

# **Uttar Pradesh Electricity Regulatory Commission**

**Vidyut Niyamak Bhawan, Vibhuti Khand, Gomti Nagar, Lucknow-226010**

No. UPERC/Secy/D (Distb.)/25- 188

Dated: 09 May, 2025

## **PUBLIC NOTICE**

**Inviting Comments on Amendment to UPERC (Rooftop Solar PV Grid Interactive System  
Gross / Net Metering) Regulations, 2019**

The Commission is in receipt of Petition No. 2149 of 2024 vide which prayer has been made to amend Regulation 10.3(ii) of UPERC (Rooftop Solar PV Grid Interactive System Gross / Net Metering) Regulations 2019. The Petition No. 2149 of 2024 along with Order dated 09.05.2025 is put up on the website of the Commission: [www.uperc.org](http://www.uperc.org) for comments of all stakeholders and public at large. The Comments must reach the Commission in hard and soft copies by 11:00 hours on May 26, 2025. The Public Hearing on the matter shall be held on May 27, 2025 at 11:00 hours in the office of the Commission.

  
Secretary

Ph: 0522-2720426, 2720427

Fax: 2720423

E-mail: [secretary@uperc.org](mailto:secretary@uperc.org)

**BEFORE THE HON'BLE UTTAR PRADESH ELECTRICITY  
REGULATORY COMMISSION, AT LUCKNOW**

**Petition no.            of 2024**

**IN THE MATTER OF:** Petition under Regulation 44 of UPERC conduct of Business Regulations 2019, seeking amendments in Regulations 10.3 (ii) of the UPERC RSPV Regulations on behalf of Distribution Companies of U.P. Power Corporation Ltd., by invoking Regulation 16 and 17 of UPERC RSPV Regulations, 2019.

**AND**

**IN THE MATTER OF:**

1. Uttar Pradesh Power Corporation Limited,  
Through its Managing Director,  
7<sup>th</sup> Floor, Shakti Bhawan,  
14, Ashok Marg, Lucknow-226001.
2. Pashchimanchal Vidyut Vitran Nigam Ltd,  
Through its Managing Director,  
Urja Bhavan, Victoria Park, Meerut,  
Uttar Pradesh.
3. Dakshanchal Vidyut Vitran Nigam Ltd,  
Through its Managing Director,  
Vidyut Bhavan, Agra, Uttar Pradesh.
4. Purvanchal Vidyut Vitran Nigam Ltd,  
Through its Managing Director,

*S. Shrivastava*

(Signature)  
मुख्य अभियन्ता (आर०ए०यू०)

Bhikharipur, Varanasi, Uttar Pradesh.

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5. Madhyanchal Vidyut Vitran Nigam Ltd,  
Through its Managing Director,  
Prag Narayan Road, Lucknow, Uttar Pradesh.

6. Kanpur Electricity Supply Company Ltd,  
Through its Managing Director,  
KESA House, Kanpur, Uttar Pradesh.


....Petitioners

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Place : Lucknow

Date 14-11-2024

  
(Shivam Sharma)

Advocate

Counsel for the Petitioners, UPPCL



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**BEFORE THE HON'BLE UTTAR PRADESH ELECTRICITY  
REGULATORY COMMISSION, AT LUCKNOW**

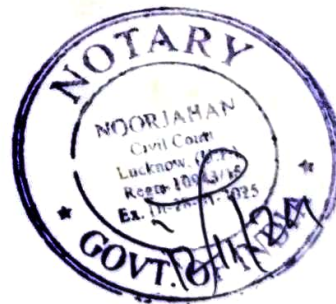
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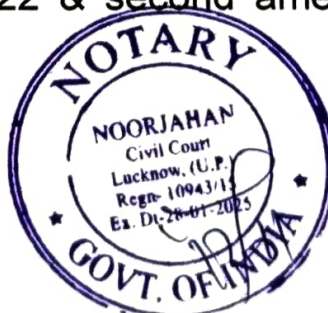
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....Petitioners

Respectfully, it is being submitted as under : -

1. Through the instant Petition, the petitioners beg to invoke the provision contained in Regulation 17, which provides the Power to amend Principal Regulation and seek amendment.
2. To bring home certain facts it is submitted that the UPERC (Rooftop Solar PV Grid Interactive Systems Gross/ Net Metering) Regulations, 2019, (hereinafter referred to as RSPV Regulations, 2019 (Principal Regulation), was notified by the UTTAR PRADESH ELECTRICITY REGULATORY COMMISSION (*hereinafter referred to as the Commission*) on 04.01.2019. Subsequently, the first amendment was notified on 01.06.2022 & second amendment was notified on 17.11.2023.



