

No.: N/8/16

**BEFORE THE KARNATAKA ELECTRICITY REGULATORY COMMISSION,
BENGALURU**

Dated : 30th June, 2016

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|---------------------------------|----------|
| 1. Sri M.K. Shankaralinge Gowda | Chairman |
| 2. Sri H.D. Arun Kumar | Member |
| 3. Sri D.B. Manival Raju | Member |

OP No.6/2016

BETWEEN :

Bangalore Electricity Supply Company Limited,
K.R. Circle,
BENGALURU – 560 001.

..

PETITIONER

[Represented by SA Partners, Advocates]

AND

Nil

..

RESPONDENT

ORDERS

- 1) The Petitioner has filed the present Petition requesting this Commission to issue necessary orders under Section 18 of the Energy Conservation Act, 2001, directing the State Government to promulgate such Laws/Rules as would be required to bring in mandatory installation of the SRTPV to all multi-storied buildings coming under Regulation 9 of the Conditions of Supply, with such consumers requiring to install solar panels of minimum capacity equal to 60% of the roof area.

- 2) The grounds adduced in support of the prayer made in the Petition may be stated as follows :
- (a) The Government of Karnataka, recognizing the significant potential for development of renewable energy sources, especially in wind and solar sectors, as also the high cost and adverse impact on the environment of fossil fuel based power generations, has been promoting renewable energy power generation in the State by issuing and implementing appropriate policies.
- (b) In line with the global trend, the Government of Karnataka has now set aggressive solar capacity addition targets in the State for the coming years. It is proposed to achieve the targets set by capacity addition in grid-connected utility scale solar power projects and also grid-connected roof top solar generation projects.
- (c) The Petitioner has made all efforts to achieve the target set for capacity addition under the Solar Roof Top Photo Voltaic (SRTPV) installations by its consumers, who can sell the power generated in excess of their consumption to the Petitioner. However, the consumers' response to its campaign is not encouraging and therefore, it is seeking to make installation of the SRTPV mandatory to all the installations coming under Regulation 9 of the Conditions of Supply, which would enable the Petitioner to meet its Renewable Purchase Obligation and would also arrest the energy demand to some extent.

- (d) Currently, all multi-storied buildings with a constructed area in excess of 800 Sq.Metres and requested load of 35 KW and above come under Regulation 9 of the Conditions of Supply, which makes it mandatory to provide space for the installation of Transformers in such buildings before arranging power supply.
- (e) The Ministry of Urban Development, Government of India has requested the Government of Karnataka to emulate the initiatives taken in other States, like Haryana, to make installation of the SRTPV on roof tops of buildings mandatory.
- 3) We have heard the learned counsel for the Petitioner and perused the records of the case.
- 4) We find that, Section 18 of the Energy Conservation Act, 2001 (Central Act 52 of 2001) confers powers on the Central Government and the State Governments to issue directions as they deem fit for the purpose of the said Act. The said Act does not confer any powers on this Commission to issue directions to the State Government, as sought by the Petitioner in this case.
- 5) We note that, the measures that could be taken up by this Commission as mandated by Section 86 of the Electricity Act, 2003 to promote generation of electricity from renewable sources of energy would not cover action as sought by the Petitioner in this case.

6) For the foregoing reasons, we pass the following:

ORDER

The Petition is rejected.

Sd/-
(M.K. SHANKARALINGE GOWDA)
CHAIRMAN

Sd/-
(H.D. ARUN KUMAR)
MEMBER

Sd/-
(D.B. MANIVAL RAJU)
MEMBER