

TEMPLATE

DEVIATION REQUEST FORM

PUBLICATION DATE **11.04.2021**

Version **5.0**

A. To be completed by Gold Standard

1 | Decision

1.1 | Date – 20/07/2023

1.2 | Decision

The applied deviation request is not approved.

Gold Standard acknowledges the delays faced by project developers to get the project registered in such difficult circumstances. However, the deviation cannot be granted from Clause 2.1.5 e.(i) of [Renewable Energy Activity Requirements](#) as it is a critical eligibility requirement.

1.3 | Is this decision applicable to other project activities under similar circumstances?

No

B. To be completed by the Project Developer/Coordinating and Managing Entity and/or VVB requesting deviation (Submit deviation request form in Microsoft Word format)

2 | Background information

Deviation Reference Number	DEV_453	
Date of decision	20/07/2023	
Precedent (YES/NO)	No	
Precedent details	NA	
Date of submission	07/06/2023	
Project/PoA/VPA	Project	ID – GS11686
	<input type="checkbox"/> PoA	ID – GSXXXX
	<input type="checkbox"/> VPA	ID – GSXXXX
Project/PoA/VPA title	10 MW Solar Power Project by Krishna Wind Farm Developers Pvt. Ltd.	
Date of listing	Not Applicable	
GS Standard version applicable	Renewable Energy activity requirements v1.4	
Date of transition to GS4GG (if applicable)	Not Applicable	
Date of transition to Gold Standard from another standard (e.g. CDM) (if applicable)	Not Applicable	
Date of design certification/inclusion (if applicable)	Not Applicable	
Location of project/PoA/VPA	India	
Scale of the project/PoA/VPA	<input type="checkbox"/> Microscale <input checked="" type="checkbox"/> Small scale <input type="checkbox"/> Large scale	
Gold Standard Impact Registry link of the project/PoA/VPA	Not Applicable	
Status of the project/PoA/VPA	<input checked="" type="checkbox"/> New <input type="checkbox"/> Listed <input type="checkbox"/> Certified design <input type="checkbox"/> Certified project	
Title/subject of deviation	Transition approval from CDM to GS	
Specify applicable rule/requirements/methodology, with exact paragraph reference and version number	Renewable Energy activity requirements v1.4 Clause 2.1.5 e.(i) Projects/PoAs seeking transition from another carbon crediting scheme to GS4GG or labelling of emission reductions under GS4GG	

	are exempted from eligibility requirements of paragraph 2.1.3 above if the projects/POAs started their first crediting period with the original carbon crediting scheme from 01/01/2016 or later but before 24/01/2020.
Specify the monitoring period for which the request is valid (if applicable)	Start date End date
Submitted by	Contact person name: Dhawal Marghade
	Email ID:Dhawal.marghade@mitconindia.com
	Organisation: MITCON Consultancy & Engineering Services Limited
	Project participant: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Validation and Verification body (VVB opinion shall be included, where required by the applicable rules/requirements or request is submitted by the VVB).	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If yes; VVB name: VVB Staff name(s):
Any previous deviations approved for the same project activity/PoA/VPA(s)?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>

3| Deviation detail

3.1 | Description of the deviation:

**Guidance* Use the space below to describe the deviation and substantiate the reason for requesting deviation from applicable rules/requirements. Please include all relevant information in support of the request. You are requested to follow the principles for requesting deviations, given in the [Deviation Approval Procedure/ Design Change Requirements](#).*

3.1.1 | Deviation detail (to be completed by Project developer):

The Project Activity CDM 10634, 10 MW Solar Power Project by Krishna Windfarm Developers Pvt Ltd. (Project Proponent, herein referred as "PP") was registered under CDM registry on December 31, 2020. The Project Activity was commissioned on August 2017 and submitted the prior intimation request on May 05, 2017.

