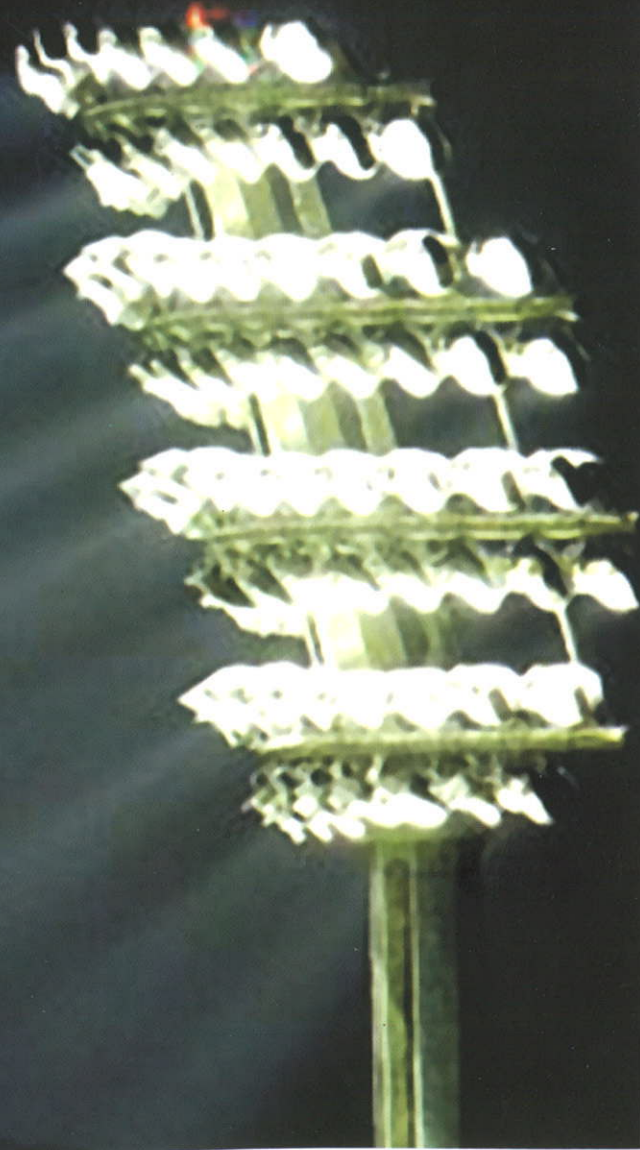




**MERC**

**Maharashtra Electricity Regulatory Commission**



**ANNUAL REPORT**  
**2009 - 2010**



जयति जयति सूर्याः सप्त लोकैक दीपः  
किरणम् इति तथापः सर्व दुःखस्य हर्ता ।  
अरुणकिरण गम्याश्चधीर आदित्यमूर्तिः  
परम परम दिव्यः भास्कराष्टम नमामि ॥



**Shri V. P. Raja**  
Chairman



**Shri S. B. Kulkarni**  
Member



**Shri V. L. Sonavane**  
Member

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## FROM THE CHAIRMAN

MERC was set up in August 1999. As we list the work done by the Commission in the year 2009-10 in this Annual Report, we also need to reflect and introspect about the achievements of MERC in its first decade of existence as an Institution.

During the last ten years a major paradigm shift that has taken place is bringing in openness, stakeholder participation and transparency in the decision making process both in tariff fixation and in the adjudication of disputes. This has contributed to the consumers of Electricity getting educated about their rights. A modicum of accountability is also emerging, albeit rather slowly amongst Utilities.

The Electricity Act, 2003, the National Electricity Policy and the National Tariff Policy lays down the broad road map for reforms in the Electricity sector. The Regulatory Commissions have a vital role to play in bringing about reforms, by translating the intentions articulated in the Electricity Act, 2003 to actions. As we do this, new challenges emerge.

Taking the Country as a whole, currently projects which will bring in an additional 1,17,052 MW are under various stages of construction, of these 22545 MW are in the Central Sector, 22680 MW are in the State Sector and the remaining 71827 MW are in the Private sector. New Generation Projects under construction and the new Projects being planned will double the existing capacity in the Country in the coming 10 years. The increasing participation of the Private sector in bringing in these new investments is also to be noted.

To maintain the tempo of investments, it is necessary to speed up the reforms enunciated in the Electricity Act, 2003. This requires a co-ordinated approach with the State Government, the Central Government, and the Regulators playing their respective roles.

During the year 2009-10, the Commission has continued to push the reform-agenda, trying to take all stakeholders including the Utilities into confidence. The three issues the Commission is grappling with are,

- How to expedite Open Access?
- How to Operationalise Parallel Licences?
- How to progressively reduce Cross Subsidies?

In all these three issues, getting a workable consensus amongst all stakeholders continue to elude the Commission. The unresolved debate is on the sequencing and the speed of the reforms, while drawing up a road map for these.

The Commission will continue to focus its attention with a view to facilitate the achievement of the twin objectives of increasing investments in the power system infrastructure in the State and providing affordable electricity to all segments of society in Maharashtra.



(V.P. RAJA)



## COMMISSION MEETINGS

Under the Electricity Act (EA), 2003, the Commission has three-fold functions viz. (i) quasi-judicial, (ii) Legislative, and (iii) Executive. For the purpose of carrying out these functions, certain important issues are discussed and decided in the Commission's meetings. During the year 2009-10, the Commission conducted eight meetings.

## STATE ADVISORY COMMITTEE MEETINGS

The Electricity Act (EA), 2003 provides for the establishment of State Advisory Committee (SAC), with the objects to advise the Commission on major questions of policy, etc. The State Advisory Committee, as set up by the Commission, consists of experts in various fields, authorised consumer representatives, Members of the Commission as Members of the said SAC, and Utilities are special invitees to the Committee. During the year 2009-10, the commission held three Meetings of the State Advisory Committee, and the following subjects were discussed:

### 1. Road Map for progressive reduction of Cross Subsidies

As mandated under the EA, 2003, a Road Map for progressive reduction of cross subsidies is required to be developed. The Commission has already taken initiative in these directions, and appointed Consultant to formulate the road-map and the Regulations for the same. The broad frame-work was discussed in the SAC.

### 2. Increasing Consumer Representations in the proceedings before the Commission,

The issue regarding increasing the consumer representatives to represent the interest of the consumers in the proceedings before the Commission, criteria and process for selection of consumer representatives, was discussed at great length in the SAC.

### 3. Multi Year Tariff Policy

The Approach Paper on the formulation of Multi Year Tariff (MYT) Regulations in the State was deliberated in the expert Committee meetings and based on their suggestions; revised proposal was prepared and also discussed in the SAC meetings. Based on the Licensees' anxiety about their preparedness to switch over to a Five-Year-Tariff regime from 1st April, 2010, the Commission decided to postpone the switchover to 2011-2016, and for the financial year 2010-11, the utilities have to file ARR Petition for one year, under the existing MERC Tariff Regulations.

### 4. Approach Paper on Renewable Energy Policy

Similar to MYT exercise, the approach paper on Renewable Energy Policy was also deliberated in details in an Expert Committee meeting earlier. The Commission observed that generation based incentives are available from the Central Government. Secretary (Energy) and Maharashtra Energy Development Agency (MEDA) may take initiative to avail of such incentives which will boost such generation capabilities in the State.

### 5. Open Access

The Consultant of the Commission made a detailed presentation to the SAC on Expediting Intra-State Open Access above 1 MW in Maharashtra. During the meeting of the SAC, some of the major points such as (i) Transaction Price to be paid by the consumer, (ii) Stand by Charges, (iii) Transactions from Renewable Energy Group, (iv) Levy of Charges, and (v) Security Deposits, were raised. The Commission directed the consultant to incorporate all the valid points and modify/correct the draft Discussion Paper accordingly.

## CAPACITY BUILDING INITIATIVE IN POWER SECTOR

The power sector is starved of skilled manpower and personnel specifically in regulatory matters. Establishing and Strengthening appropriate HRD system(s), to recruit, develop and retain technically empowered staff and collaborative learning is the key domains both for Regulatory Commission and Regulatory Cells of power utilities. The Commission continues its stride towards Capacity Building in Electricity Regulation by intensifying its HRD initiatives and believes to establish a sound system for developing human resources in key domains of power sector by collaborative learning. The Commission has been continuously at work in search of more and more knowledge partners for the same. And as a first step, a Three day workshop on "CONCEPTS AND PROCESSES IN ELECTRICITY REGULATION" was conducted at a World Trade Centre (WTC), Mumbai from September 07-09, 2009. The workshop was conceived, developed and conducted by Rachna Management Consultants (P) Ltd. (RMCS). The workshop benefitted the professionals working in the power sector utilities.

In continuation of the above efforts, the World Trade Institute of Mumbai started the 'Post Graduate Diploma in Electricity Regulations' from 15th October, 2009 under the aegis of the Commission. In order to spread the HRD initiatives further amongst various Institutes, the Commission is in the process of convincing the following Institutes for starting similar courses in regulatory studies, energy economics and finance for the professionals in the energy sector. a) Somaiya Institute of

Management, Mumbai, b) Symbiosis Institute of Management, Pune) Yashwantrao Chavan Academy of Development Administration (YASHADA) Pune.

## **DEMAND SIDE MANAGEMENT CELL**

Initiatives for Agriculture DSM Programme.

The Commission has taken proactive steps in introducing and approving a pilot Agriculture Demand Side Management Programme first time in the country. Agriculture is one of the prime important sector in Indian Economy and also a basic issue topic in the electricity sector. The Commission has taken into consideration the importance of this sector and approved a project on conservation of Electricity in the Agriculture Sector. This is first pilot programme in the country designed and prepared by the Bureau of Energy Efficiency for MSEDCL. This pilot contains replacement of about 3500 numbers of old inefficient pumps by 5 star rated highly efficient pumps. The targeted savings by improving the operating efficiency of the AG pumps is about 10 MU and several other socio-economic benefits to Farmers, Utility, the state Government will also be achieved. The project is sanctioned with the concept of public private participation in order to enhance the electricity market and competition in the energy conservation field. Project shows that there is huge potential for saving of energy and also opportunity to conserve the natural resources like- Water and Soil.

### **T-5 FTL**

After demonstrating the pilot programme of replacing conventional T-8 and T-12 tubelight by T-5 FTL Mumbai utilities have submitted DPR on large scale pilot programme for T-5 FTL.

The Commission had agreed on the savings and energy conservation potential for T-5 FTL and approved the programme for TPC-D for 50,000, R-Infra-D for 1,00,000 no. of T-5 FTL. The rationale for the programme is using energy efficient T-5 FTL will lead to substantial strategic conservation. Reduction in expensive power purchase will reduce overall tariff. The BEST undertaking is also approaching DSM Cell, MERC to design and prepare the DPR on the same lighting technology.

### **Heating Ventilation and Air-Conditioning (HVAC)**

After successful completion of the knowledge sharing workshop conducted by all Mumbai utilities in aegis with Commission on Heating Ventilation and Air-Conditioning (HVAC). TPC-D and RInfra-D design and prepared large scale pilot programme for strategic conservation of electricity by 1). Replacement of old Ceiling Fan (CF) by energy efficient 5 star rated CF, 2). Replacement of old and inefficient window A/c by 5 star rated 1 TR and 1.5 TR A/c and 3). Centralize Air-

Conditioning System. Also for demand shifting to reduce and shift the peak demand of Mumbai system, utilities submitted Thermal Storage Programme. The Commission gave approval to all the pilot HVAC programmes and directed utilities to gain learning experiences for undertaking large scale programmes.

## **DSM Regulations**

To formalize the legal framework for DSM programme within the State the Commission issued the following draft regulation on DSM prescribing guidelines to the utilities.

1. Maharashtra Electricity Regulation Commission (Demand Side Management Implementation Framework) Regulations
2. Maharashtra Electricity Regulation Commission (Demand Side Management Measures and Programmes' Cost Effectiveness Assessment) Regulations.

These regulations will help to encourage the utilities for taking DSM as integral part of their day-to-day operations and undertakes planning, designing and implementation of appropriate DSM programme on a sustained basis. Commission is the first in the country to initiate in formulating the DSM Regulations.

## **RENEWABLE ENERGY**

The importance of Renewable/Non-Conventional Energy Sources and Conventional energy saving is increasing significantly day by day. Solar, Wind, Biogas, Bagasse, Biomass, Small hydro, Tidal & Wave energy are the renewable, clean and eco-restoring energy. At National level the total Renewable Energy installed capacity is around 17, 174 MW. Maharashtra is second in the country in production of power from Renewable energy. The RE installed capacity is around 2781.21 MW (Including Small Hydro).

Under the mandate of EA 2003, *"the function of the State Commission has to promote Cogeneration and generation of electricity from Renewable Sources of energy by providing suitable measures for connectivity with grid and sale of electricity to any person, and also specify, for purchase of electricity from such sources, a percentage of total consumption of electricity in the area of distribution licensee"*.

The Commission by an order dated August 16, 2006 in the matter of "Long term Development of Renewable Energy Sources and associated Regulatory (RPS) Framework", specified the Renewable Purchase Specification target and made it obligatory for Distribution licensees, Open Access Users and Captive Consumers to procure electricity generated from eligible renewable energy sources at the percentages specified below of its total consumption of electricity in the area of Distribution Licensee :

Sr. No.	Year	Renewable Purchase specification(RPS%)target	Enforcement charges for shortfall in RPS% target
1.	2006-07	3%	No enforcement charges
2.	2007-08	4%	Rs. 5/Kwh
3.	2008-09	5%	Rs. 6/Kwh
4.	2009-10	6%	Rs. 7/Kwh

There was request for waiver of the above penalty charges from the distribution licensees. After taking into consideration the efforts taken by the distribution licensees for procuring the power from renewable energy and factual renewable energy supply constraint in the Maharashtra State, the Commission waived above mentioned enforcement charges by an order dated August 7, 2009, case no. 104, 122 and 125 of 2008.

In order to have more and more private investment in the Renewable Energy (RE) sector in the Maharashtra State and to make the RE generators/investors aware about the technology aspects and tariff norms applicable to different RE projects, the Commission has undertaken the work of preparation of necessary RE Tariff Regulation and Renewable Purchase Obligation – Renewable Energy Certificate (RPO-REC) Regulation, which will be notified shortly.

#### GRANT OF LICENCE

***Application of M/s. Maharashtra State Electric Power Trading Company Pvt Ltd for grant of licence in accordance with the MERC (Trading Licence Conditions) Regulations, 2004 for undertaking intra-State trading of electricity in the State of Maharashtra (Case No. 124 of 2008)***

M/s. Maharashtra State Electric Power Trading Company Pvt Ltd submitted an application on December 16, 2008 in accordance with the MERC (Trading Licence Conditions) Regulations, 2004, as amended in 2006 ("Trading Licence Regulations") for grant of licence to undertake intra-State trading of electricity up to 700 MU per annum in the State of Maharashtra. The Commission conducted the hearing in the matter on May 13, 2009 and issued its Order on October 16, 2009. The Commission opined that that the dominant position would be further strengthened as one of the subsidiaries of Applicant Company was also STU controlling the flow of electricity and MSLDC. This situation could result into an uncontrollable monopoly making the deals in the field of electricity non-transparent. One of the subsidiaries of Applicant Company which had a distribution licence does not require a licence to trade. It could trade in electricity in its own capacity as a Distribution Licensee and it could buy electricity from outside Maharashtra, which would help ease the power situation in the State. Thus on the aforementioned grounds the application was rejected and the licence was not granted.

***Application of M/s. Adani Power Maharashtra Limited for grant of Transmission Licence for development of 400kV Tiroda-Koradi and Tiroda-Warora double circuit Transmission Lines (Case No. 138 of 2008)***

M/s. Adani Power Limited submitted an application in accordance with MERC (Transmission Licence Conditions) Regulations, 2004 as amended in 2006 for undertaking Transmission of electricity in the State of Maharashtra for the proposed 400 kV Transmission lines. The Commission conducted the hearing the matter on June 15, 2009 and issued its Order on July 6, 2009. The Commission opined that APML satisfied the technical, commercial and financial requirements to qualify for grant of licence to undertake transmission licence in accordance with MERC (Transmission Licence Conditions) to undertake Transmission Licence in accordance with MERC (Transmission Licence Conditions) Regulations, 2004 as amended in 2006.

#### LOAD SHEDDING

***Zero Load Shedding Order in the matter of Maharashtra State Electricity Distribution Company Ltd. (MSEDCL)'s Petition for determination of Additional Supply Charge for withdrawal of Load Shedding in the Headquarters of Revenue Divisions in MSEDCL Licence Area (Case No. 31 of 2009)***

MSEDCL submitted a Petition on June 15, 2009 for determination of Additional Supply Charges for withdrawal of load shedding in the headquarters of Revenue Divisions in MSEDCL licence area, viz., Amravati, Nagpur, Aurangabad, Nasik, Pune, Thane and Vashi. The Commission conducted a Public Hearings in the matter and were scheduled at Amravati, Nagpur, Aurangabad, Nashik, Pune and Navi Mumbai in the headquarters of Revenue Divisions and issued the Order on November 30, 2009 in Case No. 31 of 2009.

The prominent features of the Order are as under:

1. The Commission excluded Nashik region in the ZLS region, in view of the objections and the rejection of MSEDCL's proposal by majority of the consumers,
2. The Commission ruled that the ZLS scheme has not been made applicable to consumers connected on express feeders.
3. The Commission directed MSEDCL to adopt competitive bidding mechanism for contracting medium-term power for at least 2-3 years, rather than relying on short-term day ahead power for such schemes.
4. The detailed assumptions and computation of Reliability Charges for each of these regions considered by the Commission are given below:

- a. The period of model has been considered as 12 months, from December 1, 2009 to November 30, 2010
- b. The Commission approved the Load Shedding protocol as per Scenario II.
- c. The power purchase has been considered for 12 hours daily and MSEDCL has to manage the demand and supply in such a manner that the MW and MU requirement is matched, and the other regions, who are not benefitting from the ZLS scheme, are not burdened on account of costly power purchase for selected regions.
- d. The power purchase rate for the purpose of computation of Reliability Charges has been considered at Rs. 6.75 per unit based on the average price of traded power purchased by MSEDCL in FY 2008-09.
- e. The following consumer categories have been exempted from the levy of Reliability Charge, primarily because these categories are not benefitting additionally on account of the introducing the ZLS scheme:
  - § HT Industries connected on Express feeders;
  - § PWW connected on Express feeders;
  - § Railway traction;
  - § Below Poverty Line (BPL) consumers and
  - § Agriculture consumers.
- f. The Reliability Charge for the ZLS regions are as follows

Particulars	Units	Pune	Navi Mumbai	Thane	Aurangabad	Nagpur	Amravati
Reliability Charge per unit	Rs./kWh	0.21	0.23	0.28	0.75	0.51	0.69

- g. The Commission directed MSEDCL to appoint a CA for reconciliation of quarterly reconciled statement specifying the difference between the cost and recovery under ZLS Schemes.

