

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 54/MP/2015

Coram:

**Shri Gireesh B. Pradhan, Chairperson
Shri A.K. Singhal, Member
Shri A.S. Bakshi, Member**

Date of Hearing: 12.3.2015

Date of Order : 18.3.2015

In the matter of

Petition under Central Electricity Regulatory Commission (Terms and Conditions for recognition and issuance of Renewable Energy Certificate for Renewable Energy Generation) Regulations, 2010 for issuance of certificates from the date of commissioning of the petitioner`s member of association of solar power projects and extend the benefit of Vintage based Multiplier as such projects accredited and commissioned prior to the notification of the REC (Third Amendment) Regulations, 2014.

And

In the matter of

Solar Power Society
P-25, Pinaki House,
Yushistir Marg, C-Scheme, Jaipur

...Petitioner

Vs

National Load Despatch Centre
B-9, Qutab Institutional Area,
Katwaria Sarai, New Delhi-110 016

.Respondent

Following was present:

Shri Paritosh Singh, Advocate, SPL



ORDER

This petition has been filed by the petitioner, Solar Power Society (SPL) on behalf of Atapi Power, Solar Power Made Easy and Solar Energy Made Easy seeking direction to Central Agency, i.e National Load Despatch Centre to issue of Renewable Energy Certificate (RECs). The petitioner has made the following prayers:

(a) The Commission may please to hold that the members of the petitioner association are eligible to get REC from the date of commissioning and also eligible to get the benefit of Vintage based multiplier as the petitioner`s solar power project was commissioning prior to date of notification of the Central Electricity Regulatory Commission (Terms and Conditions for recognition and issuance of Renewable Energy Certificate for Renewable Energy Generation) (Third Amendment) Regulations, 2014;

(b) The Commission to issue a general/special order to relax provision made in the Regulation 7 (7) and 7 (8) of the REC Regulations and allow benefit of Vintage base multiplier to the petitioner`s members solar power projects which were accredited, commissioned much prior to the notification of the REC (Third Amendment) Regulations (REC Third Amendment).

(d) The commission may pass any further order as deemed fit in the interest of justice.”

2. The matter was heard for admission on 12.2.2015 after notice to the petitioner. The petitioner was directed to file (i) Memorandum of Association and requisite documents pertaining to the constitution of the petitioner company and (ii) confirm that SPL can present the case before the Commission on behalf of its constituent-members.

3. In response, the petitioner has submitted the following documents:

(a) Bye laws of Solar Power Society;

(b) Request letter from Atapi Power, Solar Energy Made Easy and Solar Power Made Easy for filling of petition.

(c) Membership Form of all the three members;

(d) List of members of Solar Power Society;

4. During the course of hearing, learned counsel for the petitioner submitted that Solar Power Society is registered under Rajasthan Society Registration Act, 1958 and its main object is to protect the environment, promote solar energy and remove difficulties for promotion of solar energy, etc. In response to our query as to whether the Society is authorized under its objects to represent individual commercial grievances of its members, learned counsel replied in the negative.

5. After going through the main objects of the Society and the authorization letters of the RE generators issued in favour of the petitioner Society, we are of the view that the petitioner cannot represent the commercial interests of its constituent members before the Commission. The members will have to pursue their legal remedy either individually or jointly in accordance with law.

6. The petition is disposed of in terms of the above. The individual RE generators covered in the petition are at liberty to approach the Commission for appropriate relief in accordance with law.

Sd/-
(A.S. Bakshi)
Member

sd/-
(A. K. Singhal)
Member

sd/-
(Gireesh B. Pradhan)
Chairperson