  
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3. The Uttar Pradesh Electricity Regulatory Commission (UPERC) has laid down Regulations governing RSPV systems, which include provisions for energy accounting, settlement, and compensation rates for gross metering, net metering and net feed-in.
4. That Regulations 10 of the UPERC (Rooftop Solar PV Grid Interactive Systems Gross / Net Metering) Regulations, 2019 (RSPV Regulations, 2019) reads as under:-

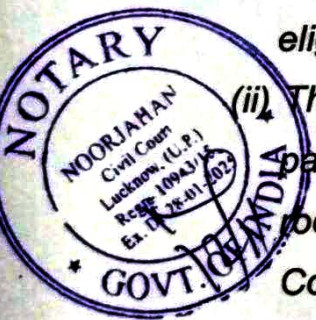
**"Energy Accounting and Settlement"**

10.1 Meter readings shall be taken as per the applicable cycle as provided in the UPERC (Electricity Supply Code) Regulations 2005 and subsequent amendments thereof;

10.2 In the case of rooftop solar PV system under gross metering arrangement the Licensee shall undertake energy accounting and settlement with either the eligible consumer or the third party owner whosoever is a signatory of the interconnection agreement with the Licensee.

10.3 The energy accounting and settlement procedure for eligible consumers/third party owners installing and operating rooftop solar PV system under Gross Metering shall be as per the following procedure:

- (i) For each billing period, the Licensee shall show the quantum of electricity injected by the rooftop solar PV system installed at the premises of the eligible consumer in the billing period.
- (ii) The Distribution Licensee shall reimburse the eligible consumer or the third party owner as the case may be for the quantum of injected electricity by the rooftop solar PV system during the billing period by way of 'Solar Injection Compensation', Provided that the rate at which the Solar Injection Compensation to be paid by the Distribution Licensee to the eligible consumer or third party owner as the case may be, shall be the weighted



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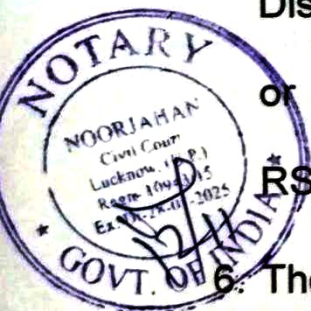
average tariff of Large Scale Solar projects of 5MW and more, discovered through Competitive Bidding in last Financial Year and adopted by the Commission plus an incentive of 25%. E.g. For FY 2018-19, weighted average tariff of large Solar projects of 5 MW and more discovered through Competitive Bidding in FY 2017-18 and adopted by the Commission plus an incentive of 25% shall be applicable. In case no bidding is done in previous Financial Year, then the last applicable tariff for gross metering shall continue.

(iii) Rebate and late payment surcharge on early or delayed payment of the Solar Injection Compensation as the case may be shall be levied in the same manner as per the procedure laid down by the Commission in the UPERC (Electricity Supply Code) Regulations, 2005 and subsequent amendments thereof;

Provided that such rebates/ delayed payment surcharge as the case may be shall also be payable to the third party owner in the same manner as per procedure specified for the consumer of the Licensee in the UPERC (Electricity Supply Code) Regulations, 2005 and subsequent amendments thereof;"

5. As per clause 10.3(ii) of the UPERC RSPV Regulations, the Distribution Licensee is required to reimburse the eligible consumer or third-party owner for the quantum of electricity injected by the RSPV system during each billing period.

6. The rate for this Solar Injection Compensation for gross metering and net-feed-in is determined based on the weighted average tariff of large-scale solar projects (5 MW and above) discovered through competitive bidding in the last financial year and adopted by the



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Commission, with an added incentive of 25%.