**Petition filed by Maharashtra State Electricity Distribution Company Limited for implementing Zero Load Shedding model for the area covered under Pen Circle and for approval of Reliability charges to be recovered thereof (Case No. 143 of 2008)**

MSEDCL submitted a Petition on February 24, 2008, for implementing the Zero Load Shedding (ZLS) model for the area covered under Pen Circle and for approval of Reliability Charges to be recovered thereof. The Commission scheduled a Public Hearing in the matter on May 21, 2009 at 11.30 hours, at Rajasva Sabagraha, Zilla Adhikari Karyalaya, Alibag. The salient features of

the Order issued by the Commission on June 15, 2009 are as under:

1. The Commission ruled that the additional power procurement and the Reliability Charges will be applicable for the period from June 16, 2009 to March 31, 2010.
2. The Reliability Charges are being made applicable for recovery of power procurement within reasonable cost from all consumers of Pen Circle, excluding residential consumers consuming below 100 units per month and agriculture consumers.
3. The Reliability Charge has been computed in accordance with the methodology standardised in the Commission's earlier Order in Case No. 5 of 2008, as applicable to Pen Circle.
4. The total Reliability Charge payable by all consumers in Pen Circle, except agricultural consumers and residential consumers with monthly consumption lower than 100 units per month, is 19 paise/kWh.

**TARIFF ORDERS**

**Dodson-Lindblom Hydro Power Pvt. Ltd.'s Petition for determination of tariff for Bhandardara Hydro Power Project-II (34 MW) (Case No. 27 of 2008)**

The Commission, in compliance with the directives issued by the ATE in its judgment, reviewed specific items in the previous Tariff Order issued in the matter. In order to collect factual information, the Commission held the hearing in the matter at the location of the said hydro station. After due deliberations, and after verifications of the facts and figures put forth, the Commission allowed some of the capital expenditure incurred by the appellant in the period prior to the re-commissioning the plant. The Commission disallowed the request of the petitioner to allow a separate rate for the secondary generation as the same is not commensurate with the MERC Regulations. The Commission also made it clear that while determining capacity index of hydro plant, the specifics of Hydrology of the plant also need to be considered along with the machine related availability conditions.

MSPGCL's Petition for its Generation Business for FY 2008-09 and Tariff for FY 2009-10 (Case No. 115 of 2008) The Commission after due scrutiny of the Annual Revenue requirement submission of MSPGCL determined the tariff for MSPGCL stations, applicable from 1st August 2009. The Commission clarified that the tariff for the generating stations of MSPGCL has been determined in accordance with the MERC Tariff Regulations, which is a combination of cost-plus and performance based regulation, as the tariff is determined by considering normative performance parameters. The Commission also stated that in compliance with the ATE

Judgment dated April 10, 2008 in Appeal Nos. 86 and 87 of 2007, the Commission has appointed M/s CPRI as an independent agency to assess the achievable performance parameters for MSGPCL stations and also to suggest measures for improvement of performance parameters. The Commission also stated that in this Order, the Commission only undertook the provisional truing up of certain elements of ARR. The Commission did not undertake any provisional truing up of gross generation for FY 2008-09 and the Commission would undertake the final truing up of gross generation for FY 2008-09 based on actual performance for the entire year along with the reasons for variation in actual generation, during Performance Review for the third year of the Control Period, i.e., FY 2009-10. The Commission approved the Station-wise PLF considering the PLF projections of MSPGCL for the Control Period, and for stations for which MSPGCL projected PLF lower than 80%, the Commission considered the PLF of 80%. Regarding variable charges, the Commission stated that, as the impact of variation in fuel prices is allowed as pass through under the FAC mechanism, in this Order, the Commission did not consider any revision in fuel prices for FY 2008-09. Accordingly, the Commission undertook the provisional truing up of fuel prices for FY 2008-09 and the Commission would undertake the final truing up of fuel costs based on actual fuel costs during the entire year, subject to prudence check, during Performance Review for the third year of the Control Period, i.e., FY 2009-10.

**TPC's Petition for its Generation Business for FY 2008-09 and Tariff for FY 2009-10 (Case No. 111 of 2008)**

While truing up for the year 2007-08, the Commission in accordance with the ATE Judgment in Appeal No. 60 of 2007 on this issue, considered the additional allowable expenses on account of depreciation, employee expenses, A&G expenses etc. for FY 2004-05 for FY 2005-06. The Commission allowed TPC to recover an amount of Rs 85 Crores on account of the above judgment from the discoms in proportion to the consumptions of the respective discoms in the corresponding period. The Commission reviewed the performance of the utility with respect to the trajectory laid down in the MYT order regarding Heat Rate, availability and auxiliary consumption. The Commission questioned sudden rise in heat rate of Trombay unit 5 as submitted by TPC and decided to assign a third party expert agency such as CPRI to verify TPC's justification regarding the same. The Commission accepted the reasons of "uncontrollable" nature, put forth by TPC to justify the quantum of generation at its Hydro power stations being lesser than that specified in the MYT Order.

**REL's Petition for its Generation Business for FY 2008-09 and Tariff for FY 2009-10 (Case No. 120 of 2008)**

The Commission vide its Order dated 28 May 2009 determined the tariff for 2009-10 and reviewed the annual performance of Reliance Infra (G) for 2008-09 applicable with effect from 1st June 2009 to 31st March 2010. The main features of the order were:

The Commission reviewed the performance of the utility with respect to the performance parameters viz the Plant availability, Auxiliary Consumption, Heat Rate, Secondary Fuel consumption which were specified to the utility in the previous MYT Order.

The Commission observed that R Infra had requested for capitalization of several investment scheme of large (greater than 10 Crore) as well as small (lesser than 10 Crore) value. The Commission directed R Infra(G) to submit detailed cost benefit analysis for all the schemes for the Commission to arrive at the total cost to be allowed after scrutiny.

The Commission, while allowing the utility to retain the 2/3 portion of the efficiency gains, it disallowed the utility's contention of passing to the consumers the Income tax payment made on the 2/3 share of efficiency gains retained by it.

**MSETCL's Petition for approval of SLDC Budget for FY 2008-09 (Case No. 117 of 2008)**

The Maharashtra State Electricity Transmission Company Limited (MSETCL) filed a Petition on November 26, 2008, seeking the Commission's approval for the budget of the Maharashtra State Load Despatch Centre (MSLDC) for FY 2008-09, in accordance with Regulation 18.1 read with Regulation 18.2 of the MERC (Transmission Open Access) Regulations, 2005. The Commission scheduled a Public Hearing on March 23, 2009. MSLDC Revenue Budget comprises of two parts, which are:-

- (A) SLDC Operating Cost Budget
- (B) SLDC Capital Charge Budget

- The Commission approved the Operating cost budget including Employee expenses, administration and general expenses, repairs and maintenance expenses, interest on working capital and RLDC fees Charge.
- The Commission also approved Capital Charge budget which includes depreciation, interest and finance charges and return on equity.
- The Commission directed MSLDC to segregate its accounts from that of MSETCL and maintain a separate Balance Sheet for MSLDC, and also to check whether the Accounting Standards pertaining to segment-wise accounts can be



utilised to provide greater details of MSLDC operations and finances

- The Commission directed MSLDC/MSETCL to ensure implementation of Capex schemes on priority. The Commission directed MSLDC/MSETCL to submit revised milestones/timeline for implementation of Capex schemes and also submit monthly progress report along with reasons for delay, if any, and remedial actions initiated for course correction.
- The Commission directed MSLDC to develop a mechanism for certifying the availability of the transmission system of individual transmission licensees, which should include the details of available transmission capacity (ATC), and should be posted on MSLDC's website

**Petition filed by MSETCL for Annual Performance Review for FY 2008-09 to Aggregate Revenue Requirement for FY 2009-10 (Case No. 114 of 2008)**

The Commission vide its Order dated May 28, 2009, determined the tariff for FY 2009-10 and reviewed the annual performance of MSETCL for FY 2008-09, applicable with effect from June 1, 2009. The main features of the Order were:

- The Commission undertook truing up for FY 2007-08 based on actual data and considered the efficiency gain/loss and the sharing for FY 2007-08. The Commission observed that, MSETCL is not entitled to ROE on the amount of assets capitalized, which has been funded through consumer contribution and grants, and the licensee cannot be allowed to retain something to which it is not entitled to. Accordingly the Commission has deducted the same from ROE computations.
- The Commission observed that the claims for transmission system availability of transmission licensee need to be certified by MSLDC. Accordingly, the Commission directed MSETCL to arrange for requisite certification from MSLDC for FY 2008-09 and FY 2009-10 and also directed MSLDC to formulate an appropriate procedure to monitor and certify the Transmission System Availability of various transmission licensees on a regular basis.
- The Commission approved the revised ARR for FY 2008-09 and determined the Transmission tariff for FY 2009-10. The Commission ruled that the existing methodology for Transmission Pricing and sharing of TTSC shall continue.

**Petition filed by Tata Power Company Ltd (Transmission Business) for approval of Truing up of ARR for FY 2007-08, Annual Performance Review for**

**FY 2008-09 and Aggregate Revenue Requirement for FY 2009-10 (112 of 2008)**

The Commission vide its Order dated May 28, 2009, determined the tariff for FY 2009-10 and reviewed the annual performance of TPC-T for FY 2008-09, applicable with effect from June 1, 2009. The main features of the Order were:

- The Commission undertook truing up for FY 2007-08 based on actual data and considered the efficiency gain/loss and the sharing for FY 2007-08.
- The Commission observed that the claims for transmission system availability of transmission licensee need to be certified by MSLDC. Accordingly, the Commission directed TPC-T to arrange for requisite certification from MSLDC for FY 2008-09 and FY 2009-10 and also directed MSLDC to formulate an appropriate procedure to monitor and certify the Transmission System Availability of various transmission licensees on a regular basis.
- The Commission observed that the MSLDC is charged with load dispatch functions for the state as a whole and is the statutory authority for the same, it does not appear to be reasonable to allow TPC's Load Control Centre expense, which is around 50% of the MSLDC budget, even though the functions expected to be performed by the LCC are far lesser as compared to the scope of activities of the MSLDC. The Commission ruled that TPC's claim cannot be granted. It is also stated that the Commission has made this observation to TPC during previous ARRs.
- The Commission approved the revised ARR for FY 2008-09 and determined the Transmission tariff for FY 2009-10.

**REL's APR Petition for its Transmission Business for FY 2008-09 and ARR for FY 2009-10 (Case No. 119 of 2008)**

The Commission vide its Order dated May 28, 2009, determined the tariff for FY 2009-10 and reviewed the annual performance of Reliance Infrastructure Ltd. transmission business (RInfra-T) for FY 2008-09, applicable with effect from May 1, 2009. The salient features of the order include:

- The Commission analysed all the elements of actual revenue and expenses for FY 2007-08, and has undertaken the truing up of expenses and revenue after prudence check. The Commission has not considered the tax on income arising out of availability incentive.

- The Commission has estimated the total efficiency gains due to controllable factors, which has been shared between the Licensee and the Transmission System Users, as per the MERC Tariff Regulation.
- The Commission observed that the claims for transmission system availability of transmission licensee need to be certified by MSLDC. Accordingly, the Commission directed Rlnfra-T to arrange for requisite certification from MSLDC for FY 2008-09 and FY 2009-10 and also directed MSLDC to formulate an appropriate procedure to monitor and certify the Transmission System Availability of various transmission licensees on a regular basis.
- The Commission in this Order on APR for FY 2008-09 and determination of ARR for FY 2009-10 has considered provisional truing up of certain elements of the revenue requirement in cases where the impact is very high, or there is a change in principles/methodology, and due to revision in capital expenditure/capitalisation figures. The Commission will undertake the final truing up of the revenue requirement and Revenue for FY 2008-09 once the audited accounts of Rlnfra-T for FY 2008-09 are available.

**Transmission Tariff for Intra-State Transmission System (In-STTS) for FY 2009-10 (Case No. 155 of 2008)**

The Commission, vide its Order dated May 28, 2009, determined the transmission tariff for Intra-State Transmission system (In-STTS) for FY 2009-10, which would be valid for the third year of the first Control Period under MYT regime with effect from June 1, 2009. The main features of the Order include:

- The Commission determined the Transmission Tariff for long-term and short-term open access transactions for FY 2009-10 as Rs 111.73 per kW per month or Rs.3673 per MW per day for long term open access and Rs 918.25 per MW per day or Rs 38.26 per MW per hour for short-term open Access Transactions.
- The Commission clarified that the usage, assignment and surrendering of un-utilised transmission capacity by any transmission system user shall be governed by Regulation 9 of MERC (Transmission Open Access Regulations) 2005.
- The Commission directed STU to collect Transmission Tariff from transmission system users on monthly basis at the end of each calendar month with first monthly period

commencing from June 1, 2009 and each transmission licensee could recover its approved ARR from Transmission Tariff collected by STU on monthly basis at the end of each calendar month.

- The Commission clarified that surplus in revenue by transmission licensee due to extension in validity of Transmission Tariff Order of FY 2008-09 should be considered at the time of true-up exercise during next year's Annual Performance Review of licensees.
- The Commission ruled that the monthly bill for transmission tariff for each calendar month should be payable on 14th day of subsequent calendar month. All transmission system users should ensure timely payment of Transmission Tariff to STU so as to enable STU to make timely settlement of claims raised by transmission licensees. In case of delay in payment by any TSU, late payment surcharge at the rate of 1.25% per month or part thereof shall be applicable.
- The Commission observed that after two years from issuance of earlier Transmission Tariff Order in Case 86 of 2006, MSLDC failed to undertake energy accounting and settlement mechanism on 15-minute basis partly due to delay in installation of ABT meters at all interconnection points (G<->T and T<->D) and MSLDC is yet to undertake pilot run of the software developed for 'Final Balancing and Settlement Mechanism' (FBSM) for want of energy meter data.

**MSEDCL's APR Petition for its Distribution Business for FY 2008-09 and Tariff Determination for FY 2009-10 (Case No. 116 of 2008)**

The Commission vide its Order dated August 17, 2009 in Case No. 116 of 2008 determined the tariff for FY 2009-10 and reviewed the annual performance of The Maharashtra State Electricity Distribution Company Ltd. (MSEDCL) for FY 2008-09, applicable with effect from June 1, 2009. The Public Hearings were held at Amravati, Nagpur, Aurangabad, Nashik, Pune, and Navi Mumbai during the period from June 17 to July 1, 2009.

The salient features of the Tariff Order are as follows:

1. Aggregate Revenue Requirement:
  - i. The Commission determined the Net Aggregate Revenue Requirement FY 2008-09 as Rs. 22940 Crore which is slightly lower than proposed by MSEDCL.
  - ii. The Aggregate Revenue Requirement for FY 2009-10 is significantly lower than that

projected by MSEDCL, primarily due to reduction in power purchase expenses due to consideration of lower power purchase quantum, due to the lower sales projected by the Commission for FY 2009-10.

- iii. Moreover, the Government of Maharashtra Resolution (GR) ref: 2008/Sankirna – 2008/Pra.Kra. 211/Urja-3 dated May 29, 2009, wherein GoM has agreed to provide an amount of Rs. 200 Crore for power purchase of upto 400 MW per month for the period from March 2009 to May 2009, the Commission has considered Rs. 400 Crore towards power purchase expenses for the months of April and May 2009, which has been shown separately in the ARR. Hence, this does not affect MSEDCL.
  - iv. Therefore, the Aggregate Revenue Requirement from Retail Tariff as determined by the Commission is Rs. 25218 Crore.
2. Refund of Regulatory Liability Charge (RLC):
- i. The Commission added the amount of Rs. 176.2 Crore to the amount available for refund of RLC. Thus, the total amount to be considered for RLC refund in FY 2009-10 is Rs. 676.2 Crore.
  - ii. The refund of RLC will be in absolute terms, viz., Rs/month, and not in terms of paise/kWh of consumption, so that the consumers are eligible for a fixed amount every month, irrespective of their consumption.
3. Regarding, Tariff philosophy, the Commission ruled that the consumers engaged in hi-tech agricultural activity should be eligible to be charged at agricultural tariffs. The electricity supply should not be utilised for any engineering or industrial purposes is also logical.

The Commission made the following changes in its Tariff philosophy as under:

- a) HT VIII: HT Temporary Supply has been created
  - b) LT II: Non-domestic has been renamed as LT II: Non-residential or Commercial
4. The Average Cost of supply for MSEDCL consumers is Rs. 4.35/kWh.

### **BEST Annual Performance Review (APR) Petition for FY 2008-09 and Tariff for FY 2009-10 (Case No. 118 of 2008)**

The Commission vide its Order dated June 15, 2009 in Case No. 118 of 2008 determined the tariff for FY 2009-10 and reviewed the annual performance of the Brihan-Mumbai Electricity Supply and Transport Undertaking (BEST), for FY 2008-09, applicable with effect from June 1, 2009. A Public Hearing was held in Mumbai on March 25, 2009 and several suggestions and objections were received by the Commission.

The main features of the Tariff Order are as under:

1. The Commission based on provisional truing up of various elements for FY 2008-09 determined the Aggregate Revenue Requirement for FY 2008-09 to Rs. 3224.50 Crore.
2. The primary reasons for the reduction in revenue requirement are the reduction in O&M expenses on account of allowance on normative basis, and reduction in capital expenditure related heads, viz., depreciation, interest on loans, and return on equity, on account of the reduced capitalisation considered by the Commission, and disallowance of interest on actual working capital loans at this point in time.
3. The Commission approved the Aggregate Revenue Requirement for FY 2009-10 as Rs. 2703.40 Crore.

