

## Final Ruling Regarding the Request for Registration of

### “Changzhai 15 MW Hydro Power Project in Guizhou Province, China” (3878)

The CDM-Executive Board decided to reject the above proposed project activity on 14<sup>th</sup> April 2011 in accordance with “*Procedures for review of requests for registration*”, version 1.2, EB 55, Annex 40, paragraphs 20 and 28 (the procedures). In accordance with paragraph 27 of the procedures, the rulings shall contain the reasons and rationale for the final decision, which are as follows:

- The DOE (JACO) failed to substantiate the additionality of the project activity in line with requirements of paragraphs 6(b) and 7 of EB 49, Annex 22 (validation requirements) regarding continuing and real actions taken to secure the CDM status of the project activity, as it remains unclear whether the second consultancy contract signed in December 2006, after the project starting date on 12 February 2005, is a valid action to demonstrate real and continuing actions for the proposed project activity.
- Paragraph 6(b) of EB49, Annex 22 states that: “*The project participant must indicate, by means of reliable evidence, that continuing and real actions were taken to secure CDM status for the project in parallel with its implementation*”, and in paragraph 7 of the same document states that: “*assessment of real and continuing actions shall be validated by the DOE and the validation should focus on real documented evidence as indicated in paragraph 6(b), including an assessment by the DOE of the authenticity of the evidence.*”
- The DOE failed to comply with the validation requirements in line with requirements of paragraphs 6(b) and 7 of EB 49, Annex 22 as the evidence supporting the claim that real and continuing actions were taken between the project starting date, 12 February 2005, and the start of validation, 14 July 2009, is insufficient as it is not clear whether the first and the second consultant firms are the same considering that both companies have the same shareholders.

Please note, however, that, with appropriate revisions, this project activity may be resubmitted for validation and registration provided it meets the requirements for validation and registration, in accordance with paragraph 42 of the CDM Modalities and Procedures (Decision 3/CMP.1).

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### History of the document

<b>Project</b> 3878	Related to EB 55 Annex 40 Paragraphs 20, 27, 28 14 <sup>th</sup> April 2011	<b>Decision Class:</b> Ruling <b>Document Type:</b> Information Note <b>Business Function:</b> Registration
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