 <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>	
Name of the stakeholder ¹ submitting this form (individual/organization):	Jimmy Sah, EKI Energy Services Limited
Address and contact details of the individual submitting this form:	Address: EKI Energy Services Limited, 325-Block C, Prem Trade Centre, Maharani Road, Indore - 452007 State: Madhya Pradesh, India Telephone number: +91 9993577610 E-mail address: jimmy@enkingint.org
Title/Subject (give a short title or specify the subject of your submission)	Clarification for 2 year intimation of projects under validation
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)
Please choose any of the type(s) below ³ to describe the purpose of this submission.	
<input checked="" type="checkbox"/> Type I: <input checked="" type="checkbox"/> Request for clarification <input checked="" type="checkbox"/> Revision of existing rules <input checked="" type="checkbox"/> Standards. Please specify reference VVS Version 07 <input checked="" type="checkbox"/> Procedures. Please specify reference Project Standard Version 07 <input type="checkbox"/> Guidance. Please specify reference <input type="checkbox"/> Forms. Please specify reference <input type="checkbox"/> Others. Please specify reference <input checked="" type="checkbox"/> Type II: Request for Introduction of new rules <input type="checkbox"/> Type III: Provision of information and suggestions on policy issues	
Please describe in detail the issue on which you request a response from the Board, including the exact reference source and version (if applicable).	
>> Process for project which have not submitted 2 year intimation as per para 188 of PCP version 7. <u>Back ground:</u> 1. Query asked by Mr. Harish Sharma dated 7th May 2013	

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> .

Query: http://cdm.unfccc.int/stakeholder/submissions/2013/0507_eki_req.pdf (attached as Annex 1)

Reply: https://cdm.unfccc.int/filestorage/e/x/t/extfile-20141029113119359-258_EKI_Clarification_req_on_prior_consideration_Response.pdf/258_EKI_Clarification%20req%20on%20prior%20consideration_Response.pdf?t=aEh8bmVuenU0fDC9qhrmWk5tjzWiy5A7zp1i

2. Email query asked by Jimmy Sah on 13th January 2014

Subject: RClarification on 'Validation of informing about the progress of a project activity after notification of prior consideration of the CDM'

Query and Reply by UNFCCC attached as Annex 2.

Question:

This is regarding the Clarification provided by the EB in meeting #73 about 'Validation of informing about the progress of a project activity after notification of prior consideration of the CDM'. The clarification states that *'The Board agreed to clarify that paragraph 145(b) of the VVS (version 03.0) does not cover the case in which the project participants of a project activity failed to inform the secretariat, or informed it but not within the required timeframe, of the progress of the project activity every subsequent two years after the initial notification of prior consideration of the CDM in accordance with paragraph 9 of the PCP (version 03.2).'*

Assuming that there is a project activity with start date after 2 August 2008 which has informed the DNA as well as the secretariat in writing of the commencement of the project activity and their intention to seek the CDM status within 180 days of the start date of the project activity. The notification to CDM EB appears at the CDM website.

Since then 2 years have passed and the PP has neither sent a notification for the project progress to UNFCCC neither the PDD is web-hosted. The Carbon Consultant for the project is finalised and CDM PDD for the project is under final stages of completion, further DOE negotiations are on and shall be finalized soon.

In such case as per reply by CDM Team (refer annex 2), we need to prove the serious CDM consideration as per *"In validating proposed CDM project activities where: (b) the gap between documented evidence is greater than two years and less than three years, the DOE may determine 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"*.

As per the above reply there are two interpretations that we could come up with which are as follows;

- i. The continuing and real actions taken to secure CDM status for the project activity could be done by **sending a notification about project progress** any time after initial notification and/or
- ii. Demonstrating continuing and real actions to secure CDM status in line with para 114 (b) and 116 (b) of VVS version 7.

We would be grateful if CDM EB could confirm what is the correct interpretation of the reply received (refer annex 2) and which option mentioned above or both the options are acceptable.

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).

