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The Gazette of the Democratic Socialist Republic of Sri Lanka

EXTRAORDINARY

අංක 1705/22 - 2011 මැයි 10 වැනි අඟහරුවාදා - 2011.05.10

No. 1705/22 - TUESDAY, MAY 10, 2011

(Published by Authority)

PART I : SECTION (I) — GENERAL

Government Notifications

L.D.B. 8/2007.

SRI LANKA SUSTAINABLE ENERGY AUTHORITY ACT, No. 35 OF 2007

REGULATIONS made by the Minister of Power and Energy under Subsection (2) of section 16, paragraph (a) of subsection (2) of section 17 and paragraph (a) of subsection (2) of section 18, of the Sri Lanka Sustainable Energy Authority Act, No. 35 of 2007 read with section 67 of the above mentioned Act.

PATALI CHAMPIKA RANAWAKA,
Minister of Power and Energy.

Colombo,
06th May, 2011.

Regulations

The On-grid Renewable Energy Project Regulations, 2009 published in Gazette Extraordinary No. 1599/6 of April 27, 2009 is hereby amended by the repeal of schedules A, B, C and D thereof and the substitution thereof of the following

SCHEDULE - A

Date of Application

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Y Y Y Y M M D D

Registration No.	R						
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For official use only

APPLICATION FOR REGISTRATION OF AN ON-GRID RENEWABLE ENERGY PROJECT

For projects of the type listed below

See “Guide to the Project Approval Process for On-Grid Renewable Energy Development” for the policy on other types of renewable energy projects

1. **Project Type** : Please mark (✓) in the appropriate box below. Please select **only one type**

Small Hydro	Wind	Biomass (grown)	Waste			Waste Heat	Others
			Agricultural	Industrial	Municipal		Pls. Specify

2. Name of the Project and Its Capacity (kW) :

(This in only for identification, the legal name may be established at a later stage)

3. Name and Address of the Applicant :

Name : (Mr./Ms./.....)

:

If the applicant is a Company

: Name

: Registration No.

: Names of Directors of the Company

Address :

Telephone Numbers :

Email :

0			-						
0			-						

Company resolution authorising the applicant to submit the application (pls. attach)

4. Project Pre-feasibility Report (please attach):

The Applicant is expected to provide a Pre-feasibility Report prepared by a Consultant accredited by the Authority along with the application including the information and documents referred to in paragraphs(a) to (f) of Sub-section (2) of Section 16 of the Act.

- (a) Paste in the box below the relevant part of the 1:50,000 map showing locations of all project components and powerhouse

Copy of 1:50,000 Map with Project Layout (1: 50,000 scale not to be altered) Sheet No..... Sheet Name.....

(b) a brief description of the project, including the amount of power to be generated;

Project Information	Project Type:
Installed Generating Capacity of the Plant (kW)	
Name of Stream/River (if Hydro)	
Name of the Project	
Annual Electricity Generation (GWh)	
Proposed location of the Power Plant: provide details	
Village/Grama Niladhari Division	
Divisional Secretary Division	
District	

(c) the total estimated cost and financial model, including optimisation criteria adopted;

(d) proof of availability of adequate finances or the manner in which the required finances for the project are to be obtained;

(e) Project location *i.e.* Weir and Power House relative to river or stream system if it is a hydro power project, wind Turbine and Structures if it is a Wind power project, Energy Plantation, Power House and Water Source if it is a Biomass Project and Conversion facility relative to energy resource, if it is any other project; and

(f) Grid connection *i.e.* how the applicant intends to transmit electricity generated and the point at which the generator will be connected to the national grid and the geographical area traversed by the power line constructed for this purpose.

