Renewable Energy Sources or the Renewable Energy Certificates, he shall also be liable for penalty as may be decided by the Commission under Section 142 of the Act.

15.4 In case of genuine difficulty in complying with the RPO on account of non-availability of Renewable power or certificates, the obligated entity can approach the Commission to carry forward the compliance requirement to the next year and the Commission will take the appropriate view in the matter on case-to-case basis;

Provided that the Commission while allowing such carry forward of the compliance requirement to the next year after due diligence, may also direct the concerned obligated entity to procure additional renewable energy or RECs equivalent to the amount computed on the monetary value of RPO shortfall at base rate of late payment surcharge (LPS) as prescribed under Late Payment Surcharge Rules notified by Government of India, Ministry of Power, as may be applicable during the year for which RPO was to be complied with by the obligated entity;

Provided further that when carry forward of the RPO compliance is allowed by the Commission, provisions of Regulation 15.1(iii) of these Regulations shall not be applied.”

By order of the Commission,
UMAKANTA PANDA, Secy.