The Aggregate Revenue Requirement for FY 2009-10 is significantly lower than that projected by BEST because of the reduction in power purchase expenses due to consideration of revenue from sale of surplus power in imbalance pool.

4. The Commission made the following changes in the Tariff philosophy:

- a) HT IV: HT Temporary Supply was created.
  - b) LT II: Commercial has been renamed as 'LT II: Non-residential or Commercial
  - c) LT Industry upto 20 kW sanctioned load and LT Industry above 20 kW sanctioned load have been renumbered as LT III and LT IV, respectively, due to the renumbering of LT Advertisement & Hoardings as LT V
  - d) LT Temporary Supply (Religious) and LT Temporary Supply (Others) have been renumbered as LT VII (A) and LT VII (B), respectively.
  - e) LT Crematorium & Burial Grounds has been renumbered as LT VIII
5. The Commission determined the Average Cost of supply at Rs. Z 6.34/kWh.



**TPC-D's Petition for Truing Up for FY 2007-08, Annual Performance Review for FY 2008-09 and Tariff Determination for FY 2009-10 (Case No. 113 of 2008)**

The Commission vide its Order dated June 15, 2009, determined the tariff for FY 2009-10 and reviewed the annual performance of The Tata Power Company Limited – Distribution Business' (TPC-D) for FY 2008-09, applicable with effect from June 1, 2009. The Public Hearing in the matter was held in Mumbai on March 24, 2009 at 11:00 hours at Vista Hall, 30th Floor, Centre 1, World Trade Centre, Cuffe Parade.

The prominent features of the Order are as under:

1. The total revenue from the existing tariffs comes to Rs. 1348 Crore vis-a-vis the revenue requirement of Rs.1162.25 Crore for FY 2009-10 as determined by the Commission, which has enabled the Commission to reduce the average tariffs for FY 2009-10, by around 14%.
2. The Aggregate Revenue Requirement for FY 2009-10 is significantly lower than that projected by TPC-D primarily due to the reduction in power purchase expenses due to consideration of revenue from sale of surplus power in imbalance pool, as well as reduction in cost of power purchase from TPC-G and reduction in proposed capitalisation and consequent reduction in interest costs and return on equity components, reduction in approved Income Tax for FY 2009-10, adjustments of revenue surplus due to final true-up of FY 2007-08 and provisional true-up of FY 2008-09.
3. Tariff Philosophy for FY 2009-10:
  - i. With respect to the tariff philosophy, the Commission has introduced the LT VI: Streetlight, LT VII (A): Temporary Supply Religious, LT VII (B): Temporary Supply Others, HT III: Group Housing Society and HT IV: HT Temporary Supply categories.
  - ii. HT I: Industries & CPP has been renamed as HT I: Industry and LT II: Commercial has been renamed as LT II: Non-residential or Commercial. The numbering of tariff categories as LT I, LT VIII, HT III, etc., has been modified.
4. The Average Cost of Supply for TPC-D consumers is Rs. 4.41 /kWh. The revised tariffs will be applicable from June 1, 2009.
5. The Commission also determined the wheeling charge applicable to consumers connected on the HT network during FY 2009-10 as Rs. 78 per kW per month and that for consumers connected to LT network as Rs. 160 per kW per month.

**Clarificatory Order in the matter of TPC's APR Petition for its Distribution Business for FY 2008-09 and Tariff Determination for FY 2009-10 (Case No. 113 of 2008)**

The Commission determined the ARR and Tariff for TPC-D for FY 2009-10 vide its Order dated June 15, 2009 in Case No. 113 of 2008. The clarifications on certain issues were given by the Commission in its Order dated July 22, 2009 in Case No. 113 of 2008.

The salient features of the clarifications given by the Commission in the Order depicted as under:

- a) The Commission is of the view that there is a need to simplify the levy of wheeling charges and wheeling losses, to facilitate supply of electricity by TPC-D to consumers, who are currently supplied by Rlnfra-D, by utilising the wire network of Rlnfra-D. The wheeling charges were determined in terms of Rs./kW/month in the Tariff Order.
- b) In order to operationalise the system and to enable the consumers and distribution licensees to understand the implications correctly, these Wheeling Charges were expressed in terms of Rs/kWh. This is because the metering and billing is done on the basis of energy consumed in kWh, and this will facilitate practical implementation of the system. The Commission further clarified that no substantive change has been made to the wheeling charges and the wheeling charges have not been freshly determined.
- c) The Commission approved Wheeling Charges and Wheeling Loss at HT and LT level for FY 2009-10 for TPC-D wire network is summarized as under:

Item Description	Wheeling Charge (Rs/kWh)	Wheeling Loss (%)
HT level	0.18	0.66%
LT level	0.37	0.66%

- d) The Commission has also provided illustrations on the mechanism of levy of base tariff, wire charges and wheeling losses for use of Rlnfra-D's wire network by TPC-D for supply to different consumer categories, so that the consumers can take appropriate decision to their benefit.

**REL's APR Petition for its Distribution Business for FY 2008-09 and Tariff Determination for FY 2009-10 (Case No. 121 of 2008)**

The Commission vide its Order dated June 15, 2009, determined the tariff for FY 2009-10 and reviewed the annual performance review of Reliance Distribution

business (REL-D) for FY 2008-09, applicable with effect from June 1, 2009. The Public Hearing was held on March 26, 2009 at 11:00 hours at Rangsharda Natya Mandir, Bandra (W).

The prominent features of the Tariff Order are as follows:

1. The Aggregate Revenue Requirement for FY 2008-09 works out to Rs 5989.26 Crore as against the amount of Rs 5008.27 Crore approved in the APR Order. The increase in the Aggregate Revenue Requirement is primarily on account of the increase in the power purchase expenses.
2. After considering the revenue from sale of electricity in FY 2008-09, the revenue gap in FY 2008-09 after provisional truing up, works out to Rs. 680.11 Crore, as compared to Rs. 869 Crore projected by Rlnfra-D. This revenue gap has been carried forward to FY 2009-10.
3. The Commission approved the Aggregate Revenue Requirement for FY 2009-10 as Rs. 6676.73 Crore.
4. The net revenue requirement for FY 2009-10 determined by the Commission is much lower than that projected by Rlnfra-D is mainly on account of reduction in the power purchase expenses on account of the reduction in cost of power purchase from TPC-G, due to the revision in the tariff applicable for TPC-G.
5. The Commission with respect to the Tariff categories made changes like the HT IV: HT Temporary Supply was created and the numbering of tariff categories as LT V, LT VIII, etc., has been modified.
6. The Commission has increased the energy charge for the following consumer categories:
  - § LT I Residential
  - § LT II Commercial (A) and (B)
  - § LT III Industry below 20 kW
  - § LT V Advertisement & Hoardings
  - § LT VII Temporary Others
  - § HT I Industry
7. The Commission determined the wheeling charge applicable to consumers connected on the HT network during FY 2009-10 is Rs. 108 per kW per month and that for consumers connected to LT network is Rs. 121 per kW per month.
8. The Average cost of supply for Rlnfra-D consumers is Rs. 7.06/kWh.

**Clarificatory Order in the matter of Reliance Infrastructure Ltd. Distribution Business' (Rlnfra-D)**

**for Truing Up for FY 2007-08, Annual Performance Review for FY 2008-09 and Tariff Determination for FY 2009-10.**

**Clarificatory Order issued on July 22, 2009, in Case No. 121 of 2008**

The Commission issued an Order on June 15, 2009 where it determined the Wheeling Charges of Rlnfra-D. The Commission with reference to the said Order clarified certain issues in its Order dated July 22, 2009.

The salient features of the Order are as follows:

1. The Commission clarified its direction/statement in its Order dated June 15, 2009 in Case No. 113 of 2008 in the matter of the Petition filed by The Tata Power Company Ltd. Distribution Business' (TPC-D) for Tariff Determination of FY 2009-10, regarding Wheeling Charges.

a) The Commission is of the view that there is a need to simplify the levy of wheeling charges and wheeling losses, to facilitate supply of electricity by TPC-D to consumers, who are currently supplied by Rlnfra-D, by utilising the wire network of Rlnfra-D.

Wheeling Charges are expressed in terms of Rs./kWh because of the metering and billing done on the basis of energy consumed in kWh. The Commission further clarified that no substantive change has been made to the wheeling charges and the wheeling charges have not been freshly determined.

2. The Commission approved Wheeling Charges and Wheeling loss at HT and LT level for FY 2009-10 for Rlnfra-D wire network are as under:

Item Description	Wheeling Charge (Rs/kWh)	Wheeling Loss (%)
HT level	0.46	1.5%
LT level	0.88	9.0%

3. The Commission directed the Utilities to not only enable the consumers to exercise their choice easily but also facilitate the same proactively, by allowing the use of their distribution network to the other distribution licensees to implement the Judgment of the Honorable Supreme Court in letter and in spirit.

**Review Order in the matter of Reliance Infrastructure Ltd. Distribution Business' (Rlnfra-D) Petition for Truing Up for FY 2007-08, Annual Performance Review (APR) for FY 2008-09 and Tariff Determination for FY 2009-10**

**Review Order issued on July 15, 2009 in Case No. 121 of 2008**

The Commission issued a Tariff Order on June 15,

2009 in Case No. 121 of 2008 in the matter of Reliance Infrastructure Ltd. Distribution Business' (RInfra-D) Petition for Truing Up for FY 2007-08, Annual Performance Review for FY 2008-09 and Tariff Determination for FY 2009-10.

The Government of Maharashtra (GoM) under Section 108 of Electricity Act, 2003 (EA 2003) issued directions to MERC vide its letter dated June 25, 2009, where it states that the EA 2003 mandates the State Electricity Regulatory Commission's to oversee and regulate all the operations so as to benefit the end consumer therefore, MERC should investigate as to whether M/s. Reliance Infrastructure Ltd. has discharged its duties as envisaged in the Act in the most economical manner so as to not to result in unnecessary avoidable burden on the consumers.

In response to the letter of GoM dated June 25, 2009, MERC issued a Review of the Order dated June 15, 2009 in Case No. 121 of 2009 on July 15, 2009 partly staying the Tariff of some of the Consumer categories and sub-categories till the detailed investigation on metering, power purchase expenses and transactions undertaken by RInfra-D, as well as capital expenditure schemes is done. The following Consumer categories and sub-categories were stayed

- The LT I Residential
- LT II Commercial (A) and (B)
- LT III Industry below 20 kW
- LT V Advertisement & Hoardings
- LT VII Temporary Others
- HT I Industry

The Commission ruled that the tariff for above categories/sub categories will be as per the tariffs determined by the Commission in its previous Order dated June 4, 2008 in Case No. 66 of 2007.

Further, the Commission vide its Order dated September 8, 2009 appointed and directed Administrative Staff College of India (ASCI) to act as an "Investigating Authority" to investigate the affairs of RInfra-D as per the provisions of Section 128 of EA 2003..

## **OTHER ORDERS**

**Petition of Maharashtra State Electricity Distribution Company Ltd.'s (MSEDCL) Petition for Approval of Deviations taken in the Bid Documents from the Standard Bidding Document issued by Ministry of Power for Competitive Bidding Process under Case-I Bidding for procurement of 2000 MW base load power on Long-Term Basis (Case No. 28 of 2009) :**

The Commission, based on the load growth projections made by the utility, approved the quantum of power sought to be procured by MSEDCL. Based on the provision made in the Amended Competitive Bidding Guidelines (CBG) dated March 27, 2009, issued by the Ministry of Power, the Commission allowed MSEDCL to withdraw some of the proposed deviations as the same were covered by the said amendments. The Commission noted that the changes and deviations sought to be incorporated in the bid document ( RFP and PPA) by the utility, are either towards customisation in accordance with the SBD or are included for having more clarity with respect to interpretation of the Bid Documents, and on this basis, the deviations as proposed were approved.

### **The petition of BEST seeking approval of quantum of power purchase and deviations/ references taken in Standard Bidding Documents for procurement of power on Long Term Basis (Case-I) (Case No. 33 of 2009)**

BEST, while submitting the deviations for approval, had petitioned that since the Case-1 SBD documents were new and as there was no precedent available, hence, at places where the Bid Documents gives the distribution licensee an option to decide on certain parameters such as amount of penalty in case of termination of agreement, minimum percentage of fuel off take, etc., to the extent possible, BEST had taken the reference from the Standard Bidding Documents of Case-2. The Commission observed that the load growth projections inclusive of the peak load projections as made by BEST were based on acceptable methodology and hence the quantum of power to be procured was approved. The Commission, after detailed scrutiny of the deviations proposed by BEST, directed the utility to amend the Bidding Documents by complying with the observations of the Commission and the directions given in this Order and issue the Bidding Documents to Bidders.

### **Petition of M/s Indo Rama Synthetics (India) Ltd., alleging wrongful action of MSLDC of withdrawing standing clearance and imposing restraint on IEX from accepting supplies from the Petitioner (Case No. 4 of 2009)**

M/s Indo Rama Synthetics (I) Ltd. had submitted a Petition under affidavit before the Commission on April 13, 2009, under Section 86(1)(f) of the Electricity Act, 2003, that the, MSLDC had wrongfully sought to coerce, the Petitioners to deliver power exclusively to MSEDCL, The same was done by withdrawing the Standing Clearance granted by it on February 28, 2009 and by directing the Indian Energy Exchange (IEX) to not permit the Petitioners to transact through IEX, unless permitted by MSEDCL. The Commission opined that MSLDC has



to control the Short Term Open Access contracts as per the procedures formulated. It is for the Petitioner to resolve its issues with MSEDCL in a documentary form and only after presenting the same to MSLDC, can the MSLDC consider change in open access, if any. Admittedly, the Petitioner had not done so and hence, the Commission was not inclined to interfere in the matter. Thus, the case was dismissed.

**Petition of M/s Indo Rama Synthetics (India) Ltd for wrongful rejection by MSLDC of the Petitioner's request to inject additional power (Case No. 9 of 2009)**

M/s Indo Rama Synthetics (I) Ltd. had submitted a Petition under affidavit before the Commission on April 23, 2009, under Section 86(1)(f) of the Electricity Act, 2003, for wrongful rejection of the Petitioner's request to inject additional power, by MSLDC. In addition to the injection of 47 MW of power to MSEDCL, it was also issued a Standing Clearance by the MSLDC for injection of 2 MW for delivery to the Indian Energy Exchange over and above the supplies to the MSEDCL. The Petitioner had requested MSLDC to issue a Standing Clearance for injection of an enhanced quantity of 4 MW for delivery to the IEX on Round The Clock ("RTC") basis, in place of the existing Standing Clearance for 2 MW, which was rejected by MSLDC on account of inadequate transformation capacity.

The Commission was in agreement with the argument put forth by MSLDC that, MSLDC could issue schedule and dispatch instructions based only on the declared capacity of the plant. The Commission felt that any other assumption would lead to chaotic operation of the Intra State Transmission system. The Commission therefore directed that, MSLDC should continue to make the despatch schedule in Mega Watts, based on the declared capacity or nameplate rating of the plant, whichever is lower. The Commission noted that as per clauses, "Communication Facilities" and "System Recording Instruments" of the Connection agreement entered into by the Petitioner with MSETCL, the Petitioner was required to provide adequate monitoring and Real Time data communication from IRSL generating plant to ALD Center at Ambajhari. Such facilities were not provided by the petitioner and hence the Commission decided that the prayers raised by the petitioner could not be granted.

**Investigation of Reliance Infrastructure Ltd. Distribution Business (RInfra-D) under Section 128 of the Electricity Act, 2003**

The Government of Maharashtra ("GoM") vide its letter dated June 25, 2009, issued directions to the Commission under Section 108 of the Electricity Act, 2003 ("EA 2003") to inter alia investigate whether M/s.

Reliance Infrastructure Ltd., has discharged its duties as envisaged in EA 2003 in the most economical and efficient manner. Accordingly, the Commission has submitted its Report titled "A Report on Reliance Infrastructure Distribution Business" to the GoM vide its letter dated July 15, 2009. In view of the broad analysis of RInfra-D's business operation, the Commission is satisfied that there is a case to investigate the operations and books of RInfra-D under Section 128 of EA 2003 in respect of following broad areas, where RInfra-D has failed to comply with the provisions of EA 2003 and Regulations mentioned therein:

- a. Power Purchase Cost
- b. Capital Investment
- c. Expenses of Regulated Business vis-à-vis Other Business.

Therefore, the Commission through its Order dated 8th September, 2009 appoints and directs Administrative Staff College of India (ASCI), Hyderabad, to act as an "Investigating Authority" to investigate the affairs of RInfra-D as per the provisions of Section 128 of EA 2003 on the aforesaid three broad areas, which would include following broad tasks, inter-alia:

- a. To scrutinise Petitions, Record of Proceedings/Minute of meetings and data submitted to the Commission by RInfra-D-Distribution Business (including Petitions and data submitted by the erstwhile BSES Ltd and Reliance Energy Limited) during the period from 1st April 2003 to 31st March 2009.

- b. To verify the physical vouchers for each transaction/actual expenses recorded in the books of accounts related to the investigation areas referred to above for the aforesaid period.

- c. Examine the procedure adopted for procurement of power and its related transactions reflected in the books of accounts maintained by RInfra-D to ensure the optimal impact on cost of supply and tariff being charged by RInfra-D to its retail consumers.

- d. Examine/undertake scrutiny of actual scope, objective and procedures adopted for procurement of equipments for capital investment schemes undertaken by RInfra-D and evaluation of benefits stated at the time of in-principle approval vis-à-vis the actual benefits accrued in the operations of RInfra-D.

- e. Undertake detailed item-by-item examination of the various expense and revenue heads, to examine that expenses of other businesses are not being passed on to the consumers under regulated business, and also that the complete and due income of the regulated business is being retained under the regulated business, examine as to whether the assets being reported under regulated

business are actually physically existing and are being used for the benefit of the regulated business.

**Reliance Infra- D's Petition for approval of proposed procurement of Long-Term Power Procurement through Competitive Bidding route via Case-I and approval of Bid Documents (Case No. 137 of 2008)**

The Commission observed in the Order that the demand projection for the future, made by R-Infra appeared to be reasonable. The Commission, in its Order allowed the utility to adopt a single stage tendering process for long term power procurement under Case-I by combining the RFP and RFQ process. The Commission also directed R Infra that as per the provisions of CBG, RInfra-D will have to adopt a separate RFP process for procuring base load power and for procuring peak load power.

