

**ODISHA ELECTRICITY REGULATORY COMMISSION
BIDYUT NIYAMAK BHAWAN
PLOT NO.-4, CHUNUKOLI, SHAILASHREE VIHAR
BHUBANESWAR - 751 021**

**Present: Shri U. N. Behera, Chairperson
 Shri S. K. Parhi, Member
 Shri G. Mohapatra, Member**

Case No. 05/2020

M/s. Dalmia Cement (Bharat) Ltd.	Petitioner
Vrs.		
M/s. OREDA	Respondent

In the matter of: **Application seeking direction of the Commission to M/s. OREDA to carry forward the excess Renewable Energy Certificates (REC) procured by the applicant during FY 2015-19 under the OERC (Procurement of Energy from Renewable Sources and its Compliance) Regulations, 2015 read with OERC Notification dated 31.12.2019.**

For Petitioner: **Shri R.P. Mahapatra, the authorised representative.**

For Respondent: **Shri A.K.Choudhury, Joint Director, OREDA.**

ORDER

Date of hearing: 21.07.2020

Date of order: 21.08.2020

The present petitioner is a manufacturer of cement and refractory having its plant located at Rajgangpur in WESCO Utility area. It has three CGP units i.e. 2x27+1x10 MW (64 MW) commissioned in FY 2010-11, FY 2011-12 and FY 2017-18 respectively.

2. The petitioner had procured Solar and Non-solar Renewable Energy Certificates to meet its Renewable power obligation for different financial years based on Regulation 4.2 of the OERC (Procurement of Energy from Renewable Sources and its Compliance) Regulations, 2015. The Renewable Procurement Obligation was varying from 3% to 11% of the total consumption under that Regulation.
3. Subsequently, the Commission in its notification No.OERC/RA/RE-5/2013 dt.31.12.2019 exercising powers under OERC (Procurement of Energy from Renewable Sources and its Compliance) Regulations, 2015 had directed as follows:

(i) *The CGPs which are commissioned before 01.04.2016, the RPO for them shall be pegged as prescribed in the above Regulation for FY 2015-16 and shall be as follows:*

<i>Solar sources (%)</i>	<i>Non-solar sources (%)</i>	<i>Total (%)</i>
<i>0.50</i>	<i>2.50</i>	<i>3.00</i>

(ii) *For CGPs commissioned from 01.04.2016 onwards, the RPO shall be pegged at the level of the year of commissioning as mandated by the OERC under OERC (Procurement of Energy from Renewable Sources and its Compliance) Regulations, 2015.*

4. Considering the above orders of the Commission, it is found that the petitioner has procured excess RECs both Solar and Non-solar for the different financial years from FY 2015-16 to FY 2018-19. Therefore, the petitioner prays that OREDA be directed to carry forward the excess REC procured by them for the period from FY 2015-16 to FY 2018-19 towards Renewable Purchase Obligation (RPO) to the period FY 2019-20 onwards.
5. In its reply, the state designated agency, OREDA stated that apart from CGP, the entity is also consuming power through Open Access. The petitioner also has a 2.5 MW solar power plant under REC mechanism commissioned in 2014 by which it has retained 30351 REC to fulfil the RPO later on. The EIC (Electricity) has provided only the combined consumption data from the 64 MW CGP in the industry. Therefore they had to compute REC requirement from the declaration of the petitioner. As per the information provided by the petitioner, OREDA has computed the REC requirement and found that the petitioner has excess of Solar and Non-solar RECs with them during the past periods. OREDA has prayed the Commission to direct the EIC (Electricity) to furnish the year-wise (since September, 2015) consumption data of all the units separately and also seeks direction to SLDC to provide them Open Access data of the obligated entity. They have no objection to whatever order the Commission issues regarding the carry forward of excess REC procured during FY 2015-16 to FY 2019-20 for its adjustment against the requirement in the subsequent years.
6. Heard the parties at length. EIC (Electricity), Government of Odisha is directed to provide source-wise and year-wise consumption data since FY 2015-16 to OREDA. SLDC is also directed to furnish Open Access consumption data of the petitioner to OREDA. After obtaining the information, OREDA shall compute afresh the excess

REC available with the petitioner. The petitioner is allowed to carry forward the excess REC so computed from FY 2019-20 onwards. In case the consumption data of the past years is not available with the EIC (Electricity) and SLDC or cannot be found out due to technical difficulties, then the declaration of the petitioner with regard to consumption shall be adopted as has been done by OREDA now.

7. With this direction, the case is disposed of.

Sd/-
(G.Mohapatra)
Member

Sd/-
(S. K. Parhi)
Member

Sd/-
(U. N. Behera)
Chairperson