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


- Annex 1, Annex 2

Section below to be filled in by UNFCCC secretariat

Date when the form was received at UNFCCC secretariat	13 November 2014
Reference number	2014-377-S, INQ-2506

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		

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<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>	<p>Harish Sharma</p> <p>Address: 325, Block-C, Prem Trade Centre, Maharani Road, Indore (MP) India - 452007</p> <p>Telephone number: +91-731-4289086</p> <p>E-mail address: harish@enkingint.org</p>
<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>	
<input checked="" type="checkbox"/> Type I: <div style="display: flex; justify-content: space-around;"> <div style="text-align: center;"> <input checked="" type="checkbox"/> Request for clarification <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 </div> <div style="text-align: center;"> <input 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>	

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>>
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

<i>If necessary, list attached files containing relevant information (if any)</i>	• NA
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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

Jimmy Sah - EKIESL

From: CDM Registration and Issuance [Cdmregistration@unfccc.int]
Sent: Monday, January 13, 2014 9:02 PM
To: jimmy sah
Subject: RClarification on 'Validation of informing about the progress of a project activity after notification of prior consideration of the CDM'

Dear Jimmy Sah,

Thank you for your message. Kindly refer to the clean development mechanism validation & verification standard, paragraph 110.

"In validating proposed CDM project activities where: (b) the gap between documented evidence is greater than two years and less than three years, the DOE may determine 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".

In other words the validating DOE is responsible to determine that the CDM was considered based on the documentation provided to them.

We hope this information has been helpful.

Kind regards,
Your CDM team
UNFCCC secretariat

-----"jimmy sah" <jimmy@enkingint.org> wrote: -----

To: "CDM Registration and Issuance" <Cdmregistration@unfccc.int>

From: "jimmy sah" <jimmy@enkingint.org>

Date: 01/13/2014 12:43PM

Cc: "Manish Dabkara - EKIESL" <manish@enkingint.org>, "Sumeet Singhvi" <sumeet@enkingint.org>

Subject: RClarification on 'Validation of informing about the progress of a project activity after notification of prior consideration of the CDM'

Dear CDM Registration Team,

This is regarding the Clarification provided by the EB in meeting #73 about 'Validation of informing about the progress of a project activity after notification of prior consideration of the CDM'. The clarification states that *'The Board agreed to clarify that paragraph 145(b) of the VVS (version 03.0) does not cover the case in which the project participants of a project activity failed to inform the secretariat, or informed it but not within the required timeframe, of the progress of the project activity every subsequent two years after the initial notification of prior consideration of the CDM in accordance with paragraph 9 of the PCP (version 03.2)'*.

Assuming that there is a project activity with start date after 2 August 2008 which has informed the DNA as well as the secretariat in writing of the commencement of the project activity and their intention to seek the CDM status within 180 days of the start date of the project activity. The notification to CDM EB appears at the

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CDM website, however but it has not informed the secretariat of the progress of the project activity in the subsequent two years after the initial notification, nor does it fulfill criteria 7(a) or 7(b) of PCP (version 03.2). However, other real and continuing actions were taken to secure CDM status for the project in parallel with its implementation, which has been validated by the DOE, i.e appointment of CDM consultant and discussions/contracts with the DOE.

Question: In the abovecase, we need to understand what steps shall be required to demonstrate the serious CDM consideration after the 2 year notification period.

Can we send an updated/ status after 2 year period also?

Hoping for a prompt response.

Thanks & Regards,



International Jimmy Sah

GM- Operations

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Customerfeedback | How am I doing? Please contact my manager : manish@enkingint.org

To know your project status online 24x7: please visit <https://projects.zoho.com/portal/ekies/>

EnKing International purchasing Carbon Credits from UNFCCC-CDM Program @ 5 Euro per Credit

Framework for Reducing Emissions

Our New Business Vertical

ISO certification

ISO 9001:2008	ISO 31000:2009
ISO 14001:2004	ISO 27001:2005
ISO 14064:2006	ISO 26000:2010
ISO 50001:2011	ISO 22000:2005

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ISO 50001:2011	ISO 22000:2005

EnKing International purchasing Carbon Credits from UNFCCC-CDM Program @ 5 Euro per Credit



From: Sumeet Singhvi[mailto:sumeet@



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[attachment "image005.jpg" removed by CDM Registration and Issuance/UNFCCC]