

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 328 /RC/2013

**Coram:
Shri V.S.Verma, Member
Shri M. Deena Dayalan, Member**

Date of Order: 3.1.2014

In the matter of

Application seeking extension of time for compliance of Commission order dated 14.11.2013 in Petition Nos. 122/MP/2013, 123/MP/2013 and 129/MP/2013.

And

In the matter of

National Load Despatch Centre,
(Power System Operation Corporation Limited)
B-9, Qutab Institutional Area, Katwaria Sarai
New Delhi-110 016

.... **Petitioner**

Order

The petitioner, National Load Despatch Centre has filed present petition with prayer to grant time upto 31.3.2014 to comply with Commission`s direction dated 14.11.2013 in Petition Nos. 122/MP/2013, 123/MP/2013 and 129/MP/2013.

2. Dalmia Bharat Sugar and Industries Limited, Dalmia Shriram Consolidated Limited and Dhampur Sugar Mills Limited had filed petitions against non-issuance of Renewable Energy Certificate by NLDC for generation of biomass based power plant under the Central Electricity Regulatory Commission (Terms and Conditions for Recognition and issuance of Renewable Energy Certificate for Renewable Energy Generation) Regulations, 2010 (REC



Regulations).

3. The Commission after carefully considering the submissions of the petitioners and respondents, vide its common order dated 14.11.2013 directed National Load Despatch Centre (NLDC) to issue RECs to the eligible generators as per the Energy Injection Report issued by SLDCs from November 2011 till July 2013 by 31.12.2013. The relevant portion of the said order dated 14.11.2013 is extracted as under:

"16. In view of the above discussion, we hold that the notification of the Government of UP dated 6.2.1998 which has been clarified to be in force vide notification dated 7.12.2012 abolishing the electricity duty on consumption from own sources of generation cannot be treated as waiver of electricity duty for the purpose of REC Regulations. Accordingly, we set aside the NLDC letter dated 29.5.2013 (Annexure 14 of the petition) and direct NLDC to process the case of the petitioner and other co-generation plants for issue of REC from November 2011 till July 2013 (date of operation of second amendment to REC Regulations) by 31.12.2013."

4. The petitioner has submitted that as on date, 53 projects are registered under the REC mechanism from the State of Uttar Pradesh with cumulative capacity of 678 MW. In accordance to second amendment to REC Regulations, RE generators are required to apply for issuance of RECs within six months of energy injection into the grid and apply for the issuance on 10th, 20th and last day of the month. REC web application provides the visibility for six months in online application format and RE generator is required to submit the application for issuance of RECs in a sequential manner. The petitioner has submitted that RECs are issued electronically and Central Agency has to have visibility of RE generators from November 2011 onwards which, however, is not the case. Therefore, RECs cannot be issued till software is modified for

sequential issuance of RECs with effect from November 2011.

5. The petitioner has submitted that NLDC has taken several steps to examine the details of the applications for issuance of RECs. Out of 53 RE generators, 51 generators have submitted their applications to NLDC. However, they have not submitted application for intermittent months and payment details updated are not visible. Therefore, NLDC is not able to verify and approve these applications. The petitioner has submitted that it had discussed and deliberated with CRISIL to undertake necessary software modification to facilitate issuance of RECs from back date. However, CRISIL has expressed its difficulty in coding issue for issuance of RECs from back date in the present REC software. CRISIL has proposed following procedure for issuance of RECs for previous months:

- (i) CRISIL team shall provide the format for filling details by RE generators.
- (ii) RE generator will submit the previous data in prescribed format.
- (iii) CRISIL team shall carry out the development of software parellally.
- (iv) The data submitted by RE generators in the prescribed format need to be validated by NLDC.
- (v) Subsequent to validation, the same data shall be integrated with REC web application by CRISIL team.

6. The petitioner has submitted that modification and development in REC web application by CRISIL, submission of requisite details by RE



generators and EIR by SLDC, validation of data by NLDC and issuance of RECs to the concerned will require about three month`s time.

7. We have considered the submissions of the petitioner. The petitioner is making serious efforts to comply with the Commission's directions regarding issuance of RECs. The petitioner has also taken initiatives to modify its software which will take some more time.

8. In the light of the difficulty projected as above, NLDC is permitted to process the case of the co-generation plants of issue of RECs for the period from November 2011 till July 2013 and issue the RECs by 31.3.2014. It is clarified that no further extension of time shall be granted for the purpose.

9. With this, the petition is disposed of.

Sd/-

(M. Deena Dayalan)
Member

sd/-

(V.S.Verma)
Member