

	CDM: FORM FOR SUBMISSION OF A “LETTER TO THE BOARD” (Version 01.2) 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>
Name of the stakeholder ¹ submitting this form (individual/organization):	Central Térmica Loma de la Lata
Address and contact details of the individual submitting this form:	Address: Ortiz de Ocampo 3302, Building 4, C1425DSR, Buenos Aires, Argentina Telephone number: (54 11) 4809 9500 E-mail address: mdl@pampaenergia.com
Title/Subject (give a short title or specify the subject of your submission)	Registration Date for Project 7178 Combined Cycle at Loma de la Lata Thermo Unit
Please mention whether the submitter of the form is:	<input checked="" type="checkbox"/> Project participant <input type="checkbox"/> Other stakeholder, please specify
Specify whether you want the letter to be treated as confidential ² :	<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>	
<input checked="" type="checkbox"/> Type I: <div style="display: flex; justify-content: space-around;"> <div style="text-align: center;"> <input type="checkbox"/> Request for clarification <input type="checkbox"/> Standards. Please specify reference <input checked="" type="checkbox"/> Procedures. Please specify reference CMP in Annex 12 of EB 59, Procedure for Requests for Registration of Proposed CDM Project Activities <input type="checkbox"/> Guidance. Please specify reference <input type="checkbox"/> Forms. Please specify reference <input type="checkbox"/> Others. Please specify reference </div> <div style="text-align: center;"> <input checked="" type="checkbox"/> Revision of existing rules </div> </div> <input type="checkbox"/> Type II: Request for Introduction of new rules <input type="checkbox"/> Type III: Provision of information and suggestions on policy issues	
<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>	
>> As Project Participant, Central Térmica Loma de la Lata S.A. is glad to acknowledge the EB decision for the registration of the Project 7178: Combined Cycle at Loma de la Lata Thermo Unit Project. The Project details can be accessed at the following link: http://cdm.unfccc.int/Projects/DB/SGS-UKL1346698997.3/view . In spite of the Project Registration, we are addressing you to express our concern about the Registration Date, namely March 11, 2013 as reported in the abovementioned registration communication received. In that sense,	

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> .

we understand that the correct Registration Date should have been December 11, 2012, according to the current procedures.

In order to provide further clarity in regards to our Project, we would like to present the Project's historic timeline (please find supporting evidence attached):

- 1st Request for Registration: September 4, 2012
- 1st Completeness Check Completed: October 16, 2012
- 1st Information and Reporting Check, incomplete: November 6, 2012
- 2nd Request for Registration: December 11, 2012
- 2nd Completeness Check Completed: January 3, 2013
- 2nd Information and Reporting Check, completed: January 24, 2013
- Request for Review received: February 12, 2013
- Request for Review response: March 11, 2013
- Submission Confirmation Date: March 11, 2013
- Confirmation of the Project Registration: May 24, 2013, with Registration Date March 11, 2013

As it can be seen in the "view history" link: <http://cdm.unfccc.int/Projects/DB/SGS-UKL1346698997.3/history>, the first complete request for registration took place on September 4, 2012 and the second one (and last) on December 11, 2012.

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).

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In December 2010, during the CMP 6, CMP asked the EB to take into account the following: "56. Requests the Executive Board to revise the procedures for registration to allow the effective date of registration and therefore the possible start date of the crediting period of a clean development mechanism Project activity to be the date on which a complete request for registration has been submitted by the designated operational entity where the Project activity has been registered automatically" (Decision 3/CMP.6).

The EB adopted the request from the CMP in Annex 12 of EB 59, Procedure for Requests for Registration of Proposed CDM Project Activities, which clarified the following "24. The Board shall register the proposed Project activity if the Secretariat does not receive a request for review, as prescribed above, from a Party involved or at least three members of the Board." "25. The effective date of registration for the proposed Project activity referred to in paragraph 24 above shall be the date that the DOE had submitted a complete request for registration."

To our understanding, following this guidance, in cases where there was a Request for Review, the rationale for application of Registration Date shall be the date on which the DOE sent the complete request for registration which successfully completed the Completeness Check and Information & Reporting Check, despite these steps were not mentioned in the procedure. Particularly in our Project, the date on which we presented the complete request for registration, including the registration request form, dated December 11, 2012.

We understand that the Registration Date of our Project was determined by UNFCCC to be March 11, 2013 because the EB or Secretariat might still be applying the procedure from EB 55, Annex 40. We believe this is inconsistent to what was aimed in EB 59 and CMP 6, which was for the Registration Date to be the date on which a complete request for registration has been submitted, which includes as fundamental document the registration request form.

In addition, we understand that since the first Request for Registration, in September 4 2012, the nature and the additionality of the Project activity did not change. Therefore the Project activity was registered by the CDM Executive Board. However, it is important to mention that the additional information that was provided by us in response to the request for review was due to the request of the CDM secretariat and review teams. Hence, the DOE conditioned to modify the documents previously submitted as the only possibility to continue the registration process. These modifications in our view do not change the rationale and substance of the Project activity and were aimed just to make even clearer that the Project was indeed additional.

Thus, we understand that the Project activity was penalized because the CDM Secretariat was not able to fully understand the Project details. After presenting additional information the Secretariat, Registration and Issuance Team and the CDM Executive Board confirmed that the Project was additional and decided to register the Project, however the Project was penalized by the process because the date of the registration was delayed.

Therefore, the Project Participant kindly requests further clarification on how provisions are seen based on the case above, with a view that the correct Registration Date of the Project should be the date of submission of the complete request for registration, namely December 11, 2012.

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

The following files will be available at attached file 'Supporting Evidence.zip':

- 1. 04-09-12 1st request for registration.msg
- 2. 16-10-12 1st completeness check completed.msg
- 3. 06-11-12 1st Information and Reporting Check - incomplete.msg
- 4. 11-12-12 2nd Request for registration confirmation.msg
- 4. 11-12-12 Registration Request Form.pdf
- 5. 03-01-13 2nd completeness check completed.msg
- 6. 24-01-13 2nd Information and Reporting Check completed.msg
- 7. 12-02-13 Request for review.msg
- 8. 11-03-13 Request for review submission confirmation.msg
- 9. 24-05-13 Registration.msg

Section below to be filled in by UNFCCC secretariat

Date when the form was received at UNFCCC secretariat	2 July 2013
Reference number	2013-276-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.
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