

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 36/MP/2018

Subject : Petition under Regulation 5 read with Regulations 14 and 15 of the Central Electricity Regulatory Commission (Terms and Conditions for recognition and issuance of Renewable Energy Certificate for Renewable Energy Generation) Regulations, 2010 seeking directions for issuance of pending RECs and Reaccreditation of the Petitioner's Project under the Renewable Energy Certificate Mechanism.

Petitioner : Rana Sugars Limited

Respondents : National Load Despatch Centre and Another

Date of Hearing : 2.7.2019

Coram : Shri P.K. Pujari, Chairperson
Dr. M.K. Iyer, Member
Shri I.S. Jha, Member

Parties present : Shri Vishal Gupta, Advocate, RSL
Shri Abhishek Raj, Advocate, RSL
Shri Arjun Krishnan, Advocate, NLDC
Shri Kaustav Som, Advocate, NLDC
Shri Ashok Rajan, NLDC

Record of Proceedings

At the outset, learned counsel for the Petitioner submitted that the present Petition has been filed *inter-alia* for seeking directions to NLDC to provide the online link to the Petitioner to submit the online application for re-accreditation with the State Agency and registration of its project thereafter, under the Renewable Energy Certificate (REC) mechanism. Learned counsel for the Petitioner further submitted as under:

- (a) The Petitioner is a generating company having a captive power plant under the REC mechanism for utilizing Bio-fuel Generation. The project is accredited on 13.1.2012 and is registered with NLDC as an eligible entity w.e.f. 2.8.2012 to 1.8.2017.
- (b) The Petitioner was required to apply for renewal of its registration and reaccreditation under the REC mechanism of its project to the State Agency at least 3 months prior to the date of expiry of its accreditation i.e. 12.1.2017. However, due to unintentional and inadvertent lapse on the part of the officials of the Petitioner's company, it could not apply for reaccreditation within the prescribed period specified in the REC Regulations and when the Petitioner tried to apply, the online link was withdrawn by NLDC.
- (c) Subsequently, the Petitioner through various letters requested NLDC to restore the online link for application and to condone the delay in applying the accreditation which was rejected by NLDC without recording any substantial reason for the same.

(d) Learned counsel requested the Commission to direct the NLDC to grant RECs to the Petitioner for the period from March, 2016 to April, 2017.

2. Learned counsel for NLDC submitted that neither REC Regulations nor the procedure laid down under Regulation 3(3) of the REC Regulations vests any discretionary power on NLDC to relax, extend or condone the delay insofar as the compliance with any of the provisions contained therein are concerned. Learned counsel further submitted that as per Para 4.1(f) of the 'Procedure for Registration of a Renewable Energy Generator or Distribution Licensee', NLDC is bound to reject the application of those RE generators who have not initiated the process of accreditation/ registration before the expiry of their accreditation certificate.

3. After hearing the learned counsels for the Petitioner and NLDC, the Commission reserved order in the Petition.

By order of the Commission

**Sd/-
(T.D. Pant)
Deputy Chief (Law)**