

	CDM: FORM FOR SUBMISSION OF A “LETTER TO THE BOARD” (Version 01.2) <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>
<i>Name of the stakeholder¹ submitting this form (individual/organization):</i>	EKI ENERGY SERVICES LTD.
<i>Address and contact details of the individual submitting this form:</i>	Harish Sharma Address: 325, Block-C, Prem Trade Centre, Maharani Road, Indore (MP) India - 452007 Telephone number: +91-731-4289086 E-mail address: harish@enkingint.org
<i>Title/Subject (give a short title or specify the subject of your submission)</i>	Clarification request for Guidelines on the demonstration and assessment of prior consideration of the CDM
<i>Please mention whether the submitter of the form is:</i>	<input checked="" type="checkbox"/> Project participant <input type="checkbox"/> Other stakeholder, please specify
<i>Specify whether you want the letter to be treated as confidential²:</i>	<input type="checkbox"/> To be treated as confidential <input checked="" type="checkbox"/> To be publicly available (UNFCCC CDM web site)
<i>Please choose any of the type(s) below³ to describe the purpose of this submission.</i>	
<p><input checked="" type="checkbox"/> Type I:</p> <p style="margin-left: 40px;"> <input checked="" type="checkbox"/> Request for clarification <input type="checkbox"/> Revision of existing rules </p> <p style="margin-left: 80px;"> <input type="checkbox"/> Standards. Please specify reference <input type="checkbox"/> Procedures. Please specify reference <input checked="" type="checkbox"/> Guidance. Please specify reference Annex 13, EB 62 <input type="checkbox"/> Forms. Please specify reference <input type="checkbox"/> Others. Please specify reference </p> <p><input type="checkbox"/> Type II: Request for Introduction of new rules</p> <p><input type="checkbox"/> Type III: Provision of information and suggestions on policy issues</p>	
<i>Please describe in detail the issue on which you request a response from the Board, including the exact reference source and version (if applicable).</i>	

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

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

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

>>

This clarification is to seek the guidance in the interpretation of “Guidelines on the demonstration and assessment of prior consideration of the CDM” as discussed below.

As per para 2 of the guidance “The Board decided that for project activities with a starting date on or after 2 August 2008, the project participant must inform a Host Party designated national authority (DNA) and the UNFCCC secretariat in writing of the commencement of the project activity and of their intention to seek CDM status. Such notification must be made within six months of the project activity start date and shall contain the precise geographical location and a brief description of the proposed project activity, using the standardized form F-CDM-Prior Consideration. Such notification is not necessary if a project design document (PDD) has been published for global stakeholder consultation or a new methodology proposed to the Executive Board for the specific project before the project activity start date.”

Further to this in para 4 clarify “When validating a project activity with a start date on or after 2 August 2008, designated operational entities (DOEs) shall ensure by means of confirmation from the UNFCCC secretariat that such a notification had been provided. If such a notification has not been provided, the DOE shall determine that the CDM was not seriously considered in the decision to implement the project activity.”

Further as per para 5 “ Additionally for project activities for which a PDD has not been published for global stakeholder consultation or a new methodology proposed or request for revision of an approved methodology is requested, every subsequent two years after the initial notification the project participants shall inform the UNFCCC secretariat of the progress of the project activity.”

Now this is to request that if a project activity is in compliance with para 2 but some how failed to comply para 5 and there is less than 2 years of a gap between the documented evidence then in that case can DOE conclude that continuing and real actions were taken to secure CDM status for the project activity.

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).

>>

NA

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

- NA

Section below to be filled in by UNFCCC secretariat

Date when the form was received at UNFCCC secretariat	7 May 2013
---	------------

Reference number	2013-258-S
------------------	------------

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.

Decision Class: Regulatory
Document Type: Form
Business Function: Governance