

DOE/AE Forum

Head and Members of the CDM Executive Board
Mr. Maosheng Duan
Chairman
UNFCCC Secretariat
Martin-Luther-King-Strasse 8
D 53153 Bonn
Germany

Mailing address:
Designated Operational Entities &
Independent Entities Association (D.I.A.)
c/o beCe carbon experts GmbH
Bahnhofstrasse 7
D – 85354 Freising
GERMANY

t: +49 81 61 234 65 02
office@diassociation.org
www.diassociation.org

Your contact:
Werner Betzenbichler
General Manager DIA
Chair of the DOE/AIE Forum

Date 10 Nov, 2012
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Subject **Call for public input on "Issues included in the annotated agenda of the seventieth meeting of the CDM Executive Board and its annexes"**

Honourable Members of the CDM Executive Board,

This input has been prepared by the Chair of the DOE/AIE Forum after inviting all members of the DOE/AIE Forum to provide feedback on their experiences, concerns and to make suggestions for improvement.

The following focuses on those aspects within the annotated agenda with specific relevance for DOEs.

Concept note on the recommendations of the CDM Policy Dialogue (Annex 1)

We appreciate the recommendation under item 12.4, which refers to strengthening the training of and communication with designated operational entities in order to ensure a common understanding of rules and expectations of validation and verification results. The resulting action point is entitled "Support the activities of the DOE/AIE Forum". WE hope that this will be realised as it stands.

Forecast submissions by designated operational entities (Annex 8)

and

Revision to regulatory documents due to introduction or changes to provisions related to PoA (Annex 10)

The strong discrepancy of forecasted and actual submissions for requesting registration or issuance of PoA underpins the difficulties and obstacles created by the recent PoA framework and the need for substantial revisions. Those revision presented under annex 10 are considered as a first steps towards the right direction, while more work is required to make PoA more attractive and implementable for those kind of activities this concept is targeting at. Regarding the suggested changes in the regulatory framework we have the

following comments:

- The suggested solution for actual CPAs required at the time of the registration of a PoA reflects the consensus of the discussions during the DOE Forum meeting and the 6th CDM roundtable. It is not clear, however, why a requirement needs to be introduced which requires that actual CPAs for all technology types need to be submitted at the latest within 1 or 2 years.
- The crediting period of the PoA should start with the start date of the crediting period of the earliest CPA. It is not clear why the crediting period shall start with the registration of the PoA if no CPAs are yet implemented at the time of registration of the PoA. In particular with the requirement to renew the crediting period of all CPAs after 7 years, this would result in the need to renew the crediting period of all CPAs even if none of the CPAs has actually been in operation for 7 years.

Concept note on revision of procedure for accrediting operational entities (Annex 17)

First of all we want to express our concern that none of the issues we discussed at the DOE Forum meeting with the secretariat is reflected with the concept note. Thus it needs to be brought to the attention of the Board directly which is perceived as an avoidable exercise.

One of the key shortcomings of the current accreditation process is not addressed, namely the lack of direct communications between DOEs and CDM-AT members and possibly the CDM AP. DOEs must be given the opportunity to request a conference call with the CDM-AT to clarify non-conformities raised and the reasons for not accepting corrective actions or the implementation of corrective actions. DOEs do frequently not feel able to close non-conformities, if they do not sufficiently understand the underlying reasons. Direct communication is in particular important if none-closure of closing non-conformities can result in the suspension of accreditation.

A suspension of accreditation is a severe punishment. Any suspension due to not being able to close one single NC, regardless of its severity, is outrageous. The CDM AP should be given different options for how to handle cases where a non-conformity cannot be closed. One option may be a suspension in case the nature of the non-conformity justifies such a severe punishment. However, performing another performance assessment should be the typical option. Only a second performance assessment can identify if the non-conformity raised in the first performance assessment is due to a systematic failure by the DOE. It is furthermore recommended to run the second performance assessment by a different assessment team excluding any bias from a team composition.

The minimum number of performance assessments and regular surveillance still represents an unreasonable high number of assessments, while its setting remains unclear as it only make reference to sectoral scopes without providing further details . The determination of the number of assessment should consider the performance and the findings of previous assessments. The ambiguous indication that on-site assessments "*may take place at any site of the DOE where CDM validation/verification functions are undertaken*" does not ensure a level playing field and should be specified in more detail. It is questioned, why a regular surveillance of all non-central sites is necessary, if the regular surveillance at a few sites confirms that these non-central sites operate according to the instructions of the central site.

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Concept note on improving the procedure on performance monitoring of DOEs (Annex 18)

We recognize that our concern regarding the disincentive for taking over more complex project activities has not been taken into account. We do not share the justification given in appendix 5 of this document referring to business decisions of DOEs when working on more complex and therefore riskier projects or methodologies. In contrary we consider that questions during the information and reporting check or in requests for review are more likely because there is also a lack of experience within the secretariat or the review teams when it comes to new methodologies or complex applications. Hence, we recommend that activities/technologies with less than ten registered projects should be excluded from the performance monitoring process.

More details on the addressed annexes/topics will be provided and hopefully discussed during the regular interaction.

Kind regards,

A handwritten signature in black ink, appearing to be 'Werner Betzenbichler', written over a light grey circular stamp or watermark.

Werner Betzenbichler
Chair of the DOE/AIE Forum

Attachment: The DOE Forum's draft procedure on significant deficiencies