As Rinfra had confirmed that there were no deviations to the SBD, the Commission confirmed that no further approval was necessary.

**Petition of Reliance Infrastructure Limited-Distribution Business's for Approval of Medium-Term Power Procurement through Competitive Bidding route via Case-I and approval of Bid Documents (Case No. 94 of 2008)**

The Commission advised Reliance Infra (RInfra- D) to prepare separate RFP for procuring base load and peak load. The Commission, based on the load growth projections submitted by Reliance Infra approved the quantum of power to be procured on Medium term basis. As regards to the petition of Reliance Infra for approval of a large number of deviations from the Standard Bid Document, sought in the interest of better participation and competition in the interest of consumers, the Commission approved the same after detailed scrutiny, and subject to incorporating modifications in the same as advised by the Commission.

**MSEDCL's Petition seeking approval of the agreement for Standby Support by MSEDCL to TPC, REL and BEST (Case No. 9 of 2008)**

MSEDCL filed a Petition vide its letter dated 15th April, 2008, seeking approval of the agreement for the Standby Support by MSEDCL to Tata Power Co. Ltd. (TPC), Reliance Energy Ltd. (REL) and BEST Undertaking (BEST). MSEDCL submitted that, as directed by the Commission through its Order dated 7th February, 2007, a meeting was held between all the parties for discussing the terms and conditions of proposed Standby Support Agreement, but no consensus could be arrived during the meeting. Therefore, MSEDCL requested the Commission to approve Standby Support Agreement and also

requested guidelines for entering into agreement with BEST as BEST is not directly connected to MSETCL network. The Hearing was held on 30th April 2008 and after the due regulatory procedure the Commission issued its directives vide its Order dated 17th August 2009. The Salient features of the Order include:-

- The Commission stated that, MSEDCL has to prepare separate standby agreements for each of the three Mumbai Distribution Licensees as directed by the Commission. However, MSEDCL has prepared a common agreement.
- The Commission ruled that, the terms and conditions of the new agreement should be more or less the same as that which were prevailing prior to the new agreement without imposing any additional financial burden on the licensees
- The Commission stated that, even though BEST is not directly interconnected with MSEDCL / MSETCL it has been paying its share of standby charges to MSEDCL directly. It has a proportionate allocation of TPC generation for which MSEDCL is providing standby support. And hence the Commission ruled that, MSEDCL can enter into a direct agreement with BEST on the same logic

**Interim Order in the matter of Tata Power Company Ltd - Distribution (TPC-D) seeking approval of operating procedures for supplying power to consumers in the common area of license of Reliance Infrastructure Ltd. – Distribution (RInfra-D), using each other's existing distribution network (Case No. 50 of 2009)**

The Supreme Court in its Judgment dated July 8, 2008 stated that TPC-D can also participate in retail distribution segment other than being as bulk licensee. TPC-D, filed a petition on August 31, 2009 seeking approval of operating procedures for supplying power to consumers in the common area of license of Reliance Infrastructure Ltd. – Distribution (RInfra-D), using each other's existing distribution network. A hearing in the matter was held on September 30, 2009 and October 08, 2009.

The salient features of the Interim Order issued on October 15, 2009 in Case No. 50 of 2009 are as under:

1. RInfra-D's area of supply also forms part of TPC-D's area of supply, and both have common areas to the extent of RInfra-D's area of supply. TPC-D states that it will be able to supply power to those existing consumers of RInfra-D who wish to receive power from the TPC-D. For effecting supply, the TPC-D would use the existing distribution system of RInfra-D. However, this requires formulation of detailed

operating procedures pertaining to (i) installation of meters, meter reading and billing; (ii) collection and apportionment; (iii) transfer of wheeling charges; (iv) change-over procedure; (v) disconnection, reconnection and recovery of consumer dues; (vi) accounting of energy; (vii) customer services; (viii) theft and inspection of premises; (ix) reverting of consumers to original distribution licensee; (x) service charges / income from business; (xi) dispute redressal.

2. The Commission ruled that the consumer should not be required to pay the wheeling charges of both TPC-D and Rlnfra-D.

The Commission determined the tariff for Changed-over consumers, by using the following methodology:

Calculation methodology for tariff for a Changeover consumer
Charges based on tariff of the Supply Distribution Licensee as determined by the Commission
Less: Wheeling charges of the Supply Distribution Licensee
Add: Wheeling charges of the Wheeling Distribution Licensee
Tariff chargeable to the Changeover consumer

3. The Commission also laid down the detailed procedure to be followed for changeover consumers including the certain issue as given below:

- a) Information for the benefit of the consumer
- b) Application for changeover
- c) Pre changeover activities
- d) Changeover
- e) Meter reading
- f) Energy Accounting
- g) Billing and collection
- h) Wheeling Charges
- i) Disconnection for non payment
- j) Customer service and interface
- k) Thefts and Inspection
- l) Standards of Performance

4. The Commission stated that the interim arrangement shall stay in effect until formulation of the final scheme in the form of Regulations or otherwise dealing with all the relevant aspects of changeover is issued by the Commission.

**Petition for approval of procurement of 300 MW under Case 1 Phase 1 and approval of amendments in the Power Purchase Agreement initialed between MSEDCL and M/s JSW Energy Ltd. (Case No. 39 of 2009)**

In its petition MSEDCL had stated that a High Power Committee, involving the Government of Maharashtra (GoM), was formed to negotiate the tariff with the three bidders in the L1 basket, namely, M/s Adani Power Maharashtra Ltd. (Adani), M/s Lanco Mahanadi Power Ltd. (Lanco), and M/s JSW Energy Ltd. (JSWL). Based on the negotiations carried out by the committee as above, MSEDCL and JSW initialed the PPA for 300 MW supply of power on 15.01.2009, and the same was approved by the GoM and the Board of Directors of MSEDCL. The Commission directed MSEDCL to conduct site visits and submit a report regarding status of the said three projects. Accordingly MSEDCL teams visited the said three project sites and submitted report to the Commission. The Commission advised MSEDCL to take steps with the said generating utilities to expedite the said projects. The Commission approved the procurement of 300 MW power by MSEDCL from M/s JSW Energy as above on long term basis as proposed and directed MSEDCL to submit the PPA signed with M/s JSW Energy Ltd.

**Petition of Maharashtra State Power Generation Company Limited's (MSPGCL) for determination of tariff for Paras Unit No. 3. (Case No. 95 of 2008)**

In order to conduct prudence check on the Capital expenditure of the plant the Commission scrutinized the data submitted by the utility. The Commission observed that the project had incurred time and cost over-run for which it held the utility responsible. The Commission approved the Capital cost of the unit after due prudence check and after disallowing the costs which, as per the Commission's opinion were incurred due to slippages in project management, non-recovery of liquidated damages from some of the erring vendors, excessive projection of overheads, extra cost due to inclusion of cost of common facilities for Paras new Unit No. 4, etc. The Commission approved the Rate of Energy charge for the unit, based on the data regarding the fuel costs submitted by the utility. The tariff as determined by the Commission was effective from April 1, 2008 (i.e., the date of COD).

**CONSUMER ADVOCACY AND GRIEVANCE REDRESSAL MECHANISM**

In terms of Sections 42(5) and 42(6) of the Electricity Act, 2003, the Consumer Grievance Redressal Forums (CGRFs), established by the Distribution Licensees, and, the Electricity Ombudsman appointed by the Commission, have been working effectively in the State. In compliance with the MERC (Consumer Grievance Redressal and Electricity Ombudsman Regulations), 2006, as amended in 2007, the posts of Members of the Forums are filled up whenever any Member's term expires. In the case of one Member on each of these



Forums, who represents the Consumers, his name is nominated by the Commission, meeting the eligibility criteria, set by the Commission out of the applications received from the interested persons.

Annual one day conference of the Members of the CGRFs, Electricity Ombudsman, the Consumer Representatives and the Distribution Licensees, was held in Mumbai, on 29th January 2010, where review of the grievances of consumers redressed by various CGRFs was done, and the ways and means of improving the service to consumers, in respect of addressing their grievances were discussed.

During the FY2009-10, the 15 CGRFs in the State were approached by approx. 1075 aggrieved electricity consumers (as compared to 743 during 2008-09), out of which 915 were redressed (490 in previous periods).

During the period, 155 aggrieved consumers, not satisfied by the orders of the CGRFs, represented their cases to the Electricity Ombudsman, who settled the matters by issuing appropriate orders in 153 cases.

Also, 20 consumers who felt aggrieved due to the Distribution Licensees delaying in complying or not complying with the orders of CGRF/ Ombudsman, filed petitions with the Commission under relevant sections of the Act.

The above data shows that awareness in electricity consumers about their rights and availability of various platforms to resolve their grievances is spreading.

#### **ELECTRICITY OMBUDSMAN**

The office of the Electricity Ombudsman was constituted on 27th December, 2004, under section 42(6) of the Electricity Act, 2003 and was made functional immediately. With effect from that date, this office started receiving Representations from consumers who are aggrieved by non-redressal of grievances under section 42 (5) of the Act.

During the first quarter from January to March 2005, this office received 5 Representations. The flow of Representations gradually picked up with time. Total number of representations received during the financial year 2005-06, rose to 58. With increased consumer awareness, subsequent financial years witnessed substantial rise in the Representations. There were 84 Representations arising out of Forums' orders during the year 2006-2007. The figure was 110 during the year, 2008-2009.

As many as 155 Representations were received during the year under report of which 139 were decided during the year itself. In addition, 14 representations out of those received in the previous year, were also decided.

Thus, total 153 Representations were decided and orders issued during 2009-10.

Maharashtra Electricity Regulatory Commission (Consumer Grievance Redressal Forum and Electricity Ombudsman) Regulations, 2006, stipulate that the consumer's representation should be decided within 60 days. As against this, average time required for deciding a representation was 40 days. The system indeed proves to be an efficient and inexpensive mechanism for expeditious redressal of consumers' grievances, as contemplated under the Electricity Act, 2003.

Analysis of the grievances received and decided by the Electricity Ombudsman, indicates that most of them relate to broad categories like Billing disputes, Meter fault, reading, testing, Quality of supply, Service related, New connection etc. Occasionally, the issues such recovery of arrears of previous occupier of the premises, disconnection of supply, delay in giving supply / additional load, excess recovery of charges for giving new connection / additional load, not informing about option to carry out the work, interruptions, disconnection without proper notice etc. are also agitated by consumers.

With increased awareness, consumers have started complaining about deficiency in services and about distribution licensee's failure to observe norms for rendering services and claimed compensation on various counts. Several such matters have also been decided and in many cases, compensation have been awarded for deficiency in services, in accordance with the Maharashtra Electricity Regulatory Commission (Standards of Performance of Distribution Licensees, Period of Giving Supply & Determination of Compensation) Regulations, 2005.

Broadly constitution of the office of the Electricity Ombudsman under the Act has indeed provided an alternative efficient remedy to the consumers for speedier, simple and inexpensive redressal envisaged under the Act.

## Annexure I

### LIST OF CASES FOR THE YEAR 2009-2010

No.	APPLICANT	RESPONDENT	DATE OF PETITION	CASE NO.	SUBJECT
1	V-Sector Udyojak Multipurpose Foundation	MSEDCL	16.03.2009	1 of 2009	Petition for non-compliance of the MERC's Order dated 31.05.2008 and 03.03.2007
2	Maharashtra State Power Generation Co. Ltd.	MSEDCL	09.04.2009	2 of 2009	Petition for continuation of billing to MSEDCL in FY 2009-10 upto the issue of new Tariff Order
3	Maharashtra State Electricity Distribution Co. Ltd.	N/A	20.03.2009	3 of 2009	Petition for approval of deviations taken in Bidding Documents for procurement of power on LT Basis for 2000 MW under Case-I Bidding Process
4	M/s Indo Rama Synthetics India Ltd.	MSLDC and MSEDCL	09.04.2009	4 of 2009	Petition for wrongful action of MSLDC of withdrawing standing clearance and imposing restraint on the IEX from accepting supplies from the Petitioner
5	M/s Great Eastern Plaza Condominium	MSEDCL and Mahindra Lifespace Developers Ltd.	13.04.2009	5 of 2009	Petition for Single Point Supply to commercial building / industrial complexes for mixed uses.
6	M/s Ind-Bharat Energies (Maharashtra) Ltd.	MSEDCL / MSETCL	13.04.2009	6 of 2009	Petition for termination of Biomass Energy Purchase Agreement dated 18.10.2006 with MSEDCL
7	Maharashtra State Electricity Distribution Co. Ltd.	N/A	03.03.2009	7 of 2009	Petition for shifting of LT/HT network due to road-widening, development, etc., and conversion of overhead LT/HT network to underground work.
8	M/s Mahindra Lifespace Developers Ltd.	MSEDCL	13.04.2009	8 of 2009	Petition seeking specification of quality of service provided by Distribution Licensee.
9	M/s Indo Rama Synthetics India Ltd.	MSLDC / MSETCL	23.04.2009	9 of 2009	Petition for wrongful rejection of Petitioner's request to inject additional power.
10	Maharashtra State Electricity Transmission Co. Ltd.	N/A	27.4.2009	10 of 2009	Petition for applicability of existing Tariff after 31.3.2009 to recover the revenue till the new Tariff Order for FY 2009-10 is issued.
11	M/s Batch of Hospitals, Educational & Charitable Trusts	MSEDCL	---	11 of 2009	Petition against the MERC's Order dated 20.6.2008 in Case No. 72 of 2007
12	Maharashtra State Electricity Distribution Co. Ltd.	N/A	7.5.2009	12 of 2009	Petition for increase in 3 phase availability of agricultural load management schemes from 8 hrs to 11 hrs in Sangamner Division.
13	Shri Amarjeet Upadhyaya	MSEDCL	15.4.2009	13 of 2009	Petition u/s 142, 129 and 43 of the Electricity Act, 2003 against MSEDCL for non-compliance of CGRF Kalyan Order dated 22.08.2008
14	Shri P.S. Balani	MSEDCL	13.4.2009	14 of 2009	Petition u/s 142 of the Electricity Act 2003 against MSEDCL for non-compliance of Order dated 28.01.2009 passed by CGRF Kalyan.
15	M/s Jaigad Power Transco Ltd	STU	21.5.2009	15 of 2009	Petition for approval of Capex Scheme and expenditure thereof and approval of ARR for FY 2009-10
16	Maharashtra State Electricity Distribution Co. Ltd.	N/A	06.05.2009	16 of 2009	Petition seeking withdrawal of load shedding protocol for evacuation of power from Non-conventional Energy Sources

No.	APPLICANT	RESPONDENT	DATE OF PETITION	CASE NO.	SUBJECT
17	Shri Nathu Gangadhar Rambhad	MSEDCL	04.05.2009	17 of 2009	Petition for directions to MSEDCL/MSPGCL and Secretary, GoM on the methodology of repairs to Distribution Transformers which causes loss of power and choke of electricity generation.
18	Maharashtra State Electricity Distribution Co. Ltd.	N/A	14.05.2009	18 of 2009	Petition for continuation of Zero Load Shedding Model for Thane and Vashi and approval of Reliability Charges to be recovered thereof.
19	Maharashtra State Electricity Distribution Co. Ltd.	N/A	14.05.2009	19 of 2009	Petition for continuation of Zero Load Shedding model for Pune and for approval of Reliability Charges to be recovered thereof.
20	Shri Bhagwan Bhawarlal Dayma	MSEDCL	18.05.2009	20 of 2009	Petition under Section 142 and 148 of the Electricity Act, 2003 against MSEDCL for non-compliance of Order dated 5.3.2009 passed by the CGRF, Aurangabad Zone.
21	Vidarbha Industries Association	MSEDCL	11.05.2009	21 of 2009	Petition for review of Order in Case No. 10 of 2008 seeking approval to procure additional power for mitigating Load Shedding in Vashi Circle and levy of Reliability Charges and for appointment of Interim Franchisee.
22	M/s Saidham Constructions	Exe. Engineer, MSEDCL, Mulund	15.04.2009	22 of 2009	Petition for assessment on the basis of theft in the matter of Supplementary Bill
23	Maharashtra State Electricity Distribution Co. Ltd.	M/s Hotel Sangam, Aurangabad	15.05.2009	23 of 2009	Petition seeking review of Order in case No. 107 of 2008
24	Shri M.H. Kakkad	MSEDCL	16.02.2009	24 of 2009	Petition seeking appeal for wrong Assessed / Average Billing against the Order passed by the Ombudsman.
25	Maharashtra State Electricity Distribution Co. Ltd.	N/A	1.6.2009	25 of 2009	Petition for approval for recovery of Arbitration claim being payable to Datar Switch Gear Ltd.
26	Maharashtra State Veej Grahak Sanghatana	MSEDCL	01.06.2009	26 of 2009	Petition seeking directives of the Commission against MSEDCL, for non-compliance of the order dated 20.06.2008 read with earlier orders dated 20.10.2006 and 18.05.2007, passed by the Commission
27	Smt Meena Kishinchand Tunya	MSEDCL	14.05.2009	27 of 2009	Petition under Section 142 of the Electricity Act, 2003 against MSEDCL for non-compliance of Order passed by the CGRF, Kalyan Zone.
28	Maharashtra State Electricity Distribution Co. Ltd.	N/A	18.05.2009	28 of 2009	Petition for approval of deviations taken in RFP from Standard bidding document issued by MoP for competitive bidding process under Case-1, issued to bidders for procurement of 2000 MW base load power on Long Term Basis under International Competitive Bidding Process (Case 1)
29	Mumbai International Airport Ltd	Reliance Infrastructure Limited	17.03.2009	29 of 2009	Petition seeking re-determination of the tariff, in view of the Appellate Tribunal's Judgment dated 26.02.2009 in Appeal No. 106 of 2008
30	Maharashtra Chakan Oil Mills Ltd	MSEDCL	01.05.2009	30 of 2009	Petition seeking clarification of Order dated 24.11.2003 regarding applicability of the Order to Self-Use / Third Party Sale of wind-power energy.