7. However, in the financial year 2022-23 and 2023-24 no competitive bidding for tariff discovery has occurred. This has led to the Distribution Licensee reimbursing consumers at higher rates as calculated in accordance with clause 10.3(ii) of the UPERC RSPV Regulations. Tariff for Gross Metering / Net Metering so calculated is higher when compared to the tariff calculated by including solar projects discovered in recent tenders by REIA (Renewable Energy Implementing Agency) i.e. SECI/ SJVN.
8. In view of the limitation cast by Regulation 10.3 which provides that Solar Injection Compensation can only be based upon such as is ***"discovered through competitive bidding in the last financial year and adopted by the Commission, with an added incentive of 25%."*** and not such as may be discovered in various central government solar power tenders, and recent competitive bidding conducted by REIA (Renewable Energy Implementing Agency) i.e. SECI and SJVN (which are significantly lower than the rates currently adopted by UPPCL for the Solar Injection Compensation), an amendment is warranted to allow approval of such cheaper rates, discovered through any of the above process, in calculation of tariff for Gross Metering.



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9. As stated above, it is important to note that due to the market development and technology advancement the solar tariff has progressively fallen during the recent competitive bidding conducted by SECI and SJVN.

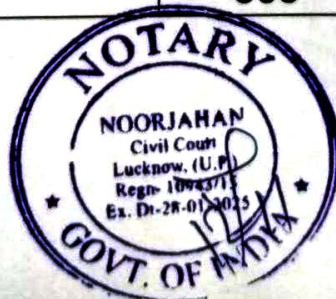
10. Recent Discoveries in Central Government Tenders.

10.1. The petitioner wishes to draw the attention of the Hon'ble Commission to the latest tariffs discovered in various central government solar power tenders, which are significantly lower than the rates currently adopted by UPPCL for the Solar Injection Compensation.

10.2. A summary of the recent tenders is provided below: -

#### Details of Solar PPA(Intra State)

Sr.No.	Developers	Contracted Capacity (MW)	Date of PPA/PSA	Fixed Cost (Levelized) Single quoted tariff
1	M/s SJVN Ltd, Parasan, Jalaun	75	16.06.2021	2.68
2	M/s SJVN Ltd, Gujrai, Kanpur Dehat	50	03.02.2022	2.98
3	M/s SJVN Ltd, Gurhah, Jalaun	75	03.02.2022	2.98
4	M/s BSUL, Jalaun	65	28.04.2022	2.68
5	NTPC Ayodhya	40	18.01.2024	-
<b>Sub Total</b>		<b>305</b>		

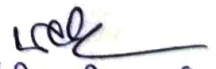


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### Details of Solar Power(ISTS)

Sr. No.	Generator/Trader	Contracted Capacity (MW)	Date of PPA/PSA	Fixed Cost (Levelized) Single Quoted tariff
1	SECI	500	28.12.2023	2.67
	Jakson Limited-100 MW			2.67
	Shiva Corporation India Limited-100MW			2.67
	Re-New Solar Power Private Limited-300 MW			2.67
2	SECI	1000	07.02.2024	2.592
	Avaada Energy Pvt. Limited-300MW			2.59
	Spring Energy Private-250 MW			2.59
	Re-New Solar Power Private Limited-300 MW			2.59
	Solar craft Power India 8 Private Limited-150 MW			2.59
3	NHPC	1525	07.03.2024	2.59-2.60
	Solaire direct Energy India Pvt. Ltd.-250 MW			2.59
	Avaada Energy Private Limited-1000 MW			2.60



  
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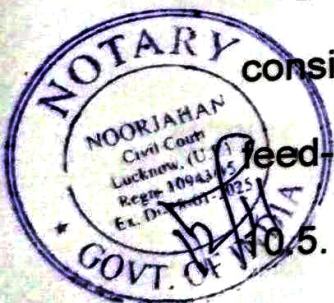


Hazel Hybren Pvt. Ltd.-275 MW			2.60
<b>Total</b>	<b>3025</b>		

10.3. These tariffs are significantly lower than the rates currently applicable under UPPCL's Solar Injection Compensation mechanism, thereby leading to an over compensation to consumers or third-party owners under the current framework, which is effectively causing unwarranted business losses.

