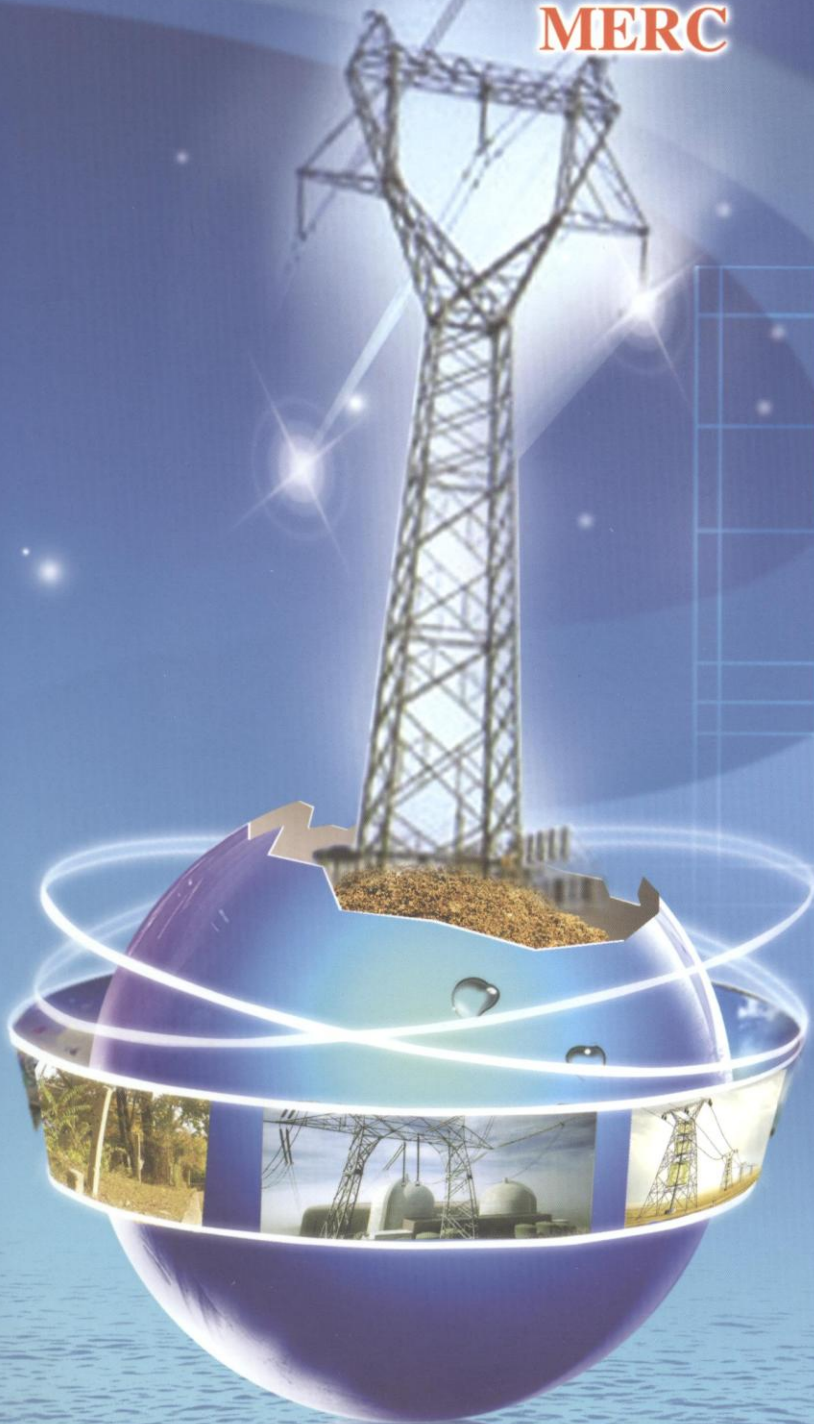




ANNUAL REPORT 2010-2011

MERC



Maharashtra Electricity Regulatory Commission

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

The Electricity Act, 2003 is a mandate for reform which aims at ensuring openness, transparency and accountability in the electricity sector. The Commission has been relentless in its efforts to attain this objective. The realization that it is the duty of every stakeholder to accelerate this process of fulfilling the mandate is still not as robust as expected. The Regulator is a catalyst of this process. Generators, transmission utilities, distributors, traders, power exchanges and consumers are provided a platform by the Regulator to liaise with each other and implement the reforms enunciated in the EA, 2003. I am happy to note that the Commission has spared no effort in this direction.

Though content, the Commission is certainly not complacent about the onerous responsibility it has been entrusted with and is aware of the trust reposed in it by the average consumer. Quality supply of power 24X7 at reasonable rates to all consumers is its motto.

Open Access, progressive reduction of Cross Subsidy and Parallel Licensing continue to be the three main areas of concern. It will be at variance with facts to say that no headway has been done. Still, much more needs to be done. A concerted and co-ordinated effort for achieving this objective is one of the thrust endeavours of the Commission. Reciprocating action by the various stakeholders will take this initiative forward.

Changing the mindset is the pre-requisite for this collective action plan. The past decade has witnessed a heartening journey towards openness, participation and transparency in the administration of the electricity sector. Many landmark decisions have been taken at various levels to entrench the gains in terms of implementation of the EA's mandate. In this process, new situations emerge which need to be handled with an eye to the future.

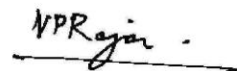
During the Current Year, the availability of electricity in Maharashtra was more satisfactory than earlier years. The water level in the Koyna project is better thanks to a Good monsoon. This will directly benefit the average consumer. The progress in augmenting the installed generation capacity in the Country has been remarkable. The target of capacity addition for the next Plan is ambitious but achievable if the present tempo continues. It has been estimated that the existing generation capacity in the Country will increase by a hundred percent within a decade. It is certainly welcome that Private sector involvement in bringing in investments in generation is on the rise.

Taking the reform agenda prescribed by the Electricity Act, 2003 is the ideal way forward to improve the electricity sector. Thankfully, the approach by various State Governments, the Union Government and the Regulators is developing into a co-ordinated march towards reaching the goal.

In 2010-11, the Commission has intensified its efforts to promote participation and have a dialogue with a larger slice of stakeholders in the decision-making process by holding as wide-based consultations as possible.

Another area in which concerted efforts are required is the reduction of Distribution Losses. Such losses are really very high in certain areas while in many other areas, consumer behaviour has been exemplary. It is high time to consider the situation whereby honest consumers are not penalized for no fault on their part. A major challenge facing the State is of strengthening the transmission network in Maharashtra and Mumbai in view of the constantly increasing demand. The Commission's initiative has made a headway in this direction but more efforts are needed. The Commission has taken the stand that it will clear all capital investment proposals in this regard after a diligent scrutiny expeditiously in accordance with STU plan and guidelines issued.

Overall, let me reiterate that the Commission will play its role of reforming the electricity sector in Maharashtra. It is pledged to translating the mandate of the Electricity Act, 2003 in the shortest possible time and with minimum shock to any stakeholder group in Maharashtra.



(V. P. RAJA)

COMMISSION'S 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 2010-11, the Commission conducted five meetings as under:-

- | | |
|------------------------------|---------------------------------|
| 1. 125 th Meeting | 2 nd July, 2010 |
| 2. 126 th Meeting | 19 th July, 2010 |
| 3. 127 th Meeting | 13 th August, 2010 |
| 4. 128 th Meeting | 1 st September, 2010 |
| 5. 129 th Meeting | 31 st March, 2011 |

STATE ADVISORY COMMITTEE

The State Advisory Committee held four meetings during 2010-11. The following major points were deliberated during the year 2010-11.

1. Ever-increasing electricity tariffs and load shedding

Emphasis was made for experience sharing with other generators, proper Demand Projection, entering into PPAs, procurement planning with close liaison with STU which will help to substantially improve the efficiency. It was also suggested that plenty of power is available in the grid at cheap rate, and MSEDCL may plan their power purchase accordingly which will facilitate mitigating the hardship to a large extent.

2. Cross Subsidy

A presentation was made detailing (i) the progress made so far, (ii) summary of draft Regulations, (iii) comments received on the draft Regulations, (iv) way-ahead, and (v) the provisions of the Electricity Act 2003, National Electricity Policy, Tariff Policy, ATE directions to reduce all above cross subsidies and bring it within +/- 20% of the average cost of supply.

The average cost of supply method was proposed in the draft Regulations. The said method does not give proper evaluation of cost of supply. It was suggested that Cost of Supply should be voltage wise and separately evaluated for different categories of consumers in the State considering cost of services, transmission and distribution losses, etc. The cost of supply based on voltage and categories shall be the correct signal for reduction of cross subsidies and determination of tariff.

Shri N.D. Patil brought to the notice that problems relating to the agricultural sector were more or less ignored either in cross subsidy reduction, approach papers and Regulations. He further opined that the agricultural consumers are the most affected on

account of the Load Shedding in the State. They are not getting sufficient supply to lift the water for irrigation purposes. Though the National Agriculture Pricing Policy prescribed certain minimum basic price of agriculture products, the same are not implemented as per the recommendations. CACP is the statutory authority to determine the minimum support price for agriculture products.

MSEDCL was of the opinion that the matter requires preliminary consultation with all Licensees and other stakeholders as there are larger issues to be addressed. Further, since the entire issue is also based on the grant of Government subsidy, the matter needs to be discussed with State Government in Planning and Finance Department. While finalizing the draft, the issue of restricted supply of electricity is also required to be kept in mind.

The matter of cross subsidy and open access is very much inter-related and need to be looked together. It was decided to form a technical committee under the Chairmanship of Shri V.L. Sonavane, Member, MERC.

3. Parallel Licensing

Detailed presentation spelling out issues such as (i) segregation of wires and retail supply, (ii) tariff related issues, (iii) fixing of retail supply margin, (iv) migration of subsidising consumers and financial implications, (v) operating procedures for changeover, followed by a discussion was held. A general opinion was that Open Access Regulations would be able to meet the wires and retail supply business, which is the distribution business. Issues of fixing upper cap tariff, cherry-picking of consumers, etc., need to be addressed.

