



*West Bengal State Electricity Distribution Company Limited*  
**(A Government of West Bengal Enterprise)**

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**Regulation Cell**

Memo No-REG/Legal/CERC/ 79

Dated: 14/03/2022

To  
The Secretary,  
Central Electricity Regulatory Commission,  
3<sup>rd</sup> & 4<sup>th</sup> Floor, Chanderlok Building,  
36, Janpath, New Delhi-110001.

Sub: Comments on draft CERC (Terms and Conditions for Renewable Energy Certificates for Renewable Energy Generation) Regulations, 2022.

Ref: Memo No.RA-14026(11)/1/2022-CERC dated 15.02.2022 of the Secretary CERC.

Respected Sir,

With reference to the above, comments/ suggestions of WBSEDCL are enclosed herewith for your consideration, please.

Encl: As above

Yours faithfully,

(S. Mukhopadhyay)  
Chief Engineer (Reg)



Observation of WBSEDCL on draft CERC (Terms and Conditions for Renewable Energy Certificates for Renewable Energy Generation) Regulations, 2022			
Ref. Clause No	Provisions as per draft Regulation	Amendment proposed	Reasons for amendment proposed
Clause 4 (1)	(a) Renewable Energy Generating Station, (b) Captive generating station based on renewable energy sources,	(a) Renewable Energy Generating Station/ <b>Co-Generation plants</b> , (b) Captive generating station based on renewable energy sources/ <b>Co-Generation sources</b> ,	<p>Govt. of West Bengal issued a direction to WBERC under section 108 of the Electricity Act 2003 regarding inclusion of co-generation power towards Renewable Power Obligation (RPO) compliance by Discoms in West Bengal in view of promoting Co-generation from all sources as mandated under Section 86 (e) of the Electricity Act, 2003, vide order no. 06-POW-13099/8/2021-SECTION (POWER) dated 15.07.2021 where Govt. of West Bengal has given following directions to WBERC:</p> <p>(i) <i>The cogeneration of electricity be continued to be considered as before the amendment to the Principal Regulations defining the eligibility for RPO obligations;</i></p> <p>(ii) <i>to amend the Principal Regulations mentioned above to provide:</i></p> <p>(a) <i>inclusion of "industrial waste" in the definition for renewable energy,</i></p> <p>(b) <i>The purchase of power generated from cogeneration sources irrespective of the nature of the industry will qualify to meet the RPO of a distribution licensee.</i></p> <p>Earlier WBERC issued WBERC (Cogeneration and Generation of Electricity from Renewable Sources of Energy) (First amendment) Regulations, 2020 under Notification No. 71/WBERC dated 21/12/2020 by which WBERC has amended its principal Regulation, WBERC (Cogeneration and Generation of Electricity from Renewable Sources of Energy) Regulations, 2013 issued under Notification no. 50/WBERC dated 22/3/2013. By the said amendment, WBERC excluded 'industrial waste' from the definition of 'Renewable source' in the amended Regulations, 2020 (Regulation 2.1 (XXIII)) and omitted 'Co-generation' from the source of power to meet RPO (Regulation 3.4, 3.7, 3.9, 3.13).</p>
4 (2)	A renewable energy generating station shall be eligible for issuance of Certificates, if it meets the following conditions:  (a) the tariff of such renewable energy generating station has not been either determined or adopted under section 62 or section 63 of the Act, or the electricity generated is not sold either through an electricity trader or in the Power Exchange, for RPO compliance by an obligated entity;	A renewable energy generating station/ <b>Co-Generation plants</b> shall be eligible for issuance of Certificates, if it meets the following conditions:  (a) the tariff of such renewable energy generating station/ <b>Co-Generation plants</b> has not been either determined or adopted under section 62 or section 63 of the Act, or the electricity generated is not sold either through an electricity trader or in the Power Exchange, for RPO compliance by an obligated entity;	
4 (3)	Captive generating stations based on renewable energy sources and meeting the conditions as specified under clause (2) of this Regulation in respect of renewable energy generating stations shall be eligible for issuance of Certificates:	Captive generating stations based on renewable energy sources/ <b>Co-Generation sources</b> and meeting the conditions as specified under clause (2) of this Regulation in respect of renewable energy generating stations shall be eligible for issuance of	

  
 14/3/2022  
 Chief Engineer (Regulation)  
 Regulation Department  
 WBSEDCL