

Delhi Electricity Regulatory Commission

EXPLANATORY MEMORANDUM - DRAFT DELHI ELECTRICITY REGULATORY COMMISSION (TERMS AND CONDITIONS FOR GREEN ENERGY OPEN ACCESS)(FIRST AMENDMENT) REGULATIONS, 2026.

(1) The Delhi Electricity Regulatory Commission (DERC) notified the Delhi Electricity Regulatory Commission (Terms and Conditions for Green Energy Open Access) Regulations, 2024 (hereinafter referred to as the Principal Regulations) on 12th November, 2024, with the objective of facilitating procurement of electricity from renewable energy sources through Green Energy Open Access in the National Capital Territory of Delhi. The Principal Regulations were framed in pursuance of the Electricity (Promoting Renewable Energy through Green Energy Open Access) Rules, 2022, notified by the Ministry of Power, Government of India, which provide a uniform framework for promotion of renewable energy through open access.

(2) Under the existing Principal Regulations, eligibility for availing Green Energy Open Access was restricted to consumers connected at 11 kV and above, in addition to the requirement of having a contracted demand or sanctioned load of 100 kW and above. The said voltage-based restriction had the effect of excluding consumers, who meet the load criterion prescribed, but are connected at voltage levels below 11 kV, from availing Green Energy Open Access.

(3) The Commission notes that the Green Energy Open Access framework at the national level is designed to promote a uniform, technology-neutral and load-based eligibility regime, with the objective of enabling access to renewable energy across consumer categories, subject to technical feasibility and system availability. In this context, continuation of a voltage-based eligibility criterion at the State level results in differential treatment of consumers having identical load characteristics and limits the intended outreach of the Green Energy Open Access framework.

(4) In the course of implementation of the Principal Regulations, the issue of applicability of Green Energy Open Access for consumers connected below 11 kV has emerged, particularly in sectors such as telecom and commercial infrastructure, which are characterised by geographically dispersed loads and predominantly LT connectivity. The matter has also been the subject of consideration at the level of the Government of National Capital Territory of Delhi, including in meetings convened by the Department of Power, wherein

the need to enable wider access to Green Energy Open Access in line with the national framework has been highlighted.

(5) The Commission has also taken note of the regulatory frameworks adopted by other States, including Gujarat and Maharashtra, wherein Green Energy Open Access has been operationalized. The regulatory approach adopted by these States reflects a trend towards harmonisation with the national framework, while retaining appropriate technical and operational safeguards at the distribution system level.

(6) The Commission further notes that the Central Electricity Authority is in the final stages of publishing the Draft Central Electricity Authority (Installation and Operation of Meters) (5th Amendment) Regulations, 2025. Pending final notification of the said CEA Regulations, several States have proceeded with implementation of Green Energy Open Access, with system-level issues being addressed through existing regulatory and technical mechanisms.

(7) In light of the above, the Commission is of the view that continuation of a voltage-based restriction of 11 kV and above in the Principal Regulations is not warranted and is not consistent with the objective of facilitating wider access to Green Energy Open Access.

(8) The proposed amendment is therefore limited to removal of the words "connected at 11 kV and above" from the relevant provisions of the Principal Regulations.

(9) The proposed amendment is purely enabling and prospective in nature and does not affect any existing Green Energy Open Access approvals, nor does it alter any charges, surcharges, banking arrangements, metering responsibility, scheduling provisions, or technical feasibility and system availability requirements under the Principal Regulations.

(10) The amendment is expected to expand access to Green Energy Open Access to eligible consumers connected below 11 kV, promote wider adoption of renewable energy, facilitate participation of sectors such as telecom, MSMEs and commercial consumers in Green Energy Open Access, and contribute to achievement of renewable energy and decarbonisation objectives in the National Capital Territory of Delhi.

(11) Accordingly, the Draft Delhi Electricity Regulatory Commission (Terms and Conditions for Green Energy Open Access) (First Amendment) Regulations, 2026 seek to remove the voltage-based eligibility restriction and adopt a uniform load-based criterion for availing Green Energy Open Access, in the public interest and with a view to facilitating wider and more inclusive access to renewable energy in Delhi.