4. Open Access

Discussions on the issue of Open Access were held during various meetings of the SAC. Keeping in mind the Model Terms and Conditions of Intra-State Open Access Regulations, 2010 issued by the Forum of Regulators (FOR), set up by the Central Electricity Regulatory Commission and the suggestions / issues arose during the meetings of the Sub-Committee formed by the Commission, the drafts of (i) MERC (Distribution Open Access) Regulations, and (ii) MERC (Transmission Open Access) Regulations, have been prepared. These two drafts have been put up on the MERC's website for comments from stakeholders.

5. Empanelment of Consumer Representatives

As discussed in the earlier meetings of the SAC, a Discussion Paper "Enlistment / Empanelling of Consumer Representatives by MERC: Authorisation to Persons (Organisations and Individuals) to represent

the interests of consumers in the proceedings before the Commission" has been published.

6. Other items:

- a) The Members / Special Invitees desired to keep on record the immense contribution of Shri S.B. Kulkarni towards the power sector, particularly to the development of Regulatory Framework in Maharashtra, who demitted his office as Member, MERC in September, 2010, and gave him a standing ovation.
- b) Members were informed that the MERC has started its own Newsletter "SHALAKA". The Chairman inaugurated the first News Letter during the SAC Meeting held on 24th September, 2010, copies of which were also circulated to all present.
- c) It was observed that there is a huge demand-supply gap in the State of Maharashtra, which needs to be bridged. Entering into PPAs with various new generating stations in the adjoining States like Gujarat, Madhya Pradesh, Chattisgarh should be explored. Augmentation of the present transmission system network, demanding substantial capital investment, by all Utilities / Licensees needs urgent attention.
- d) The MYT Regulations, has already notified on 4th February, 2011 and would be implemented from next year i.e. from 1st April, 2011 onwards and requested for cooperation from all. All Utilities to start working on their Business Plans which is a mandatory requirement under the proposed MYT Regulations so as to avoid further delay.

TAJIKISTAN-KYRGYZSTAN DELEGATION'S VISIT TO MERC

A delegation from Tajikistan and Kyrgyzstan visited the MERC on 18 November 2010. It consisted of representatives from civil society, electric companies and government / regulatory agencies. Members of the delegation had been associated with Electricity Governance Initiative (EGI), a collaborative effort of World Resources Institute and Prayas for promoting 'good governance' in the electricity sector. The purpose of the visit was to conduct an assessment of electricity governance in respective countries to identify key weakness and strengths in electricity sector decision-making in terms of transparency, capacity, accountability and public participation.

MERC Chairman, Shri V. P. Raja, welcomed the delegates and took them through the emergence of the electricity sector, the challenges before it and the regulatory process enunciated by the Electricity Act, 2003. The objective of the interaction was fulfilled to the satisfaction of the

delegates, who asked many questions about the working of the electricity sector in India. Shri Raja and Shri Vijay Sonavane, Member-MERC, presented a perspective of the electricity sector which is now growing fast in the atmosphere of transparency and public participation. They also highlighted the benefits of the open regulatory processes, the challenges ahead and the Commission's experience in managing such open, transparent processes.

NIGERIAN ELECTRICITY REGULATORY COMMISSION VISITS MERC

A delegation of the Nigerian Electricity Regulatory Commission (NERC) visited the Maharashtra Electricity Regulatory Commission (MERC) on 27 September 2010 for a Study Visit. Shri V.L.Sonavane, Member-MERC, received and welcomed the delegation.

The delegation was the Steering Committee for the development of an Accounting Standard and Uniform System of Accounts for the Nigerian Accounting Standards Board (NASB), the body statutorily mandated to develop accounting standards in Nigeria. The Committee consisted of officials from the NERC, NASB and the state-owned utilities in generation, transmission and distribution. Some IPPs, too, were part of the delegation.

Shri Sonavane made a comprehensive presentation to acquaint the delegation with the working of MERC. He succinctly outlined the various issues relevant to the power sector in India and to Maharashtra in particular. Members of the delegation asked several questions to understand the role and contribution of MERC

CAPACITY BUILDING INITIATIVE IN POWER SECTOR

The economic reforms initiated in 1991-92 led to a paradigm shift in the key sectors of the economy started performing. The idea was to introduce multiplicity of players for the providing of various goods and services and to appoint a regulator, who acts as an umpire/referee. Regulators have been appointed for almost all sectors. The job of regulator in any field is to ensure a level playing field to existing and new entrants, functioning as a referee to protect the consumer interests. Thus, regulators have the challenge of balancing consumer interest with that of service providers. In addition, they have also to ensure the viability of the structure.

The Regulatory regime is new to the nation. There is huge deficiency of skilled manpower in Regulatory sector. The Commission is amongst the first to recognize this knowledge gap and appointed Regulatory Officers and SRAs. The Commission has further launched a series of multi-pronged initiatives to bridge this knowledge gap. This will establish, nurture and sustain an HRD system in the

commission and in the utilities that will ensure the dissemination of knowledge on the electricity Regulation and the emerging electricity markets to all stakeholders. This will further enable the electricity system in the state to recruit, train and retain technically skilled manpower.

1. Initiatives undertaken by MERC during 2010-11:

- Workshops on Concepts and Processes in Electricity Regulation was conducted at YASHADA, Pune and KJ Somaiya Institute of Management in 2010 and 2011, respectively.
- 2nd six-month Post Graduate Diploma in Electricity Regulation to create awareness and understanding of the issues related to the power sector was conducted by World Trade Institute, World Trade Centre, Mumbai. The third one is in progress at WTI currently.
- A 20-week Certificate Course in the Economics of Energy Sector was conducted at the KJ Somaiya Institute of Management Studies for professionals in energy sector.
- As part of the SIIB's (Symbiosis Institute of International Business) MBA programme on Energy and Environment, a capsule on electricity regulation was introduced at MERC's instance.

2. Future Programmes:

Recognizing the multidisciplinary nature of the competencies required among regulatory staff, MERC has initiated a dialogue with SIMR Mumbai and SIIB Pune for the following courses:

- A six-month certificate course on Financial Management for power sector professionals. A 25-week certificate course on legal literacy for regulators is in process.

3. Future Vision - Consolidation of fragmented approaches:

Having established the potential viability and the interest of technocrats and educational institutions for courses that provide much-needed domain knowledge for discharging regulatory functions efficiently, it is now time to consolidate these efforts towards establishing a multidisciplinary course on the lines of induction courses at IAS /IRS academies.

DEMAND SIDE MANAGEMENT

Progress of the approved DSM Programme:

AG-DSM Programme

Agriculture is one of the prime important sector in Indian Economy So, the Commission had approved the Pilot programme on Agriculture DSM for MSEDCL in March

2010. MSEDCL in aegis with Bureau of Energy Efficiency (BEE) had started implementing first kind of pilot AG-DSM programme in the country. Once the pilot project is demonstrated successfully this can be replicated all over the country. The estimated savings are about 10.1MU. The pilot programme consists of replacement of 3500 pumps and estimated cost of programme is about 7.06 Crs. MSEDCL got good response from the participants and so far MSEDCL has replaced 117 high efficient Agricultural pumps at their sites. Many farmers have also come forward for signing agreement with MSEDCL. The Energy Saving guaranteed by the Agriculture Implementing Agency (AgIA) is about 38%. AG-DSM Program improves power supply quality and helps to reduce the technical and commercial losses.

T-5 FTL Programme

The Commission approved the programme of replacing conventional T-8 and T-12 tube-lights with T-5 FTL for TPC-D, R-Infra-D, BEST Undertaking. R-INFRA -D and TPC-D have finalised their vendor and about 1,50,000 Nos. tube-lights are replaced in this Programme. BEST undertaking is also in the process of finalising T-5 FTL programme which will reduce consumption of power and subsequently the electricity bills of the consumers.

CF- Programme

The Commission approved Energy Efficient BEE-star rated Ceiling Fan pilot Programme for TPC-D for 2000 Nos., R-INFRA for 5000 Nos. and BEST for 5000 Nos. TPC-D has completed the tendering process and has finalised the process for vendor and product selection. TPC-D had communicated about this project through electricity bill by separate attachments to 32800 customers and replaced more than 1500 ceiling fans up to January 2011. R-INFRA-D has completed technical and commercial bid evaluation, and appealed their consumers through media for participation in the programme.

Window AC Programme

Commission approved Energy Efficiency Window A/C programmes for BEST Undertaking, TPC-D and R-Infra-D approx. 200 Nos. of A/C for each. R-Infra-D signed MoU with manufacturers and installation of A/C would be started from April 2011 onwards. Similarly, in case of TPC-D installation of 5 star rated A/C at consumer premises is in process.

Thermal Storage Programme

Thermal storage Programme is the process of storage of ice/chilled water, chilled during off peak hours when power is cheaper and used later, during peak hours when power is not available/expensive. The Commission approved

about 5000 Tones of air-conditioning capacity for TPC-D, R-Infra –D and BEST Undertaking. These utilities are expediting this programme under the guidance of the Commission. Thermal storage should be encouraged for all new buildings, with the help of the utility at consumer premises. This is a unique programme for Mumbai Metro city to bring down the peak load or shift the Peak-load to off peak hours. Shifting of Crucial peak load to the off-peak duration on the Mumbai grid will reduce the utility expenditure for the expensive power purchase and in turn will reduce the overall retail tariff.

Replacement of old Refrigerators by Energy Efficient Star rated Refrigerators

This is a unique programme which the Commission had approved for the R-Infra-D where Energy Efficient Refrigerators are promoted without having direct rebate to the Consumers. R-Infra-D has proposed to replace the 10000 Nos. of old inefficient Refrigerators.

Real Time DSM Programme

Real time DSM Programme–The consumer would be informed in real time about the changes in, prices, usage and peak demand situation. This would boost their confidence and increase their participation in “Continuous Conservation of power”.

M/s Reliance Infra, submitted a new proposal on replacement of electric Geysers for the approval of the Commission. The programme includes, replacement of 1000 Nos. of Electric Geysers by Gas Geysers. The mechanism itself is carbon neutral and reduces overall tariff and saves about 0.45 MU/Months. The target of R-INFRA-D to replace 1000 Electric Geysers by Gas geysers will reduce the Electricity bill. The programme is under consideration of the DSM- Consultation committee which has been formed under the notification of the MERC DSM-Regulations 2010.

