

	<p>CDM: FORM FOR SUBMISSION OF A “LETTER TO THE BOARD” (Version 01.2)</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>
<p>Name of the stakeholder¹ submitting this form (individual/organization):</p>	<p>Dr N Bhanumathidas for Eco Carbon Pvt. Ltd.</p>
<p>Address and contact details of the individual submitting this form:</p>	<p>Address: INSWAREB Lab Building, 32-10-55. Shri Venkateswara Colony, Visakhapatnam 530012 Telephone number: +91-98483-69930 E-mail address: info@co2credits.biz; nbhanumathidas@co2credits.biz</p>
<p>Title/Subject (give a short title or specify the subject of your submission)</p>	<p>EB is not concerned about its decisions which are going at a tangent to its commitment of “<i>improving the objectivity, clarity and broadening applicability, and/or ensuring environmental integrity of CDM rules</i>” (EB 62, Annex 15, clause 10 (b)).</p>
<p>Please mention whether the submitter of the form is:</p>	<p><input checked="" type="checkbox"/> Project participant <input type="checkbox"/> Other stakeholder, please specify</p>
<p>Specify whether you want the letter to be treated as confidential²:</p>	<p><input type="checkbox"/> To be treated as confidential <input checked="" type="checkbox"/> To be publicly available (UNFCCC CDM web site)</p>
<p>Please choose any of the type(s) below³ to describe the purpose of this submission.</p>	
<p><input checked="" type="checkbox"/> Type I:</p> <p style="padding-left: 40px;"> <input checked="" type="checkbox"/> Request for clarification <input type="checkbox"/> Revision of existing rules <input type="checkbox"/> Standards. Please specify reference <input checked="" type="checkbox"/> Procedures. Please specify reference “General Principles for Bundling” (version 2.0 Annex 21, EB 66)” <i>EB 54 Annex 13, Para 4 and 4(a) to SSC bundles</i> <input type="checkbox"/> Guidance. Please specify reference <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 checked="" type="checkbox"/> Type III: Provision of information and suggestions on policy issues</p>	
<p>Please describe in detail the issue on which you request a response from the Board, including the exact reference source and version (if applicable).</p>	

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> .

The CDM-projects of FaL-G bundles signed by our company with the World Bank raised critical policy issues among which definition to the Project Participant is one minor issue. But incidentally, for all the representations from us and the World Bank on the subject, SSC WG 40 & 41 have dealt with definition of PP only. Had the EB been judicious to analyse the issues, independent of SSC WG recommendations, the project would have got out of 'debundling provisions' upon which the definition to PP becomes irrelevant. The issues illustrated below are still unresolved and not addressed by EB till now:

- 1) Pursuant to teleconference dt 19th Nov 2012 with CDM Secretariat, a request letter was sent to EB on 20th Nov 2012 and 20th March 2013, seeking *"to enhance small scale threshold from 1% to 6% for projects under AMS III.Z to facilitate their assessment as independent sub-system of SSC CDM project activity, vide EB 54, Annex 13, Clause B.3."* This issue was never addressed by SSC WG or EB which is independent to definition on PP.
- 2) ECPL as PP has submitted several policy documents and request letters to Board (27.9.2012; 30.1.2013; Comments uploaded to III.Z dt. 20.3.2012; and Lr to Chair dt. 23.5.2013;) seeking to *"preclude the provisions of debundling assessment from applying to genuine SSC bundles constituted with independently owned SSC units with holistic production activity, thus facilitating to invoke the provisions of EB 54 Annex 13, Para 4 and 4(a) to SSC bundles under type III.Z also"*. This issue was never attended by SSC WG or EB which is independent to definition on PP.
- 3) When two rules of EB contradict each other, ie., provisions of "General Principles for Bundling" (version 2.0 Annex 21, EB 66)" and provisions of "debundling assessment", it is the responsibility of EB to draw a dividing line between those two rules with due clarifications in order to uphold its own rules free from conflicting each other. To this effect letters were addressed dt. 23.5.2013 to the Hon'ble chair stating *"When two guidelines/rules framed by CDM-EB contradict each other, subjecting the genuine project participants to suffer and lose money on transaction costs, it is fair on the part of EB to evaluate and bring a demarcation between their own two rules. For the convenience of EB a chart is provided to determine the qualifications of SSC-Bundle for registration"*.

Neither the explicit chart was discussed nor was the point responded by SSC WG/EB at any time, which is, again, independent of definition to PP.

- 4) While SSC WG refers always to definition of PP for every relevant and irrelevant representation, why not they also refer to the definition of Bundling in the same 'glossary of CDM terms'? If they fail to do so, we expect at least the EB to apply their kind attention on this missing point? But EB always remained as endorser rather than over-viewing body.
- 5) It is nice of EB to frame PoA. But it is unfair on the part of SSC WG to drive the projects having obtained Host Country approval, which are already grounded and operative, to go for PoA.
- 6) By repeating the 'definition of PP' to every submission, regardless of its relevance, it appears that, though it looks absurd, there is an articulated effort to sidetrack the issues for one reason or the other, causing to block smooth sailing of our projects by hook or crook;

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).

In this background and series of illustrations given above, it is strongly urged that:

- Our representations have to be dealt with ‘judicious application of analysis’ at all level of CDM Secretariat.
- It is unfair to provide one clarification (definition of PP) repeatedly to every representation with varied suggestions, regardless of its applicability, making a mockery of stake holders interaction with CDM-EB.
- While *provisions of EB 54 Annex 13, Para 4 and 4(a)* give relief to one type of projects exempting them from debundling assessment, how come that similar request from us did not qualify? Does it mean that the decisions of SSC WG go by choice and fancies but not by merits of representations or technical soundness of projects!
- How could the ‘definition to project participant’ got compromised under *EB 54 Annex 13, Para 4 and 4(a)* for Type I projects and why not the same discretion be extended to AMS III.Z projects too. This was never addressed by SSC WG nor analysed by EB!
- EB should be proactive in invoking its advocacy on transparency (EB 62, Annex 15, clause 7(d)) in attending to genuine representations, and should be seriously committed in attending to the difficulties in application of existing CDM rules (clause 10 (a)).
- EB should be concerned about its decisions which are going at a tangent to its commitment of *“improving the objectivity, clarity and broadening applicability, and/or ensuring environmental integrity of CDM rules”* (EB 62, Annex 15, clause 10 (b)).

A judicious decision may please be taken to uphold the right of SSC units to claim for carbon credits within the provisions of version 2.0 Annex 21, EB 66.

EB and SSC WG have every responsibility to demonstrate that CDM Secretariat continues to be the intellectual body, and the agenda vide EB 62, Annex 15, clause 10 (b) is true conscious commitment but not a political statement. This is possible only by entertaining submissions on technical merits, free from distortions and sidetracking approaches.

Submitted on this day of 5th November 2013.

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

1. List of chronological order of various submissions in the form of Revision to Procedures, letter to EB, Comments to Methodology etc.
2. Letter to Chair and Hon’ble members of EB dt. 23.5.2013 together with an explanatory chart on alienating genuine bundles from debundling provisions.

Section below to be filled in by UNFCCC secretariat

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History of document

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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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