

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Interlocutory Application No.5/2018

Coram:

Shri P.K.Pujari, Chairperson

Shri A.K. Singhal, Member

Shri A.S. Bakshi, Member

Dr. M.K.Iyer, Member

Date of Order: 15th of February, 2018

In the matter of

Interlocutory Applications for exemption from filing court fee.

And

In the matter of

Petition for directions to the Respondents, National Load Despatch Centre and Tamil Nadu Transmission Corporation Limited-State Nodal Agency for the revalidation of accreditation and registration of the Petitioner under the Renewable Energy Certificates (REC) mechanism and consequent reliefs.

AND

In the matter of

M/s Mirra and Mirra Industries
Plot No. 119 and 120, SIDCO Industrial Estate,
Vichur, Manali New Town,
Chennai-600 013

..... Applicant

Versus

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

2. Tamil Nadu Transmission Corporation Limited
Superintending Engineer (State Nodal Officer)
Load Despatch and Grid Operation
(State Nodal Agency for REC mechanism)
TANTRANSCO, 144, Anna Salai,
Chennai-600 002.

..... Respondents

ORDER

The Applicant, Mirra and Mirra Industries, has filed the Miscellaneous Petition *inter alia* seeking directions to the National Load Despatch Centre for revalidation of the accreditation and registration of the Renewable Energy Certificates (RECs) in terms of the provisions of the Central Electricity Regulatory Commission (Terms and Conditions for Recognition and Issuance of Renewable Energy Certificate for Renewable Energy Generation) Regulations, 2010 (hereinafter referred to as 'the REC Regulations').

2. The Applicant has filed Interlocutory Application for exemption of fee for filing the petition. The Applicant has submitted as under:

(a) The Applicant has set up a 1.5 MW (6x250 kW WEGs) wind generation plant in the State of Tamil Nadu. The Applicant has complied with all the procedures specified in REC Regulations for registration under REC mechanism. However, due to a procedural issue of a mere 8 days of delay in submission of revalidation of accreditation for the first time after five years, the Applicant is being deprived for the issuance of RECs.

(b) The Applicant is a very small wind generator and the full court fees of Rs. three lakh for the filing of the petition is burden on it as its annual generation is only about 24 LUs.

(c) The Applicant would be put to substantial financial stress if the entire court fee is sought for.

3. In the above circumstances, the Applicant has prayed for exemption of fees to be paid for Miscellaneous Petition.

4. We have considered the submissions of the Applicant. As per Regulation 6 (a) Central Electricity Regulatory Commission (Payment of Fees) Regulations, 2012, the fees for Miscellaneous Application to be charged is Rs. three lakh. The Applicant has contended that it is a small wind generator and it would be put to substantial financial stress if the entire court fee is sought for. Considering the submissions of the Applicant that the Petitioner has a small wind generation capacity of 1.5 MW, we exempt the Applicant from filing fee for Miscellaneous Petition. However, this exemption will not be quoted as precedent in future. Staff of the Commission is directed to list the Applicant`s Petition for hearing accordingly.

6. IA is disposed of in terms of the above.

Sd/-
(Dr. M. K. Iyer)
Member

sd/-
(A. S. Bakshi)
Member

sd/-
(A.K. Singhal)
Member

sd/-
(P.K.Pujari)
Chairperson