No.	APPLICANT	RESPONDENT	DATE OF PETITION	CASE NO.	SUBJECT
31	Maharashtra State Electricity Distribution Co. Ltd.	N/A	15.06.2009	31 of 2009	Petition for determination of additional cost as ASC for withdrawal of Load Shedding in the headquarters of Revenue Divisions of MSEDCL Licence Area
32	Maharashtra State Electricity Distribution Co. Ltd.	N/A	10.06.2009	32 of 2009	Petition for approval of deviations taken in RFQ issued to bidders from Standard Bidding Document issued by the Ministry of Power for development of Yavatmal Project under International Competitive Bidding Process (Case-II)
33	BEST Undertaking	N/A	25.06.2009	33 of 2009	Petition under Section 63 of the Electricity Act, 2003 for approval of deviations / references of power on Long Term Basis under Case-1.
34	Pune University, Pune	MSEDCL		34 of 2009	Petition seeking re-categorisation from HT II Commercial to HT I Industrial (Non-Continuous), in view of the Appellate Tribunal's Judgment dated May 21, 2009 in Appeal No. 48 of 2009
35	M/s The Tata Power Co. Ltd.	N/A	09.7.2009	35 of 2009	Petition for Approval of Capital Cost and Determination of Tariff for Trombay Unit No. 8
36	Shri Maulana Sheku Nadaf	Exe. Engineer, MSEDCL, Sangli.	4.05.2009	36 of 2009	Petition under Section 142 of the Electricity Act, 2003 for non-compliance of Order dated 16.02.2008 in Case No. 56 of 2007
37	Shri Anwar Ahmad Abdul Ajj	Supt Engineer, Rural, Nashik, MSEDCL,	23.06.2009	37 of 2009	Petition under Section 142 of the Electricity Act, 2003 for non-compliance of the Order dated 16.02.2008 passed by the CGRF, Nashik Zone.
38	Chief Engineer (Electrical) Hydro Projects, Mumbai and M/s Maharashtra State Power Generation Company Ltd.	MSPGCL	10.7.2009	38 of 2009	Petition for seeking approval to transfer existing Veer Hydro Power Station to Water Resource Department, Government of Maharashtra and undertake renovation and modernization of the same through private participation under Section 10.3(a) and 86.2(iv) of the EA, 2003
39	Maharashtra State Electricity Distribution Co. Ltd.	N/A	20.7.2009	39 of 2009	Petition for approval of procurement of 300 MW under Case-I, Phase-I and approval of amendments in the PPA initialed between MSEDCL and JSW Energy Ltd.
40	Reliance Infrastructure Ltd, & Reliance Energy (Trading)	N/A	16.07.2009	40 of 2009	Seeking approval (i) the transfer of the Distribution License of the 1st Petitioner in favour of Petitioner 2 and/or change the name of the Licensee in the License from that of Petitioner No.1 to Petitioner No.2, and (ii) to approve the transfer of the Transmission License of the 1st Petitioner in favour of 3rd Petitioner and/or change the name of the Licensee in the License from that of 1st Petitioner to 3rd Petitioner
41	Shri Vikram Sunderdas Setiya	MSETCL, Nagpur	10.06.2009	41 of 2009	Petition under Sections 67(4) of the Electricity Act (EA), 2003 against the Notice No. AE/EHVT S-DN/NGP/102 dated 20.04.2009 issued by the EHUT Line Construction Sub-Division, MSETCL, Nagpur under the Indian Telegraph Act for construction of Plinth and Towers for the purpose of laying down the transmission line of electricity (400 kV Khaparkhedha to Karadi) (Single Circuit, Location No. 1).

No.	APPLICANT	RESPONDENT	DATE OF PETITION	CASE NO.	SUBJECT
42	M/s Tungabhadra Holding Pvt Ltd.	MSEDCL	27.07.2009	42 of 2009	Petition under Section 142 of the Electricity Act 2003 for non-compliance of CGRF Order dated 19.1.2009 passed by CGRF, Kalyan Zone
43	M/s Clover Solar Pvt Ltd.	MSEDCL	28.08.2009	43 of 2009	Petition for determination of tariff and RPS Framework for sale of power from 2 MW capacity Solar Photo Voltaic based grid connected power plant.
44	BEST Undertaking	N/A	2.07.2009	44 of 2009	Petition seeking review of APR/ARR / Tariff Order dated 15.6.2009 in Case No. 118 of 2008 for BEST Undertaking.
45	Shri Mahavira Jaina Vidyala, Pune	MSEDCL		45 of 2009	Petition seeking dispensation from HT-II Commercial category
46	Reliance Infrastructure Ltd.	N/A	30.07.2009	46 of 2009	Petition filed for clarification on MERC RInfra-D APR Order dated 15.07.2009 in Case No. 121 of 2008
47	Shri Kedar Achyut Joshi	Executive Engineer, Rural division, Aurangabad	24.6.2009	47 of 2009	Petition under Sections 145(5), 52, 55, 57, 62, 86, 128, 129 181 clause 22.7 and 142 of the Electricity Act, 2003 aggrieved by the Order passed by the Ombudsman.
48	Dr Sushil Kumar and Sukhdeo Rahangadale and Others	MSEDCL and Irrigation Department, GoM	10.8.2009	48 of 2009	Petition for cancellation of Load Shedding on Pump Irrigation Scheme of Express Feeders
49	Maharashtra State Electricity Distribution Co. Ltd.	N/A	28.7.2009	49 of 2009	Review Petition on order dated 15th June, 2009 in the matter of implementing Zero Load Shedding model for the area covered under Pen Circle and for approval of Reliability Charges to be recovered thereof.
50	The Tata Power Co. Ltd.	Reliance Infrastructure Ltd.	31.8.2009	50 of 2009	Petition seeking approval of operating procedures for supplying power to consumers in the common area of license of Reliance Infrastructure Ltd. – Distribution (RInfra-D), using each other's existing distribution network
51	Water Resource Department and Maharashtra State Power Generation Co. Ltd.	N/A	7.8.2009	51 of 2009	Petition for seeking advise to transfer existing Veer Hydro Power Station (Veer HPS) to Water Resource Department, and undertake renovation and modernisation of the same through private participation under 10(3)(a) and 86(2)(iv) of the Electricity Act, 2003.
52	Tata Power Co. Ltd.	Reliance Infrastructure Ltd. And BEST Undertaking	4.08.2009	52 of 2009	Petition for implementation of Order dated 2.12.2009 in Case 46 of 2008 and Order dated 15.6.2009 in Case No. 113 of 2008
53	Shri Amarjeet Upadhyaya	MSEDCL	28.07.2009	53 of 2009	Petition seeking review of the Commission's Order dated 15.6.2009 in Case No. 13 of 2009
54	M/s Deepak Fertilizers & Petrochemicals Ltd.	MSEDCL	29.6.2009	54 of 2009	Petition seeking clarification with respect to re-classification of the tariff category of the Petitioner from HT-I (non-continuous) to HT-II (commercial) pursuant to Order dated 6.6.2008, in Case No. 72 of 2007 of MSEDCL APR/Tariff Order.
55	M/s Maharashtra Dyeing and Printing Works	MSEDCL	06.04.2009	55 of 2009	Petition against the Electricity Ombudsman's Order dated 29.09.2008



No.	APPLICANT	RESPONDENT	DATE OF PETITION	CASE NO.	SUBJECT
56	Eurotex Industries and Exports Ltd.	MSEDCL	6.8.2009	56 of 2009	Petition of M/s Eurotex Industries and Exports Ltd complaining neglect of MSEDCL to refund the amount of Additional Supply Charges, in view of Clause 7(4) (g) of the MSEDCL's Tariff Order 18.05.2007 and as modified by the Appellate Tribunal vide its Order dated 12.05.2008
57	Shri Haroon Noor Mohd Memon	MSEDCL	19.3.2009	57 of 2009	Petition against the Electricity Ombudsman's Order dated 5.12.2008
58	Maharashtra State Electricity Distribution Co. Ltd.	N/A	12.8.2009	58 of 2009	Petition for approval of recovery of infrastructure charge on account of conversion of LT/HT/OH Distribution Network to underground within the area of jurisdiction of Navi Mumbai Municipal Corporation.
59	Shri Naim Abdul Jaleel Mohd Momin	Supdt Engineer, MSEDCL, Bhiwandi	10.8.2009	59 of 2009	Petition under Section 142 and 146 of the Electricity Act, 2003 for non-compliance of the Order dated 26.05.2009 passed by the CGRF, Bhandup Zone
60	Shri Guruprasad C Shetty	BEST Undertaking	25.09.2009	60 of 2009	Petition to the change of consumer from BEST Undertaking to Tata Power Co. Ltd. Under Section 19(1)(a),(b) and 19(2) of the Electricity Act, 2003.
61	Maharashtra State Electricity Distribution Co. Ltd.	N/A	30.9.2009	61 of 2009	Petition for provision of Recovery of Additional Capacity Charges of Ratnagiri Gas and Power Pvt Ltd.
62	Maharashtra State Electricity Distribution Co. Ltd.	N/A	25.9.2009	62 of 2009	Petition for In-principle Approval of MoU route for selection of Distribution Franchisee and Bulk Supply Tariff (BST) for the area to be developed under Township Policy / SEZ policy / Industrial policy / I.T. policy / etc.
63	Maharashtra State Electricity Distribution Co. Ltd.	N/A	23.9.2009	63 of 2009	Petition Review Petition in respect of Order dated 17th August 2009 passed by the Hon'ble Commission in Case No.116 of 2008- Petition of Maharashtra State Electricity Distribution Company Ltd. for Truing Up for FY 2007-08, Annual Performance Review for FY 2008-09 and tariff Determination for FY 2009-10
64	M/s. Indo Rama Synthetics (I) Ltd	Chief Engineer, STU, and BEST Undertaking	3.5.2009	64 of 2009	Petition of M/s. Indo Rama Synthetics (I) Ltd. for payment of dues for injection of excess power into the MSETCL network
65	Solapur Bioenergy Systems Pvt Ltd	MSEDCL	15.10.2009	65 of 2009	Petition for determination of Tariff for supply of electricity from Municipal Solid Waste Power Project to Distribution licensee in Maharashtra
66	Smt Jeevankaala Harinamsingh Pardeshi	Exe. Engineer, MSEDCL, Kalyan	1.10.2009	66 of 2009	Petition for non-compliance of Order 10.2.2009 passed by the CGRF, Kalyan Zone
67	Shri Charbhujia Sales Corporation	Supt Engineer, MSEDCL	1.8.2009	67 of 2009	Petition under Section 142 read with Sec. 62 of the EA, 2003, for non-compliance of the MERC order dated 24.11.2003
68	Shri Surendra Bharamu Magdum	Executive Engineer MSEDCL and Chief Engineer EHV C C (O&M) Zone, Satara	12.9.2009	68 of 2009	Petition for non compliance of CGRF Order dated 14.07.2008 in Consumer Complaint No. 150/2008

No.	APPLICANT	RESPONDENT	DATE OF PETITION	CASE NO.	SUBJECT
69	M/s Bombay Oxygen Corporation Ltd	MSEDCL	13.11.2009	69 of 2009	Petition seeking directives of the Commission against MSEDCL, for non-compliance of the Section 45 and to direct MSEDCL to recover charges as per Sec.45 of EA, 2003
70	M/s Idilite Industries Ltd.	MSEDCL	1.10.2009	70 of 2009	Petition for clarification of Order dated 24th November, 2003 in Case No. 17 of 2002, passed by MERC
71	Maharashtra State Electricity Distribution Co. Ltd.	N/A	13.11.2009	71 of 2009	Petition seeking approval for levy of Voltage Surcharge to consumers who have supplied power at lower voltage than prescribed voltage as per SOP Regulations
72	Maharashtra State Electricity Distribution Co. Ltd.	N/A	17.6.2009	72 of 2009	Petition proposing Amendment of Regulation 4.1 (a) related to appointment of Chairperson of CGRF under MERC (Consumer Grievance Redressal Forum & Ombudsman) Regulation, 2006,
73	Shri Randhir Dar	N/A	13.8.2009	73 of 2009	Petition seeking clarification on eligibility criterion for the post of Chairperson, CGRF, specified under Regulation 4.1(a) of the "MERC Consumer Grievance Redressal Forum & Ombudsman) Regulations, 2006"
74	Maharashtra State Electricity Distribution Co. Ltd.	N/A	24.11.2009	74 of 2009	Petition for approval of PPA between MSEDCL and MSPGCL for procurement of power from 250 MW Parli (Unit-7) and 250 MW Paras (Unit-4).
75	Dhariwal Industries & 9 Ors	MSEDCL	6.10.2009	75 of 2009	Petition for clarification of Order dated 24th November, 2003 in Case No. 17(3), 3, 4 & 5 of 2002, passed by the Hon'ble Commission.
76	Maharashtra State Electricity Distribution Co. Ltd.	N/A	3.12.2009	76 of 2009	Petition u/s 61, 62, 94(2), 55 and 56 of the Electricity Act, 2003 Regulations 23, 24 of the Supply Code Regulations, 85.1 of the Terms and Conditions of Tariff Regulations and 15 of the Standards of Performance Regulations, for approval of Prepaid Energy metering
77	M/s. Jaigad Power Transco Ltd.	N/A	9.12.2009	77 of 2009	Petition seeking approval of the assignment of Transmission License to the lenders.
78	Government of Maharashtra, Water Resource Department	Maharashtra State Power Generation Company Ltd	4.12.2009	78 of 2009	Petition to review the lease rent amount, computed by the Commission in the Order dated 27.10.2008 in Case No. 17 of 2007 for approval of revised lease rent by Government of Maharashtra for Hydro Power Station (operated and maintained by MSPGCL)
79	M/s Pooja Packwell (I) Ltd	MSEDCL	16.11.2009	79 of 2009	Petition for non-compliance of Order passed by the CGRF, Nagpur Urban Zone dated 17.10.2005
80	M/s Shri Radha Sarveshwar Laminates (P) Ltd	MSEDCL	16.11.2009	80 of 2009	Petition for non-compliance of the Order passed by the CGRF, Nagpur Urban Zone dated 17.10.2005
81	M/s. Metro Entertainment (Bom) P. Ltd	TPC Ltd , BEST Undertaking, and Reliance Infrastructure Ltd	16.12.2009	81 of 2009	Petition seeking direction to provide electricity supply by switching over from BEST to TPC
82	Maharashtra State Electricity Distribution Co. Ltd	N/A	14.12.2009	82 of 2009	Petition seeking clarification on implementation of Commission's Order dated 30th November, 2009, in Case No. 31 of 2009, for procurement of power on RTC basis for withdrawal of load shedding in the headquarters of Revenue Division

No.	APPLICANT	RESPONDENT	DATE OF PETITION	CASE NO.	SUBJECT
83	M/s Automatic Electric Ltd	TPC Ltd , BEST Undertaking, and Reliance Infrastructure Ltd	08.12.2009	83 of 2009	Petition seeking direction to provide electricity supply by switching over from BEST to TPC
84	M/s Minerva Premises C H S	TPC Ltd , BEST Undertaking, and Reliance Infrastructure Ltd	08.12.2009	84 of 2009	Petition seeking direction to provide electricity supply by switching over from BEST to TPC
85	M/s Aldowiet Eng. Co	TPC Ltd , BEST Undertaking, and Reliance Infrastructure Ltd	11.12.2009	85 of 2009	Petition seeking direction to provide electricity supply by switching over from BEST to TPC
86	Ms Anila Gupta	TPC Ltd , BEST Undertaking, and Reliance Infrastructure Ltd	16.11.2009	86 of 2009	Petition seeking direction to provide electricity supply by switching over from BEST to TPC
87	Sandeep B. Mense & Mrs. Sneha S.Mense	N/A	04.12.2009	87 of 2009	Petition requesting for Grant of Trading License
88	M/s Shivalik Ventures Pvt. Ltd	Reliance Infrastructure Limited	13.11.2009	88 of 2009	Petition of withholding of release of new electricity connections for recovery of arrears of unknown slum dwellers
89	Maharashtra State Electricity Distribution Co. Ltd.	N/A	22.12.2009	89 of 2009	Petition for determination of additional cost as Reliability Charges for withdrawal of load shedding in the Thane II Urban Region including Kalwa sub-division
90	Maharashtra State Electricity Distribution Co. Ltd.	N/A	23.12.2009	90 of 2009	Petition seeking permission to introduce a new scenario in load shedding protocol
91	Maj. Gen. S.C. N. Jattar	Chief Engineer, Pune Urban Zone	12.08.2009	91 of 2009	Petition with regard to illegal occupation of premises / completion certificates from ULB and seeking complete overhaul of system of allotment of domestic and commercial / construction connection
92	M/s Ispat Industries Limited	MSEDCL	23.12.2009	92 of 2009	Petition seeking clarification on the benchmark consumption for charging of ASC units in case of consumers whose sanctioned load had been duly increased, after the billing month of December, 2005
93	Maharashtra State Electricity Distribution Co. Ltd.,	N/A	12.01.2010	93 of 2009	Petition seeking approval of project for the supply of power above 10 MVA and at 22 KV level through Independent dedicated distribution facility at Rajiv Gandhi Infotech park, Hinjewadi
94	Maharashtra State Load Despatch Centre	N/A	03.12.2009	94 of 2009	Petition for approval of the budget of their cost of operations and for levy of MSLDC Fees and Charges
95	BEST Undertaking	N/A	01.01.2010	95 of 2009	Petition for approval of Truing Up of accounts for FY 2008-09, APR for FY 2009-10 & projected ARR for FY 2010-11
96	The Tata Power Co. Ltd (Generation).	N/A	31.12.2009	96 of 2009	Petition for the approval of the APR for Generation business for FY 2009-10 including Truing up for FY 2008-09 and Tariff Petition for FY 2010-11
97	The Tata Power Co. Ltd (Transmission)	N/A	31.12.2009	97 of 2009	Petition for the approval of the APR for Transmission business for FY 2009-10 including Truing up for FY 2008-09 and Tariff Petition for FY 2010-11

