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The Gazette of the Democratic Socialist Republic of Sri Lanka

EXTRAORDINARY

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PART I : SECTION (I) — GENERAL

Government Notifications

NOTICE UNDER SECTION 10 (3) OF THE SRI LANKA ELECTRICITY ACT, No. 20 OF 2009 (AMENDED)

Issuance of Certificate of Exemption

THE Public Utilities Commission of Sri Lanka, exercising its powers under Section 10 (2) of the Sri Lanka Electricity Act, No. 20 of 2009 as amended hereby issues a Certificate of Exemption to the following category of persons exempting them from the requirement of obtaining a license for the generation of electricity.

<i>Certificate No.</i>	<i>Exempted Party</i>	<i>Effective Period</i>
EL/EX/G/25-01	Category of Persons generating electricity using Rooftop Solar Photo Voltaic (RTSPV) system with one of the following technical configurations: a. One Meter and One Account b. Two Meters and One Account c. Two Meters and Two Accounts	Until revoked and/or amended by the Public Utilities Commission of Sri Lanka.

Chairman,
Public Utilities Commission of Sri Lanka.

The aforesaid exemption shall be subject of the following conditions:



1. Definitions and Interpretations

● Definitions

In these conditions, unless otherwise specified or the context otherwise requires:

“Act”	means the Sri Lanka Electricity Act, No. 20 of 2009 (as amended)
“Commission”	means the Public Utilities Commission of Sri Lanka established under the PUCSL Act.
“Distribution Licensee”	means the holder of a license to distribute electricity granted under Section 13(1) (c) (i) (c) of the Act.
“Electrical Inspector”	means a person appointed by the Commission in terms of Section 6 of the Act to carry out the activities mentioned therein in accordance with the procedures set out under the Electricity (Electrical Inspectors’ Functions, Duties and Procedures) Regulations No. 01 of 2014.
“Environmental Laws”	means those laws which are, from time to time, in force for the purpose of protecting the environment, including human health, flora, fauna and the eco-systems on which they depend and, for the avoidance of doubt, shall include, but shall not be limited to, the National Environment Act, No. 47 of 1980 and all relevant legislation relating to the assessment of environmental impacts and the protection of air, land and water.
“Exempted Person”	means any person who is part of a category of persons exempted from the requirement of obtaining a licence for the generation of electricity as specified in Section 10(1) of the Act.
“Generating Facility”	means any plant, equipment, apparatus or appliance including interconnection, protective and control equipment used for, or in connection with, the generation of electricity for the purpose of delivery to the Licensee’s distribution network.
“Information”	means and includes any books, documents, records, accounts, estimates, returns, reports or other data (whether prepared specifically at the request of the Commission or otherwise) in any format or medium as may be specified by the Commission.
“Notice”	means this Gazette Notice issued under Section 10 (2) of the Act.
“PUCSL Act”	means the Public Utilities Commission of Sri Lanka Act, No. 35 of 2002.
“Site”	means the premises at which the Generating Facility is operated and maintained by the Exempted Person.
“Standard Tariff Agreement”	The standard agreement for electricity supply to the Premises between the Tariff Customer and the Distribution Licensee entered into under and in terms of Section 25 (4) of the Act and the Supply Services Code.
“Tariff Customer”	A person who requires a supply of electricity from a distribution licensee in pursuance of Section 25 of the Act and is supplied by the Distribution Licensee

● Interpretations

For the purposes of this document, the following terms shall have the meanings assigned below:

● **Meter** (in the *One Meter and One Account* scenario):

The electricity meter supplied and installed by the Distribution Licensee for the purpose of recording the net electrical energy imported to and/or exported from the Site.

- **Meters** (in the *Two Meters and One Account* and *Two Meters and Two Accounts* scenarios):

Refers to the following electricity meters supplied and installed by the Distribution Licensee:

- a) A meter for recording the total electrical energy imported to the Site; and
- b) A meter for recording the total electrical energy exported by the Generating Facility.

- **Account** (in the *One Meter and One Account* and *Two Meters and One Account* scenarios):

The electricity account created by the Distribution Licensee and assigned to the Tariff Customer in accordance with the terms of the Standard Tariff Agreement.

- **Accounts** (in the *Two Meters and Two Accounts* scenario):

Refers to the following:

- a) The electricity account created by the Distribution Licensee and assigned to the Tariff Customer under the Standard Tariff Agreement; and
- b) A designated account created by the Distribution Licensee specifically assigned to the Generating Facility, to record the electrical energy exported by the Generating Facility.

2. Compliance with Regulatory Instruments

The Exempted Person shall ensure all safety, technical and operational codes, rules, standards, guidelines and regulations issued by the Commission pursuant to the Act, including any revisions or amendments thereto from time to time are complied with in the installation, operation and maintenance of the Generating Facility.

3. Decisions, Orders, Directions and Determinations of the Commission

- (i) The Exempted Person shall ensure all decisions, orders, directions and determinations made by the Commission are complied with in the installation, operation and maintenance of the Generating Facility.
- (ii) The reasonable costs associated with such compliance shall be the responsibility of the Exempted Person.

4. Provision of Information to the Commission

The Exempted Person shall ensure the Commission is furnished with Information in such manner and at such times as the Commission may require and in such format as the Commission may consider necessary or as it may require for the purpose of performing the functions assigned or transferred to it by or under the Act or the PUCSL Act.

5. Access

- (i) The Exempted Person shall, subject to prior notification, permit any officer duly authorized by the Commission, including but not limited to Electrical Inspectors, to enter the Site. Such officer shall have the right to inspect the Exempted Person's Generating Facility, as well as any equipment, infrastructure, software application or related records pertaining to the same, and to review all relevant documentation.
- (ii) Where the Exempted Person is not the owner/occupant of the Site, the Exempted Person shall obtain permission from the owner/occupant of the Site for such person to enter the Site. Provided however, the requirement to provide notice shall be waived in case of an emergency.

6. Grid Connection & Operation

- (i) The Exempted Person shall enter into an agreement with the Distribution Licensee for the purpose of connecting the Generating Facility to the distribution network of the Distribution Licensee.
- (ii) The Generating Facility shall include anti - islanding Protection and other safeguards to prevent safety risks to the grid, Distribution Licensee's Personnel and the general public.

7. Environment

The Exempted Person shall comply with all applicable Environmental Laws in Sri Lanka, subject to any exemptions or grace periods which may be granted to the Exempted Person under such Environmental Laws for compliance.

8. Safety

The Exempted Person shall take all reasonable and necessary steps to protect persons, Generating Facility, property and equipment from injury, damage and hazards. Additionally, all necessary safety precautions must be taken during the decommissioning of the generating facility.

9. Insurance

The Exempted Person shall adopt and implement reasonable and prudent policies in relation to the management and insurance of risks associated with the Generating Facility.

10. Modification of the Certificate of Exemption

The Commission reserves the right to amend or modify any conditions of this Notice.

11. Offence

Any Exempted Person who fails to comply with or contravenes, any of the conditions set forth herein shall be deemed to have committed an offence under the Act.

12. Repeals and savings

The Certificates of Exemptions published under Section 10 (3) of the Act in Gazette Extraordinary No. 2006/19 dated February 14, 2017 and Gazette Extraordinary No. 1961/50 dated March 9, 2018, are hereby repealed and shall cease to apply to all schemes presently in operation. All such schemes presently in operation shall come within this Certificate of Exemption in a manner corresponding to the technical configurations provided herein.

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