

BEFORE THE UTTAR PRADESH ELECTRICITY REGULATORY COMMISSION

Quorum

Shri K. K. Sharma, Member

Shri V. K. Srivastava, Member (Law)

Petition No. 1576/2020

In the matter of:

Under Section 142 of Electricity Act, 2003 read with Regulations 15, 16 & 17 of UPERC (Rooftop Solar PV Grid Interactive Systems Gross/Net metering) Regulations, 2019

Shri Govind Green Foods Infratech, Through its Partner – Shri Ramji Gupta, Village – Bhatauli, Post – Rura, Kanpur Dehat, UP - 209303.

..... Petitioner

Versus

1. Managing Director, UP Power Corporation Ltd., 7th Floor, Shakti Bhawan Extn, 14-Ashok Marg, Lucknow.
2. Director, U.P. New & Renewable Energy Development Agency, Vibhuti Khand, Gomti Nagar, Lucknow-226010
3. Managing Director, Dakhsinanchal Vidyut Vitran Nigam Ltd., Urja Bhawan, Agra Delhi Bypass Road, Sikandra, Agra-282007
4. Executive Engineer, Dakhsinanchal Vidyut Vitran Nigam Ltd., Rania, District – Kanpur Dehat.

..... Respondent

ORDER

(Hearing on 21/08/2020)

1. A Petition has been filed by Govind Green Foods Infratech, Through its Partner- Shri Ramji Gupta, Under Section 142 of Electricity Act, 2003 read with Regulations 15, 16, & 17 of UPERC (Rooftop Solar PV Grid Interactive Systems Gross/ Net Metering) Regulations, 2019 for granting benefit of Order Dated 01.08.2019 of the Commission and direct UPPCL to issue revised bill after adjusting the Amount against the Electricity Generating through Rooftop of Solar Plant, as per the submission and application dated 07.08.2018 was made by the Petitioner for new Electricity connection of 300 K.V.A Electricity Load (HV-2) along with permission for installation of Rooftop Solar Power Plant of 300 K.V.A.



Petitioner's submission

2. DVVNL vide its office memorandum no. 5030 dated 10.09.2018 granted approval for new electricity connection and installation of rooftop Solar Power Plant of 300 K.V.A. After the approval granted by DVVNL, the Petitioner immediately contacted M/s Sun Spark Energy, Kanpur and got the Rooftop solar Power Plant installed. The agreement between the Petitioner and DVVNL was Executive on 11.01.2019.
3. The Dy. Director (Electric Safety) vide its letter no. 1636/2018-19 dated 27.03.2019 granted permission to Petitioner's company for running of Rooftop Solar Power Plant. After getting permission from Dy. Director, Electricity Safety, Executive Engineer, DVVNL installed net metering and issued sealing certificate. The installation of plant was completed by 30.03.2019.
4. Subsequently, in the Electricity bill issued to the Petitioner no benefit as provided under RSPV Regulations, 2015 was extended to the Petitioner's company. The Petitioner approached the Respondent several times to correct and revised the Electricity bill considering Electricity unite generated by Rooftop solar Power Plant.
5. Executive Engineer, DVVNL issued letter to the Petitioner quoting Regulations 3.2 of RSPV Regulations, 2019 denied the benefit of net metering. The Petitioner has submitted that after receiving the letter dated 19.08.2019 it was learned that UPERC has introduced Rooftop solar PV grid interactive systems gross/ net metering (RSPV) Regulations 2019 thereby superseding RSPV Regulation 2015.
6. In the order dated 01.08.2019 passed by the Commission, on prayer made by UPNEDA to make amendment in RSPV Regulations 2019 that it may not be enforced retrospectively and should protect the interest of old consumers, decided that to save projects/ consumers from going into hardship and further to smoothen the transition from RSPV Regulations, 2015 to RSPV Regulations, 2019 one time relaxation in RSPV Regulations, 2019 was granted and allowed



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options to 59 more projects/ consumers (list of which was submitted by UPNEDA) having total Rooftop Solar installation capacity of 10,391 KW to have net-metering or gross metering facility. That a perusal of said order further revealed.

7. Petitioner found its name missing in the list of 59 projects/ Consumers although Petitioner is similar consumer like those of 59 projects/ consumers and no difference can be made between them merely on the basis of electricity load or any other manner, whatsoever, as all of them were extended same benefits under Regulations, 2015.

Commission's Directions

8. The Commission took note of the submissions made by the Petitioner. The Commission observed that the Petitioner in its submission has not provided the details of registration of the project with UPNEDA. The Commission granted 15 days' time to the Petitioner to submit the details of registration of the project UPNEDA.
9. List on 03.11.2020



(V. K. Srivastava)

Member

Dated: 27.10.2020



(K.K. Sharma)

Member