No.	APPLICANT	RESPONDENT	DATE OF PETITION	CASE NO.	SUBJECT
98	The Tata Power Co. Ltd (Distribution).	N/A	15.01.2010	98 of 2009	Petition for the approval of the Truing Up for FY 2008-09, APR for FY 2009-10 and ARR & Tariff Proposal for FY 2010-11
99	M/s Reliance Infrastructure Ltd (Generation)	N/A	31.12.2009	99 of 2009	Petition for for approval of Truing up for FY 2008-09, Annual Performance Review for FY 2009-10 and Determination of Tariff for FY 2010-11
100	M/s Reliance Infrastructure Ltd (Transmission)	N/A	31.12.2009	100 of 2009	Petition for Truing Up of Aggregate Revenue Requirement for FY 2008-09, Annual Performance Review for FY 2009-10 and Determination of Revenue Requirement for FY 2010-11
101	BEST Undertaking	N/A	20.01.2010	101 of 2009	Petition for approval of bid documents for Long Term Power Procurement from Renewable Sources.
102	Maharashtra State Power Generation Co. Ltd.	N/A	31.12.2009	102 of 2009	Petition for approval of for APR for the year 2009-10 and for determination of tariff and approval of ARR for the year 2010-11.
103	Maharashtra State Electricity Transmission Co. Ltd	N/A	1.2.2010	103 of 2009	Petition for Truing-up of ARR for 2008-09, approval of Annual Performance Review for FY 2009-10, and Annual Revenue Requirement for FY 2010-11
104	Maharashtra State Electricity Distribution Co Ltd	N/A	20.1.2010	104 of 2009	Petition MSEDCL for Approval of deviations taken in Request for Proposal (RFP) from Standard Bidding Document issued by Ministry of Power (MoP) for competitive bidding process under Case - 1, to be issued to bidders for procurement of 1000 ( $\pm 20$ %) MW base load power on Medium Term basis under International Competitive Bidding Process (Case 1)
105	Dodson-Lindblom Hydro Power Pvt Ltd	N/A		105 of 2009	Petition for re-determination of tariff for supply of electricity from Bhandardara Hydro Power Project-II (34 MW) to Maharashtra State Electricity Distribution Company Ltd.
106	Maharashtra State Electricity Distribution Co. Ltd	N/A	22.1.2010	106 of 2009	Petition seeking approval of the Commission on various issues, for procurement of power from Solar projects
107	Maharashtra State Power Generation Co Ltd	N/A	5.2.2010	107 of 2009	Proposal of MSPGCL u/s 61 and 62 of the EA, 2003 and Part-C of the MERC (Terms & Conditions of Tariff) Regulations, 2005 for the approval of the Truing Up for FY 2007-08 and 2008-09 (for Parli Unit No.6) and FY 2008-09 (for Paras Unit No.3), APR for FY 2009-10 and ARR & Tariff Proposal for FY 2010-11 for its Parli Unit No.6 and paras Unit No.3
108	Shree Marathwada Paper Mills Pvt Ltd	SE (O&M) Circle, Beed and EE (O&M) Circle, Beed, MSEDCL	28.1.2010	108 of 2009	Petition Non-compliance of Ombudsman's Order dated 8.12.2009 and seeking action as per the provisions of the Electricity Act, 2003 against the Respondents
109	M/s Power Controls, Nagpur	MSEDCL	15.2.2010	109 of 2009	Petition seeking direction to the respondent under Section 57(1) and 86(1) of the Electricity Act, 2003 regarding Vendor's Registration for the supply of Distribution Transformer of 63, 100 and 200 KVA, 11/0.433 Kv Class.

No.	APPLICANT	RESPONDENT	DATE OF PETITION	CASE NO.	SUBJECT
110	Maharashtra State Electricity Distribution Co Ltd	N/A	18.2.2010	110 of 2009	Petition for withdrawal of Load Shedding in the District Headquarters of MSEDCL Licence Area having DCL Group A, B, C as per Principles & Protocols of Load Shedding and proposing determination of Reliability Charge to be recovered thereof for withdrawal of Load Shedding
111	Maharashtra State Electricity Distribution Co Ltd.	N/A	18.2.2010	111 of 2009	Petition of MSEDCL seeking approval of the Annual Performance Review for FY 2009-10, truing up for FY 2008-09 and determination of Aggregate Revenue Requirement (ARR) and Tariff for the FY 2010-11
112	Tata Power Co. Ltd.	N/A	08.02.2010	112 of 2009	Petition for approving a Heat Rate of 2472 kcal / kwh for gas based generation in Unit No.6, at Trombay
113	Maharashtra State Electricity Distribution Co Ltd.	N/A	15.01.2010	113 of 2009	Petition for Change in Methodology of Levy of Fuel Adjustment Cost (FAC), by proposing exemption of BPL and Agriculture from levy of FAC and thereafter levy of FAC proportionately on the remaining consumer categories.
114	Bombay Dyeing & Manufacturing Co Ltd.	MSEDCL	15.01.2010	114 of 2009	Petition seeking compensation and interest for non-compliance of the CGRF's Order and for initiation of proceedings under Sections 142 and 19 of the Electricity Act, 2003 in case the MSEDCL does not submit an Affidavit that they have complied with the CGRF's Order.
115	Maharashtra State Electricity Distribution Co Ltd.	N/A	15.01.2010	115 of 2009	Petition for continuation of billing as per the existing Tariff Order dated 17.08.2009, upto the issue of new Tariff Order
116	The Maharashtra Biomass Energy Developers Association	MSEDCL, TPC Ltd Rinfra Ltd, BEST, & MPECS	23.09.2008	116 of 2009	Petition for extension of existing variable charge component for the biomass power projects based on Rankine Cycle, (ii) non-fossil fuel based cogeneration power projects and (iii) tariff for Wind Energy Projects (Group-III) applicable upto 31st March, 2010, till it is revised
117	Maharashtra State Electricity Distribution Co Ltd.	N/A	12.03.2010	117 of 2009	Petition seeking approval of the Power Purchase Agreements of MSEDCL with National Thermal Power Corporation (NTPC), Special Purpose Vehicle (SPV) of Ultra Mega Power Projects (UMPP) and Ratnagiri Gas Power Pvt Ltd (RGPPL).
118	Maharashtra Eastern Grid Power Transmission Co Ltd.	MSETCL, STU	18.02.2010	118 of 2009	Petition for the grant of Transmission License for development of 765 kV Intra-State transmission system comprising of 2 x 765 kV S/C Tiroda – Koradi – Akola – Aurangabad transmission lines along with associated substation & bays for evacuation of power from projects in north – eastern Maharashtra
119	Mahindra Lifespace Developers Ltd.	MSEDCL	26.03.2010	119 of 2009	Petition seeking clarification of the Commission's Interim Order dated 26th March, 2008 in Case No. 75 of 2007, in the matter of Petition filed by Mahratta Chamber of Commerce, Industries and Agriculture on single point supply to commercial building / industrial complexes for mixed load



## Annexure II

### LIST OF ORDERS ISSUED DURING 2009-10

S. NO.	CASE NO.	DATE OF APPLICATION	DATE OF HEARING	DATE OF ORDER	IN THE MATTER OF
1	146 of 2008	17.03.2009	24.03.2009	01.04.2009	Petition of MSEDCL to grant permission of continuation of billing as per existing Tariff Order dated 20.6.2008 in case No. 72 of 2007, upto the issue of new Tariff Order.
2	103 of 2008	24.11.2008	14.01.2009	02.04.2009	Petition of MSEDCL for levy of Fuel Adjustment Cost Charge proportionate to the Base Tariff
3	69 of 2008	04.08.2008	05.11.2008	02.04.2009	Petition of Association of Hospitals, Pune seeking review of the Order dated June 20, 2008 in Case No. 72 of 2007
4	88 of 2008	13.10.2008	09.02.2009	02.04.2009	Petition of Kay Power and Paper Ltd seeking Review of Order dated 6.8.2002 in the matter of Purchase of Power from Bagasse based co-generation projects.
5	109 of 2008	26.11.2008	07.01.2009	08.04.2009	Petition of Tata Power Co Ltd - Distribution for approval of power purchase for Quarter-2 and Quarter-3 of the FY 2008-09 under Regulation 25 of the MERC (Terms & Conditions of Tariff) Regulations, 2005
6	126 of 2008	14.01.2009	10.02.2009	09.04.2009	Petition of MSEDCL seeking review of Order dated 14.11.2008 passed in Case No. 61 of 2008 regarding approval of deviations taken in Bidding Documents for 2000 MW long-term basis under International Competitive Bidding Process-case-1
7	152, 153 and 154 of 2008	30.3.2009, 30.3.2009 and 31.3.2009	08.04.2009	15.04.2009	Petitions of (i) Reliance Infrastructure Ltd., (ii) Tata Power Co. Ltd. and (iii) BEST Undertaking respectively for extension of applicability of respective Tariff Orders till issuance of new Tariff Orders
8	117 of 2008	26.11.2008	23.03.2009	29.04.2009	Petition of Maharashtra State Electricity Transmission Co Ltd for approval of Maharashtra State Load Despatch Centre (MSLDC)'s Budget for FY 2009-10
9	100 of 2008	Suo Motu	16.03.2009	08.05.2009	Suo Motu proceedings for determination of tariff for solar based Power Generation Projects within Maharashtra under the Ministry of Non-conventional and Renewable Energy Scheme
10	2 of 2009	9.4.2009	20.04.2009	11.05.2009	Petition of Maharashtra State Power Generation Co Ltd seeking extension of Tariff Order dated 31.5.2008 read-with Errata and Corrigendum dated 5.9.2008 upto issuance of new Tariff order for 2009-10.
11	7 of 2009		7.5.2009	11.5.2009	Petition of MSEDCL regarding shifting of LT/HT network due to road widening, development etc and conversion of over head LT/HT network to underground system
12	55 & 56 of 2008	both dated 28.7.2008	20.08.2008	13.05.2008	Petitions of Shri Mahesh Karia & Others and Dr Kirit Somaiya against restarting irrational and illegal Load Shedding imposed in Mulund-Bhandup-Kanjur area in mid July and illegal scrapping of zero based Load Shedding Model
13	132 of 2008	19.12.2008	13.02.2009	15.05.2009	Petition of The Mahatma Gandhi Mission's New Bombay Hospital, Vashi for review of Order dated 31.5.2008 in Case No. 72 of 2007
14	130 of 2008	17.12.2008	13.02.2009	15.05.2009	Petition of Association of Hospitals, Mumbai seeking review of BEST Undertaking Order dated 6.6.2008 in Case No. 73 of 2007
15	129 of 2008	17.12.2008	13.02.2009	15.05.2009	Petition of Association of Hospitals, Mumbai seeking Review of MSEDCL's APR/Tariff Order dated 20.6.2008 in Case No. 72 of 2007

S. NO.	CASE NO.	DATE OF APPLICTION	DATE OF HEARING	DATE OF ORDER	IN THE MATTER OF
16	128 of 2008	17.12.2008	13.02.2009	15.05.2009	Petition of Association of Hospitals, Mumbai seeking Review of Order dated 4.6.2008 of Reliance Infrastructure-Distribution in case No. 66 of 2007.
17	10 of 2009	24.04.2009	12.05.2009	15.05.2009	Petition of Maharashtra State Electricity Transmission Co Ltd seeking extension of existing Tariff with effect from April 01, 2009 upto issuance of new Tariff Order for FY 2009-10.
18	73 of 2008	15.02.2008	19.11.2008	20.05.2009	Complaint filed by Shri Ramesh Eknath Manjule under Section 142 of the EA, 2003 for non-compliance of CGRF, Kalyan Zone, MSEDCL Order dated 26.07.2007.
19	106 of 2008	12.11.2008	6.1.2009	20.05.2009	Complaint filed by Shri Sonumal Sunil Kumar alleging non-compliance of Order dated 5.4.2008 passed by CGRF, Bhandup Urban Zone, MSEDCL, Bhandup, Mumbai.
20	84 of 2008	23.9.2008	5.11.2008	22.05.2009	Petition of Eurotex Industries & Exports Ltd for reduction of Contract Demand at its Plant E-1, MIDC, Gokul Shirgaon, Kolhapur from 900 kVA to 100 kVA
21	71 of 2008	04.09.2008	20.01.2009	25.05.2009	Petition of B.F. Utilities Ltd for adjudication of Dispute with MSEDCL regarding Provision of Non-discriminatory Open Access.
22	48 of 2008	11.7.2008	20.08.2008, 21.1.2009, 15.4.2009	25.05.2009	Petition of Rake Power Ltd seeking adjudication of Dispute, Grant of Compensation, Third Party Sale and Open Access
23	68 of 2008	04.08.2008	20.01.2009	25.05.2009	Petition of Renewable Energy Developers Association of Maharashtra (REDAM) seeking review of Transmission and Wheeling Charges for Open Access by Wind Energy Generators.
24	135 of 2008	16.10.2008	17.02.2009 and 19.3.2009	25.05.2009	Petition of Teleflo Instrument Company Pvt Ltd raising grievance against the Electricity Ombudsman's Order dated 15.9.2008 and against Reliance Infrastructure Ltd
25	90, 91, 98 and 99 of 2008	29.09.2008, 22.10.2008, 10.11.2008 and 14.11.2008 respectively	19.11.2008	27.05.2009	Petitions of (i) Maharashtra Rajya Irrigation Federation, (ii) Maharashtra Rajya Veej Grahak Sanghatana, (iii) Kolhapur Engineering Association and (iv) Krishna Valley Chamber of Industries & Commerce respectively for initiating action under Sections 142 and 146 of the EA, 2003 against MSEDCL for non-compliance of Order dated 23.4.2007 and 28.5.2007; and non-compliance with respect to Principles and Protocols of Load-Shedding and for imposing additional Load Shedding on the industrial and agricultural consumers.
26	155 of 2008	Suo Motu	-	28.05.2009	Suo Motu proceedings for determination of Transmission Tariff for Intra-State Transmission System (InSTS) for the third year of the MYT Control Period (i.e. FY 2009-10).
27	111 of 2008	28.11.2008	24.03.2009	28.05.2009	Petition of Tata Power Co Ltd-Generation for approval of Truing up for FY 2007-08 Annual Performance Review for FY 2008-09 and Determination of Tariff for FY 2009-10
28	112 of 2008	28.11.2008	24.03.2009	28.05.2009	Petition of Tata Power Co Ltd-(Transmission) for approval of Truing up for FY 2007-08 Annual Performance Review for FY 2008-09 and Determination of Tariff for FY 2009-10
29	114 of 2008	27.11.2008	23.03.2009	28.05.2009	Petition of Maharashtra State Electricity Transmission Co Ltd for approval of Truing up for FY 2007-08 Annual Performance Review for FY 2008-09 and Determination of Tariff for FY 2009-10
30	120 of 2008	10.12.2008	26.03.2009	28.05.2009	Petition of Reliance Infrastructure (Generation) Ltd for approval of Truing up for FY 2007-08 Annual Performance Review for FY 2008-09 and Determination of Tariff for FY 2009-10

S. NO.	CASE NO.	DATE OF APPLICATION	DATE OF HEARING	DATE OF ORDER	IN THE MATTER OF
31	119 of 2008	10.12.2008	26.03.2009	28.05.2009	Petition of Reliance Infrastructure (Transmission) Ltd for approval of Truing up for FY 2007-08 Annual Performance Review for FY 2008-09 and Determination of Tariff for FY 2009-10
32	121 of 2008	10.12.2008	26.03.2009	15.06.2009	Petition of Reliance Infrastructure (Distribution) Ltd for approval of Truing up for FY 2007-08 Annual Performance Review for FY 2008-09 and Determination of Tariff for FY 2009-10
33	118 of 2008	11.12.2008	25.03.2009	15.06.2009	Petition of Brihan-Mumbai Electricity supply & Transport (BEST) Undertaking for approval of Truing up for FY 2007-08 Annual Performance Review for FY 2008-09 and Determination of Tariff for FY 2009-10
34	8 of 2009	13.04.2009	06.05.2009	15.06.2009	Petition of M/s Mahindra Lifespace Developers against a provisional Order of assessment issued under Section 126 of the EA, 2003.
35	113 of 2008	28.11.2008	24.03.2009	15.06.2009	Petition of Tata Power Co Ltd-(Distribution) for approval of Truing up for FY 2007-08 Annual Performance Review for FY 2008-09 and Determination of Tariff for FY 2009-10
36	11 and 38 of 2009	28.02.2008 31.10.2008	15.10.2008	19.06.2009	Petitions of (i) M/s Nishkalp Energy Ltd., and (ii) Tata Motors Ltd. For non-payment of actual dues arising out of Commission's Order dated 24.11.2003 and non-payment / inappropriate payments by MSEDCL to the developers of wind power energy.
37	13 of 2009	20.4.2009	28.05.2009	15.06.2009	Petition of Shri Amarjeet Upadhyaya seeking release of Electricity Connection and related complaint against MSEDCL.
38	138 of 2009	06.02.2009	15.06.2009	06.07.2009	Application of Adani Power Maharashtra Ltd for grant of Transmission Licence for development of 400 kV Tiroda-Koradi and Tiroda-Warora Double Circuit Transmission Lines
39	09 of 2009	23.04.2009	14.05.2009	07.07.2009	Petition of Indo Rama Synthetics (India) Ltd for wrongful rejection by MSLDC of the Petitioner's request to inject additional power.
40	37 of 2008	17.03.2008	23.7.2008, and 2.4.2009	07.07.2009	Petition of MSEDCL seeking damages for willful breach of EPA by Purni Sakhar Karkhana Ltd. by not supplying electricity generated at its plant.
41	27 of 2008	28.05.2008, & 10.10.2008	16.04.2009	08.07.2009	Petition of Dodson Lindblom Hydro Power Pvt Ltd for determination of Tariff for Bhandardara Hydro Power Project-II (34 MW)
42	101 of 2008	21.10.2008	20.01.2009	10.07.2009	Petition of B.F. Utilities for release of Credit Notes for its projects
43	62 of 2008	05.08.2008	17.09.2008	13.07.2009	Petition of Maharashtra Rajya Veej Grahak Sanghatana seeking review of Order dated 20.6.2008 in Case No. 72 of 2007
44	121 of 2008	Suo Motu	-	15.07.2009	Suo Motu proceedings staying the MERC Order dated 15.06.2009 in Case No. 121 of 2008 in the matter of APR/ARR Petition of Reliance Infrastructure Ltd (Distribution)
45	137 of 2008	03.02.2009	03.07.2009	15.07.2009	Petition of Reliance Infrastructure Ltd (Distribution) for approval of proposed quantum of power for Long Term Power Procurement through competitive bidding route via Case-I and approval of Bid Documents.
46	94 of 2008	23.10.2008	04.03.2009	21.07.2009	Petition of Reliance Infrastructure Ltd (Distribution) for approval of proposed quantum of power for medium-term power procurement through competitive bidding route via Case I and approval of bid documents.
47	121 of 2008	Suo Motu	-	22.07.2009	Clarificatory Order on the Order dated 15.06.2009 in Case No. 121 of 2008 in respect of Reliance Infrastructure Ltd (Distribution)