10.4. According to the current provisions, "the weighted average tariff of large-scale solar projects of 5 MW and above, discovered through competitive bidding in the last financial year and adopted by the Commission, plus an incentive of 25%," applies only to rates that have been formally adopted by the Commission, after such bidding. Therefore, it should be noted that Solar Power Purchase Agreements approved by this Commission if based on tariff adoption by the Central Electricity Regulatory Commission (CERC) or other relevant authorities are not considered eligible for the tariffs applicable under gross metering and net feed-in schemes.

10.5. In context to this it is submitted that the Commission may kindly invoke the Regulation 16: Power to relax and Regulation 17: Power to amend Principal Regulation and also allow to consider the weighted



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average tariff of large-scale solar projects of 5 MW and above, discovered through competitive bidding in the last financial year and **adopted/approved** by the Commission, plus an incentive of 25%."

11. That the Principle of rational nexus in law provides that an amendment proposed should have a '*nexus*' with the object sought to be achieved. The proposed amendment seeks to facilitate lower tariff regime and a more competitive business environment, which in turn, will ensure availability of cheaper environment friendly electricity and this is the nexus of the proposed amendment with the Object of the Act.

12. That what is sought to be achieved by the propose the amendment- the purpose is to harness solar energy and ensure that it's availability is cheap and plentiful. If the rate of tariff remains high, it is bound to have a cascading effect and it will defeat the very object of the solar power systems- providing cheap and environment conscious power. In other words, it would be self-defeating.

### Prayer

A. The petitioners respectfully requests the Hon'ble Commission to consider and allow amendment of clause 10.3(ii) of the UPERC RSPV Regulations to reflect the latest tariff rates discovered in central and state



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government solar power tenders in the last financial year and **adopted** by the Commission, plus an incentive of 25%.or such as may be **approved** by the Commission, in other words, either **adopted/ approved** by the Commission, particularly in view of the details set out in para 9 and 10 of this petition"

B. Specifically, the Solar Injection Compensation rate should be aligned with the competitive tariffs discovered in these tenders and approved by the Commission, ensuring a fair and equitable compensation mechanism that reflects the-current market dynamics and allow the benefit of such relaxation.

Place : Lucknow

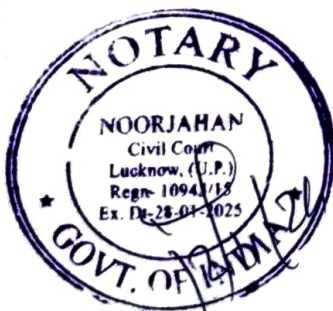
NOTARY

Date 12/11/24

*S. Sharma*  
(Shivam Sharma)

Advocate

Counsel for the Petitioners, UPPCL



*U. S. V.*  
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मुख्य अभियन्ता (आर०ए०यू०)

**BEFORE THE HON'BLE UTTAR PRADESH ELECTRICITY  
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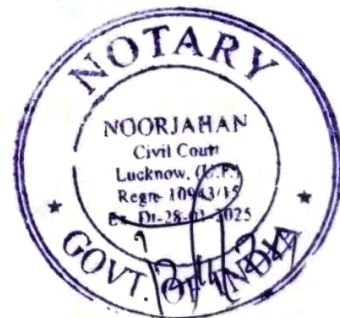
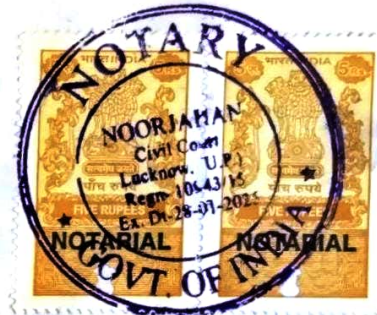
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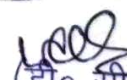
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5. Madhyanchal Vidyut Vitran Nigam Ltd,  
Through its Managing Director,  
Prag Narayan Road, Lucknow, Uttar Pradesh.

6. Kanpur Electricity Supply Company Ltd,  
Through its Managing Director,  
KESA House, Kanpur, Uttar Pradesh.

....Petitioners

Affidavit in support of the petition

I, Devendra Chandra Verma aged about 58 years S/o Late H.L. Verma, do solemnly affirm and state on oath as under:

1. I am presently posted as Chief Engineer (Regulatory Affairs Unit) UPPCL, U.P. Power Corporation Ltd., Shakti Bhawan, Lucknow and, I am duly authorized on behalf of UPPCL to make this affidavit.

