

SIKKIM



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**SIKKIM STATE ELECTRICITY REGULATORY COMMISSION
GANGTOK**

No. 13/SSERC/GIDSES/2021

Date: 31.12.2021

NOTIFICATION

In exercise of Powers conferred under Section 61, 86 and 181 of the Electricity Act, 2003 (Act No. 36 of 2003) and all other powers enabling it in this behalf, and after previous publication, and in suppression of Sikkim State Electricity Regulatory Commission (Grid Interactive Distributed Solar Energy Systems) Regulations, 2014, the Sikkim State Electricity Regulatory Commission hereby makes the following Regulations namely:

1. Short Title, Extent and Commencement:

- (i) These regulations may be called the Sikkim State Electricity Regulatory Commission (Grid Interactive Solar PV Systems) Regulations, 2021.
- (ii) These Regulations shall extend to the whole State of Sikkim.
- (iii) These regulations shall come into force from the date of their publication in the Official Gazette.

2. Scope and Application:

- (i) These regulations shall apply to all the distribution licensee/licensees/ consumers of electricity of distribution licensee/licensees availing electricity at voltage level upto 11000 volts including Grid Interactive Solar Energy System owned by a Third Party in the State of Sikkim.
- (ii) These regulations do not preclude the right of State authorities to undertake rooftop solar projects of any capacities or mechanism.

3. Definitions

In these regulations, unless the context otherwise requires,

- (1) “**Act**” means the Electricity Act, 2003 (Central Act 36 of 2003) and subsequent amendments thereof.
- (2) “**Application**” means an application form complete in all respects in the appropriate format, as required by the distribution licensee, along with the receipt for payment of

necessary charges and all necessary documents including copies of approvals from statutory or other authorities;

- (3) **“AE”** means Assistant Engineer;
- (4) **“Banking”** means the process under which a Solar Energy Source injects power into the grid in a time block with the facility to draw back the power from the grid at a different time block.
- (5) **“Billing period”** means the period as approved by the Commission for which electricity bills are regularly prepared by the licensee for different categories of consumers;
- (6) **“CEIG”** means Chief Electrical Inspector of the Government;
- (7) **“Commission”** means the Sikkim State Electricity Regulatory Commission;
- (8) **“Connection Agreement”** means an agreement entered into between a distribution licensee and an eligible consumer for connecting the solar energy system to the distribution system;
- (9) **“Consumer”** means any person who is supplied with electricity for his own use by a licensee or the Government or by any other person engaged in the business of supplying electricity to the public under this Act or any other law for the time being in force and includes any person whose premises are, for the time being, connected for the purpose of receiving electricity with the works of a distribution licensee, the Government or such other person, as the case may be;
- (10) **“Connected load”** means the connected load installed by the consumer at the time of execution of the service connection agreement and recorded in kW/kVA in the schedule to the said agreement and includes the connected load duly revised thereafter;
- (11) **“Contracted load”** or **“contract demand”** means the maximum demand in kW or kVA, agreed to be supplied by the distribution licensee and indicated in the service connection agreement executed between the licensee and the consumer; and includes the contracted load or contract demand duly revised thereafter;
- (12) **“DISCOM”** means Distribution Company or Distribution Licensee;
- (13) **“Distribution licensee”** or **“licensee”** means a person granted licence under section 14 of the Act authorizing him to operate and maintain a distribution system and to supply electricity to the consumers in his area of supply, and includes a deemed licensee;
- (14) **“DO”** means Designated Officer;
- (15) **“EE”** means Executive Engineer;
- (16) **“Eligible consumer”** means a consumer of electricity in the area of supply of the distribution licensee, who uses or proposes to use a solar energy system, whether owned by him or by a third party, installed in his premises to meet all or part of his energy requirement;
- (17) **“HO”** means Head Office;
- (18) **“Financial year”** means the period beginning from the first day of April in an English calendar year and ending with the thirty-first day of March of the next year;

