Bihar Electricity Regulatory Commission

Vidyut Bhawan-II, J.L. Nehru Marg, Patna-800021

Notice No. 11 Patna, dated: 17.09.2026

PUBLIC -NOTICE

Inviting Comments/Suggestions/Objections on draft BERC(Renewable Purchase Obligation, its compliance and REC Framework Implementation) (1st Amendment) Regulations, 2026

Bihar Electricity Regulatory Commission is empowered to make Regulations consistent with the Electricity Act, 2003 and the Rules formulated therein. As per the provisions under section 181 (2) (zd) of the Act, read with sections 61, 66 and 86 (1)(e), Commission has initiated a **Suo-Motu Proceedings No. SMP- 40/2026** to bring a new Regulations namely "BERC *(Renewable Purchase Obligation, its compliance and REC Framework Implementation) (1st Amendment) Regulations, 2026"*. The proposed draft of the Regulation along with the public notice is available on the Commission's website **www.berc.co.in.** Interested person/organisation may also obtain a copy of the draft Regulation free of cost from the office of the Commission on any working day.

Commission invites written Comments/Suggestions/Objections on the draft regulations from general public and stakeholders before **08.10.26** addressed to Secretary, Bihar Electricity Regulatory Commission, Vidyut Bhawan-II J.L. Nehru Marg, Bailey Road, Patna-800021 and they may appear before the Commission in the Public Hearing.

The Commission also invites interested person/organizations/companies to appear in the Public Hearing scheduled on **13.10.26 at 11:30 A.M**.

Sd/-

Secretary

Bihar Electricity Regulatory Commission
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Draft

Bihar Electricity Regulatory Commission (Renewable Purchase Obligation, its compliance and REC Framework Implementation) (1st Amendment) Regulations, 2026

Notification

No. Case No. _____: — In exercise of powers conferred under section 61, 66, 86(1) (e) read with Section 181 (2) (zd) of the Electricity Act 2003 and all other powers enabling the Commission in this behalf, the Bihar Electricity Regulatory Commission hereby amends the Bihar Electricity Regulatory Commission (Renewable Purchase Obligation, its compliance and REC Framework Implementation) Regulations, 2025 which was issued vide no. BERC-Regl-01/10-05 dated 28th July, 2025.

1. Short title, extent and commencement-

1.1. These Regulations may be called the *"Bihar Electricity Regulatory Commission (Renewable Purchase Obligation, its compliance and REC Framework Implementation) (1st Amendment) Regulation 2026"*.

1.2. These Regulations extend to the whole of the State of Bihar.

1.3. These Regulations shall come into force on the date of their publication in the official Gazette.

2. Amendment in Regulation 4.1 :

2.1. Insertion of a new Regulation as 4.1(e):

"For all the obligated entities, the Renewable Purchase Obligation shall exclude electricity consumed from Nuclear Power Sources."

2.2. Insertion of a new Regulation as 4.1(f):

"Open access consumers and captive users specified as obligated entities shall meet the specified total Renewable Purchase Obligation, from any renewable energy source.

For open access consumers specified as obligated entities, Renewable Purchase Obligation shall include electrical energy consumption at the point of drawal from the grid."

2.3 Insertion of a new Regulation as 4.1(g)(I) & 4.1(g)(II):

"(I) For captive users specified as obligated entities, Renewable Purchase Obligation shall include electricity generated and self-consumed, excluding auxiliary consumption. The obligation shall exclude electricity generated and self-consumed from waste heat recovery process using fossil-based sources, except for electricity generated from a Waste Heat Recovery Steam Generator in a captive Combined Cycle Gas-Based Generating Station. The obligations shall also exclude electricity generated and self-consumed through waste energy recovery, including from by-product gases, or other forms of residual energy sources associated with industrial processes.

