

**MINUTES OF THE 81ST MEETING OF THE
FORUM OF REGULATORS (FOR)**

Venue: Conference Hall, Upper Ground Floor
Central Electricity Regulatory Commission
New Delhi-110001 (Also in hybrid mode)

Date /Day: 8th July, 2022 – Friday

Timings: 11 am onwards

1. The 81st meeting of Forum of Regulators was held through Hybrid mode i.e. both physical and video conferencing (through MS Teams). As the post of Chairperson, CERC was vacant, Chairperson, Kerala SERC, being the senior most among the Chairpersons of SERCs chaired the meeting.
2. At the outset, Chairperson, Kerala SERC welcomed all members to the 81st meeting of the FOR. He also welcomed Chairperson Karnataka ERC who was attending the FOR meeting for the first time after assuming charge. He then requested Deputy Chief (RA), CERC to take up the agenda items of the meeting for consideration of the Forum.

The list of participants is at **Appendix**.

AGENDA 1: CONFIRMATION OF MINUTES OF THE 80TH FOR MEETING HELD ON MAY 27, 2022

Dy Chief (RA), CERC updated about the action taken on the minutes of the 80th FOR meeting held on 27th May 2022. The Forum approved the Minutes of the 80th FOR Meeting.

AGENDA 2: “ELECTRICITY (PROMOTING RENEWABLE ENERGY THROUGH GREEN ENERGY OPEN ACCESS) RULES, 2022

1. Chief (RA), CERC apprised the Forum about the Electricity (Promoting Renewable Energy Through Green Energy Open Access) Rules, 2022 notified by Ministry of Power on 6th June 2022. He further informed that the Forum of Regulators (FOR) has been entrusted with the responsibility of framing the Model Regulations under

Rule 12 within four months, in order to have common methodology for calculation of open access charges and banking charges. He also informed that comments received from Karnataka and West Bengal ERC on various provisions of the Rules have also been placed for consideration of the Forum.

2. The members of the Forum were of the view that Model Regulations should not be binding on State Electricity Regulatory Commissions (SERCs) and that they should be free to adopt /modify the Model Regulations as per the specific requirements of the State.
3. After detailed discussion, the Forum decided to constitute a Working Group (WG) to formulate the Model Regulations, which will thereafter be presented before the Forum. The Working Group would be chaired by Chairperson, UPERC and other members of the Working Group would be Chairpersons of Karnataka ERC, Rajasthan ERC, Himachal Pradesh ERC, Tripura ERC, Chhattisgarh ERC and Technical members of Telangana ERC, Gujarat ERC & Member (Shri Arun Goyal), CERC. It was also decided that while the views expressed by Karnataka and West Bengal ERC on various provisions of the Rules will be considered by the WG, other SERCs may also forward their comments on the Rules to the FOR Secretariat who will then place the same before the WG.

AGENDA 3: KARNATAKA ERC REFERENCE ON “CERC REC REGULATIONS”

1. Dy. Chief, (RA) apprised the Forum about the reference received from Karnataka ERC, wherein they have requested FOR to recommend to CERC to amend Regulation 10(3) and Regulation 4(d) of CERC (Terms and Conditions for Renewable Energy Certificates for Renewable Energy Generation) Regulations, 2022.
2. Chairperson, Karnataka ERC apprised the Forum regarding difficulties in implementing the Regulation 10 (3) of the CERC (REC) Regulation, 2022 wherein the distribution licensees have been asked to apply for issuance of Certificates within three months from the end of the financial year along with certification from concerned SERC about excess purchase of RE above RPO compliance. It was informed that RPO compliance of distribution licensees are finalized based on the audited accounts and it would not be possible to finalize the energy balancing among distribution licensees in case of Karnataka.