- (19) **“Interconnection point”** means the point of interconnection between the solar energy system installed or proposed to be installed by the eligible consumer and the distribution system of the licensee;
- (20) **“Invoice”** means either a bill or a supplementary bill or an invoice or a supplementary invoice raised by the distribution licensee relating to the billing cycle or billing period;
- (21) **“KW”** means Kilo Watt;
- (22) **“kWp”** means kilo Watt peak;
- (23) **“Net meter”** means an appropriate energy meter capable of recording both import and export of electricity or a pair of energy meters one each for recording the net import and net export of electricity as the case may be;
- (24) **“Net metering system”** means a system consisting of a solar meter and net meter with their associated equipment;
- (25) **“NOC”** means No Objection Certificate;
- (26) **“Normal period”** means the period from 6.00 hours to 18.00 hours on the same day;
- (27) **“MNRE”** means Ministry of New and Renewable Energy, Government of India;
- (28) **“Obligated entity”** means the entity mandated to fulfil the renewable purchase obligation under Sikkim State Electricity Regulatory Commission (Renewable Purchase Obligation and Its Compliance) Regulations, 2012, as amended from time to time;
- (29) **“Off-peak period”** means the period from 22.00 hours to 06.00 hours on the next day;
- (30) **“PCR”** means Project Completion Report;
- (31) **“PDS”** means Power Department Sikkim;
- (32) **“Peak-hours”** means the period from 18.00 hours to 22.00 hours on the same day;
- (33) **“Premises”** includes rooftops , areas on the land, building or infrastructure or part or combination thereof in respect of which a separate meter or metering arrangements have been made by the distribution licensee for supply of electricity;
- (34) **“Renewable Energy Certificate (REC)”** means the certificate issued in accordance with the provisions of the Central Electricity Regulatory Commission (Terms and Conditions for Recognition and Issue of Renewable Energy Certificate for Renewable Energy Generation) Regulations, 2010, as amended from time to time;
- (35) **“SDO”** means Sub Divisional Officer;
- (36) **“Settlement Period”** means the period beginning from first day of April in an English calendar year and ending with thirty first day of March in the next year;
- (37) **“Solar Energy System”** means the grid interactive distributed solar photo voltaic electricity generating system on the rooftops or ground of the consumer premises and connected to the distribution system of the licensee;
- (38) **“SREDA”** means Sikkim Renewable Energy Development Agency;
- (39) **“SRPV”** means Solar Rooftop Photovoltaic;
- (40) **“Solar meter”** means a unidirectional energy meter installed at the consumers premises as an integral part of the net metering system and used solely to record the electricity generated by the solar energy system and delivered to the main panel of the eligible consumer;

- (41) **“Supply Code”** means the Sikkim Electricity Supply Code, 2012, as amended from time to time;
- (42) **“Third Party Owner”** means a developer who is generating solar energy on the grid connected solar energy system from the rooftop/premises of an eligible consumer but does not own the rooftop but enters into a lease/commercial agreement with the rooftop/premise owner;

3. Interpretation

- (1) All other words and expressions used in these regulations although not specifically defined herein, but defined in the Act, shall have the meaning assigned to them in the Act.
- (2) The other words and expressions used herein but not specifically defined in these regulations or in the Act but defined under any law passed by the Parliament or any regulation issued by the Commission, applicable to the electricity industry in the State, shall have the meaning assigned to them in such law/regulation.

4. General Conditions for installation of Solar Energy Systems

1. Any consumer in the area of supply of the Distribution Licensee may install in his/her premises, the solar energy system, either owned by him/her or by a third party.
2. The solar energy system installed by the consumer shall be connected with interlocking system and operated safely in parallel with the distribution system of the Licensee.
3. The capacity of the solar energy system to be installed at the premises of any eligible consumer shall not be less than one kilo Watt peak (kWp) and shall not exceed 500 Kilo Watt peak (KWp) subject to the condition as specified in sub-regulation (4) below;

Provided that the capacity of the solar energy system relating to the connected load or contract demand at each voltage level shall be in conformity with the provisions specified in the Sikkim State Electricity Regulatory Commission Supply Code, as amended from time to time.

4. The specifications of output of the solar energy system shall be as specified below:

Sl. No.	Type of Connection	Supply Voltage	Specification of output of the solar energy systems
1	Low Tension Single Phase	240 V	240 V, 50 Hz
2	Low Tension Three Phase	415 V	415 V, 50 Hz
3	High Tension	11000 V	11000 V, 50 Hz

5. A consumer having electric connections in different premises owned by him shall be eligible to install separate solar energy systems in each of such premises subject to provision of these regulations.