S. NO.	CASE NO.	DATE OF APPLICATION	DATE OF HEARING	DATE OF ORDER	IN THE MATTER OF
48	113 of 2008		-	22.07.2009	Clarificatory Order on the Order dated 15.06.2009 in Case No. 113 of 2008 in respect of Tata Power Co Ltd (Distribution)
49	28 of 2009	18.05.2009	09.07.2009	23.07.2009	Petition of MSEDCL for approval of deviations taken in RFP from standard bidding document issued by the Ministry of Power for competitive bidding progress under Case-I issued to Bidders for Procurement of 2000 MW base Load Power on Long-Term basis under International Competitive Bidding Process (Case-I)
50	67 of 2008	04.08.2008	30.09.2008	04.08.2009	Petition of B.F. Utilities Ltd seeking clarification of the Commission's Order dated 20.11.2007 regarding determining Open Access Charges on Wind Energy Projects.
51	33 of 2009	25.06.2009	20.07.2009	04.08.2009	Petition of BEST Undertaking seeking approval of quantum of power purchase and deviations / references taken in standard bidding documents for procurement of power on Long-Term Basis (Case-I)
52	104, 122 & 125 of 2008	18.11.2008, 22.12.2008, 20.11.2008	20.05.2009	07.08.2009	Petitions of MSEDCL, Reliance Infrastructure Ltd and BEST Undertaking seeking waiver of RPS under the MERC's Order dated 16.8.2006 and/or review thereof.
53	24 of 2009	16.02.2009	07.07.2009	06.08.2009	Petition of Shri M.H. Kakkad appealing against Electricity Ombudsman's Order dated 2.2.2009 on wrong assessment / average billing by M/s Torrent Power Ltd, Franchisee of MSEDCL
54	115 of 2008	08.12.2008	04.05.2009	17.08.2009	Petition of Maharashtra State Power Generation Co Ltd. (MSPGCL) for approval of Truing up for FY 2007-08, Annual Performance Review for FY 2008-09 and Determination of Tariff for FY 2009-10.
55	5 of 2009	13.04.2009	06.05.2009	17.08.2009	Petition of Great Eastern Plaza Condominium regarding Single Point Supply to commercial building / industrial complexes for mixed use.
56	4 of 2009	13.04.2009	29.04.2009	17.08.2009	Petition of M/s Indo-Rama synthetics (India) Ltd alleging wrongful action of MSLDC of withdrawing standing clearance and imposing restraint on IEX from accepting supplies from the Petitioner.
57	148 of 2008	16.01.2009	13.04.2009	17.08.2009	Petition of Renewable Energy Developers Association of Maharashtra (REDAM) for implementation of the Commission's Order dated 24.11.2003 in Case No. 17(3), 3, 4, 5 of 2002, Order dated 12.09.2003 in Case No. 10 of 2006 and Judgement dated 5.2.2008 by the Appellate Tribunal of Electricity in Appeal No. 15 of 2007 for payment of interest by MSEDCL on delayed payments for energy off-taken.
58	149 of 2008	25.01.2009	07.07.2009	17.08.2009	Petition of Tata Motors Ltd and Nishkalp Energy Ltd seeking directives for formulation of special terms for open access applicable for Wind Energy Projects, falling under Group-II (post expiry of 8 years period).
59	136 of 2008	31.12.2008	25.02.2009	17.08.2009	Petition of Pudumjee Pulp & Paper Mills Ltd seeking permission to comply with RPS Obligation cumulatively for the period from FY 2007-08 till FY 2009-10
60	9 of 2008	20.02.2008	30.04.2008	17.08.2009	Petition of MSEDCL seeking approval of the Agreement for Standby Support by MSEDCL to TPC Ltd, REL and BEST Undertaking.
61	147 of 2008	27.01.2009	20.04.2009, & 7.05.2009	17.08.2009	Petition of Shri Vinod Sadashiv Bhagwat seeking clarification about the Commission's directions contained in the Order dated 5.5.2000 in case No. 1 of 1999 regarding Service Line Charges (SLC) and its interpretation and implementation by MSEB/MSEDCL.



S. NO.	CASE NO.	DATE OF APPLICATION	DATE OF HEARING	DATE OF ORDER	IN THE MATTER OF
62	22 of 2009	15.04.2009	07.07.2009	17.08.2009	Petition of Saibaba Construction regarding supplementary bills from MSEDCL on account of theft.
63	1 of 2009	16.03.2009	17.04.2009	17.08.2009	Petition of V-Sector Udyojak Multi Purpose Foundation under Section 142, 146 and 163 of the Electricity Act, 2003 for non-compliance of the Commission's Order dated 31.05.2007
64	23 of 2009		06.07.2009	17.08.2009	Petition of MSEDCL seeking review of the Order dated 4.3.2009 passed in Case No. 107 of 2008
65	127 of 2008	24.12.2008	10.02.2009	17.08.2009	Petition of BEST Undertaking seeking approval of quantum of power procurement through Competitive Bidding Process.
66	139 of 2008	9.02.2009	17.03.2009	17.08.2009	Petition of Chamber of Marathwada Industries & Agriculture for refund of excess recovery of Additional Supply Charges by MSEDCL and violation of direction of the Commission by MSEDCL and for initiation of proceedings under Section 142 of the Electricity Act, 2003
67	82 and 86 of 2008	23.09.2008, and 13.10.2008	06.01.2009	17.08.2009	Petitions of (i) Thane Small Scale Industries Association and (ii) Prayas (Energy Group) and (iii) Sajag Nagrik Manch for indiscriminate increase in load shedding hours by MSEDCL.
68	116 of 2008	08.12.2008	17th June to 1st July 2009	17.08.2009	Petition of MSEDCL for Truing Up for FY 2007-08, Annual Performance Review for FY 2008-09, and Tariff Determination for FY 2009-10.
69	Suo-moto			08.09.2009	Investigation of Reliance Infrastructure Ltd. Distribution Business (R-Infra-D) under Section 128 of the Electricity Act, 2003.
70	46 of 2009	30.07.2009	20.08.2009	10.09.2009	Petition of Reliance Infrastructure-D for Clarifications on Tariff Order issued by the Commission on R-Infra-D's APR Petition for FY 2008-09 in Case No. 121 of 2008.
71	38 of 2009	10.07.2009, 25.08.2009	28.07.2009, 03.08.2009	28.09.2009	Petition of Water Resources Dept, GoM seeking approval to transfer existing Veer Hydro Power Stations to Water Resource Department, GoM and undertake renovation and modernisation of the same through private participation.
72	41 of 2009	10.06.2009	25.08.2009	07.10.2009	Petition of Shri Vikram S. Setiya against a Notice dated 20.04.2009 issued u/s 42 of EA 2003.
73	Suo Motu			09.10.2009	Suo Motu Compliance of ATE Advise to setup a Committee to suggest an implementable Load Shedding Protocol.
74	47 of 2009	29.06.2009	28.08.2009	14.10.2009	Petition of Shri Kedar Achuyt Joshi against Electricity Ombudsman's Order dated 5.6.2009
75	50 of 2009	31.08.2009	30.09.2009, 08.10.2009	15.10.2009	Petition of TPC-D seeking approval of operating procedures for supplying power to consumers in the common area of license of Reliance Infrastructure Ltd. - Distribution, using each other's existing distribution network.
76	50 of 2009	-	-	29.10.2009	Errata and Corrigendum in Order dated 15.10.2009 in Case No. 50 of 2009
77	124 of 2009	16.12.2008	13.05.2009	16.10.2009	Petition of Maharashtra State Electricity Power Trading Co. Pvt. Ltd. seeking grant of Intra-State Trading License.
78	26 of 2008	23.05.2008	17.10.2008, 08.08.2008	21.10.2009	Petition of MSPGCL. Petition for determination of Tariff for Parli Unit No. 6.
79	14 of 2009	13.04.2009	17.09.2009	29.10.2009	Complaint filed by Shri P.S. Ballani for non-compliance of Order dated 28.01.2009 passed by CGRF Kalyan Zone.



S. NO.	CASE NO.	DATE OF APPLICTION	DATE OF HEARING	DATE OF ORDER	IN THE MATTER OF
80	144 of 2008	24.02.2009, 27.08.2009	17.03.2009, 15.07.2009	09.11.2009	Petition of MSEDCL for approval of methodology for refund of Additional Supply Charges (ASC) to consumers on a one-to-one basis.
81	37 of 2009	25.06.2009	3.08.2009	10.11.2009	Petition of Shri A.A.A. Aziz, Nashik against the non compliance of the Order dated 14.05.2008 passed by the CGRF, Nashik.
82	52 of 2009	04.08.2009, 06.10.2009	-	23.11.2009	Petition filed by the TPC Ltd. for implementation of Order dated 2.2.2009 in Case 46 of 2008 and Order dated 15.6.2009 in Case 113 of 2008
83	29 of 2009	17.03.2009	28.07.2009	23.11.2009	Petition of M/s. Mumbai International Airport Ltd. seeking re-determination of the tariff, in view of the Appellate Tribunal's Judgment dated 26.02.2009 in Appeal No. 106 of 2008.
84	57 of 2009	19.03.2009	16.10.2009	23.11.2009	Petition of Shri Haroon Mohd. Memon against Electricity Ombudsman's Order dated 05.12.2008
85	31 of 2009	15.06.2009, 28.07.2009	10.07.2009, 27.10.2009, 28.10.2009, 30.10.2009, 03.11.2009, 05.11.2009, 06.11.2009	30.11.2009	Petition of MSEDCL for determination of Additional Supply Charge for withdrawal of Load Shedding in the Headquarters of Revenue Divisions in MSEDCL License Area.
86	55 of 2009	06.04.2009	16.10.2009	02.12.2009	Petition of M/s. Maharashtra Dyeing and Printing Works against Electricity Ombudsman's Order dated 29.09.2008
87	61 of 2009	30.10.2009	08.10.2009	03.12.2009	Petition of MSEDCL for recovery of additional capacity charges of Ratnagiri Gas and Power Pvt. Ltd.
88	53 of 2009	28.07.2009	09.11.2009	07.12.2009	Petition filed by Shri Amarjeet R. Upadhyaya seeking review of Commission's Order dated 15.6. 2009 in Case No. 13 of 2009.
89	39 of 2009	20.07.2009	27.08.2009, 14.09.2009, 29.09.2009	07.12.2009	Petition of MSEDCL for approval of procurement of 300 MW under Case 1 Phase 1 and approval of amendments in the Power Purchase Agreement initialed between MSEDCL and M/s. JSW Energy Ltd.
90	151 of 2008	16.03.2009	09.04.2009, 20.08.2009, 15.09.2009	09.12.2009	Petition filed by M/s. Cipla Cancer & AIDS Foundation seeking reliefs as per ATE's Judgments dated 16.02.2009
91	116 of 2008	-	-	09.12.2009	Clarificatory Order - MSEDCL's Petition for Truing Up for FY 2007 - 08, Annual Performance Review for FY 2008 - 09 and Tariff Determination for FY 2009 - 10.
92	66 of 2009	01.10.2009	09.11.2009	09.12.2009	Petition filed by Smt. Jeevankala Harinamshing Pardeshi against MSEDCL, Kalyan, for non-compliance of Order passed by the CGRF, Kalyan Zone dated 10.02.2009.
93	51 of 2009	11.08.2009	07.10.2009	14.12.2009	Joint Petition of Water Resource Dept. and MSPGCL seeking issuance of advice to transfer existing Veer Hydro Power Station to Water Resource Dept.
94	83 of 2008	23.09.2008, 11.06.2009,	01.10.2009,	14.12.2009	Petition filed by Maharashtra Biomass Energy Developers Association seeking review of variable charge component of the Cost of Generation determined under Orders dated 08.08.2005 (Case No. 37 of 2003) and 19.7. 2006 (Case No. 37 of 2005).
95	25 of 2009	01.06.2009	14.07.2009, 03.08.2009	14.12.2009	Petition filed by MSEDCL for provision for recovery of Arbitration claim being payable to M/s. Datar Switch Gear Ltd.

S. NO.	CASE NO.	DATE OF APPLICATION	DATE OF HEARING	DATE OF ORDER	IN THE MATTER OF
96	43 of 2009	28.08.2009	07.10.2008	14.12.2009	Petition filed by M/s. Clover Solar Pvt. Ltd. for determination of Tariff for Grid connected solar based Power Plant.
97	44 of 2009	29.07.2009	28.08.2009	15.12.2009	Petition of BEST Undertaking seeking review of APR Order dated 15.06.2009 in Case No. 118 of 2009.
98	54 of 2009	20.07.2009	09.11.2009, 30.11.2009	15.12.2009	Petition filed by M/s. Deepak Fertilizers and Petrochemicals Ltd. seeking clarification with respect to re-classification of the tariff category of the petitioner from HT-I (Non-continuous) to HT-II (Commercial) pursuant to Order dated 6.6.2008 passed in Case No. 72 of 2007 (MSEDCL APR Order) by the Commission.
99	95 of 2008	27.10.2008, 06.01.2009, 28.01.2009	11.12.2008, 06.03.2008	15.12.2009	Petition of Maharashtra State Power Generation Co Ltd for determination of tariff for its Paras Unit No. 3.
100	42 of 2009	07.07.2009	16.10.2009	16.12.2009	Complaint filed by M/s. Tungabhadra Holding Pvt. Ltd. u/s 142 of the Electricity Act, 2003 against MSEDCL, Kalyan for non-compliance of Order dated 19.01.2009 passed by the CGRF, Kalyan Zone.
101	36 of 2009	04.05.2009	21.10.2009	19.12.2009	Complaint filed by Maula Sheku Nadaf u/s 142 of the EA, 2003 against MSEDCL for non-compliance of Order dated 16.02.2008 passed by the Commission in Case No. 56 of 2007.
102	30 of 2009	04.05.2009	26.08.2009, 14.09.2009,	19.12.2009	Petition of M/s Nav Maharashtra Chakan Oil Mills seeking clarification of MERC's Order dated 24.11.2003, with respect to applicability of the order to "Self-Use / Third Party Sale".
103	68 of 2009	14.09.2009	04.12.2009	21.12.2009	Complaint filed by Shri Surendra Bharamu Magdum alleging non-compliance of Order dated 14.07.2008 passed by the CGRF Kolhapur Zone.
104	116 of 2008	-	-	21.12.2009	Errata and Corrigendum of Order dated 17.08.2009 in the matter of MSEDCL's APR/ARR Tariff Petition.
105	58 of 2009	07.09.2009	21.10.2009, 09.11.2009	22.12.2009	Petition of MSEDCL Approval of recovery of infrastructure charge on account of conversion of Low Tension / High Tension overhead distribution network to underground.
106	72 of 2009	17.06.2009	14.12.2009	24.12.2009	Petition of MSEDCL proposing amendment to Regulation 4.1 (a) of the MERC (Consumer Grievance Redressal Forum & Electricity Ombudsman) Regulations, 2006, related to appointment of Chairperson of CGRF.
107	105 of 2008	21.11.2008	06.01.2009	24.12.2009	Petition of MSEDCL seeking approval of PPA between MSPGCL and MSEDCL for the sale and purchase of power from the proposed 2 x 500 MW Bhusawal TPS expansion project.
108	103 of 2007	04.02.2008	06.05.2008, 21.10.2009, 14.12.2009	24.12.2009	Complaint filed by Dr. Sachin Saoji seeking directions u/s 142 of the EA 2003 against MSEDCL for non-compliance of the order of CGRF, Aurangabad Zone dated 29.01.2007.
109	11 of 2009	15.05.2009	15.06.2009, 17.09.2009,	30.12.2009	Petition of Association of Hospitals, Educational Institutions and Charitable Trusts seeking re-determination of the tariff, in view of the Appellate Tribunal's Judgement dated 23.4.2009, in Appeal Nos. 153, 154, 155, 156, 157, 158, 159, 161, 162, 164, 165, 166, 167, 168, 170, 174, 175, 176, 177 and 178 of 2008.
110	67 of 2009	03.08.2009	01.12.2009	31.12.2009	Petition of Shri Charbhuj Sales Corporation against MSEDCL for non-compliance of Order dated 24.11.2003, passed by the Commission.