RENEWABLE ENERGY

India is endowed with vast solar energy potential. About 5,000 trillion kWh per year energy is incident over India's land area with most parts receiving 4-7 kWh per sq. m per day. Hence both technology routes for conversion of solar radiation into heat and electricity, namely, solar thermal and solar photovoltaic, can effectively be harnessed providing huge scalability for solar in India. But Solar potential depends upon the available barren land.

We can also implement the small solar power plant connected to less than 11 kv grid as a Roof top Solar Photovoltaic and other Small Solar applications. Solar also provides the ability to generate power on a distributed basis and enables rapid capacity addition with short lead times. Off-grid decentralized and low-temperature applications will

be advantageous from a rural electrification perspective. This will help to meet other energy needs and heating and cooling in both rural and urban areas. The constraint on scalability will be the availability of space, since in all current applications, solar power is space intensive.

On the onset of Solar development in the Maharashtra State, in order to boost the solar based power projects which are in nascent stage of development, on June 7, 2010, the Commission notified the Maharashtra Electricity Regulatory Commission (Renewable Purchase Obligation, its compliance and Implementation of REC framework) Regulations, 2010. As per the Regulation 7.1 of these Regulations, “Every Obligated Entity” shall procure electricity generated from eligible renewable energy sources at the percentages as per the following schedule:-

Year	Minimum Quantum of Purchase (in %) from renewable energy sources (in terms of energy equivalent in kWh)		
	Solar	Non-solar (other RE)	Total
2010-11	0.25%	5.75%	6.0%
2011-12	0.25%	6.75%	7.0%
2012-13	0.25%	7.75%	8.0%
2013-14	0.50%	8.50%	9.0%
2014-15	0.50%	8.50%	9.0%
2015-16	0.50%	8.50%	9.0%

The MERC has also notified the MERC (Terms and Conditions for Determination of RE Tariff), Regulations, 2010 on June 7, 2010. Under Regulation 8 of these Regulations, the Commission issued the Suo-Motu Order on July 14, 2010, in the matter of Determination of Generic Tariff. By this Order, the levelized tariff for different Renewable Energy projects has been determined. These Regulations and Order are available on Commission's website.

In order to promote the different renewable energy sources and as mandated under section 86 (1) (e) of Electricity Act, 2003, the Commission by Order dated September 03, 2010 in Case No. 65/2009 determined the levelized Tariff of Rs.4.88 kWh for Municipal Solid Waste based Power Plant of M/s. Solapur Bioenergy System Pvt. Ltd., These Tariff will remain applicable for the periods of 20 years in Maharashtra State.

GRANT OF LICENSE

Application of Maharashtra Eastern Grid Power Transmission Company Ltd for grant of Transmission License for development of Intra State Transmission System under Section 14 of Electricity Act, 2003 (Case No. 118 of 2009)

M/s Maharashtra Eastern Grid Power Transmission Company Ltd. (MEGPTCL) a proposed Joint Venture Company between Maharashtra State Electricity Transmission Company Ltd. (“MSETCL”) and Adani

Enterprises Ltd. ("AEL") submitted an application in accordance with MERC (Transmission Licence Conditions) Regulations, 2004 as amended in 2006 ("Transmission Licence Conditions Regulations") for grant of Transmission License for development of 765 KV Intra-state Transmission Network in the eastern part of the state of Maharashtra comprising of 2 x 765 kV S/C Tiroda-Koradi-Akola-Aurangabad lines along with associated substations and bays to evacuate power from the upcoming five power plants with total capacity of 8100 MW by the year 2013-14. The Technical Validation Session ("TVS") in the matter was held on April 17, 2010. The Commission conducted public hearing in the matter on August 17, 2010 and issued its order on September 14, 2010 granting Transmission license No. 1 of 2010 to MEGPTCL. The Commission opined that MEGPTCL satisfies the technical, commercial and financial requirements to qualify for grant of license to undertake transmission license in accordance with MERC (Transmission Licence Conditions) Regulations, 2004 as amended in 2006.

Application of M/s Sinnar Power Transmission Company Ltd for grant of Transmission Licence for development of the transmission system comprising of (a) 400 kV D/C Quad Moose Transmission Line from Sinnar TPP to Babhaleshwar Sub-Station. (b) two nos. 400 kV line bays at Babhaleshwar Sub-station under Section 14 of Electricity Act, 2003 (Case No. 31 of 2010)

M/s. Sinnar Power Transmission Company Limited ("SPTCL"), a proposed Joint Venture Company between Maharashtra State Electricity Transmission Company Ltd. ("MSETCL") and Indiabulls Realtech Limited ("IRL") submitted an application on July 20, 2010 in accordance with Section 14 of Electricity Act, 2003 ("EA 2003") and MERC (Transmission Licence Conditions) Regulations, 2004 as amended in 2006 ("Transmission License Conditions Regulations") for grant of Transmission License for development of the transmission system comprising of (a) 400 kV D/C Quad Moose Transmission Line from Sinnar TPP to Babhaleshwar Sub-Station. (b) Two nos. 400 kV line bays at Babhaleshwar Sub-station. The Technical Validation Session ("TVS") in the matter was held on September 21, 2010. The Commission conducted public hearing in the matter on December 20, 2010 and issued its order on December 28, 2010 granting Transmission license No. 2 of 2010 to SPTCL. The Commission opined that SPTCL satisfies the technical, commercial and financial requirements to qualify for grant of license to undertake transmission license in accordance with MERC (Transmission Licence Conditions) Regulations, 2004 as amended in 2006.

Application of M/s Amravati Power Transmission Company Ltd for grant of Transmission Licence for development of the transmission system comprising of (a) 400 kV D/C Quad Moose Amravati TPP – Akola

S/S Transmission Line. (b) LILO of 400 kV S/C Akola to Koradi Transmission line at Amravati TPP. (b) 2 nos. 400 kV line bays at MSETCL Akola Sub-station under Section 14 of Electricity Act, 2003 (Case No. 32 of 2010)

M/s. Amravati Power Transmission Company Limited ("APTCL"), a proposed Joint Venture Company between Maharashtra State Electricity Transmission Company Ltd. ("MSETCL") and Indiabulls Realtech Limited ("IRL") submitted an application on July 20, 2010 in accordance with Section 14 of Electricity Act, 2003 ("EA 2003") and MERC (Transmission Licence Conditions) Regulations, 2004 as amended in 2006 ("Transmission Licence Conditions Regulations") for grant of Transmission License for development of the transmission system comprising of (a) 400 kV D/C Quad Moose Amravati TPP – Akola S/S Transmission Line. (b) LILO of 400 kV S/C Akola to Koradi Transmission line at Amravati TPP. (b) 2 nos. 400 kV line bays at MSETCL Akola Sub-station. The Technical Validation Session ("TVS") in the matter was held on September 21, 2010. The Commission conducted public hearing in the matter on December 20, 2010 and issued its order on 30 December, 2010 granting Transmission license No. 3 of 2010 to APTCL. The Commission opined that APTCL satisfies the technical, commercial and financial requirements to qualify for grant of license to undertake transmission license in accordance with MERC (Transmission Licence Conditions) Regulations, 2004 as amended in 2006.

Application of Maharashtra State Electricity Distribution Co. Ltd. (MSEDCL) and Mula Pravara Electric Co-Operative Society Ltd.(MPECS) for grant of Distribution License for MPECS area of supply (Case 85 of 2010 & Case 87 of 2010)

As the Distribution Licence of MPECS was expiring on 31st January 2011, the MERC vide its Notice dated 28th July 2010, pursuant to Section 86 (1) (d) read with Section 14 of EA 2003, invited "Expression of Interest" ("EoI") from prospective applicants including consortium/joint ventures with expertise in electricity distribution to indicate their interest in undertaking distribution of electricity in the MPECS area of supply and to seek grant of distribution Licence in connection therewith. The combined Technical Validation Session ("TVS") in the matter was held on December 2, 2010 in the presence of both applicants i.e. MSEDCL & MPECS. The Commission conducted public hearing in the matter on January 14, 2011 and issued its order on January 27, 2011. On the basis of the three criteria i.e. Experience and Technical Capability, Power Procurement Plan, Capital adequacy and Credit worthiness, the Commission rejected the Distribution Licence Application of MPECS. As MSEDCL is able to satisfactorily meet all the three criteria as discussed above, Commission decided to grant the licence to MSEDCL in

terms of Section 14 of the EA 2003 to distribute electricity in the concerned area effective from 1st February, 2011. The Commission directed MPECS, to hand over their complete distribution network and allied equipments and assets to MSEDCL. MPECS will however be entitled to claim value of the assets handed over.

MERC (MULTI YEAR TARIFF) REGULATIONS, 2011

Background

The Electricity Act, 2003 (EA 2003) requires the Regulatory Commissions to be guided by Multi-Year Tariff (MYT) principles while specifying the Terms and Conditions for determination of tariff. Subsequent to the notification of the MERC Tariff Regulations, 2005, Central Electricity Regulatory Commission (CERC) has notified the CERC Tariff Regulations for the Control Period from April 1, 2009 to March 31, 2014, and the National Electricity Policy and the Tariff Policy have been notified by the Ministry of Power, Government of India, which provide the guidelines for determination of the Revenue Requirement and tariff. The MERC also desired to incorporate the learnings of the first Control Period in the revised MYT Regulations. Hence, MERC decided to formulate the MERC MYT Regulations, after undertaking due consultation with all stakeholders.

Salient Features

The MYT Regulations are Performance Based Regulations, with due regard being given to operational efficiency, and replace the present method of annual tariff determination with a multi-year tariff framework, wherein the tariffs will be allowed to change only due to change in the values of selected parameters in a pre-determined manner. Another major problem faced by the Utility Companies, is the lack of long-term planning discipline. The MYT Regulations require the submission of a 5-year Business Plan, which will inter-alia require the Utilities to project the demand-supply scenario, the power procurement plan, and capital investments required to achieve the desired operational efficiency and meet load growth requirements over the 5-year period, rather than operating with a short-term outlook. The next Control Period of five years will commence on April 1, 2011 and continue upto March 31, 2016.