5. Obligation of the Distribution Licensee

1. The Distribution Licensee shall without any discrimination, provide to all eligible consumers in its area of supply, the connectivity to its low tension or high tension distribution feeder for installation of solar energy systems subject to compliance with the other provisions as per these regulations and technical limit specified in sub-regulations (5) and (6) below:

2. The Distribution Licensee shall regularly update information regarding distribution transformer level capacity available for connecting Solar Energy System under net metering arrangement of the subsequent financial year in its official website.
3. The capacity of Solar Energy System to be installed at any premises shall be subject to;
 - i. The feasibility of interconnection with the grid;
 - ii. The available capacity of the service line connection of the consumers of the premises; and
 - iii. The sanctioned load of the Consumer of the premises;
4. Subject to Regulation 5(3)(i) & 5(3)(ii), if a Solar Energy Generator has already installed or intends to install a Solar Energy System of capacity higher than the sanctioned load of the consumer of the premises, and requires to connect it with the distribution licensee's system, then such Consumer of premises shall pay Service Line cum Development (SLD) charges at the time of registration of Solar Energy System, equal to the differential amount of SLDC charges between the capacity of the Solar Energy System and the existing sanctioned load on the lines of enhancement of sanctioned load, as prescribed in the Supply Code Regulations, as amended from time to time and relevant orders issued thereof by the Commission from time to time.

Provided that permission for installation of solar energy system of capacity higher than the capacity permitted under sub clauses 5 and 6 of regulation 5 shall be given by the distribution licensee subject to technical feasibility.

5. The Distribution Licensee shall give connectivity to the solar energy system of any eligible low tension consumer upto 55% of the connected load/contract demand wherever interconnection with the grid is technically feasible.

Provided that the cumulative solar panel capacity of all such low tension consumers connected to a distribution transformer will be limited to 30% of the peak capacity of the Distribution Transformer.

6. The Distribution Licensee shall give connectivity to the solar energy system of any eligible high tension consumer upto 40% of the connected load/contract demand wherever interconnection with the grid is technically feasible.

Provided that the cumulative solar panel capacity of all such high tension consumers connected to a 66/11 and 33/11 KV sub-station will be limited to 30% of the peak capacity of the sub-station.

Further provided that, there shall be no restrictions on State Generating Companies or Distribution Licensee installing bigger plants, subject to their compatibility with the system and necessary safety measures taken.

7. Banking Facility

1. The licensee shall extend to the eligible consumer, the facility to bank the electricity generated and injected into the distribution feeder by the solar energy system of the eligible consumer, subject to the conditions specified in the sub-regulations (2), (3), (4) and (5) below:
2. The banking facility shall be available only in respect of the solar electricity in excess over the full consumption of the eligible consumer during a billing period.

3. The eligible consumer in time of the day (ToD) billing system shall be entitled to use the quantum of electricity banked by him, first in the corresponding normal period and the balance in the peak period and in the off peak period in succession in subsequent billing period.
4. The eligible consumer who is not in time of the day (ToD) billing system shall be entitled to use the quantum of electricity banked by him, irrespective of the normal, peak or off-peak periods in subsequent billing period.
5. The electricity banked by an eligible consumer shall be accounted and settled in accordance with provisions in Regulation 11.

8. Interconnectivity, Standards and Safety

- (1) The Distribution Licensee shall ensure that-
 - a. The interconnection of the solar energy system with the distribution system of the licensee conforms to the specifications and standards as provided in the Central Electricity Authority (Technical Standards for connectivity of the Distributed Generation Resources) Regulations, 2013, as amended from time to time;
 - b. The interconnection of the solar energy system with the distribution system of the licensee conforms to the relevant provisions of the Central Electricity Authority (Measures relating to Safety and Electric Supply), Regulations, 2010, as amended from time to time;
 - c. The net meter and solar meter installed conform to the standards, specifications and accuracy class as provided in the Central Electricity Authority (Installation and Operation of Meters) Regulations, 2006, as amended from time to time and are installed in such a way that they are accessible for reading.
- (2) The Solar Energy Generator may install grid interactive Solar Energy system with or without battery backup.