Certification by the Applicant:

- I hereby certify that the Pre-feasibility Report attached to this application has been prepared by..... (name), a Consultant accredited by the Authority, and whose name and signature appear on page 1 of the Report.
- I attach herewith a copy of the receipt obtained, on the payment of the appropriate fee which is required to be made along with this application.
- I attach herewith technical and other details related to the resource site, as requested by the Director General.
- I have read and understood the prevalent publication of the “Guide to the Project Approval Process for On-Grid Renewable Energy Development”

Name of person signing this application -----

Signature: -----

Date:

Y	Y	Y	Y	M	M	D	D

SCHEDULE-B

APPLICATION FEE TO BE PAID FOR ENGAGING IN AND CARRYING ON AN ON-GRID PROJECT

<i>Column I</i>	<i>Column II</i>
<i>Amount of power proposed to be generated</i>	<i>Fee to be paid on application and reapplication</i>
1,000 kW or part thereof	LKR 100,000
Each additional 1000 kW	LKR 50,000 payable on pro rata basis

Note: Projects of capacities less than 10,000 kW implemented by a single party or parties acting in concert, in parallel or in phases in a same geographical or spatial context will be considered as a single project capable of generating more than 10,000 kW of power.

SCHEDULE -C

PROVISIONAL APPROVAL UNDER PARAGRAPH (a) OF SUB-SECTION (2) OF SECTION 17

Date :

Y	Y	Y	Y	M	M	D	D

Registration Number	R						
Provisional Approval Number	PA						

Name :
Title (if applicable) :
Company Name (if applicable) :
Address :
Project Name :
Date of granting Provisional Approval :

(This approval is valid only for 6 month period from the date of granting provisional approval unless if it is extended by further 6 month on request of applicant as per sub section 17 of the act No. 35 of 2007)

Project Type :
Project Capacity :
installed generating capacity in kilowatts

This refers to the application submitted by you on, to engage in and carry on the above mentioned on-grid renewable energy project. The Project Approving Committee of Sri Lanka Sustainable Energy Authority (herein after referred to as the “Authority”), acting under paragraph (a) of subsection (2) of section 17 of the Sri Lanka Sustainable Energy Authority Act, No. 35 of 2007, has granted Provisional Approval to the said Project. The Provisional Approval Number specified above should be used in all future correspondence with the Authority, and in all reports and other documentation about the Project.

You are hereby required to submit the documents and information referred to below within six months of receipt of this communication. In the event that you are unable to submit the required documents and the information within such period, you are entitled to request from the Director-General for an extension of this period, provided the maximum of such

extension shall not exceed a period of an additional six months. This provisional approval shall stand cancelled automatically at the end of the validity period as per subsection 4 of section 17 of the act No. 35 of 2007 if the documents and other information requested is not submitted to prior to the expiry of the validity period of the provisional approval.

DOCUMENTS AND INFORMATION REQUIRED TO BE SUBMITTED.

You are hereby required to make available :-

(a) the following documents :-

- i
- ii etc., and

(b) the following information :-

- i
- ii etc., and

GENERAL

- * The Authority will assist you in obtaining any approval or clearance that is required to be obtained from any agencies, in order to engage in this project.
- * Any costs incurred by you in obtaining the documents and information required as specified in this Provisional Approval, should be borne by you and the Authority shall not be in anyway responsible for any expenses incurred.
- * Change of ownership or controlling interest of the legal person whom a Provisional Approval is required to be duly notified to the Authority and will be effected up on the payment of an administrative fee equivalent to the application fee.

Director General,
Sri Lanka Sustainable Energy Authority

Copies to

- (i) Director General, Public Utilities Commission of Sri Lanka
- (ii) Chairman and members of the Project Approving Committee
- (iii) Deputy General Manager (Energy Purchases) - Ceylon Electricity Board
Map showing the location of the Projects is attached herewith for your information and necessary action.
- (iv) Director General, Urban Development Authority
- (v) Divisional Secretary, Division

SCHEDULE -D

PERMIT FOR ENGAGING IN AND CARRYING ON OF AN ON-GRID RENEWABLE ENERGY PROJECT

Registration Number	R						
Provisional Approval Number	PA						
Permit Number	EP						

Name and Address of Applicant : _____
(the special purpose Company, if required) _____

PERMIT NUMBER EP

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Project type : _____
Name of the Project _____
Installed electricity generating capacity of the Plant : _____ kilowatt
Date of issue of the Permit

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Y Y Y Y M M D D

.....(name of applicant) (hereinafter referred to as the “developer”) has been granted an On-Grid Renewable Energy Permit (hereinafter referred to as the “Permit”) under paragraph (a) of subsection (2) of section 18 of the Sri Lanka Sustainable Energy Authority Act, 35 of 2007, (hereinafter referred to as the “Act”). The permit number as indicated above should be used in all future correspondence with the Sri Lanka Sustainable Energy Authority (hereinafter referred to as the “Authority”) and in all reports and other documentation relating to the Project.