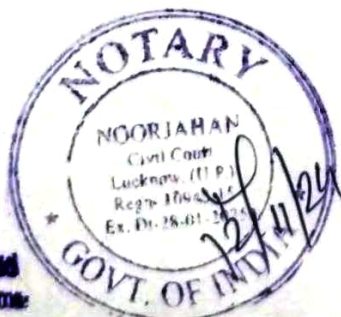
2. The statements made in paragraphs 1 to 12 of petition are based on based on information as per the records and on the basis of legal advice.

Verification

I, the deponent above named, do hereby verify that the contents of my above affidavit are true to my knowledge. No part of it is false and nothing material has been concealed.

Help me God,

Verified at Lucknow on this 12<sup>th</sup> day of November, 2024



Seen and Verified  
before me

NGORJAHAN  
Advocate & Notary  
Civil Court, Lucknow  
Registration No. 10943/15

Deponent

(डि० सी० वर्मा)  
मुख्य अभियन्ता (आर०ए०यू०)



# Vakalatnama

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In the Hon'ble Uttar Pradesh Electricity Regulatory Commission

SITTING AT LUCKNOW

Uttar Pradesh Power Corporation Limited, through its Managing Director,  
7th Floor, Shakti Bhawan, 11, Ashok Marg, Lucknow - 226001 and others

VERSUS

Petition No. of 2024

I/we the undersigned do hereby nominate and appoint **Shivam Sharma, Advocate, Mobile No.-7705041293, Enrollment No. 4895/2001, AOR- B/S 0927, R/o 62, Officer's Hostel, Meera Bail Marg, Lucknow**, to be counsel in the above matter and for me/our behalf to appear, plead act and answer in the above Court or any appellate Court or any Court to which the business is transfer in the above matter, and to sign and file petitions, statements accounts, exhibits, compromises or other documents whatsoever, in connection with the said matter arising there from, and also to apply for and receive all documents or copies of documents, depositions, etc., and to apply for issue of summons and other writs or subpoena and to apply for the get issued any arrest, attachment or other execution warrant or order and to conduct any proceeding that may arise there out and to apply for and receive payment of any or all sums or submit the above matter to arbitration.

Provided, however, if any part of the Advocate's fee remains unpaid before the first hearing of the case or if any hearing of the case be fixed beyond the limits of the town, then, and in such an event my/our said advocate shall not be bound to appear before the Court and if my/our said advocate depth appear in the said case he shall be entitled to an outstation fee and other expenses of traveling, lodging, etc., provided ALSO that if the case be dismissed by default or it be proceeded ex-parte, the said advocate shall not be held responsible for the same. And all whatever my/our said advocate shall lawfully do. I do hereby agree to and shall in future ratify and confirm.

ACCEPTED:-

Client.....  
1..(Shivam..Sharma)....  
Advocate....

Signature of Clint W. S. Sharma  
(डी० सी० वर्मा)  
मुख्य अभियन्ता (आर०ए०यू०)

Advocate  
Mobile...7705041293  
9335863974

Counsel for the petitioners



भारतीय स्टेट बैंक  
जारी करने वाले बैंक Bank of India  
Issuing Branch ASHOK MARG (LUCKNOW)  
कोड नं / CODE No: 03347  
Tel No

बैंकर्स चेक  
BANKERS CHEQUE

Key: TEMLUV  
Sr. No: 491009

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PAY SECRETARY UTTAR PRADESH ELETR ICITY REGULATORY COMMISSION LK

को या उनके आदेश पर

रुपये RUPEES Twenty Five Thousand Only

OR ORDER

अदा करें

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IOI 000561041319  
Name of Applicant

Key: TEMLUV Sr. No: 491009  
UPPCL ELY KEND BHU PRA EXP A/C

AMOUNT BELOW 25001(0/5)

कुले भारतीय स्टेट बैंक  
For STATE BANK OF INDIA

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AUTHORISED SIGNATORY

शाखा प्रबंधक  
Arun Kumar Shukla

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