

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 243/MP/2019

Subject : Petition under Section 79(1)(k) of the Electricity Act, 2003 read with Regulation 2(1)(d) read with Regulations 27 and 111 of Central Electricity Regulatory Commission (Conduct of Business) Regulations, 1999 and Regulations 3, 7, 14 and 15 of Central Electricity Regulatory Commission (Terms and Conditions of Recognition and issuance of Renewable Energy Certificate for Renewable Energy Generation) Regulations, 2010 seeking condonation of delay in uploading Energy Injection Report data for the month of October, 2018 and consequently delay in complying with the procedure for issuance of Renewable Energy Certificates and to further direct the Respondent to issue the Certificates due to the Petitioner.

Petitioner : DCM Shriram Industries Limited (DCMSIL)

Respondent : National Load Despatch Centre (NLDC)

Date of Hearing : 18.6.2020

Coram : Shri P. K. Pujari, Chairperson
Shri I. S. Jha, Member
Shri Arun Goyal, Member

Parties present : Shri Pawan Upadhyay, Advocate, DCMSIL
Shri Ashok Rajan, NLDC
Shri Kailash Saini, NLDC

Record of Proceedings

The matter was listed for hearing through video conferencing.

2. Learned counsel for the Petitioner submitted that the present Petition has been filed, *inter-alia*, seeking condonation of delay in uploading the Energy Injection Report (in short 'EIR') data for the month of October, 2018 and direction to the Respondent, National Load Despatch Centre (NLDC), to issue Renewable Energy Certificates (in short 'RECs') for the month of October, 2018. Learned counsel further submitted as under:

(a) EIR along with Joint Meter Reading (JMR) for the month of October, 2018 was submitted to Uttar Pradesh Power Transmission Corporation Limited (UPPTCL) and the same was forwarded by UPPTCL after verification to Uttar Pradesh State Load Despatch Centre (UPSLDC) on 26.11.2018.



(b) However, due to mismatch in the opening figures in EIR, UPPTCL prepared revised JMR after inspection of the Petitioner's Project and re-submitted the same to UPSLDC on 5.3.2019. Subsequently, certain additional clarifications/details were sought by UPSLDC and the same were submitted by UPPTCL on 25.3.2019 and 15.4.2019.

(c) On 30.4.2019, UPSLDC approved EIR for the month of October, 2018, which was received by the Petitioner on 2.5.2019 i.e. after the last day permissible for uploading the data for the month of October, 2018 on NLDC's website and applying for issuance of RECs.

(d) The Petitioner, vide its e-mail dated 14.5.2019, pointed out to NLDC that the Petitioner was unable to upload the details of EIR on NLDC's website since the website did not show the data column for the month of October, 2018. In response, NLDC, vide its reply dated 15.5.2019, declined to accept the application for issuance of RECs for the month of October, 2018 as the period of six months from the generation month had lapsed.

(e) As per the extant Procedure, EIR approved by SLDC can be uploaded on NLDC's website only thrice a month i.e. on 10th, 20th and the last day of the month. Accordingly, there is a delay of 10 days in uploading the EIR data on NLDC's website, which may be condoned as the said delay is attributable to reasons beyond the control of the Petitioner.

3. The representative of the Respondent, NLDC submitted that in terms of Regulation 7 of Central Electricity Regulatory Commission (Terms and Conditions of Recognition and issuance of Renewable Energy Certificate for Renewable Energy Generation) Regulations, 2010, the renewable energy generator is required to apply for REC to NLDC within 6 months from the month in which renewable energy was generated and injected into the grid. In the present case, there was delay of 10 days in uploading EIR data on NLDC's website. He further submitted that under the extant Regulations/Procedure, NLDC does not have power to condone the said delay. The representative of NLDC submitted that as no allegations have been levelled by the Petitioner against NLDC, it does not want to file any reply.

4. After hearing the learned counsel for the Petitioner and the representative of the Respondent, NLDC, the Commission reserved order in the matter.

By order of the Commission

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

