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DET NORSKE VERITAS
 CERTIFICATION AS

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 NO 945 748 931 MVA

Att: CDM Executive Board

Your ref.:
 CDM Ref 1413

Our ref.:
 MLEH

Date:
 24 February 2008

Response to request for review Jaroensompong Corporation Rachathewa Landfill Gas to Energy Project (1413)

Dear Members of the CDM Executive Board,

We refer to the requests for review raised by three Board members concerning DNV's request for registration of project activity 1413 "Jaroensompong Corporation Rachathewa Landfill Gas to Energy Project" and would like to provide the below initial response to the issue raised in these requests for review.

As the PDD was submitted for validation in January 2007, about two and a half years after the start date of the project activity. Further clarification is required on how the DOE has validated that CDM incentives were considered in the decision to proceed with the project activity.

DNV Response:

The original the PDD for the project was first submitted for validation on 20 May 2004 (please refer to Section 3.1 of the validation report), and the site visit conducted between 31 May and 2 June 2004 (please refer to Section 3.2 of the validation report), prior to the starting date of the project activity which is 1 August 2004.

It must also be noted that while the project's PDD was uploaded for public comments on the UNFCCC website in January 2007, an earlier version of the PDD of December 2004 was uploaded for public comments in January 2005* (please refer to Section 4 of the validation report).

At the time DNV commenced the validation of the project, the project had not yet started construction and therefore it is clear that the incentive of the CDM was seriously considered in the decision to proceed with the project activity.

This is consistent with the statement in section 4.4 of the validation report and on page A-14 of the validation protocol where it is stated that "The project started construction on 1 August 2004. Mitsubishi UFJ Securities Co., Ltd. commissioned DNV for the validation of the project already in May/June 2004 and thus before the starting date of the project". As supporting document to establish the validation start date, we attach the contract between Mitsubishi Securities and DNV,

* The earlier PDD can be found at
<http://cdm.unfccc.int/Projects/Validation/DB/JI0VNKDYTS4ACJR51ZF6CN4DFD9TC2/view.html>

which was executed in June 2004 and which was based on a proposal for validation services prepared by DNV on 18 November 2003.

The reason for the significant delay in requesting registration for the project was the delay in obtaining the approval by the Thai DNV. Despite its efforts, the project only received the Letter of Approval in August 2007, several years after the project participant first requested for the approval.

We sincerely hope that the Board accepts our aforementioned explanations and we look forward to the registration of the project activity.

Yours faithfully

for DET NORSKE VERITAS CERTIFICATION AS

A handwritten signature in blue ink that reads "Michael Lehmann".

Michael Lehmann




Technical Director

International Climate Change Services

Contract between
Mitsubishi UFJ Securities Co., Ltd.
and DNV of June 2004



SHORT FORM AGREEMENT - CERTIFICATION SERVICES

DNV Order no.:		Customer no. (id):			
Customer	Name: Mitsubishi Securities		Address: 2-4-1 Marunouch, Chiyoda-ku Tokyo		
			Japan 100-6317		
	Contact person, name: Masachika Suzuki		Contact person, telephone: +81 3 6213 6297		
DNV	Unit: DNV Certification		Section/department: International Climate Change Services		
	Contact person, name: Michael Lehmann		Contact person, telephone: +47 67 57 95 14		
Work / project name	Validation of Jaroensompong Corporation Rachathewa Landfill Gas to Energy Project, Thailand				
	Commencement date 20.05.2004	Termination date: 31.11.2004	Work location: Oslo/Thailand	Project number: 2892458079	
Scope of work (hereinafter called the Work)	To make a validation of the Jaroensompong Corporation Rachathewa Landfill Gas to Energy Project in Thailand in accordance with the CDM rules and modalities, i.e. decision 17/CP.7 of the Marrakech Accords (the Certification Scheme), and as outlined in DNV Certification's proposal of 18 November 2003.				
Remuneration and terms of payment					
Specification of fees, expences and additional costs	The above fee is a fixed price, inclusive of all travel and administrative costs, but not including UNFCCC registration fees.				
Special conditions	If additional space is needed, please use attachments: The customer and DNV agree to the changes listed in the attachment.				
<p>This Agreement consist of this cover page, the General Terms and Conditions overleaf and any other documents referred to herein, and constitutes the entire agreement between the parties which shall supersede and invalidate all prior representations relating to the subject matter hereof. No amendment and/or variation to the Agreement is valid unless duly signed by both parties. This Agreement is made in duplicate, one original for each party hereto.</p> <p>No Work, including but no limited to the issuance of reports and/or certificates, will be performed until one original of this Agreement, duly signed and dated by the Customer has been returned to DNV.</p>					
For Customer			for DNV		
Place: Tokyo		Date: 7 June 2004	Place: Oslo		Date: 7 June 2004
 Signature Tai Kaneko, General Manager name and title (printed)			 Signature Einar Telnes, Technical Director name and title (printed)		