Unless the distribution licensees enter into long-term or medium-term contracts at optimum rates for the required quantum of power, there will always be a trade-off between shedding load or procuring costly power under short-term contracts to mitigate the load shedding, which will result in higher tariffs. The objective of having a long-term plan is to ensure that load shedding is avoided to the extent practicable, and adequate capacity is contracted under long-term/medium-term/short-term contracts as appropriate at optimum prices, to ensure that the

consumers are supplied electricity on 24 x 7 basis, and the tariffs are also reasonable. The Investment Plan shall be a least cost plan for undertaking investments for strengthening and augmentation of the operations of the Utility, as applicable for Generation Companies, Transmission Licensees, and Distribution Licensees.

Under the MYT Regulations, the controllable factors and uncontrollable factors and their treatment has been specified. The impact of uncontrollable factors are a pass-through element in tariffs, while the impact – gain or loss – on account of controllable factors, has to be shared between the Utility and the consumers in the specified manner.

The MYT framework is based on the following elements:

- (i) Submission of a detailed Business Plan and ARR and MYT Petition for each year of the Control Period of 5 years;
- (ii) The trajectory for specific variables has been specified by the Commission, where the performance of the Applicant is sought to be improved through incentives and disincentives;
- (iii) Mid-term review of performance vis-à-vis the approved forecast and categorization of performance variations as controllable factors and uncontrollable factors, shall be undertaken by MERC;
- (iv) The mechanism for pass-through of approved gains or losses on account of uncontrollable factors as specified by MERC;
- (v) The mechanism for sharing of approved gains or losses arising out of controllable factors as specified by MERC;
- (vi) Tariff will be determined for the entire Control Period at the beginning of the Control Period.
- (vii) The gain or loss to the Distribution Licensee on account of uncontrollable factors shall be passed through as an adjustment in the tariff of the Licensee on a half yearly basis through the 'Z' factor.

The MYT Regulations have also addressed the operational norms and financial principles for the Generation, Transmission, Wires and Supply Business, separation of accounts of Wires and Supply Business to facilitate Open Access and increase the level of competition, which in turn, will result in improved quality of supply and reduction in tariffs.

Benefits to Consumers & Utility Companies

The MYT framework is designed to:

- **Provide regulatory certainty** to the Utilities, investors and consumers by promoting

transparency, consistency and predictability of regulatory approach, thereby minimizing the perception of regulatory risk.

- **Address the risk sharing mechanism** between Utilities and consumers based on controllable and uncontrollable factors.
- **Ensure financial viability of the sector** to attract investment, ensure growth and safeguard the interest of the consumers.
- **Reflect the recent developments** and actual performance in the first Control Period while determining the operational norms for Generation, Transmission, Distribution and Supply businesses.
- **Promote operational efficiency.**
- **Rationalise tariffs in the long-term.**

LOAD SHEDDING

Withdrawal of load shedding in the Thane II Urban Region including Kalwa sub-division (Case No. 89 of 2009)

MSEDCL has submitted a Petition for including Kalwa Subdivision in ZLS model approved for Thane II Urban Region and approval of additional reliability charges for the same. The Commission conducted a Public hearing at Thane and issued the Order in Case No. 89 of 2009 on 24th May 2010 which allows withdrawal of Load Shedding in Kalwa Subdivision with payment of 41 paisa / unit as a reliability charges.

Increase in 3 phase availability for Load Management Schemes during Water Rotation Period (Case No. 12 & 48 of 2009)

MSEDCL filed a Petition in Case No. 12 of 2009 for seeking approval for increasing 3 phase availability of Load Management Scheme during the water rotation period in Sangmner Division and for compensating the burden of increase in 3 phase availability within the same Division. Dr. Shushilkumar and Sukhdeo Rahangadale and others filed a Petition in Case No. 48 of 2009 for cancellation of Load Shedding on Lift Irrigation Scheme on Express Feeder. The Commission conducted several combined hearing in these matters and also included Secretary, Maharashtra Water Resource Regulatory Authority as a special Invitee in these matters. After due regulatory process, the Commission issued the Combined Order in both the matters on 9th September 2009. The salient features of the Order included

- The Commission appreciates the sentiment that standing crops should not be affected due to non-availability of power. Agricultural being a productive sector and also being an important factor of the rural economy, non-availability of power should not

be one of the reasons for lower agricultural production

- 3 phase availability of Agricultural Load Management schemes in Sangamner Taluka of Nasik District and Warora Taluka of Chandrapur District shall be increased from 8 hours to 11 hours only during water rotation period and burden of the same should be adjusted in the same Division
- For all other cases, whenever such requirement of increase in 3 phase availability of Agriculture Load Management schemes along with consent from the affected stakeholders/local farmers for bearing the increased in Load Shedding for adjusting such increased availability. MSEDCL may take necessary steps following the principles approved in this case.
- The Commission directs MSEDCL that their field Officers should attend the "Canal advisory Co-ordination Committee" meeting every year for coordination of Load Shedding hours with water rotation period of respective Irrigation Circle project to ensure that the practical difficulties are explained before the Committee, and a feasible solution is arrived at.

Extension of applicability of Order in the matter determination of Additional Supply Charges for withdrawal of Load Shedding in the Headquarters of Revenue Divisions in MSEDCL Licence Area in Case No. 31 of 2009 (Case No. 76 of 2010 Order dated 26.11.2010 & 24.02.2011)

The Commission had issued an Order dated November 30, 2009 in Case No. 31 of 2009 in the matter of MSEDCL's Petition for determination of Additional Supply Charge for withdrawal of Load Shedding in the Headquarters of Revenue Divisions in MSEDCL Licence Area. This Order was applicable for a period of 12 months, from December 1, 2009 to November 30, 2010.

MSEDCL thereafter submitted a Petition on November 1, 2010, numbered as Case No. 76 of 2010, to seek extension of the aforesaid Order dated November 30, 2009 in Case No. 31 of 2009 for the continuation of Zero Load Shedding (ZLS) in the Headquarters of Revenue Divisions in MSEDCL Licence Area. On preliminary examination of this Petition, the Commission had found that certain additional data was required to be submitted by MSEDCL as a part of the said Petition for which MSEDCL would have required additional time for submission of the said data. Therefore, the Commission vide its Order dated November 26, 2010 extended the applicability of the aforesaid Order dated November 30, 2009 in Case No. 31 of 2009 for a period of three months i.e., with effect from

December 1, 2010 to February 28, 2011 or till the final order in Case No. 76 of 2010 is issued, whichever is earlier.

Further, a hearing in Case No. 76 of 2010 was held on December 16, 2010. During the said hearing, inclusion of Nasik Division Headquarter was suggested. Subsequently, MSEDCL in its proposal has included Nasik Division Headquarter. The proceeding in Case No. 76 of 2010 was underway and requires additional time for passage of final orders. As the aforesaid Order dated 30th November, 2009 was issued after hearing various stakeholders throughout the State of Maharashtra and after recognising their support for the ZLS model, non-continuation of the said model by efflux of time will make consumers suffer Load Shedding. Hence, in public interest, the Commission further extends the applicability of the aforesaid Order dated November 30, 2009 in Case No. 31 of 2009 read with Order dated November 26, 2010 for a further period of four months i.e., with effect from March 1, 2011 to June 30, 2011 or till the final order in Case No. 76 of 2010 is issued, whichever is earlier.

Withdrawal of load shedding in Gadchiroli District (Case No. 25 of 2010)

MSEDCL submitted a Petition in Case No. 25 of 2010, for seeking permission for withdrawal of Load Shedding in Gadchiroli District with the objective of helping the peoples in Naxalite affected area. The Commission in its Order dated 15th December 2010, appreciated the Objectives of MSEDCL, however it has been clarified that, it would be unfair to make consumers in other parts of the State to bear the costs of additional power requirement of MSEDCL for enabling it to withdraw the Load Shedding in Gadchiroli District. Further, in the same Order, MSEDCL was directed MSEDCL to approach Govt. of Maharashtra for funding withdrawal of Load Shedding in Gadchiroli District and thereafter file a fresh Petition in the matter.

Withdrawal of load shedding for Villages within 5 kms area around Major Generating Power Stations in Maharashtra (Case. No. 94 of 2010).

MSEDCL submitted a Petition in Case No. 94 of 2010, seeking the Commission's permission for withdrawal of load shedding for villages within 5 kms area around Major Generating Power Stations in Maharashtra. The Commission in its Order dated 10th February 2011, appreciated MSEDCL's proposal however MSEDCL was directed to clarify the following issues:

- whether Distribution Licensee or Generating Company has social responsibility for withdrawing load shedding in the area around the Power Station;
- how to determine 5 kms boundary;

- who will bear the cost of infrastructure required for isolation of feeders supplying power to villages within 5 kms boundary;
- up to which capacity of power plants to be covered;
- how to apply this proposal to Central Sector Power Plants or Private sector power plant etc.

As the issue of withdrawing load shedding for villages around Major Generating Power Stations is the matter of decision involving public interest at large and such matters can only be determined in consultation with the State Government, therefore, the Commission directed MSEDCL to approach the Secretary (Energy), Government of Maharashtra to discuss the aforesaid issues and after consultation with the Govt. of Maharashtra, MSEDCL could file a revised Petition in the matter.

OPEN ACCESS

Case No. 06 of 2010 In the matter of Petition filed by M/s. Sunfresh Agro Industries Pvt. Ltd. under Sections 42(3) and 43 of the Electricity Act, 2003 and Regulations 3 and 18(2) of the MERC (Distribution Open Access) Regulations, 2005 and Regulations 92-94 of the MERC (Conduct of Business) Regulations, 2004.