(II)The obligation shall exclude, -
(i) 50% of the electricity generated and self-consumed from fossil-fuel based co-generation plant; and
(ii) 50 % of the fossil fuel-based electricity consumed in Aluminum smelters."
(An illustrative example is provided in Annexure-I attached).

2.4 Insertion of a new Regulation as 4.1(h):

"For obligated entities who are distribution licensees, the Renewable Purchase Obligation shall be calculated based on the electrical energy supplied to consumers within the periphery of the distribution licensee. This supply shall not include the consumption of open access users from the sources other than the distribution licensee and the electricity generated and self- consumed by captive users."

(An illustrative example is provided in Annexure –I attached to this notification.)

2.5 Insertion of a new Regulation as 4.1(i):

"The following percentage of total RPO as mentioned in aforesaid table shall be solar/wind energy along with/ through storage:

Financial Year	***Storage (on Energy basis)***
2026-27	*2.5%*
2027-28	*3.0%*
2028-29	*3.5%*
2029-30	*4.0%*

Provided that, the Energy Storage Obligation to the extent of energy stored from RE source shall be considered as a part of fulfillment of other RPO head. The Energy Storage Obligation shall be reviewed periodically considering the commissioning/ operation of PSP capacity, to accommodate any new promising commercially viable Energy Storage technologies and also in cost of Battery Energy Storage System (BESS)."

3. Amendment in Regulation 4.2: After Regulation 4.2(D), a new Regulation 4.2(E) shall be inserted.

"obligated entities may fulfil the specified Renewable Purchase Obligation also through following methods, namely: -

(i) consumption of renewable electricity, either directly or through an energy storage system;

(ii) payment of the buyout price specified by the Central Electricity Regulatory Commission:

Provided that the sums received through the buyout mechanism shall be credited to the Central Energy Conservation Fund under a separate head, from which 75% of the amount shall be transferred to the State Energy Conservation Funds. These sums shall be utilised to support the development of specified renewable energy sources and storage capacities, with the objective of increasing the share of non-fossil fuel energy in the overall energy mix. The State Government shall specify the mechanism for utilising these sums to support the development of such non-fossil fuel capacities."

4. The existing Annexure-I of the principal Regulations shall be replaced with Annexure-I proposed herewith. Furthermore, a new Annexure-II is also proposed in this draft for the sake of more clarity.

By Order of the Commission

Sd/-

Secretary

ANNEXURE-I

Example 1: Imagine a obligated entities whose total electricity consumption in a year is 1,000 MU, which includes the following:

Source		
A	From Nuclear sources	100 MU
B	Electricity generated and self-consumed from waste heat recovery process	300 MU
C	Electricity generated and self-consumed from fossil-fuel based co-generation plant	300 MU
D	Electricity purchased from Distribution Licensee	100 MU
E	Renewable electricity consumed from grid-connected Captive sources, behind the meter installations, Open Access, or requisitioned at green tariff from distribution licensee	200 MU

So, the adjusted consumption for RPO calculation becomes:

=Total consumption-(A+B+0.5xC+D)

=1000 MU-(100+300+0.5x300+100)MU=350MU

Therefore, the RPO compliance percentage is:

= (Renewable Energy Consumed (E)/Adjusted Consumption) x100

= (200 MU/350 MU) x100=57.14%

Example 2: Imagine a Distribution Licensee has a total electricity input at its periphery (excluding inter-state and intra-state transmission losses) of 30,000 MU in a year, which includes:

Source		
A	From Nuclear sources	2,000 MU
B	From renewable sources including hydro, wind , solar and co-firing of bio-mass and municipal solid waste	10,000 MU
C	Distribution losses	1,500 MU
D	Renewable Energy requisitioned by consumers of distribution licensee as per Green Energy Open Access Rules, and supplied by distribution licensee at Green Tariff	900 MU
E	From fossil sources	18,000 MU

In addition to 30,000 MU electricity input, 500 MU is generated from roof top and injected into the Grid (F)

Adjusted consumption for RPO calculation:

