

 <p><b>CDM: FORM FOR SUBMISSION OF A “LETTER TO THE BOARD” (Version 01.2)</b></p> <p>This form should be used only by project participants and other stakeholders for submitting a “Letter to the Board” in accordance with the latest version of the <i>Modalities and procedures for direct communication with stakeholders</i></p>	
Name of the stakeholder <sup>1</sup> submitting this form (individual/organization):	Abhishek Kumar [REDACTED]
Address and contact details of the individual submitting this form:	Address: S/O A K Mazumdar, Near Doon Public School, bhikhanpur Gumti No. 02, Bhagalpur, Bihar – 812001 (India) Telephone number: +91 7566661641 E-mail address: <a href="mailto:abhi02.upes@gmail.com">abhi02.upes@gmail.com</a>
Title/Subject (give a short title or specify the subject of your submission)	Query Over De-bundling of Small Scale Project Activity
Please mention whether the submitter of the form is:	<input type="checkbox"/> Project participant <input checked="" type="checkbox"/> Other stakeholder, please specify <a href="#">Climate Change Consultant</a>
Specify whether you want the letter to be treated as confidential <sup>2</sup> :	<input type="checkbox"/> To be treated as confidential <input checked="" type="checkbox"/> To be publicly available (UNFCCC CDM web site)
Please choose any of the type(s) below <sup>3</sup> to describe the purpose of this submission.	
<input checked="" type="checkbox"/> <b>Type I:</b> <input checked="" type="checkbox"/> <b>Request for clarification</b> <input type="checkbox"/> <b>Revision of existing rules</b> <input type="checkbox"/> Standards. Please specify reference <input type="checkbox"/> Procedures. Please specify reference <input type="checkbox"/> Guidance. Please specify reference <input type="checkbox"/> Forms. Please specify reference <input type="checkbox"/> Others. Please specify reference  <input type="checkbox"/> <b>Type II: Request for Introduction of new rules</b> <input type="checkbox"/> <b>Type III: Provision of information and suggestions on policy issues</b>	
Please describe in detail the issue on which you request a response from the Board, including the exact reference source and version (if applicable).	

<sup>1</sup> DNAs and DOEs shall use the respective DNA/DOE forms for communication with the Board.

<sup>2</sup> As per the applicable modalities and procedures, the Board may make its response publicly available.

<sup>3</sup> Latest CDM regulatory documents and information are available at: <http://cdm.unfccc.int/Reference/index.html> .

As per Annex 63, EB 66,

1. Bundle is defined as, "Several SSC or SSC A/R CDM project activities which form a single project activity or portfolio without the loss of distinctive characteristics of each component."
2. Debundle is defined as, "A large-scale CDM project activity or A/R CDM project activity that has been separated into smaller, separate parts."
3. Project Participant is defined as, "A Party involved that intends to participate, or a private and/or public entity authorized by the DNA of a Party involved to participate in a CDM project activity or PoA, as applicable."
4. Focal Point is defined as, "Any entity, or entities, **whether or not registered as a project participant** in the corresponding CDM project activity or PoA, nominated through the MoC statement by all project participants to communicate with the Board and the secretariat in relation to some or all of the following scopes of focal point authority:
  - (a) Communicate in relation to requests for forwarding of CERs to individual accounts of project participants;
  - (b) Communicate in relation to requests for addition and/or voluntary withdrawal of project participants and focal points, as well as changes to company names, legal status, contact details and specimen signatures;
  - (c) Communicate on all other project or programmed-related matters not covered by (a) or (b) above.

Again as per para 18 of Annex 21, EB66, As an element to be part of the request for registration, project participants shall provide a written statement indicating: (a) The agreement of all project participants to bundle their individual project activities; (b) One project participant who shall represent all project participants to communicate with the Board, in accordance with the Project standard and the Clean development mechanism project cycle procedure

Now if we consider a case as: There is a Coordinating or managing entity – having no investment in CDM project activity, has been assigned as a focal point (under the definition above) by five individual project participants – who has actually make the investment in CDM Project activity and maintain their books of accounts accordingly while claiming depreciation and all associated dealings. Whereas, the defined focal point, has actually had no such investments, neither their books of accounts reflecting the same.

Query1: In the above case, can the coordinator or focal point need to come under the "Debundling clause" as per para 2 of Annex13, EB54?

Query2: In the case above, even though all the participants has appointed a focal entity – as they don't know each other, but somehow connected to the focal point, can be called as Project Participant?

Query3: From the guideline or definitions mentioned above, can we infer that a co-ordinating entity or focal point needs to comply para 2 of Annex13, EB54, whereas it can just act as a project co-ordinator or focal point for any communication to UNFCCC, favouring all project-participants involved?

Query4: When Debundling is defined as the fragmentation of a large project activity into smaller parts (para1 of Annex13, EB54), can't one undersatand that for the same only, one Board Resolution has to be issued?

Query5: When a Project Participant has two or three different investment-decisions in different investment scenario or time, how could it be clubbed to follow the para 2 of Annex13, EB54?

Query6: Referring para 3 of Annex13, EB54, can one infer that any investor will come under debundling only if investments exceed the limits for small-scale CDM project?

*Please provide any specific suggestions or further information which would address the issue raised in the previous section, including the exact reference source and version (if applicable).*

1. As per the definition of debundling is defined as the fragmentation of a large project activity into smaller parts, it shall be dependent of date of each investment decision. As if the decision dates are taken in different times, it need be treated as debundle.
2. The co-ordinating Entity or focal point – who are being appointed by different project participants, for communication only, need not to comply debundling clause until & unless the co-ordinating entity has own investment as per their books of accounts to comply with the definition of Project Participant.
3. Logically it shall be like that if any project participant has investments exceeding the limits for small-scale CDM project, should caught under debundling, in addition to other parameter defined as per para2 of Annex 13, EB54.

*If necessary, list attached files containing relevant information (if any)*

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**Section below to be filled in by UNFCCC secretariat**

Date when the form was received at UNFCCC secretariat	28 December 2012
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**History of document**

Version	Date	Nature of revision
01.2	08 February 2012	Editorial revision.
01.1	09 August 2011	Editorial revision.
01	04 August 2011	Initial publication date.
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