3. The issue was discussed. Some members opined that energy accounting of RE purchase can be done separately and need not wait for finalization of financial accounts. Others felt that it would be better if six months' time be granted for this purpose. The Forum recommended that CERC may note the concerns raised by the Members in this regard and may take appropriate action as deemed fit based on communications received from SERCs.
4. On the issue of eligibility of RE Generator having APPC contract with the local distribution licensee, if any such agreement exists in any of the States, it was clarified that the primary criteria for a RE generator to qualify for REC is that the electricity sold from such generator is not accounted for RPO compliance and hence an RE generator under APPC contract with local distribution licensee would also be eligible under REC as long as the electricity sold under such contract is not accounted for RPO compliance by the concerned obligated entity. Hence, there is no need to amend the CERC (REC) Regulations, 2022 in this regard.
5. Member, Gujarat ERC sought clarification on Regulation 4(4) of CERC (REC) Regulations, 2022 and raised the issue of eligibility of obligated open access consumers for issuance of certificates corresponding to excess generation beyond self-consumption and absorbed by the distribution licensee. It was clarified that SERCs have the power to certify the purchase or consumption by the obligated entities and to decide the eligibility of obligated entity towards excess procurement of RE power beyond RPO.
6. After discussion, it was agreed that Gujarat ERC, Himachal Pradesh ERC, Karnataka ERC and other SERCs may communicate their issues to CERC highlighting specific cases along with suggested formulation for the same.

AGENDA 4: TRIPURA ERC REFERENCE ON "TABLE OF PRECEDENCE"

1. Chairperson, Tripura ERC informed that there is no mention of Chairman CERC / SERCs in the "Table of Precedence" issued by MHA which causes some difficulty during travel.

2. After discussion, the Forum observed that the matter pertains to the SERCs and State Governments. Hence, the SERCs may take up the issue with their respective State Governments.

AGENDA 5: DRAFT COMMON FORMATS FOR THE GREEN ENERGY OPEN ACCESS

1. Deputy Chief (RA), CERC apprised the Forum about reference received from POSOCO on common application format for the Green energy open access, consequent to the issuance of Rules by the Ministry of Power on the same subject.
2. The representative of POSOCO joined the meeting virtually. Director (Market Operations), POSOCO apprised the Forum that as per Rule 7 of the Green Energy Open Access Rules, POSOCO is entrusted with the responsibility to prepare a common format for application and grant of Green Energy Open Access in consultation with FOR
3. The Forum observed that the format for grant of open access has already been prescribed in the Open Access Regulations of all SERCs. Hence, in order to develop a common format, POSOCO may consult with the SLDCs of all States and seek their inputs before finalising the common formats for green open access.
4. The formats evolved based on inputs from the SLDCs for inter-State open access may be brought to the Forum for consideration.

AGENDA 6: DATA ON COMPLIANCE BY SERCS IN RESPECT OF VARIOUS RULES ISSUED BY MINISTRY OF POWER- REFERENCE FROM MINISTRY OF POWER

1. Deputy Chief (RA), CERC apprised the Forum about the reference received from Ministry of Power-seeking data on compliance by SERCs in respect of various Rules issued by the Ministry of Power.
2. After discussion it was decided that FOR Secretariat should prepare a format, request for the data from SERCs and send the same to Ministry of Power.

ANY OTHER AGENDA:

1. Chairperson, Rajasthan ERC raised the issue of reimbursement of airfare to the participants of study tour to Belgium and Norway which had concluded in June 2022. He stated that as per the letter received from FOR Sectt, economy class airfare is reimbursed to the participants.
2. Deputy Chief (RA), CERC referred to the decision taken in 63rd meeting of FOR “..... *that Forum may meet the expenditure towards economy class airfare of participants. However, the difference of air fare arising out of travel by the participants for their entitled class would be borne by the respective SERCs.*” To this, Chairperson RERC responded that claiming the difference amount through respective State Commissions is a tedious process especially in cases where State Governments approval is required. It was suggested that the reimbursement by FOR should be as per entitlement of the participants i.e. business class for Chairpersons. If FOR has any issues wrt funding, the membership contribution by SERCs towards FOR membership fee may be increased.
3. After discussion, it was decided that:
 - i) With due regard to the status of the Chairpersons / Members of ERCs, business class airfare will be reimbursed to the participants for all future foreign tours. Other details w.r.t sector of travel, time of booking etc. would be as per communication from FOR Secretariat from time to time.
 - ii) For the study tour concluded in June 2022, the reimbursement will be as per the actuals (Business class or Economy class) on sector Delhi – Brussels and Oslo-Delhi.