- The Commission vide its notice dated 11th May 2010, scheduled an admissibility hearing in the matter, on 22nd June, 2010. The Commission also directed the Respondents to file their replies, if any, to the Petition with a copy served to the Petitioner and consumer representatives. The respondent No.2 filed a reply on the date of hearing. No reply has been filed by Respondent No. 1.
- In the admissibility hearing held on 22nd June 2010, Shri Amit Jajoo Advocate represented the Petitioner and Shri Mridul Chakravarty Advocate, with Shri Sunil Galande, Shri V.K. Pandit, and Shri R.V. Dandapur represented the respondent No. 1 and Shri R.G. Sonwane, SE (Commercial) was present on behalf of Respondent no.2.
- During the hearing the Petitioner's advocate reiterated the facts and submissions made in the petition. The Petitioner submitted that they are expanding the project and to start the operations of the said expansion of the plant, they are in urgent need of additional supply of electricity.
- The Respondent No.2, MSEDCL, in its reply dated 21.06.2010 admitted that, they are ready to supply power through Open Access as desired by the Petitioner in accordance with MERC (Distribution Open Access) Regulations, 2005 and the directives of the Commission in this behalf.
- The Commission is of the view that the

Commission requires to go into these issues where Section 42 (3) and 43 of the EA2003, laying down the duty of distribution licensees with respect to supply to be of a common carrier providing non-discriminatory open access, and duty to supply on request, respectively, has been invoked and the Commission has been called upon to enforce the provisions thereof. It is obligatory for MPECS, being a Distribution Licensee, to give additional supply of electricity on application to such premises within the timeframe stipulated in Section 43 of the Electricity Act, 2003.

Case No. 27 of 2010 In the matter of Petition filed by M/s. Prabhat Dairy Private Ltd. under Sections 42(3) and 43 of the Electricity Act, 2003 and Regulations 3 and 18(2) of the MERC (Distribution Open Access) Regulations, 2005.

- The Commission vide its notice dated 20th July 2010, scheduled a hearing in the matter, on 3rd August, 2010. The Commission also directed the Respondents to file their comments, if any, to the Petition with a copy served to the Petitioner and consumer representatives. The Respondent No.2 filed a reply on the date of hearing i.e. 3rd August 2010, and Respondent No.1 filed a reply on 17th August 2010.
- Regulation 3.1 of the Maharashtra Electricity Regulatory Commission (Distribution Open Access) Regulations, 2005 specifies that a consumer is eligible to seek open access only when his Contract Demand is "not less than 1 MVA".
- The Commission has observed that though the present requirement is not of 1 MVA but as the process picks up, it will exceed 1 MVA, hence the Commission Order _Case No. 27 of 2010 is inclined to exempt the petitioner from the present eligibility requirement to seek Open Access through MSEDCL as MPECS is unable to cater to the future requirement / load growth of the Petitioner. The Commission therefore exempts the Petitioner whose premises are situated within the area of supply of MPECS, a Distribution Licensee, from the application of Regulation 3 (Eligibility to seek open access) for availing open access.
- MSEDCL should give power under Open Access to the Petitioner using the MPECS network for which petitioner will be paying wheeling charges as may be fixed by the Commission.
- The Commission directs MPECS to facilitate Open Access arrangements to the Petitioner immediately and within the time frame specified in the Standard of Performance Regulations, failing

which the provisions of compensation provided in Standard of Performance Regulations will be attracted. As regards the wheeling charges for Open Access, MPECS may file a Petition before the Commission for determination of wheeling charges. Non finalization of wheeling- charges cannot be the reason or excuse for not providing Open Access to the Consumers/Applicant.

- There are directions to both the Respondents, compliance of which shall be reported to the Commission within thirty days from the date of Order.

TARIFF ORDERS

RInfra-G's Petition for approval of Truing up for FY 2008-09, Annual Performance Review for FY 2009-10 and Determination of Tariff for FY 2010-11 (Case 99 of 2009)

- The Commission considered the impact of ATE Judgment in Appeal No. 111 of 2008 and reviewed the Fixed costs for FY 2006-07 and 2007-08 approved earlier by its Tariff Order
- The Commission directed the utility to furnish satisfactory explanations substantiating its claim regarding all items of Fixed Costs incurred. Wherever the utility was not able to furnish the same, e.g. in the matter of claiming Interest on Working Capital, the Commission disallowed such expenditure.
- The Commission reviewed the actual performance data for first half of the year, i.e., April to September 2009 and revised estimate of performance for the second half of the year, i.e. October 2009 to March 2010.as submitted by RInfra-G regarding the identified key performance parameters such as Heat Rate, Auxiliary consumption, availability, PLF and Transit Loss of coal fuel and approved the same after applying the Regulatory criteria.
- The Commission directed the Utility to submit the actual expenses and revenue based on the Audited Accounts of RInfra-G for FY 2009-10, so as to subject the data to final True up.
- The Commission approved the rate of energy charge (ex-bus) for FY 2010-11 for DTPS, based on approved operational parameters and assumed fuel price for FY 2010-11. The Commission directed that any variations in the fuel price shall be dealt with under FAC mechanism.

TPC-G's Petition for approval of Truing up for FY 2008-09, Annual Performance Review for FY 2009-10 and Determination of Tariff for FY 2010-11 (Case 96 of 2009)

- While issuing the above Order, the Commission considered the impact of the combined Judgment

passed by ATE on July 15, 2009 in respect of the appeal filed by TPC-G (Appeal No. 137 of 2008) against the APR Order of the Commission for FY 2007-08.

- The Commission reviewed the performance parameters of TPC-G's Trombay Units 5 and Unit 6 (RLNG firing), taking into consideration the report submitted by CPRI regarding "Achievable parameters" of these units.
- The Commission considered the open cycle mode performance parameter of TPC-G's combined cycle Trombay Unit 7, subjectively, on case to case basis.
- The Commission approved, the revised estimates of availability of TPC-G's generating plants, during FY 2009-10 based on the actual availability during the first six months and projections for the remaining six months of FY 2009-10 by TPC-G for FY 2009-10 and FY 2010-11 for all the stations, as the same was higher than the normative availability.
- The Commission approved Cost of Generation and Energy Charge for FY 2010-11
- As the total revenue recovery from TPC-G's Hydel generating plants exceeded the annual fixed charge of hydro generating stations in FY 2009-10, the Commission allowed 5% of excess recovery of revenue from hydel stations on account of higher generation during peak hours to be shared between Generating Company and Distribution Licensees in proportion of 50:50.

Petition filed by The Maharashtra State Power Generating Company Limited (MSPGCL) for approval of Truing up for FY 2008-09, Annual Performance Review for FY 2009-10 and Determination of Tariff for FY 2010-11 (Case No. 102 of 2009)

- The Commission approved capital expenditure and capitalization based on scrutiny of the documents submitted by the utility.
- The Commission ruled that advance against depreciation cannot be granted just on the basis of shortfall in the depreciation with respect to loan repayment for projects undertaken at any one station, as MSPGCL is to be considered as a composite entity and any decision regarding approval of Advance Against Depreciation (AAD) would be taken on the overall scrutiny of the loan repayment and Asset depreciation scenario of the company.
- The Commission, referred to its earlier Order dated March 5, 2010 in Case No. 16 of 2008 where truing up of O&M expenses for FY 2005-06 and FY 2006-07 was carried out in accordance with the ATE Judgment and also its Order dated March 5, 2010

where the actual expenses for FY 2006-07 were considered as base expenses whereupon the O&M expenses from FY 2007-08 to FY 2009-10 had been revised. Going ahead, in the Order under reference above, the Commission, trued up of O&M expenses for FY 2008-09 on the same basis.

- The Commission ruled that, as any escalation in fuel costs was recoverable through FAC mechanism, it considered the fuel costs and calorific value equivalent to the average fuel cost and calorific value for the last quarter of FY 2009-10 i.e. January 2010 to March 2010 and did not factor in any escalation in fuel prices.
- The Commission for approving the fuel costs and energy charges for FY 2010-11 has considered the blending of raw coal, washed coal and imported coal.
- For FY 2010-11, the Commission has approved the station-wise normative availability as per CPRI report and hence, approves the full recovery of fixed charges during FY 2010-11 for all thermal stations.

The above Order has come into force with effect from September 1, 2010, and the Tariff approved in the Order has been applicable from September 1, 2011.

TPC-D's petition July 8, 2009 for Approval of Capital Cost and determination of tariff for its recently commissioned Trombay Unit No. 8 (Case No. 35 of 2009)

- The Commission, vide its Order dated January 19, 2010 approved the Capital Cost of the new 250 MW coal fired Trombay Unit 8 of TPC-G and determined the tariff for FY 09-10 for the 150 MW capacity of the said Unit (which will be sold within Maharashtra).
- The Commission took a note of TPC's submission that it has entered into PPAs to sell power from Unit-8 with BEST for 100 MW, TPC-D for 50 MW and TPTCL for the remaining 100 MW.
- The Commission evaluated the fixed cost data submitted by the utility and approved the Fixed costs as apportioned to the said 150 MW capacity.
- The Commission approved the performance parameters of the Unit in the stabilization period as well as the post-stabilisation period and determined the Energy charges for the unit for FY 2009-10 for the energy generated by the said 150 MW capacity apportioned to the Distribution utilities in Mumbai
- The Commission directed the Utility to submit adequate technical and financial information and data of all the common facilities, at its Trombay thermal plant to enable it to take a view regarding apportioning of these costs correctly between the said 150 MW capacity to be sold to Distribution

utilities in Mumbai and the 100 MW capacity to be sold to TPTCL

In the matter of truing up process for MSPGCL Generating Stations for FY 2005-06, FY 2006-07 and FY 2007-08 based upon APTEL's Judgment in Appeal No. 86 and 87 of 2007 and CPRI Report and Provisional Truing up for FY 2008-09 (Case 16 of 2008)

- The Commission, vide the said Order, aligned the truing up of previous tariff orders with the APTEL judgment. The background is as follows. MSPGCL had challenged some of the directives in the APR orders issued by the Commission for FY 2005-06 and for FY 2006-07. After taking a view in the matter, the Appellate Tribunal for Electricity had directed the Commission to appoint a third party to determine the Achievable Performance parameters for all the Thermal Generating stations of MSPGCL. Subsequently, the Commission appointed M/s Central Power Research Institute (CPRI), who submitted their report after conducting a detailed study in line with the APTEL judgment
- Commission asked MSPGCL to submit the impact of the ATE Judgment and accordingly submit the year-wise truing up requirement from FY 2005-06 onwards
- Based on the CPRI report, the Commission reviewed the performance of all the Thermal power stations of MSPGCL and carried out Fuel price analysis
- Based on the final truing up of revenue and expenses for previous years, the Commission determined the impact on the fixed costs and energy costs of the said thermal power stations in the said period.
- The Commission issued directive to the Utility regarding the modality of recovery of trued up amount of the said previous years,

In the matter of Dodson-Lindblom Hydro Power Pvt. Ltd Petition for Re-determination of Tariff for 34 MW Bhandardara Hydro project- Phase II (Case No. 105 of 2009)

- Vide the said Order, the Commission re-determined the tariff for 34 MW Bhandardara Hydro project-Phase II. In alignment with APTEL judgment. The background is as follows. M/s. Dodson-Lindblom Hydro Power Pvt. Ltd had lodged an appeal with the APTEL challenging the earlier tariff Order dated July 8, 2009 in the matter of Case No. 27 of 2008, issued by the Commission. APTEL issued its judgment regarding the said Appeal No. 151 of 2009 and Interlocutory Application (IA) No. 265 of 2009 of the appellant on December 23, 2009. In line with the directives in the said judgment, M/s.

