



## TAMIL NADU ELECTRICITY CONSUMERS' ASSOCIATION

Regd. No. 181-8524/1998 – CIN.No. U37102TZ1998GAP008524

1st Floor, SIEMA Building, 8/4, Race Course, Coimbatore - 641 018

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TECA:2022-23/025

9 June 2022

### **CIRCULAR**

To

All Members

Sub: Electricity (Promoting Renewable Energy through Green Energy Open Access) Rules, 2022-Government of India notifies the Rules in GoI Gazette-Regarding.

Ref: The Gazette of India No.397 dated 06.06.2022 publishing the Notification in GSR No.418(E) dated 06.06.2022.

Please find enclosed herewith the copy of above referred Gazette of India for the reference of members.

In this connection we wish to inform our members that even though, the title of the New Rules notified goes for the purpose of Promoting Renewable Energy, through Green Energy Open Access, instead of promoting the Renewable Energy, certain provisions of the Rules are containing provisions, which are going to create a strong concern for all Wind Energy Generators, to the extent narrated below, more particularly in the areas of banking. These Rules have come in to force from 06.06.2022 onwards and however, the State Commissions have to act up on it, by notifying suitable procedures based on the newly introduced Rules. While the Rules contain certain positive areas, certain other areas are found to be negative as below.

TECA is of the considered opinion that these Rules would have only prospective effect and application and would not anyway impact the existing agreements and however, the interpretation may vary.

#### **"8. Banking:**

- (1) *Banking shall be permitted at least on a monthly basis, on payment of charges to compensate additional costs, if any, to the Distribution Licensee by the Banking and the Appropriate Commission shall fix the applicable charges.*
- (2) **The permitted quantum of banked energy by the Green Energy Open Access consumers shall be at least thirty percent of the total monthly consumption of electricity from the Distribution Licensee by the consumers.**



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### 12. **Model regulation on methodology:-**

*(1) In order to have a common methodology for calculation of all the open access charges, the Forum of Regulators shall prepare a model regulation on methodology for calculation of open access charges, as well as banking charges within a period of four months from the date of commencement of these rules.*

*(2) The framing of methodology referred to in sub-rule (1), of the Forum of Regulators shall ensure that various permissible charges are not be onerous and shall meet the prudent cost of the distribution licensee in order to fulfil the objective of promoting the procurement of green energy by Green Energy Open Access Consumers."*

As provided in the above Rules, when the Forum of Regulators make any Common Regulations and if the State Commissions order to enforce the Common Regulations, as provided under Rule 12 extracted above, it would be highly detrimental to continue the banking facility beyond one month if the new Regulations are going to be retrospective. Therefore, TECA is discussing the matter with the other Associations and important Stakeholders and accordingly, would initiate appropriate steps to safeguard the interest of our members..

With Warm Regards

Dr. CB Senthilkumar  
Secretary

Encl: The Gazette of India No.397 dated 06.06.2022