

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 168/MP/2015

Subject : Petition under Sections 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.

Date of hearing : 18.8.2015

Coram : Shri Gireesh B. Pradhan, Chairperson
Shri A.K. Singhal, Member
Shri A.S. Bakshi, Member
Dr. M.K. Iyer, Member

Petitioner : Porwal Auto Components Limited

Respondents : National Load Depatch Centre and others

Parties present : Shri Surender Jain, PACL

Record of Proceedings

Learned counsel for the petitioner submitted as under:

(a) The present petition has been filed seeking direction to National Load Despatch Centre (NLDC) to issue the Renewable Energy Certificates (REC) from the date of commissioning of the generating station.

(b) The petitioner has set up a 1.5 MW (AC) Captive Solar PV power project at Ujjain under the Government of Madhya Pradesh Solar policy, 2012.

(c) The petitioner was accredited under the REC mechanism by the SLDC, Madhya Pradesh on 27.12.2013 and the project was commissioned on 28.12.2013. After accreditation, on 3.1.2014, the petitioner made an online application for registration under the REC mechanism to the Central Agency i.e. National Load Despatch Centre. However, the hard copy of the application along with enclosures was forwarded on 6.1.2014.

(d) NLDC initially sought the commissioning certificate as it did not receive the same alongwith the application form. The petitioner sent the commissioning certificate to NLDC, however, NLDC refused to accept it on the ground that

commissioning certificate is not legible and it is not on the letter head of SLDC, MP. In response, the petitioner expressed his difficulty in not having any control over the non availability of stationery with SLDC, MP.

(e) After taking a confirmation from SLDC, MP regarding the commissioning certificate, the petitioner was issued the registration of REC by NLDC on 5.5.2014.

(f) The representative of the petitioner referred to Para 11 of Commission's order dated 7.5.2013 in Petition No. 211/ MP/2012 (Simran Wind Projects (P) Ltd, Kolkata & Ors Vs NLDC) and submitted that the Commission in the said order dated 7.5.2013 observed that "*.....an applicant is eligible for RECs only after registration, unless it is proved that the registration certificate was withheld or delayed by the Central Agency for any reason not attributable to the applicant RE Generator*".

(g) In the present case, since the delay is not attributable to the petitioner, it should be allowed the benefit of REC from the date of commissioning of the project.

2. In response to the Commission's query as to whether the commissioning certificate was signed, the representative of the petitioner replied in the affirmative.

3. After hearing the representative of the petitioner, the Commission admitted the petition and directed to issue notice to the respondents.

4. The Commission directed the petitioner to serve copy of the petition on the respondents immediately. The respondents were directed to file their replies by 11.9.2015 with an advance copy to the petitioner who may file its rejoinder, if any, by 21.9.2015.

5. The petition shall be listed for hearing on 1.10.2015.

By order of the Commission

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