Dodson-Lindblom Hydro Power Pvt. Ltd submitted a Petition on January 7, 2010, seeking re-determination of tariff for its Bhandardara Hydro Power Project (Phase II). The Commission admitted the said appeal, conducted hearing at site and has re-determined the tariff for the appellant vide the said tariff order.

- As directed by the APTEL, the Commission undertook prudence check on the pre-operative capital expenditure claimed by the appellant based on the opinions expressed by experts during the hearing and the backup information submitted by the appellant.
- For additional capitalization of Renovation and Modernization considered by the Commission post COD of the Project, the Commission has considered the normative debt: equity ratio of 70:30.
- The Commission, directed the appellant to follow the procedure specified by the Commission for obtaining "in principle clearance" of any capital expenditure planned by the appellant and not to add the same as preoperative capital expenditure.

The Tata Power Company Ltd. (Transmission Business) (TPC-T) Petition for approval of Truing up of ARR for FY 2008-09, Annual Performance Review (APR) for FY 2009-10 and Aggregate Revenue Requirement (ARR) for FY 2010-11 (Case No.97 of 2009)

The Commission, vide its Order dated September 3, 2010, reviewed the annual performance of TPC-T for FY 2009-10 and determined the Transmission Tariff for FY 2010-11, applicable with effect from September 1, 2010. The main features of the Order include:

- The Commission undertook truing up for FY 2008-09 based on actual data and considered the efficiency gain/loss and the sharing for FY 2008-09.
- The Commission approved the Aggregate Revenue Requirement for FY 2010-11 as Rs. 296.73 Crore.
- The Commission observed that the claims of incentive 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 2009-10 and FY 2010-11 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. Accordingly, the Commission has computed the incentive for transmission system availability greater than 98% and the incentive works out to Rs. 2.85 Crore.

- TPC has demonstrated that the various functions carried out by Load Control Centre (LCC) are not being carried out by MSLDC and hence, there is no duplication of expenditure. Accordingly, the Commission has considered TPC's LCC for truing up purposes. Considering that the LCC costs are largely in the nature of O&M nature, the Commission has considered the entire cost as part of O&M expenses. For truing up purposes, the Commission has accepted the allocation of the LCC cost for its Generation, Transmission and Distribution businesses as submitted by TPC.
- The Commission approved the revised ARR for FY 2009-10 and determined the Transmission tariff for FY 2010-11.

Reliance Infrastructure Ltd., Transmission Business, (RInfra-T) Petition for approval of Truing up of ARR for FY 2008-09, APR for FY 2009-10 and ARR for FY 2010-11 (Case No.100 of 2009)

The Commission, vide its Order dated September 3, 2010, reviewed the annual performance of RInfra-T for FY 2009-10 and determined the Transmission Tariff for FY 2010-11, applicable with effect from September 1, 2010. The silent features of the Order include:

- The Commission analysed all the elements of actual revenue and expenses for FY 2008-09 and has under taken the truing up of expenses and revenue after prudence check.
- The Commission approved the Aggregate Revenue Requirement for FY 2010-11 as Rs. 92.75 Crore.
- The Commission has estimated the total efficiency gains due to controllable factors, which has been shared between licensees and transmission system users, as per MERC Tariff Regulations, 2005.
- The Commission observed that the claims of incentive for Transmission system availability of Transmission licensee need to be certified by MSLDC. Accordingly, the Commission directed RInfra-T to arrange for requisite certification from MSLDC for FY 2009-10 and FY 2010-11 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 APR for FY 2009-10 and ARR for FY 2010-11 which is lesser than that projected by RInfra-T primarily due to reduction in approved O&M expense for FY 2009-10 and FY 2010-11, reduction in Income Tax approved for FY 2009-10 and FY 2010-11 and reduction in approved impact of ATE Judgment on truing up of FY 2006-07 and FY 2007-08.

Maharashtra State Electricity Transmission Company Ltd.'s (MSETCL) Petition for Truing-up of Aggregate Revenue Requirement for FY 2008-09, approval of Annual Performance Review for FY 2009-10 and Aggregate Revenue Requirement for FY 2010-11 (Case No. 103 of 2009)

The Commission vide its Order dated September 10, 2010, reviewed the annual performance of MSETCL for FY 2009-10, and determined the tariff for the FY 2010-11 applicable with effect from September 1, 2010. The main features of the Order were:

- The Commission undertook truing up for FY 2009-10 based on actual data and considered the efficiency gain/loss and the sharing for FY 2009-10.
- The Commission approved the Net Aggregate Revenue Requirement to be recovered from Transmission Tariff as Rs.2264.25 Crore.
- The Commission observed that the claims of incentive for Transmission system availability of Transmission licensee need to be certified by MSLDC. Accordingly, the Commission directed MSETCL to arrange for request site certification from MSLDC for FY 2009-10 and FY 2010-11 and also directed MSLDC to formulate an appropriate procedure to monitor and certified the Transmission system availability of various Transmission licensees on a regular basis.
- The Commission approved net ARR to be recovered from Transmission Tariff for FY 2010-11 which is lesser than that projected by MSETCL primarily due to reduction in Gross Fixed Asset, interest costs and return on equity components, consequent to reduction in approved capitalisation for FY 2009-10 and FY 2010-11, amortisation of impact of migration of accounts of MSETCL from ESAAR to Companies Act, reduction in approved Income Tax for FY 2009-10 and FY 2010-11 and adjustments of revenue gaps.

Transmission Tariff for Intra-State Transmission System (In-STTS) for FY 2010-11 (Case No. 120 of 2009)

The Commission, vide its Order dated September 19, 2010, determined the Transmission Tariff for Intra-State Transmission System (In-STTS) for FY 2010-11, applicable with effect from September 1, 2010. The main features of the Order include:

- The Commission determined the Transmission Tariff for long-term and short term Open Access transactions for FY 2010-11, as Rs. 164.68 per kW per month or Rs. 5414 per MW per day for long term Open Access and Rs. 1353.50 per MW per day or Rs 56.40 per MWh for short-term Open Access Transactions.

- The Commission clarified that the usage, assignment and surrendering of un-utilized 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 September 1, 2010 and should claim recovery of its ARR by way of raising monthly bill on STU covering its component of Intra-State Transmission Charges and could recover its approved ARR from Transmission Tariff collected by TSU on monthly basis at the end of each calendar month.
- The Commission clarified that surplus/deficit in revenue on the account of levy of Transmission Charges during initial 5 months (i.e., during April 2010 to August 2010) at the rate applicable for FY 2009-10 instead of Transmission Tariff Rate applicable for FY 2010-11 shall be considered at the time of true-up exercise during next year's Annual Performance Review of the transmission licensees.
- The Commission ruled that the monthly bill for transmission Tariff for each calendar month should be payable on 14th day of each 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 claim as raised by transmission licensees. In case of delay in payment by any STU, late payment Surcharges at the rate of 1.25% per month or part thereof shall be applicable.
- The Commission observed that MSLDC and licensees have achieved significant progress in operationalising 'centralised pooling arrangement' (i.e., Interim Balancing and Settlement Mechanism – IBSM) over 3 years. The Commission also appreciated the fact that institutional framework and governance framework for electricity market operations within the State in the form of Maharashtra State Power Committee (MSPC) has been constituted and operationalised.

RInfra-D Petition for seeking modification of present Interim Balancing and Settlement Mechanism (IBSM) with Final Balancing and Settlement Mechanism (FBSM) (Case No. 9 of 2010)

RInfra-D submitted a Petition for modification of IBSM as the continued implementation of the present method of Energy Accounting and Settlement, i.e., Interim Balancing and Settlement Mechanism (IBSM), due to delay in

implementation of Final Balancing and Settlement Mechanism (FBSM), is posing financial burden on the consumers of RInfra-D. The Commission vide its Order dated August 23, 2010 ruled that there is no need to modify the pool settlement mechanism on account of the following main reasons:

- The imbalance settlement mechanism outlined under the IBSM and FBSM are based on sound economic principles, which have been accepted by the Petitioner, RInfra-D also, in the past as well as in this Petition itself.
- RInfra-D enters into long-term/medium-term power purchase contracts for procurement of power at reasonable rates, the issue of high power purchase cost is unlikely to be resolved even after the implementation of the FBSM.

MSETCL's Petition for the approval of Budget of MSLDC for the Financial Year 2011-12 (Case No. 90 of 2010)

The Maharashtra State Electricity Transmission Company Limited (MSETCL) filed a Petition on November 29, 2010, seeking the Commission's approval for the budget for operational cost of the MSLDC for FY 2011-12 as required under Regulation 18.1 of the MERC (Transmission Open Access) Regulations, 2005. MSLDC Revenue Budget comprises of two parts, which are as under:

- (a) MSLDC Operating Cost Budget
- (b) MSLDC Capital Charge Budget

The Commission approved the Operating Cost Budget including Employee Expense Administration & General Expenses, Repairs & Maintenance Expenses, Interest on Working Capital and RLDC Fees and WRPC Charges. The Commission also approved Capital Charge budget which include 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 monthly progress report along with reasons for delay, if any and remedial actions initiated for course corrections.
- 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.

Vacation of Review Order in the matter of Rlnfra-D's Petition for Truing Up for FY 2007-08, Annual Performance Review (APR) for FY 2008-09 and Tariff Determination for FY 2009-10

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 R-Infra-D as per the provisions of Section 128 of Electricity Act, 2003.

