

**CENTRAL ELECTRICITY REGULATORY COMMISSION  
NEW DELHI**

**Petition No. 180/MP/2020**

Subject : Petition under Section 79 of the Electricity Act read with Regulations 24 and 111 of the Central Electricity Regulatory Commission (Conduct of Business) Regulations, 1999 and 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 seeking directions against the Respondent, National Load Despatch Centre in the matter of issuance of Renewable Energy Certificates to the Petitioner for the specific period.

Date of Hearing : 3.9.2021

Coram : Shri P. K. Pujari, Chairperson  
Shri Arun Goyal, Member  
Shri P. K. Singh, Member

Petitioner : Tata Motors Limited (TML)

Respondent : National Load Despatch Centre (NLDC)

Parties Present : Ms. Dipali Sheth, Advocate, TML  
Ms. Priya Pandey, Advocate, TML  
Shri Shubham Mehta, Advocate, TML  
Shri Kailash Chand Saini, POSOCO  
Shri Alok Kumar, POSOCO

**Record of Proceedings**

Case was called out for virtual hearing.

2. The learned counsel for the Petitioner submitted that the present Petition has been filed seeking direction to the Respondent, NLDC for issuance of Renewable Energy Certificates ('RECs') for the months of April 2015 to October 2015 and for the period from 5.11.2015 to 31.3.2016. The learned counsel mainly submitted as under:

(a) Owing to delay on the part of Maharashtra State Electricity Distribution Company Limited ('MSEDCL') with respect to grant of open access permission to the Petitioner for financial year 2015-16, the Petitioner could not submit its application for issuance of RECs within the stipulated period of six months from the corresponding generation from its renewable energy project.

(b) Open access permission to the Petitioner for the period from April 2015 to October 2015 was wrongfully withheld by MSEDCL, thereby requiring the Petitioner to file Petition No. 88/2016 before the Maharashtra Electricity Regulatory Commission ('MERC'). MERC vide its order dated 18.12.2017 directed MSEDCL to grant open access to the Petitioner for captive use of its wind energy for the aforesaid period and to issue credit notes for energy injected during the said period. Similarly, for the period from 5.11.2015 to

31.3.2016, MSEDCL granted open access permission to the Petitioner belatedly on 21.3.2016.

(c) On receipt of the open access permissions, credit reports, REC proforma and Energy Injection Reports ('EIRs') from MSEDCL, the Petitioner had immediately approached the SLDC, Maharashtra for obtaining/ certification of EIRs as required for the issuance of RECs. However, by the time such EIRs were received by the Petitioner, the stipulated period of six months had already elapsed.

(d) The delay, if any, on the part of the Petitioner with respect to applying for RECs ought to be condoned as it was owing to the delay in issuance of open access permission by MSEDCL. The Commission in its various orders has already granted similar dispensation to the parties. In this regard, the reliance was placed on order dated 20.3.2017 in Petition No. 177/MP/2016 and order dated 1.3.2018 in Petition No. 120/MP/2017.

(e) No reply has been filed by the Respondent, NLDC.

3. The representative of the Respondent, NLDC submitted that the applications of the Petitioner for issuance of RECs had been rejected as they were beyond the stipulated period of six months from the corresponding generation from the renewable energy project of the Petitioner.

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

**By order of the Commission**

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