This Permit shall be subject to the following Terms and Conditions:-

1. The Project should commence its commercial operations within two years of the date of the issue of this Permit and in the event of the failure to commence commercial operations within such period, the Director-General of the Authority shall have the power to cancel this Permit.
2. This Permit shall be valid for a period of twenty years (20) from the issue of the Permit.
3. The plan for Project Implementation indicating major milestones should be submitted to the Authority, within two weeks from the date of issue of this Permit.
4. A progress report indicating the achievement of Project milestones should be submitted to the Authority, at the end of each quarter of the year.
5. Within One (1) month from the date of issue of this Permit, the developer shall enter into a Standardised Small Power Purchase Agreement or other similar Agreement with the Ceylon Electricity Board, to sell electricity generated by the Plant. A copy each of all such Agreements should be forthwith submitted to the Authority.
6. A certificate issued by the Ceylon Electricity Board, certifying the date of commencement of commercial operations of the Project as specified in the Standardised Small Power Purchase Agreement or other similar Agreement entered

into with the Ceylon Electricity Board, should be submitted to the Authority within one month of such date of commencement.

7. Immediately upon the expiry of a period of three months of the date of commencement of commercial operations of the Project, the developer should submit to the Authority an audited Statement of Accounts certified by a Chartered Accountant, covering all transactions carried out by the developer during the period of commencing on the date of the grant of Provisional Approval for the Project and ending on the date of the expiry of the period of three months of the commencement of the commercial operations of the Project.
8. The Plant should deliver not less than fifty percent (50%) of the nominal annual energy delivery or minimum guaranteed energy as defined in the respective Standardised Small Power Purchase Agreement or other similar Agreement, as the case may be, for a continuous period of five (5) years.
9. The Plant shall be designed, built, commissioned and operated in accordance with the relevant grid connection standards of the Ceylon Electricity Board.
10. The Authority reserves the right to revise the installed generating capacity of the Plant to realise the optimal utilisation of the renewable energy resource within a 12 month period from the date of issue of this Permit.
11. The developer shall not during the construction and operational life of the Project, change the installed electricity generating capacity of the Plant, as specified in this Permit.
12. Utilisation of the renewable energy resource and structures required to harness the same shall conform to the relevant standards, regulations and codes as stipulated by the relevant approving authorities.
13. Any cost incurred by the developer in the fulfillment of requirements, terms and conditions specified in this Permit, shall not be the responsibility of the Authority and shall be borne entirely by the developer.
14. The developer shall take all necessary measures to use the renewable energy resources being utilised for the Project under strict compliance of the conditions laid out in the environmental license with due diligence, during construction and operational life of the project.
15. Where any damage is caused to the renewable energy resource being utilised for the Project due to the negligence or lack of due diligences of by the developer, the developer shall be liable to pay to the Authority such amount as compensation, as the Minister may determine in consultation with the Minister in charge of the subject of Finance.
16. If at any time during the validity of this Permit the terms and conditions stipulated herein are violated by the developer, the Director-General of the Authority with the approval of the Authority, shall have the power to cancel the Permit under paragraph (b) of subsection (1) of section 21 of the Act.

Director General,
Sri Lanka Sustainable Energy Authority

Copies to:

- (i) Director General, Public Utilities Commission of Sri Lanka
- (ii) General Manager, Ceylon Electricity Board
- (iii) Director General, Central Environmental Authority
- (iv) Director General, Urban Development Authority
- (v) Divisional Secretary, Division

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