

FORUM OF REGULATORS FOR EASTERN AND NORTH-EASTERN STATES(FORENS)

Secretariat: C/o-ODISHA ELECTRICITY REGULATORY COMMISSION (OERC)

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No.Secy/FORENS(Vol.VI)/ 792

Dated 26/07/2022

To,

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5. The Secretary,
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6. The Secretary,
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9. The Secretary,

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10. The Secretary,
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Sub: Minutes of the 14th meeting of the Forum of Regulators for Eastern & North-Eastern States (FORENS) held from 14th to 16th July, 2022 at Raichak, Kolkata

Sir,

Enclosed please find the minutes of the 14th meeting of the Forum of Regulators for Eastern and North-Eastern States (FORENS) held at Raichak, Kolkata from 14th - 16th July, 2022 hosted by West Bengal Electricity Regulatory Commission. In the meetings certain decisions were taken which are highlighted below for necessary action by the Member Commissions of the Forum.

- A. The annual subscription from the Member Commissions is increased in view of the rising expenses faced by the Commissions to conduct the meeting. It was decided in the meeting that the annual subscription be increased to Rs.1.50 lakh for single Member Commission(s) and Rs.3 lakh for the multi Member Commission(s) from the present subscription amount of Rs.1 lakh and Rs.2 Lakh respectively from the current financial year 2022-23.
- B. The Member Commissions may also contribute the subscription for the year FY 2021-22 at the old rate of Rs.1 lakh for single Member Commission(s) and Rs.2 Lakh for multi Member Commission(s).

Bank Details of FORENS:

Name of Bank	:	Union Bank of India, Plot No.1882, Besides Kalyani Mandap, Unit-8, Nayapalli, Bhubaneswar-751012, Odisha.
Account No	:	520141000775491
Name of the Account Holder	:	Forum of Regulators for Eastern & North Eastern States
IFSC Code	:	UBIN 0905411

In case the contribution has already been remitted to the FORENS account, this may be intimated.

C. The Competitive Bidding Framework and Approaches to Threshold Limit

It was decided in the meeting that the Member Commission may periodically report on the progress in their respective States vis-à-vis transmission sector competitive bidding.

D. Higher inter-State Point of Connection Charges for Eastern States.

It was decided in the meeting that a Committee consisting of the following Members of the forum be constituted to study issues, if any, of the Member Commissions with reference to the new Regulation 2020.

1. Shri D. Radhakrishnan, Chairperson Tripura ERC, Chairman of the Committee
2. Shri S. Kalita, Member Assam ERC, Member of the Committee
3. Shri. S.K.Ray Mohapatra Member Odisha ERC, Member of the Committee

All the Member Commissions of the forum are requested to send the related issues by 7th August 2022 to the FORENS secretariat which will be subsequently placed before the Committee to finalize their considered recommendations.

E. Renewable Purchase Obligation (RPO) target setting and weak compliance.

After deliberations on this topics in the meeting it was decided by the Members to represent the FOR highlighting difficulties in implanting uniform RPO across the country, particularly for the Eastern and North Eastern States after taking inputs from the Member States. The Member States are requested to provide the necessary inputs in the matter to the FORENS secretariat by 7th August, 2022.

Yours faithfully,


26.7.22
SECRETARY, FORENS

**Minutes of the 14th meeting of the Forum of Regulators for
Eastern and North-Eastern States (FORENS) held at Raichak, Kolkata
from 14th - 16th July, 2022 hosted by West Bengal Electricity
Regulatory Commission**

The 14th meeting of the Forum of Regulators of Eastern & North Eastern States was held on 14th-16th July, 2022 at Raichak, Kolkata.

Members present :

1. Sri S. Bhattacharya, Chairperson, WBERC
2. Sri D. Radhakrishna, Chairperson, TERC
3. Sri Shishir Sinha, Chairperson, BERC
4. Sri K. Sanjay Krishna, Chairperson, AERC
5. Sri P. W. Ingty, Chairperson, MSERC
6. Sri Gajendra Mohapatra, Chairperson (Offg.), OERC
7. Sri K.B. Kunwar, Chairperson, SSERC
8. Sri R. Thanga, Chairperson, Jt. ERC for Manipur & Mizoram
9. Sri Khose Sale, Chairperson, NERC
10. Sri S.N. Kalita, Member, AERC
11. Sri J.K. Sen, Member, TERC
12. Sri S.C. Chaurasia, Member, BERC
13. Sri S.K. Ray Mohapatra, Member, OERC
14. Sri Atul Kumar, Member, JSERC
15. Sri Mahendra Prasad, Member, JSERC

Officials Present:

1. Ms. Mousumi Guha Roy, Secretary, WBERC
2. Sri Ajoy Sahu, Joint Director, OERC
3. Sri Saibal Kanti Das, Advisor, WBERC

Inauguration of the meeting:

The Chairperson of WBERC chaired the meeting of FORENS. He welcomed all the delegates representing different Member Commissions of the Forum to the 14th meeting being held at Raichak, Kolkata. He also welcomed the Ex-Chairpersons and Ex-Members of the Forum, who had retired after the last meeting (13th) of the FORENS held at Agartala Tripura. He eloquently praised the good work done by the Ex-Chairpersons and Ex-Members in strengthening this Forum.

