

**BEFORE THE KARNATAKA ELECTRICITY REGULATORY
COMMISSION**

No.16 C-1, Miller Tank Bed Area, Vasanthanagar, Bengaluru-560052

Dated 8th February, 2022

Present:

Sri. H.M. Manjunatha - Member and Acting Chairman

Sri. M.D. Ravi - Member

In the Matter of Wheeling Charges and Banking Facility for Renewable Power Projects.

Preamble:

1. The Commission, on 24.08.2020, had issued a discussion paper on Wheeling Charges and Banking Facility for Renewable Power Projects, proposing revision of the wheeling charges to 50% of the normal transmission charges and/or wheeling charges payable in cash, as determined by the Commission, in its Tariff Orders issued from time to time, in addition to the applicable losses. The Commission also proposed to discontinue the banking facility extended to Solar, Min-Hydel and Wind Power projects and that any energy banked and remaining unutilized at the end of each month shall be deemed to have been supplied to the concerned ESCOM, where the RE generator is situated, free of cost. It was also stated that the above proposal is applicable to all those renewable energy generators who enter into Wheeling & Banking Agreement (WBA) from the date of issue of the order in the matter by the Commission and excludes those projects which are commissioned on or before 31.03.2018 and have not completed 10-years' period from the date of Commercial Operation Date [CoD] and that the proposed control period would be upto 31.03.2022.



2. After considering the comments / suggestions / views expressed by stakeholders in writing as well as the public hearing held on 27.01.2021 and considering the request of the Generators to pass interim order, the Commission passed an interim order on 07.09.2021, noting that it would take some more time to complete a detail study / analysis in the matter. As such the Commission passed the following order on 07.09.2021:
 - "i) For the Non-REC based projects commissioned on or before 31.03.2018 and that have entered into WBA, the existing wheeling and banking charges and the annual banking facility shall be continued for the present, as there is no stay granted by the Hon'ble High Court in WA No.1061/2019 on the orders of the Hon'ble High Court in Writ Petition Nos.23158-23162/2018 and 23449 – 23457 / 2018 on wheeling charges and no stay granted by the Hon'ble Supreme Court in Civil Appeal No.9619-9637/2019 on the orders of the Hon'ble ATE in Appeal No.42/2018 and IA No.962/2019 on banking facility.
 - ii) For the Non-REC based projects commissioned after 31.03.2018 that enter into WBA, the Commission, in the interim, decides to continue existing wheeling and banking charges and the annual banking facility till 31.03.2022, subject to RE generators furnishing an undertaking that they shall abide by the orders issued by the Hon'ble High Court in WA No.1061/2019 on wheeling charges and the Hon'ble Supreme Court in Civil Appeal No.9619-9637/2019 on banking facility."
3. In the above interim order, the Commission had decided to continue the existing wheeling and banking charges and the annual banking facility till 31.03.2022, subject to RE generators furnishing an undertaking that they shall abide by the orders issued by the Hon'ble High Court in WA No.1061/2019 on wheeling charges and the Hon'ble Supreme Court in Civil Appeal No.9619-9637/2019 on banking facility.
4. The Commission notes that the Writ Appeal No.1061/2019 before the Hon'ble High Court of Karnataka and the Civil Appeal No.9619-9637/2019 before the Supreme Court of India, are still pending before the above court.



5. Meanwhile, PCKL vide letter dated 31.12.2021, has intimated that the study on Wheeling charges & Banking facility is being entrusted to Prayas, Pune. The Commission notes that it may take some time to get the final report in the matter.
6. In the above circumstances, the Commission decides to extend the interim order dated 07.09.2021, for another four months, i.e upto 31.07.2022.
7. Hence, the following order. -

ORDER

The interim order dated 07.09.2021, in the matter of 'Wheeling Charges and Banking Facility for Renewable Power Projects' is further extended by four months, from 01.04.2022 to 31.07.2022.

This Order is signed and issued by the Karnataka Electricity Regulatory Commission on this 8th day of February, 2022.


(H.M. MANJUNATHA)
Member & Acting Chairman
8/2/2022


(M.D. RAVI) 8/2/2022
Member