The Commission received the investigation report from ASCI vide its letter dated July 9, 2010. After considering the contents of the said investigation report that the retail supply tariffs of Rlnfra-D have substantially gone up due to procurement of large proportion of power from external sources and drawal from imbalance pool at high cost and representation received from Rlnfra-D, the Commission vide its Order dated September 9, 2010 vacated the partial stay of the Order dated June 15, 2009 in Case No. 121 of 2008 as stated above vide Order dated July 15, 2009 with immediate effect.

TPC-D's Petition for Truing Up for FY 2008-09, Annual Performance Review for FY 2009-10 and Tariff Determination for FY 2010-11 (Case No. 98 of 2009)

The Commission vide its Order dated September 12, 2010, reviewed the annual performance of The Tata Power Company Limited – Distribution Business' (TPC-D) for FY 2009-10 and determined the tariff for FY 2010-11 applicable with effect from September 1, 2010. The Public Hearing in the matter was held in Mumbai on March 24, 2009.

The prominent features of the Order are as under:

1. The Commission determined Rs. 2,070.60 Crore as the Aggregate Revenue Requirement for FY 2010-11 and Rs. 1,341.50 Crore based on provisional truing up of various elements for FY 2009-10.
2. The Commission has approved Revenue of Rs. 2107 Crore for the FY 2010-11 with the revised tariffs. The ARR approved for FY 2010-11 is higher than that projected by the Petitioner on net basis. However, it will be important to note variation under various heads, which have been listed below:
 - a. Reduction in O&M expenses, as the various heads of O&M expenses were approved based on norm linked to sales.
 - b. Reduction in approved capitalisation in FY 2009-10,
 - c. Reduction in Asset related costs due to reduction in capitalisation.
 - d. Reduction in approved Income Tax for FY 2009-10

- e. Increase in Power Purchase quantum and cost from External source
 - f. Increase in Standby Charges and Transmission charges.
 - g. Increase in Revenue from sale of Power due to increase in Changeover sales.
3. The Average Cost of Supply for TPC-D consumers is Rs. 5.20/kWh and the contribution of 86.11% of the total tariff is power purchase, 3.70% of the total tariff is transmission and SLDC charges and the rest is from the Distribution which includes distribution losses.
 4. Tariff Philosophy for FY 2010-11: The average tariff of TPC-D is increased by 15%, whereas tariff of residential category having monthly consumption of 0-100 units and 101-300 units is reduced by 19% and 7% respectively.
 5. The Commission also determined the Wheeling Charge applicable to consumers connected on the HT network during FY 2010-11 as Rs. 0.19 per kWh and that for consumers connected to LT network as Rs. 0.38 per kWh.

MSEDCL's Petition for Truing Up for FY 2008-09, Annual Performance Review for FY 2009-10 and Tariff Determination for FY 2010-11

The Commission vide its Order dated September 12, 2010 in Case No. 111 of 2009 reviewed the annual performance of The Maharashtra State Electricity Distribution Company Ltd. (MSEDCL) for FY 2009-10 and determined the tariff for FY 2010-11 applicable with effect from September 1, 2010. The combined Public Hearings for MSPGCL, MSETCL and MSEDCL were held at Amravati, Nagpur, Nashik, Pune, Aurangabad and Navi Mumbai during the period from May 14, 2010 to May 22, 2010.

The salient features of the Tariff Order are as follows:

1. The Commission determined the Aggregate Revenue Requirement from Retail Tariff for FY 2009-10 as Rs. 27716 Crore which is lower than proposed by MSEDCL.
2. The Aggregate Revenue Requirement from Retail Tariff for FY 2010-11 as determined by the Commission is Rs. 30196 Crore. The Aggregate Revenue Requirement for FY 2010-11 is lower than that projected by MSEDCL, primarily due to the following reasons:
 - a. Reduction in power purchase expenses due to consideration of lower corresponding power purchase quantum, due to the lower distribution losses considered by the Commission for FY 2010-11.
 - b. Reduction in transmission tariff payable by

- MSEDCL, due to the downward revision in the transmission tariff.
- c. Reduction in O&M expenses, in accordance with the Commission's philosophy as regards allowance of controllable expenses like employee expenses, A&G expenses and R&M expenses on normative basis.
 - d. Reduction in proposed capitalisation and consequent reduction in interest expenses, depreciation, Other Interest and Financing charges, and return on equity components.
 - e. MSEDCL has considered entire sales without excluding ZLS sales for the purpose of revenue calculation, thereby, overstating the revenue from sale of power.
3. Refund of Regulatory Liability Charge (RLC):
 - a. The Commission considered the RLC Refund of Rs. 500 Crore in FY 2010-11 on one-to-one basis, rather than to the contributing category as a whole.
 - b. 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.
 4. Tariff Philosophy for FY 2010-11:
 - a. The Commission has created two sub categories in LT – II (A) : LT – Non residential or commercial as follows:
 - i. LT II (A) (i) – Educational institutions, Hospitals and Dispensaries to cater load upto 20 kW
 - ii. LT II (A) (ii) – Others, which constitutes other non residential and commercial consumers to cater load upto 20 kW.
 - b. The Commission has created two sub categories in LT – IV: LT–Agriculture (Unmetered Tariff) as follows:
 - i. 0-5 HP
 - ii. Above 5 HP,
 - c. The Commission has also created two sub categories in HT II: Commercial viz.
 - i. HT II: Commercial [Express Feeders]
 - ii. HT II: Commercial [Non-Express Feeders] on similar principle as in HT industrial and HT Public Water Work category. The consumers on HT II Commercial (Express Feeders) will have higher tariff because they are not being subjected to load shedding. Two further sub categories have been created:

- HT II Commercial (Express Feeder)
 - ✦ Educational Institutions and Hospitals
 - ✦ Others
 - HT II Commercial (Non-express Feeder)
 - ✦ Educational Institutions and Hospitals
 - ✦ Others
5. The average tariff of MSEDCL increased by 3% and the Average Cost of supply for MSEDCL consumers is Rs. 4.38/kWh.

BEST' Petition for approval of Truing Up for FY 2008-09, Annual Performance Review for FY 2009-10 and determination of ARR and Tariff for FY 2010-11

The Commission vide its Order dated September 12, 2010 in Case No. 95 of 2008 reviewed the annual performance of the Brihan-Mumbai Electricity Supply and Transport Undertaking (BEST), for FY 2009-10 and determined the tariff for FY 2010-11 applicable with effect from September 1, 2010. A Public Hearing was held at Centrum Hall, 1st Floor, Centre 1, World Trade Centre, Cuffe Parade, Mumbai - 400 005 on April 13, 2010.

The main features of the Tariff Order are as under:

1. The Commission based on provisional truing up of various elements for FY 2009-10 determined the Aggregate Revenue Requirement for FY 2009-10 to Rs. 2896.45 Crore.
2. The Commission approved the Aggregate Revenue Requirement for FY 2010-11 as Rs. 2526.27 Crore.
3. The primary reasons for approval of lower ARR are as follows:
 - a. Reduction in revenue gap for FY 2009-10 after provisional truing up
 - b. Reduction in power purchase quantum on account of lower distribution losses of 9.5% considered by the Commission as compared to 10% distribution losses considered by BEST. Since, the actual distribution losses in FY 2009-10 are already lower than 9.5%, there is no impact on BEST on account of this change.
 - c. Reduction in power purchase expenses on account of additional quantum of power being procured from TPC-G, and consequent increase in surplus power being sold through the Balancing & Settlement Mechanism prevalent in the State of Maharashtra, hence, there is no impact on BEST.
 - d. Reduction in interest on long term loans as the long term loans have been considered to the extent of 70% of allowable capital cost after deducting consumer contribution and grants, hence, there is no impact on BEST.
 - e. Reduction in Return on Equity on account of

additional capitalisation being funded entirely through consumer contribution, grants, and loans, without any addition of equity, hence, there is no impact on BEST.

- f. Difference in Operation and Maintenance expenses as projected by BEST and approved by the Commission.
 - g. The revenue from existing tariff as computed by the Commission is significantly higher than that estimated by BEST on account of certain computation errors of BEST and higher sales considered by the Commission.
4. The Commission approved the power purchase cost of Rs. 4.10 per unit as against the BEST proposed power purchase cost of Rs. 4.41 per unit, for FY 2010-11.
 5. The Commission reduced average tariffs by around 15%, as compared to the average increase of 6.21% proposed by BEST in its APR Petition.
 6. The Commission approved the Average Cost of Supply (ACoS) of Rs. 5.75/kWh for FY 2010-11 as against the BEST proposed ACoS of Rs. 6.88 / kWh for FY 2010-11.

POWER PURCHASE

MSEDCL Petition for approval of deviations for procurement of 2000 ($\pm 20\%$) MW power on medium term basis through International Competitive Bidding Process (Case I)

The Commission vide its Order dated December 1, 2010 in Case No. 63 of 2010 of 2008 approved the deviation sought in the Standard Bid Document issued by Ministry of Power for procurement of 2000 ($\pm 20\%$) MW power on medium term basis through International Competitive Bidding Process (Case I). The Commission has approved the deviation regarding change in Contract period, accept the bid on firm basis and evaluation of bid to be done separately for each contract year. The Commission also approved the responsibility for arrangement of requisite power evacuation system up to STU interface, to the bidders and directed that the rigidity should be avoided by MSEDCL in view of requirement of fairness and transparency in the clause related to power evacuation system.

MSEDCL Petition for approval of deviations taken in the Request for Proposal (RFP) from the Standard Bidding Documents (SBD) issued by Ministry of Power (MoP) for Competitive Bidding Process under Case-I, to be issued to Bidders for procurement of 1000 (+/- 20%) MW base Load Power on Medium Term Basis under International Competitive Bidding Process (Case 1)

The Commission vide its Order dated April 13, 2010 in Case No. 104 of 2010 approved the deviation sought in the Standard Bid Document issued by Ministry of Power for procurement of 1000 ($\pm 20\%$) MW power on medium term basis through International Competitive Bidding Process (Case I). MSEDCL had finalized 2600 MW bidding process under Case 1, Stage 2 to meet the Demand-Supply gap, which is based on the forecast made by MSEDCL up to year 2012-2013. The said forecast showed a shortfall of about 2855 MW in year 2011-12. The projects of MSPGCL and those of Central sector may not come as scheduled and the same may get delayed by a year or two. The delay may increase the Demand-Supply gap. In order to bridge the gap, MSEDCL proposed to procure 1000 MW on Medium Term basis (January 2011 to December 2012).

