

**CENTRAL ELECTRICITY REGULATORY COMMISSION  
NEW DELHI**

**Petition No. 211/MP/2012**

**Sub:** Petition under section 79 (c) read with Section 142 of the Electricity Act, 2003.

Date of Hearing : 16.10.2012

Coram : Dr. Pramod Deo, Chairperson  
Shri S. Jayaraman, Member  
Shri V.S.Verma, Member  
Shri M.Deena Dayalan, Member

Petitioners : Simran Wind Project Private Limited., Kolkata  
Paharpur Cooling Towers Limited, Kolkata  
Green Infra Wind Power Projects Limited, New Delhi

Respondent : National Load Despatch Centre, New Delhi

Parties presents : Shri M.G.Ramachandran, Advocate for the petitioners  
Shri Anand K. Ganesan, Advocate for the petitioners

**Record of Proceedings**

Learned counsel for the petitioner submitted that petitioners are eligible entities for issuance of Renewable Energy Certificates (RECs) in accordance with 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. Learned counsel for the petitioners submitted that the petitioners owned three wind energy generation projects having capacity of 15 MW, 9.60 MW and 40 MW 25. Such wind energy generation projects are registered under the REC framework and these projects were commissioned before registration with Central Agency. Learned counsel submitted that registration certificate issued by Central Agency to all the petitioners specified that their projects have been registered with Central Agency as an 'eligible Entity' for their generating stations with effect from date of registration and this has been interpreted by the Central Agency to mean the date from which the petitioners are entitled to the certificates.

3. Learned counsel submitted that the petitioners have fulfilled all the conditions for being entitled to RECs and the electricity has actually been injected from the respective

date of commissioning of the generating units under REC scheme. REC Regulations permit the RE generators to apply for registration after the commissioning of the generating units. Learned counsel further submitted that the petitioner had approached the Central Agency to issue of RECs from the date of commissioning of their generating units. In response, Central Agency clarified that RECs would be issued only with effect from the date of registration. The procedure followed by the respondent to consider eligibility of issuance of REC from the date of registration is contrary to the very scheme, intent and object of the REC mechanism specified by the Commission.

4. Learned counsel requested the Commission to direct the respondent to issue the RECs to the petitioners for the electricity generated and injected into the grid from the date of commissioning of the their wind energy generation projects.

5. After hearing the learned counsel for the petitioners, the Commission admitted the petition and directed issue of notice to the respondent who shall file its reply 16.11.2012 and the petitioner to file its rejoinder, if any, by 30.11.2012.

6. The petition shall be listed for hearing on 13.12.2012.

**By order of the Commission,**  
Sd/-  
**(T. Rout)**  
**Joint Chief (Law)**