He highlighted that the FORENS is doing a good job in raising many relevant similar issues faced by the Members Commissions of the Eastern and North-Eastern region of the Country. Encouraged by the work of this forum, a number of States are expressing interest in being a part of

FORENS. He wished that all the participants will have a comfortable stay at Raichak during the meeting.

He invited Ex-Chairpersons and Ex-Members to express their thoughts and experience of the FORENS meetings. Sri S.C. Das, Ex-Chairperson, AERC said that he had good memories of the meetings where useful discussion were made. He expressed his gratitude to the FORENS for inviting him to the meeting. Sri U.N. Behera, Ex-Chairperson, OERC briefed the Members about the history of FORENS, its origin and how it has travelled its journey since its inception in the year 2013. He said many important issues such as coal, inter-State transmission charges, RPO compliance by the Eastern and North-Eastern States have been discussed and raised such issues in FOR and fruitful outcomes have been achieved. Sri R.K. Choudhury, Ex-Member, BERC said that he is happy to be present in the meeting. He said that FORENS can be more effective and suggested that a consultant may be appointed for the FORENS to study the various issues of the Member States, recommend suitable measures and raise common issues at FOR meeting. Sri D.D. Goswami, Ex-Member, WBERC expressed his thoughts and highlighted on the effectiveness of the forum through discussions in the meeting. He thanked WBERC for choosing an excellent location for the present meeting. Mrs. Bulbuli Borthakur, Ex-Member, AERC expressed her happiness to be present in the meeting and thanked FORENS for inviting her to the meeting. Sri R.N. Singh, Ex-Member, JSERC also thanked WBERC for organizing the 14th FORENS meeting at Raichak and FORENS for inviting them to the same. He said that since the electricity sector is evolving and many changes are likely to happen in the near foreseeable future, the role of FORENS will be more important to address the issues common to the FORENS Member Commissions.

Sri S. Bhattacharya, Chairperson, WBERC expressed his gratitude on the views of the Ex-Chairperson and Ex-Members of the FORENS. The FORENS acknowledges with admiration for the guidance provided by the Ex-Chairpersons & Ex-Members to strengthen this Forum.

Agenda-1: A presentation on the Power Sector of West Bengal by WBERC

A presentation on the Power Sector of West Bengal including Power Sector- National overview, Power Sector – State Overview, Generation, Transmission and Distribution sector was made by the host Commission. The Members deliberated on the various aspects of such presentation like EV charging facility, uniform RPO compliance across the country etc.

Agenda-2: Confirmation of the minutes of the 13th meeting of FORENS held at Agartala on 22nd – 24th January, 2020

The minutes of the 13th meeting was circulated vide FORENS Secretariat letter No.669 dt.25.06.2020 (Annexure-1). No views/comments have been received from the FORENS Members on the same.

Hence, the said minutes of the meeting was confirmed in the meeting.

Agenda-3: ATR of 13th FORENS meeting.

1. Audit Report of FORENS Account

The Audited Accounts for the FY 2018-19 has been prepared and certified by the statutory auditor. It was informed to the forum that due to Covid situation and inability of the bank to provide the requisite information in proper format due to merger issues, the statutory audit could not be carried out by the auditor. The Members of the forum advised that the statutory audit of FORENS Account for the remaining years may be completed within three months.

2. FORENS Website

It was earlier suggested by the Members that FORENS can have its own website and not in the present form as a part of the OERC website. It was therefore resolved that FORENS Secretariat may take steps to book a site of its own. The Members discussed and decided that the contents to be put in the new website of FORENS may be done under the guidance and advice of Mr. S. N. Kalita, Member, Assam ERC. It was also decided that a website may be booked directly by the FORENS secretariat instead of going through any other mode.

Agenda-4: Financial Position of FORENS Account

- a) During the year 2020-21, FORENS Secretariat has received Annual Subscription Fee of Rs.2,00,000/- (Rupees two lakh) only from the MemberCommissions.