CONCLUSION

1. On conclusion of the agenda items, Chairperson Kerala SERC informed that this would be his last meeting of FOR as he was demitting office on 17th July 2022. He expressed deep appreciation and gratitude to the members of the Forum for enriching discussion in the Forum meetings.
2. Secretary, FOR/CERC in his vote of thanks, placed on record the appreciation and best wishes of the Forum to Chairperson, Kerala SERC who is demitting office on

17th July 2022 and to Chairperson, West Bengal ERC who is demitting office on 2nd August 2022.

3. Chairperson, Andhra Pradesh ERC informed the Forum that APERC proposes to host the next FOR meeting in September 2022 at Visakhapatnam, Andhra Pradesh. He added that the final date would be communicated to the FOR Secretariat in due course.
4. The meeting ended with vote of thanks to the Chair.

APPENDIX

LIST OF PARTICIPANTS OF THE 81st MEETING

OF

FORUM OF REGULATORS (FOR)

HELD ON FRIDAY, THE 8TH JULY, 2022.

THROUGH HYBRID MODE

[PHYSICAL AT CERC (NEW DELHI) & THROUGH VIDEO CONFERENCING (MS TEAMS)

S. No.	NAME	ERC
01.	Shri Preman Dinaraj Chairperson	KSERC – in Chair.
02.	Justice (Shri) C.V. Nagarjuna Reddy Chairperson	APERC
03.	Shri Kumar Sanjay Krishna Chairperson	AERC
04.	Shri Shishir Sinha Chairperson	BERC
05.	Shri Hemant Verma Chairperson	CSERC
06.	Shri R.K. Pachnanda Chairperson	HERC
07.	Shri D.K.Sharma Chairperson	HPERC
08.	Shri P. Ravi Kumar Chairperson	KERC
09.	Shri S.P.S. Parihar Chairperson	MPERC
10.	Shri P. W. Ingty Chairperson	MSERC
11.	Dr. B.N. Sharma Chairperson	RERC
12.	Shri K.B. Kunwar Chairperson	SSERC
13.	Shri M. Chandrasekar Chairperson	TNERC
14.	Shri D. Radhakrishna Chairperson	TERC

15.	Shri Raj Pratap Singh Chairperson	UPERC
16.	Shri Sutirtha Bhattacharya Chairperson	WBERC
17.	Shri Gajendra Mohapatra Member/Officiating Chairperson	OERC
18.	Shri D.P. Gairola Member/Chairperson I/c.	UERC
19.	Shri Pramod Kumar Gupta Member	CSERC
20.	Shri Satyendra R. Pandey Member	GERC
21.	Ms. Jyoti Prasad Member (Law)	JERC (for State of Goa & UTs)
22.	Shri Ajay Gupta Member	JERC (for UTs of J&K and Ladakh)
23.	Shri M.D. Manohar Raju Member	TSERC
24.	Shri Harpreet Singh Pruthi Secretary	CERC/FOR
25.	Dr. Sushanta K. Chatterjee Chief (RA)	CERC
SPECIAL INVITEES		
26.	Shri Indu Shekhar Jha Member	CERC
27.	Shri Arun Goyal Member	CERC
28.	Shri Pravas Kumar Singh Member	CERC
OTHERS		
29.	Shri Proteek Kumar Chakraborty Chief (Fin.)	CERC
30.	Shri Awdhesh Kumar Yadav Chief (Engg.)	CERC
31.	Shri S.S Barpanda, Director (MO)	POSOCO
32.	Shri Samir Saxena, Chief General Manager	POSOCO
FOR SECRETARIAT		
33.	Ms. Rashmi Somasekharan Nair Dy. Chief (RA)	CERC
34.	Shri Sanjeev Tinjan Asst. Chief (RA)	CERC

35.	Ms. Sukanya Mondal Asst. Chief (RA)	CERC
36.	Shri P.M. Antony Asst. Secy.	FOR
37.	Shri Ravi Kadam Sr Advisor (RE)	CERC
38.	Shri Saurabh Principal Research Officer (RA)	CERC
39.	Shri Manavendra Pratap Research Officer	CERC
40.	Ms. Jijnasa Behra Research Officer	FOR
41.	Shri Kushal Pal Research Associate	SAFIR
42.	Ms. Nausheen Research Associate	CERC
43.	Shri Sourav Dasgupta Research Associate	CERC
44.	Shri Sushil Kumar Arora Administrative Officer	SAFIR
45.	Shri Davinder T.O. (IT)	FOR
46.	Shri Anirudh	IT Cell