Provided that if the Solar Energy Generator, prefers connectivity with battery backup (full load backup/partial load backup), in all such cases the inverter shall have separate backup wiring to prevent the battery/ Decentralized Generation (DG) power to flow into the grid in the absence of grid supply and manual isolation switch shall also be provided.
- (3) The Solar Energy Generator shall be responsible for safe operation, maintenance and rectification of any defect of the solar energy system upto the point of Net Meter beyond which the responsibility of safe operation, maintenance and rectification of any defect in the system, including the Net Meter, shall rest with the Distribution Licensee.
- (4) The Distribution Licensee shall have the right to disconnect the solar energy system at any time in the event of possible threat/damage, from such solar energy system to its distribution system, to prevent an accident or damage. Subject to Regulation 7 (3) above, the Distribution Licensee may call upon the Solar Energy Generator to rectify the defect within a reasonable time.
- (5) The eligible consumer shall be solely responsible for any accident to human being/animals whatsoever (fatal/non-fatal/departmental/non-departmental) that may occur due to back feeding from the solar energy system when the grid is off, based on the issue decided by the Chief Electrical Inspector. The distribution licensee reserves the right to disconnect

the consumer's/generator's installation at any time in the event of such exigencies to prevent accident or damage to men and materials.

- (6) Any alternate source of supply shall be restricted to the consumer's network and the consumer shall be responsible to take adequate safety measures to prevent battery power/diesel generator power/ back-up power extending to the distribution licensee's grid during failure of distribution licensee's grid supply.
- (7) The interconnection of the solar energy system with the network of the distribution licensee shall be made as per Central Electricity Authority (Technical Standards for Connectivity to the Grid) Regulations, 2007, Central Electricity Authority (Technical Standards for Connectivity of Distributed Generation Resources) Regulations, 2013 and Sikkim State Electricity Regulatory Commission (Terms and Conditions of Intra-State Open Access) Regulations, 2012, as amended from time to time.

9. Metering Arrangement

- (1) All the meters shall adhere to the standards as specified in CEA (Installation and Operation of meters) Regulations 2006 and (Installation and Operation of meters) Regulations, 2010 as amended from time to time.
- (2) The Net Meter shall be, as per single phase or three phase requirement. All the meters to be installed for net metering shall be of the same or better Accuracy Class Index than the existing meter installed at its Premises.
- (3) The Net Meter capable of measuring net flows shall be procured, installed and maintained by the Distribution Licensee at the cost of the eligible consumer. However, if the consumer of the premises wishes to procure the Net Meter, he/she may procure such meter after presenting the same to the distribution licensee for testing and installation. The Solar Meter capable of recording electricity generation shall be procured, installed and maintained by the eligible consumer at his/her own cost.

The meters installed as per sub-regulations (3) shall be jointly inspected and sealed on behalf of both the parties.

- (4) The charges for the testing of the Net Meter shall be borne by the Distribution Licensee and for the Solar Energy Meter shall be borne by the consumer of the premises.
- (5) The solar meter and net meter shall have the facility for downloading the meter readings using meter reading instrument (MRI) or wireless equipment or such other devices.
- (6) All meters, including the solar energy meter shall be installed at an accessible location of the premises to facilitate easy access for meter reading to the Distribution Licensee.
- (7) The consumer of the premises or the distribution licensee, whosoever if desires, may install check meter at their own cost.
- (8) The meters shall be tested, installed and sealed in accordance with the provisions of Central Electricity Authority (Installation and Operation of Meters) Regulations, 2006, as amended from time to time.
- (9) The Net Meters to be installed for the consumers of the premises under the ambit of time of day tariff shall be time of day (ToD) compliant.
- (10) The meter reading shall be taken by the distribution licensee and a copy of the statement of reading of the net meter and the solar meter shall be handed over to the eligible consumer under proper acknowledgement, as soon as meter reading is taken.

- (11) Commercial settlement of the drawal and injection of electricity by the eligible consumer during a billing period shall be made based on the statement of readings of the Net Meter.