The last FORENS meeting was held at Agartala, Tripura from 22nd – 24th January, 2020 hosted by TERC. The total expenditure as submitted by TERC for the said meeting was Rs.14,21,472/-. As per the resolution of the FORENS, an amount of Rs.7,00,000/- was paid to the host Commission i.e. TERC.

- b) During the year 2021-22, no Annual Subscription Fee has been received from Members of FORENS.

The financial position of the Forum was discussed and it was informed to the forum that the total balance as of now in the bank account is about Rs.24.45 lakhs. After deliberations, the following decisions were taken unanimously.

1. The annual subscription from the MemberCommissions is increased in view of the rising expenses faced by the Commissions to conduct the meeting. It was therefore decided that the annual subscription be increased to Rs.1.50 lakh for single MemberCommissions and Rs.3 lakh for the multi MemberCommissions from the present subscription amount of Rs.1 lakh and Rs.2 Lakh respectively from the current financial year 2022-23.
2. The MemberCommissions may also contribute the subscription for the year FY 2021-22 at the old rate of Rs.1 lakh for single MemberCommission(s) and Rs.2 Lakh for multi MemberCommission(s).
3. The enhancement of the present contribution of the FORENS (Half of the total amount spent maximum upto Rs.7 Lakh) for the meetings may be decided to be increased in the next meeting.
4. The WBERC informed that expenses associated with 14th FORENS meeting at Raichak, Kolkata may go upto Rs.15 lakh. in view of certain expenses made for the earlier proposed meeting at Kalimpong, which was cancelled due to Covid and due to additional expenses on invitation of Ex Chairperson and Ex Members to the present meeting. Therefore, WBERC requested to enhance the contribution from FORENS fund to the tune of Rs.10 lakhs instead of maximum limit of Rs.7 lakhs considering above circumstances. As per the practice, the WBERC may send the final extract of the expenses of the meeting to the FORENS secretariat, which is required for the remittance from FORENS fund contributed by MemberCommission of ER & NER.

Agenda-5 A Brief Overview: Distribution Franchisee Framework

The Members discussed the topic. It was opined by the Chairperson WBERC that many amendments to The Electricity Act 2003 are being introduced by the Government of India in the Parliament aimed at bringing changes for financial and operational stability of distribution segment. Therefore, it was opined by the Members that this agenda if required may be taken up only after any such amendment to the Electricity Act is passed by the Parliament.

It was decided by the Members that this agenda may be dropped as of now.

Agenda-6 The Competitive Bidding Framework and Approaches to Threshold Limit

The Members discussed the topic. It was opined by the Members that as many amendments to The Electricity Act 2003 are being introduced by the Government of India in the Parliament aimed at bringing changes in the power sector. But, in many States, State Governments have

reservations about the approach to competitive bidding framework. However, Shri S.K. Ray Mohapatra Member, OERC highlighted about the interest of Govt. of Odisha to follow the competitive bidding route for Intra-State transmission projects.

It was unanimously decided by the Members that this agenda may be dropped for the time being considering the State of affairs of States of ER & NER. However Member Commission may periodically report on the progress in their respective States vis-à-vis transmission sector competitive bidding.

Agenda-7: Higher inter-State Point of Connection Charges for Eastern States.

The Members discussed the topic. It was opined by the Members that since GoI have notified Implementation of Sharing of Inter-State Transmission Charges and Losses Regulations, 2020 in STOA Collective and Bilateral Transactions, many issues have been resolved. Hence, it was unanimously decided by the Members that this agenda may be dropped. However, it was also opined that a Committee consisting of the following Members of the forum be constituted to study issues, if any, of the Member Commissions with reference to the new Regulation.

1. Shri D. Radhakrishnan, Chairperson Tripura ERC, Chairman of the Committee
2. Shri S. Kalita, Member Assam ERC, Member of the Committee
3. Shri. S.K. Ray Mohapatra Member Odisha ERC, Member of the Committee

All the Member Commissions of the forum were requested to send the related issues by 7th August 2022 to the FORENS secretariat which will be subsequently placed before the Committee to finalise their considered recommendations.

Agenda -8 : Renewable Purchase Obligation (RPO) target setting and weak compliance.

This topic was discussed by the Members. It was opined that the most of the States are notifying Net Metering, gross Metering and Virtual/Group Net Metering Regulations. As regards RPO compliance, Members opined that many of the Eastern and North Eastern States are not industrialized and nature of load is predominantly domestic and agriculture. The load curve is almost a bell shaped curve. Members opined RE is not available during peak hours, the cost of generation is relatively high, RE has must run status and States are compelled to buy RE power and surrender thermal power resulting in increased losses & tariff burden to consumers. It was opined that individual States may approach MOP for giving special category status to ER & NER States basing on the RE potential in the State.

