

**CENTRAL ELECTRICITY REGULATORY COMMISSION  
NEW DELHI**

**Petition No. 168/MP/2015**

Subject : Petition under Sections 66, 79 and other applicable provisions of the Electricity Act 2003 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.

Date of hearing : 15.10.2015

Coram : Shri Gireesh B. Pradhan, Chairperson  
Shri A.K. Singhal, Member  
Shri A.S. Bakshi, Member  
Dr. M.K. Iyer, Member

Petitioner : Porwal Auto Components Limited

Respondents : National Load Despatch Centre and others

Parties present : Shri Ajay Porwal, PACL  
Ms. Jayantika Singh, NLDC  
Shri R.A. Sharma, NLDC  
Ms. Abilia Zaidi, POSOCO  
Shri Ashok Rajan, POSOCO  
Shri Shailendra Verma, POSOCO

**Record of Proceedings**

The representative of the petitioner submitted as under:

- (a) The petitioner has set up a 1.5 MW (AC) Captive Solar PV power project at Ujjain under the Govt. of Madhya Pradesh Solar Policy, 2012.
- (b) The petitioner was accredited under REC mechanism by the SLDC, Madhya Pradesh on 27/28.12.2013 and the project was commissioned on 28.12.2013.
- (c) After accreditation, on 3.1.2014, the petitioner made an online application for registration under the REC mechanism to the Central Agency i.e. National Load Despatch Center (NLDC) along with the metering installation report (which indicate the date of commissioning of the project). However, the hard copy of the application alongwith enclosures was forwarded to NLDC on 6.1.2014 which was received by NLDC on 13.1.2014.

(d) NLDC initially sought the commissioning certificate as it did not receive the same alongwith the application form. The petitioner sent the commissioning certificate to NLDC, however, NLDC refused to accept it on the ground that commissioning certificate is not legible and it is not on the letter head of SLDC, MP. After taking a confirmation from SLDC, MP regarding the commissioning certificate, the petitioner was issued the registration of REC by NLDC on 5.5.2014.

(e) Since NLDC did not prescribe any format for the commissioning certificate, the metering report should have sufficed to be treated as commissioning certificate as it had three signatures of authorized officials.

(f) Since the delay is not attributable to the petitioner, it should be allowed the benefit of REC from the date of commissioning of the project.

2. The representative of NLDC submitted as under:

(a) The petitioner did not enclose the commissioning certificate with its application. Moreover, in the online application, the commissioning date was indicated as 30.12.2013. However, in the covering letter, it was mentioned as 28.12.2013. In view of the said discrepancy, NLDC sought from the petitioner a copy of the certificate.

(b) Subsequently, the commissioning certificate was submitted by the petitioner on plain paper indicating the commissioning date as 27.12.2013.

(c) As different dates were being given by the petitioner and the certificate being on plain paper, NLDC sought certificate on the letter head of the issuing authority.

(d) NLDC also sought confirmation of the commissioning certificate to the State Agency by e-mail on 11.4.2014 which was confirmed on 24.4.2014.

(e) Thereafter, on 2.5.2014, the application of the petitioner was verified by Central Agency. After receiving the payment of one time registration charges from the petitioner on 5.5.2014, the project was registered on the same day. Accordingly, while issuing registration certificate, NLDC complied with the provisions of the Central Electricity Regulatory Commission (Terms and Conditions for Recognition and Issuance of Renewable Energy Certificate for Renewable Energy Generation) Regulations, 2010.

(g) Regulation 10(1) of the REC Regulations provides that the RE Generator would be eligible for issuance of RECs from the date of commercial operation or from the date of registration of the plant, whichever is later. Therefore, the petitioner is eligible for RECs from 13.1.2014 and not from the date of CoD.

3. In response to the Commission's query as to whether any format has been prescribed by NLDC for the Commissioning certificate, the representative of NLDC submitted that no such format has been prescribed by NLDC in this regard.
4. In response to the Commission's query as to the reason for delay in sending the certificate to NLDC, the representative of the respondent submitted that due to postal delay, documents sent by the petitioner by post on 6.1.2014 were received by NLDC on 13.1.2014.
5. In response to the query raised by the Commission regarding 'actual date of commissioning', the representative of the petitioner and the respondent confirmed that 30.12.2003' can be treated as the date of commercial operation of the project.
6. After hearing the parties, the Commission reserved the order in the petition.

**By order of the Commission**

**Sd/-  
(T. Rout)  
Chief (Law)**