10. Right to use the excess solar electricity in other premises:

- (1) The eligible consumer shall have the right to avail open access for wheeling the excess electricity generated by the solar energy system installed in one of his premises and to use such excess electricity in other premises owned by him within the area of supply of the licensee subject to the following conditions,-
- i. The right of wheeling and consumption of excess electricity shall be available to the eligible consumer irrespective of the category of tariff in other premises;
 - ii. Such right for wheeling excess electricity shall be available for the use in his second premises only after the eligible consumer meets his full demand in the premises where the electricity is generated using solar energy system; and the right for wheeling balance excess electricity if any, for consumption in his third premises shall be available only after the eligible consumer meets his full demand in the second premises and so on;
 - iii. Such right for wheeling excess electricity shall be available only if the electricity wheeled to other premises owned by the eligible consumer exceeds 500 units in a month;
 - iv. The quantum of excess electricity wheeled shall be calculated based on sub-regulation (6) below and accounted in subsequent bills of the other premises.
- (2) The eligible consumer shall apply to the licensee for availing the facility as per sub-regulation (1) above, with necessary particulars of all such other premises where such excess electricity generated by the solar energy system installed in one of his premises, is proposed to be used.
- (3) The eligible consumer shall specifically state in the application under sub-regulation (2) above, the sequence in which the excess electricity shall be allowed to be consumed in his other premises.
- (4) The licensee shall after due verification of the application submitted under sub-regulation (2) above and after satisfying about its genuineness, grant the permission to use the excess electricity in such other premises owned by the eligible consumer.
- (5) The modifications if any, required in the metering system in such other premises of the eligible consumer where the excess electricity is proposed to be used, shall be made by the distribution licensee at the cost of the eligible consumer.
- (6) The eligible consumer shall be entitled to avail only ninety five percent of the total electricity wheeled for his consumption in the other premises and the balance five percent of the electricity shall be adjusted towards the distribution losses and other expenses incurred by the distribution licensee in this regard.

11. Procedure for granting connection to the solar energy system:

- (1) The eligible consumer who proposes to install a solar energy system in his premises shall apply online through the Unified Solar Rooftop Portal of the distribution licensee. The stage-wise procedure and time frame for processing of the application including completion/ commissioning of the rooftop solar energy system is given below:

i. **Projects/Schemes with Subsidy :**

**Stages on the United Solar Rooftop Portal- Sikkim
Subsidy Project (Subsidy and Interconnection Application)**

Method/Procedure	Timeline	Role of
Fill and Submit DISCOM Application Form 1 (A), Generation of Challan & Payment of Offline Application Fees	Zero Date	Consumer
Acknowledgement	Zero Date	System Generated
Application Review (For subsidy and interconnection), Application to be forwarded to respective AE, SDO for Technical Feasibility.	2 working days	Head Office, PDS
Technical Feasibility Determination by AE, SDO	10 working days	AE(Maintenance), SDO, PDS
Technical Feasibility Outcome by EE, SDO	5 working days	EE,DO, PDS
Rectify Interconnection Application Form 1 (A)	10 days	Consumer
Submit Form 2 (B)- Response Regarding Technical Constraints	5 days	Consumer
Application and NOC Review by EE, SREDA	5 working days	EE, SREDA
Issuance of In-Principal Sanction Letter by Director, SREDA	5 working days	Director, SREDA
Upload Interconnection Agreement	15 working days	EE, DO, PDS
Submit Work Completion Report	180 days	Consumer
Intimation to Install Meter (Upload of CEIG Safety Certificate for greater than 10 kW SRPV System)	10 days	Consumer
Outcome of System Check and Issuance of Grid Synchronization Letter Issued by AE (Maintenance) and Upload of joint Inspection Report	20 working days	AE (Maintenance), SDO, PDS
Interconnection Process Completed		
Submission of Project Completion Report with Documents	10 days	Consumer
PCR Review and by EE, SREDA	10 working days	EE, SREDA
PCR Review and by Director SREDA	2 working days	Director, SREDA
Review of Project Completion Report and Subsidy Release Approval by PDS	3 working days	Additional Chief Engineer (Nodal Officer), HO, PDS
PCR Review and Upload to MNRE-SPIN Portal by EPDS	2 working days	Additional Chief Engineer Officer (Nodal Officer),PDS
Subsidy Disbursement Process Completed	3 working days	Finance, PDS

ii. Projects/Schemes without Subsidy :

Non- Subsidy Projects (Interconnection Application Only)