It was also opined by the Tripura ERC Chairperson that the polluting industries shall pay for the RE development in the States. WBERC Chairperson highlighted the recent report regarding the

environmental damage caused by the extensive roof top solar installations in California, USA. Due to new areas of RE power development, particularly in south and west, the power flow is getting reversed. Therefore, the FORENS noted that it is the obligation of the individual States to suitably take forward RE development in their States and carve a road map for RPO obligation.

It was also deliberated on the recent Government of India notification on the mandatory blending of imported coal with the domestic coal for thermal generating plants. The Members opined that the plants are facing difficulties in procuring domestic coals, due to inadequate coal supply/rake placements of Indian railways, and import has high cost implication for the procuring DISCOMS.

After deliberations it was decided by the Members to represent the FOR highlighting difficulties in implanting uniform RPO across the country, particularly for the Eastern and North Eastern States after taking inputs from the Member States. The Member States may provide the necessary inputs in the matter to the FORENS secretariat.

Agenda-9: Development of Distribution Infrastructure

Shri S.K. Ray Mohapatra Member OERC highlighted the issues related to the strengthening of the Distribution system which is a vital element in the power delivery chain being the last mile connectivity with the ultimate consumers. He highlighted important measures for improving reliability of power supply which needs proper planning, designing & engineering and smooth Operation & Condition Based Maintenance practice which are essential to achieve the ultimate goal of reliable, affordable, (24x7) uninterruptible Quality Power for making the DISCOMs operationally & financial stable. The details of such measures were placed before the forum.

After deliberations, it was decided in the meeting that the individual States may study the same document and give their inputs. It was also decided to discuss this issue in the next meeting of the FORENS with the inputs from the Member Commissions. OERC was further advised that they could hold views seeking fact validating seminar.

Agenda-10: Presentation by M/s SunEdison on Community Solar and other Advancements in distributed Solar.

SunEdison gave a presentation on the topic. The presentation highlighted as to how solar energy through roof top solar can benefit consumers, society through increased efficiency gains, economic benefits, availing Government incentives and progress towards RPO requirements. Presentation also highlighted on solar power with energy storage integrated with distributed generation for Round the Clock power through RE. Presentation also touched upon Community solar policy. The Members queried on various issues such as financial viability of Roof top solar plant in

India, notification of the RE regulations by the different States, difficulty in RPO compliance for States with poor RE potential etc.

Agenda-11: Venue for the next meeting of the FORENS with tentative date.

The Members discussed the venue for the next FORENS meeting (15th) and took cognizance of the earlier meetings detailed in the following table.

Sl. No.	Meetings	Dates	Venue	Host Commission
1	1 st meeting	26 th – 27 th October, 2013	Puri	Odisha ERC
2	2 nd meeting	7 th – 8 th February, 2014	Kaziranga	Assam ERC
3	3 rd meeting	13 th – 14 th November, 2014	Rajgiri	Bihar ERC
4	4 th meeting	18 th – 21 st November, 2015	Sundarbans	West Bengal ERC
5	5 th meeting	5 th – 6 th May, 2016	Ranchi	Jharkhand ERC
6	6 th meeting	8 th – 10 th September, 2016	Imphal	Jt. ERC (Manipur & Mizoram)
7	7 th meeting	27 th – 30 th April, 2017	Gangtok	Sikkim SERC
8	8 th meeting	12 th – 14 th October, 2017	Puri	Odisha ERC
9	9 th meeting	19 th – 21 st April, 2018	Itanagar	Arunachal Pradesh ERC
10	10 th meeting	25 th -27 th October, 2018	Bodh-Gaya	Bihar ERC
11	11 th meeting	19 th -22 nd April, 2019	Digboi	Assam ERC
12	12 th meeting	26 th -28 th September, 2019	Dirang	Arunachal Pradesh ERC
13	13 th meeting	22 th -24 th January, 2020	Agartala	Tripura ERC
14	14 th meeting	14 th -16 th July, 2022	Raichak, Kolkata	West Bengal ERC

As per the rotation policy, Jharkhand ERC was supposed to organize the venue for the next meeting (15th meeting) of FORENS. However, Members of the JSERC informed that all the three positions of their Commissions were vacant for a long time and two Members have joined recently. Therefore, their Commission may not be in a position to conduct/ organise the next meeting. Taking such developments into account, Sikkim ERC was requested to organize the next meeting of FORENS. The Chairperson of the Sikkim ERC after deliberations agreed to conduct the next meeting at Sikkim tentatively during 3rd week of October, 2022. Details of the meeting may be discussed by Sikkim ERC with FORENS secretariat.

The meeting ended with vote of thanks to the Chair.