

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No.74/MP/2022

- Subject : Petition under Regulation 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 the Renewable Energy Certificates to the Petitioner for the specified period.
- Date of Hearing : 13.12.2022
- Coram : Shri I. S. Jha, Member
Shri Arun Goyal, Member
Shri P. K. Singh, Member
- Petitioner : Delhi International Airport Limited (DIAL)
- Respondents : National Load Despatch Centre (NLDC) and Anr.
- Parties Present : Shri Ayush Puri, Advocate, DIAL
Ms. Abiha Zaidi, Advocate, NLDC
Shri Kailash Chand Saini, NLDC
Shri Gajendra Sinh Vasava, NLDC

Record of Proceedings

Learned counsel for the Petitioner submitted that the present Petition has been filed, *inter-alia*, seeking direction to the Respondents to update and re-issue certificate of Accreditation, Certificate of Registration and Renewable Energy Certificates with retrospective effect in the new name of the Petitioner Company for its 2.84 MWp and 5 MWp Solar Plants pursuant to the representations of the Petitioner dated 1.9.2017, 23.6.2018 and 7.9.2018. Learned counsel submitted as per Section 2(71) of the Companies Act, 2013, the Petitioner Company is deemed Public Company being a subsidiary of Company not being a Private Company, namely, GMR Airport Limited and accordingly, the name of the Petitioner Company was changed from Delhi International Airport Private Limited to Delhi International Airport Limited and Certificate of Incorporation to above extent was issued by the Registrar of Company on 10.4.2017. Learned counsel submitted that subsequent to the above, the Petitioner vide its representations dated 1.9.2017, 23.6.2018 and 7.9.2018 had informed the Respondents about the change in the name of the Petitioner Company and requested for issuance of fresh/amended certificates reflecting the name change. However, the said request was denied on the ground that it is not a simple name change but change in the legal status of the Petitioner Company.

2. Learned counsel for the Respondents submitted that the Respondents have filed their reply in the matter which may be considered. Learned counsel further pointed out while the recent Central Electricity Regulatory Commission (Terms and Conditions for Renewable Energy Certificates for Renewable Energy Generation) Regulations, 2022 ('REC Regulations, 2022') permit the changes in the accreditations pursuant to change in name or legal status, the present case of the Petitioner falls within REC Regulations, 2010. Learned counsel added that the judgment of the Appellate Tribunal for Electricity in Techno Electric & Engineering Co. Ltd .v CERC and Ors. in Appeal No. 57 of 2020 is distinguishable as the present case is not in relation to a merger /acquisition.

3. In response, learned counsel for the Petitioner submitted that the Petitioner has also sought to invoke the Commissions' Power to Relax under REC Regulations, 2010 and has, accordingly, prayed for grant of relaxation to the Petitioner by allowing the REC certificates from October, 2017 till the application by the Petitioner for fresh accreditation and registration is approved.

4. After hearing the learned counsel for the parties, the Commission reserved the matter for order.

By order of the Commission

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