

**NEW DELHI**

**Petition No. 518/MP/2020**

- Subject : Petition under Sections 66 and 79(k) of the Electricity Act, 2003 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 directing the Respondents to give accreditation and registration of the Petitioner under Renewable Energy Certificate Mechanism and grant/issue the RECs for the period 26.1.2014 to 28.10.2017.
- Petitioner : SLS Power Corporation Limited (SPCL)
- Respondents : State Load Despatch Centre, Telangana and Anr.
- Date of Hearing : 14.7.2020
- Coram : Shri I. S. Jha, Member  
Shri Arun Goyal, Member
- Parties present : Shri S. Vallinayagam, Advocate, SPCL  
Shri Kailash Chand Saini, NLDC  
Shri Gajendra Singh Vasava, NLDC

**Record of Proceedings**

The matter was heard through video conferencing.

2. Learned counsel for the Petitioner submitted that following prayers have been made in the instant Petition:

(a) Hold that the Petitioner is entitled to accreditation of the Petitioner's project with effect from 26.1.2014 under the REC Regulations r/w the Detailed Procedures there under;

(b) Direct the first respondent to take necessary action for accreditation of the Petitioner's project with effect from 26.1.2014 to 28.10.2017 and granted accreditation for the said period;

(c) Direct the second respondent to issue REC for the energy injected during the period from 26.1.2014 to 28.10.2017; and



(d) Direct the Nodal Officer, REC Mechanism, New Delhi to accept the Energy Injection Report of SLDC for the month of December 2017 and issue REC.

3. Learned counsel for the Petitioner further submitted as under:

(a) The Petitioner has set-up a 24 MW small hydro project.

(b) The Petitioner, vide its letter dated 23.12.2012, by referring to its application dated 8.10.2012, informed the Transmission Corporation of Andhra Pradesh (in short 'AP Transco') that its Project is in advance stage of implementation and is expected to be commissioned by November, 2012. Along with the said letter, the Petitioner also furnished an application to obtain accreditation certificate under REC Mechanism with relevant documents.

(c) The Petitioner's Project achieved the commercial operation on 26.1.2014 and from the date of commercial operation, joint meter readings have been taken by the officials of AP Transco along with officials of the Petitioner. Joint meter reading for the Petitioner's Plant upto month of May, 2014 was taken by the officials of AP Transco and thereafter from June, 2014 onward, pursuant to bifurcation of State of Andhra Pradesh, the same was taken by the officials of Transmission Corporation of Telangana Limited (in short 'TS Transco').

(d) Main Meter, Check Meters and Standby Meters installed by the Petitioner were calibrated and tested by the authorized agency in the presence of the officials of TS Transco.

(e) The Petitioner, vide its letter dated 24.4.2017, brought to the notice of Chief Engineer, SLDC, TS Transco, *inter-alia*, regarding Petitioner's application for accreditation and informed that it had already submitted all required documents and is awaiting approval. However, Respondent No.1, SLDC Telangana, vide its letter dated 16.5.2017, rejected the Petitioner's application dated 8.10.2012 on the ground that 'metering is not in compliance with the Procedure issued by CEA/CERC'.

(g) The officials of AP Transco and TS Transco had been taking joint meter readings every month from January, 2014 and June, 2014 respectively and settling the accounts without any objections. However, in May, 2017, the Petitioner was informed that its application of 2012 was being rejected on the ground that metering is not in compliance with the Procedure issued by CEA/CERC.

(h) The Petitioner, on 4.7.2017, once again made an application to Respondent No. 1 for grant of accreditation, which was granted by the Respondent No.1 vide its letter dated 28.10.2017.

(i) The above accreditation was granted with the same set of meters, in respect of which calibration and testing was done in presence of officials of TS Transco in 2014 and the joint meter readings are being taken. This clearly



indicates that the Respondent No.1's letter dated 16.5.2017 rejecting the Petitioner's application for accreditation of 2012 after a period of five years was baseless and that the Petitioner has been wrongly denied the benefits of RECs for the period from 26.1.2014 to 28.10.2017.

4. In response to a specific query of the Commission as to whether the Petitioner had at any time approached the concerned State Authorities, namely, SLDC, Telangana and Telangana State Electricity Regulatory Commission upon rejection of its 2012 application for grant of accreditation, learned counsel for the Petitioner submitted that while re-applying for accreditation on 4.7.2017, the Petitioner had sought accreditation from 2014 onwards. However, the accreditation was granted w.e.f. 30.11.2017 only. Learned counsel sought liberty to approach the Respondent No.1, SLDC, TS Transco against the rejection of its application for accreditation for the period from 26.1.2014 to 28.10.2017.

4. After hearing the learned counsel for the Petitioner and in view of the liberty sought by the learned counsel for the Petitioner to approach the appropriate forum for disputes regarding accreditation and the Commission granted the liberty sought. The Commission admitted the Petition only in respect of prayer (d) of the Petition and directed to issue notice to the Respondents on this limited issue.

5. The Commission directed the Petitioner to serve copy of the Petition on the Respondents immediately, if not already served. The Respondents were directed to file their reply by 7.8.2020 with advance copy to the Petitioner who may file its rejoinder, if any, by 19.8.2020.

6. The Petition shall be listed for hearing in due course for which separate notice shall be issued.

**By order of the Commission**

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

