

CDM-PA9282-RULE01

Ruling note

Request for issuance for “Santo Antonio Hydropower Project”

Version 01.0



United Nations
Framework Convention on
Climate Change

1. The CDM Executive Board decided to reject the proposed request for issuance for CDM Project Activity (PA) 9282 “Santo Antonio Hydropower Project”, for the monitoring period of 01 February 2014 – 31 December 2016, on 30 April 2025, in accordance with the “CDM project cycle procedure for project activities” (PCP-PA), ver. 03.0, paragraph 241. Further, in accordance with paragraph 251 of the PCP-PA, the ruling shall contain an explanation of the reasons and rationale for the final decision, which are as follows:
 - (a) The DOE E-0051: KBS Certification Services Ltd. (KBS) failed to verify the implementation of the project activity in accordance with paragraphs 338(b), 347 and 348 of “CDM validation and verification standard for project activities”, ver. 03.0 (VVS-PA).
 - (b) The relevant requirements are:
 - (i) VVS-PA, paragraph 338(b) which states that: “the DOE shall apply the means of verification specified throughout this standard and, where appropriate, standard auditing techniques to assess the quality of the information, including but not limited to: (b) on-site inspection taking into account ...”
 - (ii) VVS-PA, paragraph 347 which states that “The DOE shall resolve or “close out” CARs and CLs only if the project participants rectify the monitoring report or provides additional explanations or evidence that satisfy the DOE’s concerns. If this is not done, the DOE shall not submit a request for issuance of CERs”.
 - (iii) VVS-PA, paragraph 348 states that “The DOE shall report on all CARs, CLs and FARs in its verification and certification report. This reporting shall explain the issue raised, the responses provided by the project participants, the means of verification of such responses and references to any resulting changes in the monitoring report or supporting annexes.”
 - (c) The reason and rationale for the final decision is:
 - (i) As per the verification report, version 1.2, dated 07/11/2024 submitted in the request for issuance, the DOE had closed CL01 and stated that the CER calculations submitted as part of issuance request including post-registration change (PRC) did not include the 6 additional units as their commercial operation (03/01/2017) started after the end of the monitoring period, 31/12/2016. However, in responding to the request for review, the DOE revised the verification report, version 1.3, dated 20/02/2025, and provided further information on the CL01 stating that the 6 additional units are connected to a different sub-station; hence, they are not part of the project activity. Therefore, and based on the submitted documents (initially submitted revised PDD for the PRC, monitoring report, PRC validation report, and verification report) and response to the request for review, the DOE has failed to establish whether the 6 additional units are part of the project activity or not.
 - (ii) Through the responses, the DOE has failed to clarify the relevance of raising the FAR01 (referring to a litigation issue about the 6 additional units) and the CL01 with contradicting statements as above.

2. Please note that, in accordance with paragraph 258 of the PCP-PA, version 03.0, the DOE may re-submit the request for issuance with revised documentation if the reasons for the rejection can be addressed by means of a revised verification report, based on a revised monitoring report as appropriate.

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Document information

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