

CDM-PA7719-RULE01

Ruling note

Request for registration for “Luquan County Tiesuoqiao hydropower project”

Version 01.0



United Nations
Framework Convention on
Climate Change

1. The CDM-Executive Board decided to reject the above proposed project activity on 13 May 2013, in accordance with “Clean development mechanism project cycle procedure”, (CDM-EB65-A32-PROC, version 3.2) (the PCP), paragraphs 93 and 99. In accordance with paragraph 100 of the PCP, the rulings shall contain an explanation of the reasons and rationale for the final decision, which are as follows:
 - (a) The DOE (TÜV-Nord) has not adequately validated that continuing and real actions were taken to secure the CDM status for the project activity in parallel with its implementation as per Annex 13, EB62.
 - (b) Annex 13, EB62 “Guidelines on the demonstration and assessment of prior consideration of the CDM” paragraph 8(b) states that “... where the gap between documented evidence is greater than 2 years and less than 3 years, the DOE may validate that continuing and real actions were taken to secure CDM status for the project activity and shall justify any positive or negative validation opinion based on the context of the evidence and information assessed.”
 - (c) The timeline of events provided by the project participants included the termination of the Term sheet for CER purchase signed between the Project owner and Renaissance Carbon Investment Ltd. on 10 April 2010 and the termination of CDM consultancy contract signed between project participants and Yunnan Huiliu Science and Technology co., Ltd. on 04 September 2010. Termination of contracts cannot be considered as real actions towards securing CDM status for the project activity. By excluding such actions, there is a gap of more than two years between the signing of the Term sheet for CER purchase by the project participant with Renaissance Carbon Investment Ltd. on 10 April 2009 and the signing of the consultancy contract by the PP with a new consultant Hangzhou Yuneng Science and Technology co., Ltd. on 25 July 2011.

2. 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).

Document information

<i>Version</i>	<i>Date</i>	<i>Description</i>
01.0	24 June 2013	Initial publication Related to CDM-EB65-A32-PROC, version 03.2 Paragraphs 93, 99, 100

Decision Class: Ruling
 Document Type: Ruling note
 Business Function: Registration
 Keywords: E-0022, PA7719, prior consideration, rejected project activity