S. NO.	CASE NO.	DATE OF APPLICATION	DATE OF HEARING	DATE OF ORDER	IN THE MATTER OF
111	63 of 2009	23.09.2009	09.11.2009,	07.01.2010	Petition of MSEDCL seeking review of Commission's Order dated 17.8.2009 in Case No. 116 of 2008.
112	6 of 2009	13.04.2009	07.05.2009, 15.09.2009	07.01.2010	Petition of M/s. Ind-Bharat Energies (Maharashtra) Ltd., seeking termination of Biomass Energy Purchase Agreement dated 18.10.2006.
113	123 of 2008	05.11.2008	21.01.2009, 23.11.2009,	11.01.2010	Petition of Cogeneration Association of India for review of the tariff rate and tariff structure for Bagasse based Grid Connected Cogeneration Projects.
114	21 of 2009	11.05.2009	10.07.2009	11.01.2009	Petition of Vidarbha Industries Association seeking review of Commission's Order dated 23.3.2009 in Case No. 10 of 2008.
115	35 of 2009	08.07.2009	14.09.2009, 24.11.2009	19.01.2009	Petition of The Tata Power Company Ltd. for Approval of Capital Cost and Determination of Tariff for Trombay Unit No. 8.
116	16 of 2008	Suo Motu	13.01.2010,	19.01.2010	Suo Moto proceedings for truing up proces of MSPGCL generating stations for FY 2005-06, 2006-07 and 2007-08 based on ATE's Judgement Appeal 86 and 87 of 2007 and CPRI Report and provisional truing up for FY 2008-09
117	73 of 2009	13.08.2009	28.01.2010	03.02.2010	Petition of Shri Randhir Dar seeking clarification with regard to Regulation 4.1 (a) of the MERC (Consumer Grievance Redressal Forum and Electricity Ombudsman) Regulations, 2006.
118	18 & 19 of 2009	14.05.2009	28.05.2009	03.02.2010	Petition of MSEDCL for continuation of zero load shedding model for Thane and Vashi and for approval of Reliability Charges to be recovered thereof [Case No. 18 of 2009] and MSEDCL's Petition for continuation of zero load shedding model for Pune and for approval of Reliability Charges to be recovered thereof [Case No. 19 of 2009].
119	69 of 2009	13.11.2009	14.12.2009	03.02.2010	Petition of Bombay Oxygen Corporation Ltd., Mumbai complaining against MSEDCL for wrongful charging of Additional Supply charge and other charges.
120	Misc Application No. 1 of 2009 in Case No. 10 of 2007.	19.11.2009, 25.01.2010	29.12.2009, 28.01.2010	08.02.2010	Petition of MSEDCL initiating enquiry in respect of revocation / suspension of license of MPECS
121	78 of 2009	4.12.2009	12.1.2010	22.02.2010	Petition of Water Resources Department, GoM, seeking review of Order dated 27.10.2008 in Case No. 17 of 2007 applicable for Hydro Power Stations operated and maintained by MSPGCL
122	60, 81, 83, 84, 85 and 86 of 2009	25.9.2009	23.11.2009, 28.12.2009, 21.1.2010	22.02.2010	Petitions of (i) Shri Guruprasad C Shetty, (ii) Metro Entertainment (Bom) P Ltd., (iii) Automatic Electric Co Ltd., (iv) Minerva Premises CHS, (v) Aldowiet Engg Co., and (vi) Ms Anila Gupta seeking changeover from BEST Undertaking to TPC Ltd.
123	79 of 2009	31.08.2009	12.01.2010	25.02.2010	Complaint filed by M/s. Pooja Packwell (I) Ltd., Nagpur against MSEDCL u/s 142 of Electricity Act, 2003 alleging non-compliance of the Order dated 17.10.2005 passed by the CGRF, Nagpur Urban Zone.
124	80 of 2009	31.8.2009	12.01.2010	25.02.2010	Complaint filed by M/s. Shri Radha Sarveshwar Laminates (P) Ltd., Nagpur, against MSEDCL u/s 142 of Electricity Act, 2003 alleging non-compliance of the Order dated 17.10.2005 passed by the CGRF, Nagpur Urban Zone.
125	45 of 2009	Suo Motu	25.08.2009, 17.09.2009,	02.03.2010 05.03.2010	Suo Motu proceedings on the directives of the ATE's Order dated 21.05.2009 on the Petition of Shree Mahivara Jaina Vidyalaya seeking dispensation from HT - II Commercial category.

S. NO.	CASE NO.	DATE OF APPLICTION	DATE OF HEARING	DATE OF ORDER	IN THE MATTER OF
126	91 of 2009	17.08.2009	27.01.2010		Petition of Shri Major General SCN Jatar Retd. In regard to illegal occupation of premises / completion certificate from Urban Local Body (ULB) and seeking complete overhaul of system of allotment of domestic and commercial connections with an amendment to MERC Regulations.
127	16 of 2008	8.1.2010	13.1.2010 25.02.2010	05.03.2010	Truing up process for MSPGCL's Generating Stations for FY 2005 - 06, FY 2006 - 07 and FY 2007 - 08 based upon Appellate Tribunal's Judgment in Appeal No. 86 and 87 of 2007 and CPRI Report and Provisional Truing up for FY 2008 - 09
128	26 of 2009	13.05.2009	07.07.2009	05.03.2010	Petition of Maharashtra Rajya Veej Grahak Sanghtana for non-compliance of the Tariff Order dated 20.06.2008 read with earlier Orders dated 20.10.2006 and 18.05.2007, passed by the Commission.
129	71 of 2009	13.11.2009	15.12.2009	05.03.2010	Petition of MSEDCL for levy of voltage surcharge to consumers who are supplied power at lower than prescribed voltage as per SoP Regulations.
130	40 of 2009	17.07.2009	04.08.2009 20.08.2009 30.09.2009 18.01.2010 16.02.2010	05.03.2010	Petition of Reliance Infrastructure Ltd. and others under Section 17 (3) of the Electricity Act, 2003 and Regulation 8.3.2010 of MERC (General Conditions of Distribution License) Regulations, 2006.
131	36 of 2008	25.06.2008	19.03.2009 / 14.01.2010 / 22.02.2010	25.03.2010	Petition of M/s. Kendriya Vihar Co-operative Housing Federation Ltd. under Section 43, 45, 46 and 86 of the Electricity Act, 2003 for refund of Si.C and to treat the ORC Scheme of MSEDCL as null and void.
132	1 of 2009	16.03.2009	17.04.2009 / 07.01.2010	25.03.2010	Petition of M/s V-Sector Udojak Multipurpose Foundation , Jalgaon seeking directives against MSEDCL for non-compliance of Order dated 31.05.2008 in Case No. 72 of 2008 and Order dated 03.03.2007 in Case Nos. 50, 55, 56 of 2006.
133	64 of 2009	04.05.2009 / 19.06.2009	09.11.2009 / 04.12.2009 /	29.03.2010	Petition of Indo Rama Synthetics (I) Ltd. for payment of dues for injection of excess power into the MSETCL network.
134	101 of 2009	21.01.2010	05.03.2010	29.03.2010	Petition of BEST for approval of bid documents prepared by BEST for Long Term Power Procurement from Renewable Sources.
135	115 of 2009	10.03.2010	25.03.2010	31.03.2010	Petition of MSEDCL for continuation of Billing as per existing Tariff Order dated 17.08.2009 upto the issue of new Tariff Order.
136	116 of 2009	Suo-motu	25.03.2010	31.03.2010	Suo Motu proceedings for extension of applicability of Tariff Order for Renewable Energy Projects till issuance of new Tariff Orders

## Annexure III

**MAHARASHTRA ELECTRICITY REGULATORY COMMISSION****RECEIPTS & PAYMENTS FOR THE PERIOD/YEAR ENDED ON 31ST MARCH 2010 (Unaudited)**

RECEIPTS	Current Year 2009-2010	Previous Year 2008-09	PAYMENTS	Current Year 2009-10	Previous Year 2008-09
<b>(1) OPENING BALANCE</b>	<b>286,202,461.74</b>	<b>216,686,518.78</b>	<b>(1) EXPENSES</b>		
(a) Cash on Hand	4,137.04	26323.54	<b>(a) Establishments Expenses</b>	<b>14,749,447.00</b>	<b>9,067,877.00</b>
(b) Bank Balances (SBI)			(i) Pay & Allowances of Chairman & Members & Secretary Of Commission	4,360,648.00	1,887,608.00
(i) in Current A/C	(238,855.00)	(425,128.00)	(ii) Pay & Allowances of Officers & Staff	7,655,063.00	5,122,163.00
(ii) in Deposit A/C	285,000,000.00	210,000,000.00	(iii) Bonus & Honorarium	-	-
(iii) Savings A/C	1,437,179.70	7085323.24	(iv) Overtime Allowances	212,643.00	160,291.00
<b>(2) GRANTS RECEIVED</b>	<b>100,000.00</b>	<b>100,000.00</b>	(v) Medical & Health Care facilities	114,697.00	137,441.00
(a) Grants from GoM	100,000.00	100,000.00	(vi) Tuition Fees/ Stipend	503,135.00	-
(b) From Other Sources (Details)	-	-	(vii) Any Other	-	-
Grants for Capital Expenditure	-	-	Resident Rent for Member	-	685,484.00
Grants for Revenue expenditure	-	-	Salary reimbured to BEST Employees	-	254,232.00
<b>(3) INCOME ON INVESTMENTS FROM</b>			Leave Travel Concession	10,277.00	68,568.00
(a) Earmarked / Endow. Funds			Peon Allowances	144,703.00	87,310.00
(b) Own Funds (Other Investments)			(viii) MERC Contribution to P F / CPF	560,049.00	358,253.00
			(ix) MERC Contribution to any other Fund	74,494.00	-
			(x) Staff Welfare	-	-
			(xi) Expenses on Employees Retirement & terminal benefits	401,136.00	306,527.00
			(xii) Other allowances	38,478.00	-
			(xiii) Incentives	603,764.00	-
			(xiv) Transfer Grant Expenses	70,360.00	-
<b>(4) TO RECEIPTS OF THE COMMISSION</b>	<b>439,900,358.00</b>	<b>161,591,250.00</b>	<b>(b) OTHER ADMINISTRATIVE EXPENSES</b>	<b>139,601,170.04</b>	<b>71,464,596.50</b>
(a) Fees charged by the Commission			(i) Purchases	-	-
(i) Fees for initial License	500,000.00	510,000.00	(ii) Cartages & Carriage Inwards	-	-
(ii) Fees for Annual Licenses	425,418,504.00	147,600,833.00	(iii) Electricity & Power	567,667.00	351,152.00
(iii) Fees for Trading Licenses	-	1,480,000.00	(iv) Water Charges	-	-
(iv) Fees for Suspension of Licenses	-	1,000,000.00	(v) Insurances	-	-
(v) Fees for Documents	36,354.00	24,949.00	(vi) Repairs & Maintenance	148,847.00	159,799.00
(vi) Fees for APR	4,100,000.00	6,283,368.00	(vii) Rent Rates & Taxes	31,404,356.00	17,418,651.00
(vii) Fees for Annual Tariff Review	-	2,750,000.00	(viii) Vehicles Running & Maintenences	551,425.00	424,200.00
(viii) Fees for Filing Application	9,845,500.00	1,942,100.00	(ix) Postage Telephone & Communication	496,437.00	538,196.00
(b) Interest Received	<b>23,695,589.18</b>	<b>21,948,637.00</b>	(x) Printing & Stationery	1,706,646.50	614,543.50
(i) On Bank deposits	23,695,589.18	21,948,637.00	(xi) Travelling & Conveyance		
(ii) On Loans , advances to employees etc.	-	-	Foreign Travel	591,825.00	1,517,999.00
(c) Other Income	<b>7,967.00</b>	<b>8,118.00</b>	Domestic Travel	2,119,144.00	3,226,701.00
(i) Miscellaneous Receipts	7,967.00	8,118.00	Conveyance	45,627.00	22,824.00
(d) Investments	<b>259,056.00</b>	-	(xii) Expenses on Seminar	2,087,726.00	-
(i) to face value of investments encashed	-	-	(xiii) Workshops	27,937.00	-
(ii) Interest on investments	259,056.00	-	(xiv) Subscription expenses	526,117.00	142,503.00
<b>(5) RECOVERY OF ADVANCES FROM STAFF</b>	<b>660,432.00</b>	<b>572,078.00</b>	(xv) Expenses on Fees	-	-
(i) House building advances	23,781.00	5,100.00	(xvi) Auditors remuneration	5,000.00	-
(ii) Motor Car/ Personal computer advance/ Motor cycle advances	29,280.00	-	(xvii) Hospitality Expenses	31,175.00	-
(iii) Other Advances			(xviii) Professional Charges	91,739,720.00	43,280,682.00
Loan Instalment	56,200.00	52,200.00	(xix) News papers / Periodicals	44,877.50	35,107.00
Advances for Expenses	551,171.00	466,648.00	(xx) Irrevacable balances written off	-	-
Advances against Salary	-	48,130.00	(xxi) Advertisement & Publicity	1,939,357.00	413,536.00
			(xxii) Others		
			Bank Charges	1,930.00	3,665.00
			Office Expenses	482,270.00	429,047.00
			Canteen Expenses	205,762.00	155,414.00
			Rental for Equipment	146,429.00	83,469.00
			Consumable Office Equipment	12,346.00	19,194.00
			Vehicle Lease Rental	1,637,449.00	852,733.00
			Public Hearing Expenses	1,156,116.00	238,852.00
			Meeting Expenses	563,261.00	315,399.00
			Internet Expenses	655,218.00	683,070.00
			Web site Epenses	220,907.50	212,897.00
			Computer Expenses	485,597.50	563,818.00
			Reco Adjustment A/c round off	-	(238,855.00)
				0.04	-
			<b>(2) PAYMENTS MADE AGAINST FUNDS FOR VARIOUS PROJECTS</b>		
<b>BALANCE C/F</b>	<b>750,825,863.92</b>	<b>400,906,601.78</b>		<b>154,350,617.04</b>	<b>80,532,473.50</b>



RECEIPTS	Current Year 2009-2010	Previous Year 2008-09	PAYMENTS	Current Year 2009-10	Previous Year 2008-09
<b>BALANCE B/F</b>	<b>750,825,863.92</b>	<b>400,906,601.78</b>		<b>154,350,617.04</b>	<b>80,532,473.50</b>
<b>(6) RECOVERY OF CONTIGENT ADVANCES</b>	<b>1,373,087.00</b>	<b>1,324,000.00</b>	<b>(3) INVESTMENTS &amp; DEPOSITS MADE</b>	<b>6,388,140.00</b>	<b>51,200.00</b>
(i) Advance To PWD	-	-	(a) Investments	-	-
(ii) Advance to Supplies	1,372,087.00	1,324,000.00	(f) Out of Earmarked / Endown Funds	-	-
(iii) Other Advance	1,000.00	-	(ii) Out Of Own fund	-	-
			(b) Deposits	5,633,762.00	1,200.00
			(i) Security Deposits	654,378.00	-
			(ii) Earnest Money Deposits	100,000.00	50,000.00
<b>(7) TO OTHER DEPOSITS</b>	<b>324,780.00</b>	<b>2,062,496.46</b>	<b>(4) ADVANCE TO STAFF</b>	<b>605,429.00</b>	<b>594,885.00</b>
(a) Security Deposit	-	436,943.00	(i) House building advances	135,025.00	-
(b) Earnest Money Deposit	320,000.00	110,000.00	(ii) Motor Car/ Personal computer advance/Scooter / Motor cycle advances	-	-
(c) Any other Deposit	-	-	(iii) Other Advances	-	-
Telephone Deposit	4,780.00	5,553.46	Festival Advance	-	-
Other Deposits	-	1,510,000.00	Advance for Expenses	470,404.00	391,985.00
			Advance against Salary	-	202,900.00
<b>(8) TO REMITTANCES RECEIPTS</b>	<b>15,607,416.00</b>	<b>9,918,148.00</b>	<b>(5) RECOVERY OF CONTIGENT ADVANCES</b>	<b>1,532,860.00</b>	<b>1,353,500.00</b>
(a) Recovery from Deputationists	-	25,740.00	(i) Advance to PWD	-	-
(b) License Fees	6,852.00	4,340.00	(ii) Advance to Supplies	93,937.00	1,351,000.00
(c) Income Tax (TDS)	14,796,928.00	9,483,533.00	(iii) Other Advance	1,438,487.00	-
(d) Surcharge	-	-	Refund of Fees	436.00	2,500.00
(e) Sales Tax	-	-			
(f) Central Government Health Scheme	-	-	<b>(6) OTHER REMITTANCES</b>	<b>15,696,499.00</b>	<b>9,977,051.00</b>
(g) Postal life insurance	-	-	(a) GPF/CPF etc. recoverd from deputationists	56,500.00	25,740.00
(i) Any other	-	-	(b) License Fees	6,852.00	4,340.00
General Provident Fund	56,500.00	43,500.00	(c) Income Tax (TDS)	14,796,928.00	9,492,918.00
Group Insurance Scheme	4,440.00	5,040.00	(d) Central Government Health Scheme	-	-
Profession Tax	60,175.00	54,300.00	(e) Postal life insurance	-	-
MERC Employees CPF Share	498,487.00	301,695.00	(f) CGEGIS /CEEIS	4,440.00	5,040.00
HRA Recovered	134,623.00	-	(g) Any Other Recoveries	-	-
CPF Meda Employees Share	7,800.00	-	General Provident Fund	-	43,500.00
PPF MERC Employees Share	41,611.00	-	Loan Recovery Payment	56,200.00	52,200.00
Misc. Receipts	-	-	Profession Tax	60,175.00	54,300.00
			MERC Employees P F Contributions	498,487.00	299,013.00
			H.R.A. Recovered	134,623.00	-
			CPF Meda Employees Share	7,800.00	-
			PPF Contribution Employees	74,494.00	-
<b>(9) RECEIPTS AGAINST SALE OF ASSETS</b>			<b>(7) CONTRIBUTIONS</b>	<b>6,158,671.00</b>	<b>8,178,178.00</b>
(i) Mobile Handset	-	1000	(a) Pension & Gratuity Fund	-	-
(ii) Vehicles	-	-	(b) Leave Salary & pension Contribution	-	-
(iii) Telephone EPBX	-	-	(c) Other Contribution	-	-
			Grants To Ombudsman	6,158,671.00	8,178,178.00
			<b>(8) EXPENDITURE ON FIXED ASSETS</b>	<b>11,167,760.00</b>	<b>27,083,642.00</b>
			(a) Land	-	-
			(b) Building	-	-
			(c) Furniture & Fixtures	465,895.00	41,250.00
			(d) Machinery & Equipments/Electrical install.	159,489.00	25,740.00
			(e) Motor Vehicles	-	-
			(f) Books & Periodicals	172,828.00	50,700.00
			(g) Capital Work in Progress	-	-
			(h) Any Other	-	-
			Office Equipment	5,377.00	-
			Interior Renovation	249,664.00	-
			Computers	1,697,505.00	17,785,747.00
			Telephone Instruments	226,316.00	49,169.00
			(i) Purchase Of License for RIMS Project	8,190,686.00	9,131,036.00
			<b>(9) CLOSING BALANCE</b>	<b>572,231,170.88</b>	<b>286,441,316.74</b>
			(a) Cash on Hand	147.00	4,137.04
			(b) Bank Balances (SBI)	-	-
			(i) In Current A/C	(238,855.00)	-
			(ii) In Deposit A/C	404,000,000.00	285,000,000.00
			(iii) Savings A/C	168,469,878.88	1,437,179.70
<b>TOTAL (Rs)</b>	<b>768,131,146.92</b>	<b>414,212,246.24</b>	<b>TOTAL (Rs)</b>	<b>768,131,146.92</b>	<b>414,212,246.24</b>

FOR MAHARASHTRA ELECTRICITY REGULATORY COMMISSION

SECRETARY

MEMBER

CHAIRMAN







**MERC**

**Maharashtra Electricity Regulatory Commission**

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