=Total input +F-A-D

=30,000+500-2000-900

=27,600 MU

Renewable Energy consumed:

=B+F

=10,000 MU +500 MU =10,500 MU

RPO Compliance Percentage;

=(Renewable energy consumed/Adjusted consumption)x100

=10,500 MU/27,600 Mux100 =38.04%

ANNEXURE-II

Format for Submission of Information by Distribution Licensees

Section A – Gross Total Electricity Consumption (MU)

1. Purchase and Banking of Fossil-Based Power:_____
2. Purchase of Nuclear Power (Excluded from RCO): _____
3. Electricity Sales (Sub-Total): _____
a. Sales to Non-DISCOM Consumers: _____
b. Banking (Supply): _____
4. Net Total Electricity Consumption for RCO: _____
5. Distribution Losses (% within DISCOM periphery): _____

Section B – Renewable Electricity Consumption

Enter values in MU under each source:

1. Own Generation / Purchase / Banking:
a. Wind: _____ b. Hydro: _____ c. DRE: _____ d. Other RE: _____
2. RE Sales and Banking (to Non-DISCOM Consumers):
a. Wind: _____ b. Hydro: _____ c. DRE: _____ d. Other RE: _____
3. RE from Banking (Receipt): _____
4. Renewable Electricity considered for RCO compliance: _____

Section C – RCO Compliance Summary

1. Renewable Energy Certificates (RECs)/ Buyouts, if any, purchased:
a. RECs Purchased: _____ b. RECs Self-retained: _____ c. Buyouts Purchased: _____
2. RCO Targets specified by MoP (%):
a. Wind: _____% b. Hydro: _____% c. DRE: _____% d. Other RE: _____%
3. Target MU per Source:
a. Wind: _____ b. Hydro: _____ c. DRE: _____ d. Other RE: _____
4. Compliance MU per Source:
a. Wind: _____ b. Hydro: _____ c. DRE: _____ d. Other RE: _____
5. Compliance Achieved (%): _____
6. Surplus / Deficit in MU: _____
7. Surplus / Deficit (%): _____

Format for Submission of Information by Captive and Open Access Consumers

Section A – Gross Total Electricity Consumption (MU)

1. Own Electricity Generation (Net after Auxiliary Power Consumption): _____

a. Total Fossil-based Generation: _____
b. Co-generation (Fossil-based): _____
c. WHR (Fossil-based based): _____
d. Waste Energy Recovery (Fossil-based): _____
e. Auxiliary Power Consumption (excluding WHR):_____
2. Electricity Purchase via Discom, Open Access and Banking: _____
a. Fossil (PPA/Exchange): _____
b. Banking (Drawl): _____
c. From DISCOM : _____
3. Electricity Sales and Banking (Outflow): _____
a. Fossil Electricity Sales: _____
b. Banking (Storage): _____
4. Net Electricity Consumption for RCO: _____

Section B – Renewable Electricity Consumption (MU)

1. Own RE Generation, Purchase and Banking: _____
a. RE Generation (Excluding RE firing in CPP): _____
b. RE from Co-firing in CPP: _____
c. Banking (Drawl): _____
d. RE purchased from Distribution Licensee:_____
2. RE Sales and Banking (Outflow): _____
a. Sale of RE: _____
b. Banking (Storage): _____
3. Green Hydrogen and Green Ammonia (Electricity Equivalent):
a. GH2: _____ b. Green Ammonia: _____
4. Gross Renewable Electricity Consumption: _____

Section C – RCO Compliance Summary

1. Renewable Energy Certificates (RECs)/ Buyouts Purchased:
a. RECs Purchased: _____ b. RECs Self-Retained: _____ c. Buyouts Purchased: _____
2. RCO Target as per MoP (%): _____
3. RCO Target (MU): _____
4. Compliance Achieved (MU): _____
5. Compliance (%): _____
6. Surplus / Deficit (MU): _____
7. Surplus / Deficit (%): _____