

**CENTRAL ELECTRICITY REGULATORY COMMISSION  
NEW DELHI**

**Petition 258/MP/2013**

**Subject:** Petition for directions to the Respondent, National Load Despatch Centre on the issue of Renewable Energy certificates to the Petitioner from the date of commissioning of the generating station. Petition under Section 66, 79 and other applicable provisions of the Electricity act, 2003 read with regulation 14 of the Central Electricity Regulatory Commission ((Terms and Conditions for Recognition and Issuance of Renewable energy certificate for renewable energy generation) Regulations, 2010.

Coram	Dr. Pramod Deo, Chairperson Shri S. Jayaraman, Member Shri V.S. Verma, Member Shri M. Deena Dayalan, Member
Date of Hearing	26.2.2013
Petitioner	JSONS Foundry Private Limited, Maharashtra
Respondent	National Load Dispatch Center, New Delhi
Present:	Shri Anshuman Sinha, Advocate for the petitioner Ms Minaxi Garg, NLDC Ms. Joyti Prasad, NLDC

**RECORD OF PROCEEDING**

Learned counsel of the petitioner submitted that the petitioner had applied for REC within the stipulated time of three months. However, RECs for the months of March, June and August 2012 have been denied on the ground that applicant could not move the application on 1st and 15th of the month.

2. Learned counsel of the petitioner further submitted that petitioner made on line web based application for issuance of RECs for the generation for the month of March 2012 on time. Subsequently, petitioner submitted hard copy of the application for issuance of RECs along with all supported documents to the respondent on 29.6.2012 for the month of March 2012 and its receipt was also acknowledged by Power Grid. Learned counsel submitted that the NLDC official refused to admit that it received the hard copy of the above said application on 29.6.2012. Learned counsel of the petitioner submitted that earlier on many occasions it had submitted the application for RECs with Power Grid and respondent had issued RECs even if its receipts were acknowledged by Power Grid.

3. Learned counsel of the petitioner also submitted that petitioner made on-line web based application for issuance of RECs for the generation for the month of June 2012 on time. Subsequently, petitioner made REC issuance application for the said month in physical form on 16.9.2012 to NLDC and it was acknowledged by NLDC on 20.9.2012. However, the NLDC did not issue RECs for the said month and when enquired, NLDC informed that it has sent an email dated 21.9.2013 through web application to the petitioner stating that certain mandatory documents have not been filed by it. Learned counsel of the petitioner also submitted that the petitioner has not received any such email from NLDC.

4. Learned counsel of the petitioner submitted that petitioner could not process and submit the application on- line for issuance of RECs for the generation for the month of August 2012 on time as the office of the petitioner as well as its consultant were closed during 11.11.2012 to 16.11.2012 for Diwali holidays. Learned counsel of the petitioner submitted that in accordance with Regulation 7(1) of the REC Regulations, the petitioner is eligible to receive RECs if it applies for the same within three months from the corresponding generation from renewable energy projects. Regulation 7 (1) also provides that the application for issuance of certificate may be made on fortnightly basis i.e. on the first day and fifteenth day of each Calendar month. Thus, the eligible entity gets effectively only two and half months to apply for REC.

5. The representative of the respondent submitted that on- line applications for the month of March 2012, were made by the petitioner. Since, the hard copy of the application was not received by Central Agency till last date of June, 2012, RECs for the month of March, 2012 could not be issued by Central Agency. Regarding allegation made by the petitioner that NLDC has acknowledged the receipt of its application on

29.6.2012, the representative of the NLDC submitted that the acknowledgement by Power Grid has putting a rubber stamp for the issuance of REC, on the last date cannot be considered as acknowledgement by NLDC.

6. The Commission directed that proper receiving and acknowledgement procedure should be put in place for submission of hard copies. The representative of NRLDC submitted that the hard copies have not been received till date on which the Commission directed to enquire into the matter and report position of the whereabouts of the submitted papers.

7. The representative of respondent submitted that the hard copies of the application for the month of June, 2012, for issuance of RECs was not received by NLDC on 21.9.2012. The Central Agency asked the petitioner to submit the certified energy injection report by SLDC vide REC web application on 21.9.2012. Since, the said documents were not received by Central Agency within stipulated time, RECs could not be issued by Central Agency. For the issuance of RECs for the month of August, 2012, the petitioner himself has mentioned that he has not filed online application for issuance of RECs within the stipulated timeline. Therefore, the RECs could not be issued in absence of online application.

8. After hearing learned counsel for the petitioner and representative of respondent, the Commission reserved order in the petition.

**By order of the Commission,**

**Sd/-  
(T. Rout)  
Joint Chief (Law)**