

**(TO BE PUBLISHED IN DELHI GAZETTE EXTRAORDINARY PART)
GOVERNMENT OF NATIONAL CAPITAL TERRITORY OF DELHI**

Delhi Electricity Regulatory Commission
Viniyamak Bhawan, C-Block, Shivalik, Malviya Nagar, New Delhi-110017

**DRAFT NOTIFICATION
Delhi**

F.3(679)/Tariff/DERC/2022-23/7460: In exercise of powers conferred under Section 181 read with Section 61 and Section 86(1)(b) of the Electricity Act, 2003 (Act 36 of 2003) and all other powers enabling it in this behalf and after previous publication, the Delhi Electricity Regulatory Commission hereby makes the following Regulations to amend the *Delhi Electricity Regulatory Commission (Terms and Conditions for Determination of Tariff) Regulations, 2017* (hereinafter referred to as “the Principal Regulations”):

1.0 Short Title and Commencement:

- (1) These Regulations may be called the *Delhi Electricity Regulatory Commission (Terms and Conditions for Determination of Tariff) (First Amendment) Regulations, 2023*.
- (2) These Regulations shall come into effect from the date of notification and shall be applicable from FY 2023-24 onwards.

2.0 Proposed Amendment in Regulation 2 (16) of Principal Regulations:

“(16) “**Carrying Cost Rate**” means the Rate which is lower of 1 year SBI MCLR as on 1st April of every Financial year plus 250 basis points or Actual Weighted Average Rate of Interest of all Loans.”

3.0 New Proviso added in Regulation 72 of Principal Regulations:

“Provided that Effective Tax Rate of the respective Financial Year shall be derived from the Income Tax returns.”

4.0 New Proviso added in Regulation 77 of Principal Regulations:

“Provided that Weighted average rate of interest for any Financial year shall include the interest paid and all Bank Charges, Syndication Fee and other Charges paid excluding Penal charges during that year for raising and maintaining of the respective loans.”

5.0 Regulation 124 of Principal Regulations is replaced as:

“(124) The cost of Renewable Purchase Obligation (RPO) of the Distribution Licensee shall be computed on the basis of approved cost of power procurement from Renewable Energy Sources as specified in the *Delhi*

Electricity Regulatory Commission (Renewable Purchase Obligation and Renewable Energy Certificate Framework Implementation) Regulations, 2021 and subsequent amendments thereof:

Provided that any projected shortfall, in procurement of power from Renewable Energy Sources to meet the RPO shall be computed at the Floor Price of Renewable Energy Certificates (RECs) notified by Central Electricity Regulatory Commission for the relevant year. However, if Floor price as specified by CERC is zero for the year then the penalty shall be at the rate of 10% of the weighted average Forbearance Price of Solar and Non- Solar Renewable Energy, as determined by CERC, for quantum of shortfall in RPO:

Provided further that the actual expenses for procurement of power from Renewable Energy Sources and purchase of Renewable Energy Certificates shall be trued up by the Commission:

Provided also that the Commission will specify the targets for Wind RPO, Other RPO and HPO in the Business Plan Regulations for a specific Control Period:

Provided also that the penalty for non fulfilment of RPO targets, as specified by the Commission in its Tariff Order, shall be adjusted in the ARR during True up of the relevant Financial Year.”

6.0 Regulation 164 of Principal Regulations is replaced as:

“164. Any financial impact on account of underachievement less than the target with respect to Collection Efficiency targets shall be to the Licensee’s account:

Provided that any financial impact on account of over achievement with respect to Collection Efficiency targets over and above the target of 99.80% shall be shared as per the mechanism indicated in the Business Plan Regulations of the Control Period.”

**Sd/-
Secretary**

Date: 13/01/2023