As from above, it is clear that PP took over 3 years to register the project under CDM registry. The following event took place which resulted in delay for registration under CDM beyond January 24, 2020:

1. PP commissioned 10 MW Solar Power Project at Jamkhed, District Ahmednagar, on August 11, 2017.
2. As per understanding of PP the Date of Commissioning (COD) was 13 months from the date of PPA. PPA was signed on August 03, 2016 between PP and SECI (Power Purchasing Entity)
3. After commissioning of the project, SECI invoked PP Bank Guarantee (BG) of Rs. 3.00 Cr (~US\$ 400,000) dated September 09, 2017. Also SECI triggered reduction in tariff by 1.5 paisa on account of delay of commissioning by 93 days on basis of 13 months from April 10, 2016 (effective date) and not the PPA signing date (August 03, 2016).
4. PP approached Delhi High Court on October 07, 2017 and Delhi High Court order dated February 02, 2018, BG release with retention of equivalent amount from dues to PP.
6. PP pleaded that it has commissioned the Project on August 11, 2017 i.e. well within the prescribed period of 13 months from the date of signing of the PPA (being August 03, 2016).
7. SECI pleads that the date of COD is to be considered as 13 months from the effective date i.e April 10, 2016.
8. PP Approached Central Electricity Regulatory Commission (CERC) and CERC order dated November 08, 2019 directed SECI to follow Article 4.6.1 of the PPA effecting reduction by 0.5 paise only (not 1.5 paise). Also, CERC does not agree to release of Rs.3 Cr amount retained from Invoices for consideration of 90 days of default in COD.
9. PP approached Appellate Tribunal For Electricity (APTEL) for release of Rs.3 Cr and reinstating the original price per unit.
10. However the argument is still going on with the APTEL (order no. Appeal No. 04 of 2020 & IA No. 985 of 2020) for the above.

Due to above events, PP had to shift his prioritization towards challenging the clause invoked by SECI and as a result there was delay in registration of the project in due time, further PP was ineligible to make a transition to GS as per Renewable Energy activity requirements v1.4.

3.1.2 | VVB opinion (to be completed by VVB, if applicable):

**Guidance* If required by SustainCERT or Gold Standard for this particular deviation, please add here the VVB's opinion.*

Not Applicable

3.2 | Assessment of the deviation:

**Guidance* Use the space below to describe how the deviation complies with the requirements, and, where applicable, the accuracy, completeness and conservativeness is ensured. Please include all relevant information in support of the request.*

3.2.1 | Deviation assessment (to be completed by Project developer):

With requirements set in Renewable Energy activity requirements v1.4 of GS, PP is able to meet all the requirement for transition except the crediting period from January 01, 2016 to January 24, 2020.

However PP has commissioned the Project on August 2017 and if the events taken place as mentioned in 3.1.1 herein above, PP would have registered the project under CDM in due time.

Request you to kindly consider the registration of Project under GS.

3.2.2 | VVB opinion (to be completed by VVB, if applicable):

**Guidance* If required by SustainCERT or Gold Standard for this particular deviation, please add here the VVB's opinion.*

...Not Applicable

3.3 | Impact of the deviation:

**Guidance* Use the space below to describe the impact of the deviation on project design, safeguarding principles assessment, SDG assessment, emissions reductions, monitoring frequency, data quality, potential risk or any other relevant aspect of the project. Please substantiate the impact assessment with relevant and verifiable data/information.*

3.3.1 | Impact assessment (to be completed by Project developer):

No impact on project design, safeguarding principles assessment, SDG assessment, emissions reductions, monitoring frequency, data quality, potential risk or any other relevant aspect of the project.

3.3.2 | VVB opinion (to be completed by VVB, if applicable):

**Guidance* If required by SustainCERT or Gold Standard for this particular deviation, please add here the VVB's opinion.*

Not Applicable

3.4 | Documents:

**Guidance* List of documents provided (note that once a decision has been made by Gold Standard, this deviation form along with supporting documents will be made public on the Gold Standard website. If any of the supporting documents are confidential, please indicate here to ensure they are omitted.)*

Version number	Release date	Description
5	11.04.2022	Additional information added: <ul style="list-style-type: none"> - date of listing, design certification, transition - standard version - specific reference to a requirement deviated from - any previous deviations/design changes approved Guidance on VVB opinion
4	14.01.2021	
3	16.07.2020	
2	03.05.2018	
1	01.07.2017	Initial adoption