

- Draft-

Proclamation of the Energy Regulatory Commission
Subject: Certification Standard for Green Electricity Provision
B.E.

Whereas it is deemed appropriate to set specifications on certification standard, including relevant procedures and conditions, for green electricity provision under the resolution of the 126th National Energy Policy Council meeting held on the 7th day of November 2022, to protect electricity consumers by ensuring that they receive green electricity provision that complies to internationally recognized standard, and to promote the development of services that will benefit the electricity consumers.

By virtue of Section 11 (1) (7) and (16), and Section 89 of the Energy Industry Act, B.E. 2550 (2007), together with the resolution of the ...th Energy Regulatory Commission meeting held on the day of, the Energy Regulatory Commission hereby issues the following proclamation:

Article 1: This proclamation shall be called "Proclamation of the Energy Regulatory Commission on Certification Standard for Green Electricity Provision, B.E."

Article 2: This proclamation shall come into force as of the day following the date of its publication in the Government Gazette.

Article 3: In this proclamation:

"Green Electricity" means electricity accompanied by a Renewable Energy Certificate (REC), which the Obligated Entities are responsible for delivering under the Proclamation of the ERC on Criteria for Providing and Setting Green Electricity Tariff.

"Obligated Entities" means energy business licensee that the ERC designates to be responsible for green electricity provision as defined in this proclamation.

"Certificate" means Renewable Energy Certificate (REC), which demonstrates ownership of the energy attribute (Energy Attribute) generated from the production of electricity using a particular type of renewable energy.

"ERC" means the Energy Regulatory Commission.

"OERC" means the Office of the Energy Regulatory Commission.

Article 4: In providing green electricity service, the Obligated Entities must provide certificates issued under a standardized code and registry system to electricity consumers. The mechanism for issuing and tracking certificates must meet or exceed the following standard characteristics:

- (1) Having criteria, methods, conditions, or codes for issuance and handling of certificates that is clear, open, transparent, and verifiable
- (2) Having a central registry system to digitally and immediately record the issuance, transfer, or redemption of certificates to track them from the production source to the final consumer
- (3) Having a reporting system that can issue redemption statements where the status of the certificates can be verified
- (4) Having mechanisms or measures to prevent duplication of certificates or double-counting of the energy attribute in other forms or standards.

(5) Any other characteristics as announced by the ERC

The standard system for issuing and tracking certificates as per Clause one hereof must be approved by the ERC.

Article 5: Under the provisions of Article 4, The standard systems approved by the ERC for use in green electricity provision is listed in the appendix to this Proclamation. If the obligated entities wish to change to a different standard or add any other standards, they must submit a request to the ERC.

The OERC shall verify the completeness and accuracy of the request in Clause one hereof, along with all relevant supporting documents. The OERC shall then publicly announce the request in the ERC's information system, allowing the public and any potentially affected parties to submit comments for at least fifteen days. The OERC may also seek opinions from other relevant agencies. Following this, the matter, along with any opinions received, shall be submitted to the ERC to consider and resolve within thirty days.

The OERC shall notify the Obligated Entities of the result and announce it on the OERC's information system within fifteen working days of the ERC's resolution.

Article 6: Renewable energy power plants used by the obligated entities for green electricity provision must be approved by the ERC and must be either state-owned power plants or power plants where the obligated entities or the state hold rights to the certificates from the electricity production of the power plants as stipulated in the Power Purchase Agreement (PPA) under relevant ERC regulations and proclamations.

Article 7: Under the standard system in Article 5, the following procedures shall be implemented for the green electricity provision:

(1) One of the obligated entities shall arrange to have a business unit that functions as a registrant to register the power plants with the local issuer under the standard system in Article 5, or any issuer appointed by the ERC; and to have another business unit to manage the operation system for processing certificate allocation to individual green electricity users by using a single digital platform where all obligated entities are the users, and which has robust data security measures with accreditation, as determined by the ERC, in managing data of the electricity producers and consumers.

In the case that the business units of the Obligated Entity in Clause one hereof is not a separate legal entity from the Obligated Entity, there must be a clear separation of roles, independence, transparency, and verifiable conflict-of-interest prevention measures.

(2) Electricity production licensee in Article 6 shall submit relevant data and supporting documentation to the counterpart of their power purchase agreement (PPA) counterpart, who will then forward them to the Obligated Entity in 7(1) functioning as the registrant, to register the power plants and request for issuance of the certificates.

Registered power plants in Clause one hereof shall have the prefix "ERC.Groen" added to their name to distinguish certificates issued for electricity production from these plants from other certificates. This prefix should be used only for green electricity provision and may not be used for commercial purposes.

(3) To redeem certificates for electricity consumers, the Obligated Entities may open accounts within the registry under the standard system in Article 5 or utilize a dedicated digital platform. The digital platforms mentioned in 7(1) and (3) must be developed and used exclusively for managing certificates for green electricity provision and not for any other purposes.

Article 8: All accounts for green electricity provision operating within the registry under the standard system in Article 5 shall be regulated by the ERC and used exclusively for green electricity provision. These accounts must be separated from any accounts opened by the obligated entities for operations not regulated by the ERC. Financial separation must be maintained between regulated certificate businesses and other businesses, following the ERC proclamation concerning the criteria, procedures, and conditions for accounting and financial reporting for energy business licensees. This is to improve operational efficiency and oversight, and to prevent cross-subsidization between regulated and unregulated businesses.

Article 9: The Obligated Entities shall submit operational reports to the ERC every four months, coinciding with the Automatic Tariff Adjustment review cycle, according to the criteria, conditions, and procedures determined by the ERC.

Article 10: The Obligated Entities shall grant the OERC or auditors appointed by the ERC access to the data in the accounts or digital platforms used for green electricity provision. The OERC shall submit an annual report or reports according to the timeframe set by the ERC, on the audit results and recommendations.

Article 11: In the initial period, the Electricity Generating Authority of Thailand (EGAT), the Metropolitan Electricity Authority (MEA), and the Provincial Electricity Authority (PEA), which are electricity business licensees providing universal public utility service, shall be the Obligated Entities responsible for complying with this proclamation.

EGAT shall be the sole Obligated Entity under Section 7(1) for the time being, until other obligated entity, as defined in Clause one hereof, receives permission from the ERC.

Article 12: The Chairman of the ERC shall have charge and control of the execution according to this proclamation.

Proclaimed on

(Sahust Pratuknukul)
Energy Commissioner
As Delegated by the Energy Regulatory Commission

List of Certification Standard Systems Approved
for Green Electricity Provision

1. I-REC Standard of The International Tracking Standard Foundation
2. Standard established by the Government as law