

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No.520/MP/2014

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 : 27.4.2015

In the matter of

Petition under Regulation 7 read with Regulation 14 of the Central Electricity Regulatory Commission (Terms and Conditions for recognition and issuance of Renewable Energy Certificate for Renewable Energy Generation) Regulations, 2010 seeking issuance of Renewable Energy Certificates for the 4 MW and 10.4 MW projects of the petitioner based in Tamil Nadu.

And

In the matter of

Vish Wind Infrastructure LLP
A-9, Veera Industrial Estate.
Veera Desai Road,
Andheri (West), Mumbai-400 053

...Petitioner

Vs

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

..Respondent

Parties present:

Shri Vishal Gupta, Advocate for the petitioner
Shri Ranjeet Singh, Vish Wind Infrastructure
Shri Abilia Zaidi, NLDC
Ms. Minaxi Garg, NLDC
Shri Shailendra Verma, NLDC



ORDER

The petitioner, Vish Wind Infrastructure LLP has filed this petition under Regulations 7 and 14 of the Central Electricity Regulatory Commission (Terms and Conditions for recognition and issuance of Renewable Energy Certificate for Renewable Energy Generation) Regulations, 2010 (REC Regulations) seeking a direction to National Load Despatch Centre (NLDC) to issue Renewable Energy Certificates (RECs) for the energy generated and supplied from its wind generating units during the periods from 11.5.2013 to 5.6.2013 and 6.6.2013 to 15.6.2013 as per the applicable regulations and procedure.

Facts of the case

2. The petitioner has set up wind generation units of 4 MW and 10.4 MW in the State of Tamil Nadu. The units were registered by the Central Agency on 4.4.2012 and 2.1.2012 for grant of RECs under the REC Regulations. However, the units were de-registered with effect from 15.6.2013. On 16.7.2013 and 3.9.2013, the petitioner applied to NLDC for grant of RECs for the periods from 11.5.2013 to 5.6.2013 and from 6.6.2013 to 15.6.2013. NLDC vide email dated 29.1.2014 sought documents pertaining to Energy Injection Reports (EIRs), copies of SLDC report and payment details. The petitioner is stated to have submitted all documents called for to NLDC vide its letter dated 30.1.2014. The petitioner followed up with NLDC vide its email dated 4.3.2014 for issuance of RECs. The petitioner has averred that no response was received from NLDC despite submission of the complete application with relevant documents and



therefore, NLDC has failed to discharge its obligations under the REC Regulations. The petitioner has filed the present petition seeking a direction to NLDC to issue RECs for the energy generated and supplied during the periods from 11.5.2013 to 5.6.2013 and from 6.6.2013 to 15.6.2013.

3. NLDC was directed in the ROP for the hearing dated 6.2.2015 to file its reply explaining the reasons for non-issuance of RECs claimed by the petitioner for the month of June, 2013. NLDC in its reply dated 12.2.2015 has submitted that since the petitioner did not submit correct documents to NLDC at any point of time in accordance with the REC Regulations and Detailed Procedures made thereunder, RECs could not be issued to the petitioner.

4. During the course of hearing on 12.3.2015, the representative of the NLDC explained the following reasons for not issuing the RECs to the petitioner:

(a) Two EIRs were issued by SLDC, Tamil Nadu, namely (i) EIR dated 12.7.2013 for the period from 11.5.2013 to 6.6.2013; and (ii) EIR dated 31.8.2013 for the period from 6.6.2013 to 15.6.2013.

(b) In both EIRs, there is overlapping of the date 6.6.2013. Moreover, the EIR dated 31.8.2013 was issued upto 15.6.2013 whereas it should be upto 14.6.2013 since the units were de-registered on 15.6.2013;



(b) The petitioner uploaded the online application for the month of June 2013 against the month of July, 2013 and submitted the hard copy of the same to NLDC; and

(d) RECs for the month of May 2013 had been issued. RECs for the month of June 2013 had not been issued due to the discrepancies in the EIRs issued by SLDC, Tamil Nadu and submission of wrong documents by the petitioner.

5. After hearing the petitioner and NLDC, it transpired that the main reason for non-issuance of RECs is the apparent discrepancy in the EIRs issued by SLDC, Tamil Nadu. Accordingly, SLDC, Tamil Nadu, vide Record of Proceedings dated 12.3.2015 was directed to issue the correct EIRs for the month of June 2013. The petitioner was directed to submit the EIRs and other requisite documents to NLDC. We also directed NLDC to submit a status report with regard to issuance of RECs to the petitioner.

6. NLDC vide its affidavit dated 13.4.2015 has submitted as under:

“4. It is submitted that as per directions of the Hon`ble Commission, the requisite documents from Tamil Nadu SLDC and M/s Vish Wind Infrastructure were received on 25.3.2015 and 30.3.2015 respectively. Subsequently, the Central Agency has done the necessary software modifications in the REC web application of issuance of RECs. Further, it is submitted that on the basis of the documents submitted by TN SLDC and the petitioner, Central Agency has issued 5002 RECs and 2027 RECs to the above mentioned projects with Registration nos. TN0NSVWIPL001R020112 & TN0NSVWIPL002R040412 respectively.”



7. In the light of the submission made in the affidavit by NLDC confirming issuance of RECs to the petitioner for the energy injection during the month of June, 2013, the prayers of the petitioner no more survive and accordingly, the petition is disposed of.

sd/-
(A.S.Bakshi)
Member

sd/-
(A.K.Singhal)
Member

sd/-
(Gireesh B. Pradhan)
Chairperson