Method/Procedure	Timeline	Role of
Fill and Submit DISCOM Application Form 1 (A), Generation of Challan & Payment of Offline Application Fees	Zero Date	Consumer
Acknowledgement	Zero Date	System Generated
Application Review (For Interconnection), Application to be forwarded to respective AE, SDO for Technical Feasibility,	2 working days	Head Office, PDS
Technical Feasibility Determination by AE, SDO	10 working days	AE (Maintenance), SDO PDS
Technical Feasibility Outcome by EE, DO	5 working days	EE, DO, PDS
Rectify Interconnection Application Form (1 (A)	10 days	Consumer
Submit Form 2 (B)- Response Regarding Technical Constraints	5 days	Consumer
Application and NOC Review by AE, SREDA	5 working days	EE, SREDA
Upload Interconnection Agreement	15 working days	EE, DO, PDS
Submit Work Completion Report	180 days	Consumer
Intimation to Install Meter (Upload of CEIG Safety Certificate for greater than 10 KW SRPV System only)	10 days	Consumer
Outcome of System Check and Issuance of Grid Synchronization Letter Issued by AE (Maintenance)	20 days	AE (Maintenance), SDO, PDS
Interconnection Process Completed		
Submission of Project Completion Report with Documents	10 days	Consumer
Non- Subsidy Project PCR Review and upload to MNRE- SPIN Portal	3 working days	Additional Chief Engineer (Nodal Officer), Ho, PDS

- (2) The Distribution Licensee shall make the Form 1 (A) and Form 2 (B) available on its website and also at its local offices.
- (3) No application fee or registration fee is payable by Low Tension consumer whereas a onetime/non-refundable registration fee of ₹ 500 (Rupees Five Hundred) per Kilo Watt (KW) or part thereof shall be payable by High Tension (Industrial) consumer and Third Party Owner to the distribution licensee for grant of connectivity or installation of solar energy system.

Further provided that any application fee or registration fee paid by an eligible in terms of Sikkim State Electricity Regulatory Commission (Grid Interactive Distributed Solar Energy Systems) Regulations, 2014 or as per any interim order/order/directives issued by the Commission prior to the date of notification of these regulations shall not be refunded by the distribution licensee.

12. Energy Accounting and Settlement

- (1) The accounting of electricity generated, consumed and injected by the eligible consumer shall be done on the basis of readings taken for the billing period applicable to him.
- (2) The total electricity generated during a billing period shall be assessed using the readings in the Solar Meter.
- (3) The quantum of electricity drawn from the distribution system of the licensee for the use of eligible consumer, the quantum of electricity injected into the distribution system of the licensee by the eligible consumer and the net quantum of electricity drawn from or injected into the distribution system by the eligible consumer during a billing period shall be assessed using the readings in the Net Meter.
- (4) The total electricity consumed by the eligible consumer shall be computed using the above readings.
- (5) If the quantum of electricity injected into the system by the solar energy system as measured in the net meter exceeds the total electricity drawn by the eligible consumer in the same premises or in other premises owned by him during a billing period, the excess electricity injected into the distribution system on net basis shall be carried forward in the shape of electricity credit to the immediately next billing period, forming part of the settlement period.
- (6) The licensee shall pay for the net electricity banked by the eligible consumer at the end of the settlement period at 70 % (Seventy Percent) of the Average Power Purchase Cost (APPC) approved by the Commission for the year in which the Rooftop Solar System is commissioned for the whole life of the Rooftop Solar System; e.g for the Rooftop Solar System commissioned during 2021-22, the APPC approved by the Commission for F.Y 2020-21 shall be applicable.
- (7) If the electricity injected into the system by the eligible consumer as measured in the net meter, is less than the total electricity drawn by him in all the premises owned by him within the area of supply of the licensee, during a billing period, the licensee shall recover from such eligible consumer, the electricity charges at the rates applicable to each premises as per the tariff order issued by the Commission, for the net quantum of electricity drawn by him from the distribution system, after taking into account any balance electricity banked during the previous billing period.
- (8) The licensee shall give a statement of accounts of electricity showing the following particulars, along with the electricity bill relating to each billing period:
 - i. quantum of banked electricity carried forward from the previous billing period;
 - ii. quantum of electricity injected into the distribution system by the eligible consumer;
 - iii. quantum of electricity supplied by distribution licensee to the eligible consumer;
 - iv. quantum of net electricity which has been billed for payment by the eligible consumer;

- v. quantum of electricity injected into the distribution system in excess of the drawal by the eligible consumer, which is carried over to the next billing period.

Further provided that the settlement of electricity banked by the eligible consumer during the settlement period shall be done based on the last readings of the meters taken during the settlement period.

- (9) There shall be no carry forward of any electricity credit, pertaining to a settlement period beyond that settlement period. At the beginning of each settlement period, cumulative carried over injected electricity will be reset to zero.
- (10) The distribution licensee shall not be required to pay any charges to the eligible consumer for any deemed generation in case of non-evacuation of power due to non-availability of grid or any such reason.
- (11) All the rules, regulations and conditions, applicable to the consumers of the distribution licensee for the applicable category, shall also be applicable to the eligible consumer.
- (12) Any power injected prior to the commissioning shall be deemed as inadvertent power. The eligible consumer/solar energy generator is not eligible to receive any monetary compensation for such inadvertent power.

13. Solar Renewable Power Obligation

- (1) The quantum of electricity generated by an eligible consumer under these regulations shall qualify for accounting towards the Renewable Purchase Obligation (RPO) of the distribution licensee:

Provided that where the eligible consumer is himself an obligated entity, only the quantum of electricity generated by him over and above his RPO shall qualify towards the RPO of the distribution licensee.

14 Participation under Renewable Energy Certificate Mechanism

- (1) Nothing contained in these regulations shall apply to a Solar Photo Voltaic Generator intending to sell power under Renewable Energy Certificate mechanism and he shall be free to sell power under such mechanism, as per the provisions of the Central Electricity Regulatory Commission (Terms and Conditions for recognition and issuance of Renewable Energy Certificate for Renewable Energy Generation) Regulations, 2010 as amended from time to time.
- (2) The eligibility for Renewable Energy Certificate and issue of such certificate for Renewable Energy shall be as per the eligibility criteria specified in the Central Electricity Regulatory Commission (Terms and Conditions for recognition and issuance of Renewable Energy Certificate for Renewable Energy Generation) Regulations, 2010 as amended from time to time.

15 Application of Other Provisions

The provisions of Sikkim State Electricity Regulatory Commission (Electricity Supply Code) Regulations, 2012, Sikkim State Electricity Regulatory Commission (State Grid Code) Regulations, 2013, State Electricity Regulatory Commission (Standards of Performance for the Distribution and Transmission Licensee) Regulations, 2012, Sikkim

State Electricity Regulatory Commission (Terms and Conditions on Intra-State Open Access) Regulations, 2012 and tariff orders issued by the Commission from time to time shall be applicable, in respect of matters, not specifically dealt in these regulations.

16 Banking charge, Demand Charge, cross subsidy surcharge and other Charges

The electricity generated by an eligible consumer using the solar energy system installed in his premises, whether owned by him or by a third party, shall be exempted from banking charge, Wheeling and Transmission charges, cross subsidy surcharge and additional surcharge.

Provided that all other fixed charges like monthly minimum charges demand charge or any other charge as approved by the Commission shall be applicable to all eligible consumer whether low tension consumer, high tension industrial consumer or Third Party Owner.

17 Power of relaxation and power to remove difficulties

- (1) The Commission may in public interest, by general or special order, for reasons to be recorded in writing, and after giving to the concerned parties likely to be affected, an opportunity of being heard, relax any of the provisions of these Regulations on its own motion or on an application made before it by any person.
- (2) If any difficulty arises in giving effect to any of the provisions of these regulations or there is a dispute regarding interpretation of any of the provisions of these regulations, the Commission may, by a general or special order, not being inconsistent with the provisions of these regulations or the Act do or undertake to do things or direct to do or undertake such things which appear to be necessary or expedient for the purpose of removing the difficulties.

18 Power to amend

The Commission may from time to time add, vary, alter, suspend, modify, amend or repeal any of the provisions of these regulations.

19 Power to give directions

The Commission may from time to time issue such directions/guidelines/ orders as it may consider deemed fit/appropriate for the implementation of these regulations.

By order of the Commission

Secretary
Sikkim State Electricity Regulatory Commission.