MSEDCL has made certain modifications in the Standard Bidding Documents issued by the MoP for Case I bidding, primarily to meet the specific requirements of the procurer. The modification mainly were related to Sr No. 6 : Scheduled delivery date: Modification proposed, addition of the provisions of fuel source specified under Clause 4.13 (B) related to "Coal (Fuel) Supply Agreement with Central/State Government Company (Undertaking) (linkage) and submission of separate bid bond shall be submitted by the Bidders submitting more than one financial bid for each financial bid corresponding to the offered contracted capacity under each financial bid and other deviation. The Commission observed that the deviation proposed by the petitioner would result in giving more flexibility to the petitioner to address the problems arising out of the demand-supply gap. Hence the Commission approves the proposed deviations.

Maharashtra State Electricity Distribution Company Ltd.'s (MSEDCL) Petition for approval for procurement of 2000 ($\pm 20\%$) MW instead of already approved 1000 ($\pm 20\%$) MW base load power on Medium term basis through International Competitive Bidding process under Case- I

MSEDCL has decided to undertake procurement of power under Competitive Bidding Guidelines (Case I) issued by Ministry of Power (MoP), Government of India (GoI) to procure 2000 ($\pm 20\%$) MW base load power for medium term for the period of January 2011 to December 2012. The Commission approved the proposed deviations taken in the Request for Proposal (RFP) from Standard Bidding Document (SBD) issued by Ministry of Power (MoP) for competitive bidding process under Case I to be issued to bidders for procurement of 2000 ($\pm 20\%$) MW base load power on Medium Term basis under International Competitive Bidding Process (Case I) instead of already approved 1000 MW base load power on medium term basis vide Order dated April 13, 2010 in Case No. 104 of 2009. MSEDCL has approached the Commission for single

deviation in the RFP approved by the Commission regarding the modification of Clause No.1.3.1 Scope: Sr. No. 6 .i.e., requisitioned capacity less than 2000 MW, the Scheduled Delivery Date shall be decided by the Procurer/ Authorized Representative.

The Commission vide its Order dated September 8, 2010 opined that it is not at all satisfied with the non-scientific methodology and approximations / assumptions used by MSEDCL to make its demand projections and directed MSEDCL to improve its methodology regarding load projections, and approved the deviation in RPF document related to Clause No.1.3.1 Cope : Sr. No. 6 .

Petition of Brihan-Mumbai Electric Supply and Transport Undertaking (BEST) for approval of the PPA between BEST and TPC-G for additional 100 MW, under Section 86(1) (b) of the Electricity Act, 2003 read with Regulation 24.1 of MERC (Terms and Conditions of Tariff) Regulations, 2005

The Commission vide its Order dated September 1, 2010 in Case No. 1 of 2010 approved the PPA between BEST and TPC-G for additional 100 MW. BEST submitted that in order to ensure reliable power to bridge this gap at a reasonable price, BEST entered into a Power Purchase Agreement with TPC-G for additional 100 MW on February 5, 2010, with effect from April 1, 2010, to meet BEST's immediate requirement. BEST added that BEST had intimated to the Commission regarding the above referred intention, in BEST's APR Petition for FY 2009-10,

BEST submitted that the availability of this 100 MW capacity will allow BEST to tide over the existing peak shortages, thereby reducing the burden of expensive external power purchase on the consumers, and will also ensure uninterrupted power supply to the City of Mumbai.

Reliance Infrastructure Limited (RInfra) requested the Commission for permission to participate in the proceedings to be conducted by the Commission on the Petition filed by BEST in Case No. 1 of 2010, which was allowed by the Commission.

BEST submitted that the requirement for BEST for FY 2010-11 has already reached 900 MW at T < > D Interface, which translates to 990 MW at generation terminal. BEST submitted that it will have a peak shortage of about 60 MW even with the PPA for 100 MW. BEST's maximum demand increased by 4.13% and 10.16% in FY 2010-11 over that FY 2009-10, while the energy drawal at T < > D interface has increased by 5.15% and 8.25% in FY 2010-11 as compared to April and May of FY 2009-10, respectively.

The Commission approved proposed PPA for additional 100 MW capacity between then TPC-G and BEST, the clauses of which are identical to the PPA for 832 MW

between TPC-G and BEST approved earlier by the Commission vide its Order dated November 6, 2007 in Case No. 87 of 2006, Case No. 88 of 2006, and Case No. 30 of 2007. This PPA will be valid for a period of 8 years, from April 1, 2010 to March 31, 2018, and will be co-terminus with the PPA of 832 MW approved earlier.

MSEDCL Petition for adoption of the tariff for procurement of 2000MW (-20%/+30%) power on Long term basis under International Competitive Bidding Process (Case 1 Stage)

The Commission vide its Order dated December 28, 2010 in Case No. 22 of 2010 approved the adoption of the tariff for procurement of 2000MW (-20%/+30%) power on Long term basis under International Competitive Bidding Process (Case 1 Stage 2) with certain observations in the Power Purchase Agreement (PPA) and directed MSEDCL to submit the final PPAs with M/s. Emco Energy Limited, M/ s. Adani Power Maharashtra Ltd and M/s. Indiabulls Power Limited to the Commission after incorporating the observations made by the Commission. The Commission in principle approved the adoption of 200 MW at a levelised tariff of Rs.2.879/kWh from Emco Energy Ltd., 1200 MW at a levelised tariff of Rs.3.260/kWh from Indiabulls Power Ltd.(Amravati) and 1200 MW at a levelised tariff of Rs.3.280/kWh from Adani Power Maharashtra Ltd.

OTHER ORDERS

Petition of Maharashtra State Electricity Distribution Company Ltd. (MSEDCL) seeking approval for installing Prepaid Energy Meters and other reliefs (Case No. 76 of 2009)

The MSEDCL filed a Petition under affidavit before the Commission on December 3, 2009 for seeking approval for the installation of Prepaid Energy Meters. MSEDCL submitted that the installation of Prepaid Energy Meters would give a better service to the consumers, improve the cash flow of the Petitioner and also lead to reduction in consumer grievance and dissatisfaction to the consumers. In Prepaid Metering, the consumer pays the amount in advance, and the balance account is debited for the amount of energy used in the previous month. If in case the entire units purchased by the consumer have been consumed, then the supply will get disconnected automatically.

The hearing in the matter was held on 7th January, 2010 & 17th March, 2010 and after due regulatory process the Commission has approved the concept through its Order dated 26th April, 2010 as the proposal to introduce prepaid metering is in line with the directives given by the Commission through its Tariff Orders in the past. The Commission has approved the sample size of 25000

prepaid meters as proposed by the Petitioner and directed to cover LT single phase residential consumers, LT Commercial category consumers and LT temporary category consumers under this project. The Commission directed MSEDCL that it shall not recover any security deposit when it is supply electricity through a pre-payment meter.

The Commission was of the view that before extending the scheme to all, a study and experience of one year's data after procurement of the prepaid meters be done to assess the benefits of introduction of prepaid metering on a larger scale. The Commission directed Petitioner to submit a Report on the findings of the pilot prepaid metering scheme, within two months after the completion of one year of the pilot scheme.

MSEDCL's 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

MSEDCL submitted a Petition under affidavit on September 25, 2009, under the seventh proviso of Section 14 of the Electricity Act, 2003 (EA 2003), for In-principle Approval of Memorandum of Understanding (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. As regards MSEDCL's prayer for approval of the MoU route for appointment of Distribution Franchisee, the Commission held that it was for the Distribution Licensee to adopt any method for selecting the Distribution Franchisee on such terms and conditions as it deems fit, and the Commission has no jurisdiction to approve either the process or the Party selected by the Distribution Licensee. However, as expressed by the stakeholders, the Commission was of the view that ideally, the Distribution Franchisee should be selected and appointed through a competitive bidding process to ensure complete transparency and competition. Further, MSEDCL had requested the Commission to approve the BST for supply to the Distribution Franchisee at single point for distribution to mixed loads within the Franchised area. MSEDCL had suggested that the BST be determined upfront by assuming a certain proportion of mixed loads, viz., residential, commercial, industrial, etc. The Commission did not determine the BST because there are bound to be differences in consumption mix between one Distribution Franchisee and another, and obviously, the BST for each Franchisee will have to reflect its own consumption mix, and the Commission cannot determine BST for all the possible combinations of consumer mix.

MSEDCL had also approached the Commission for approval of MoU route for selection of Distribution

Franchisee and determination of BST for SEZ. Subsequent to the filing of the Petition on September 25, 2009, the Ministry of Commerce & Industry issued a Notification dated March 3, 2010, which stipulates that the developer of SEZs shall be deemed to be a distribution licensee under Clause (b) of Section 14 of the EA 2003, as reproduced below:

"In clause (b) of section 14 of the Electricity Act, 2003 (36 of 2003), the following proviso shall be inserted, namely: -

"Provided that the Developer of a Special Economic Zone notified under subsection (1) of section 4 of the Special Economic zones Act, 2005, shall be deemed to be a licensee for the purpose of this clause, with effect from the date of notification of such Special Economic Zone;"

MSEDCL's proposal to make the SEZ developer a Distribution Franchisee was not in consonance with the above Ministry of Commerce & Industry Notification dated March 3, 2010.

Petition of M/s The Tata Power Company Ltd assailing the legality and propriety of letters dated 16th May 2010, 18th May 2010, 12th June 2010 and 30th June 2010 issued by the Respondent No.1- Maharashtra State Load Despatch Centre (MSLDC) refusing to schedule 160 MW and 100 MW power respectively (Case 37 of 2010)

The Tata Power Company Limited filed a Petition on August 20, 2010, under Sections 86 (1) (c), 33(4) and 142 of the Electricity Act, 2003 ("EA 2003"), read with Regulation 35 of the MERC (State Grid Code) Regulations, 2006, assailing the legality and propriety of letters dated 16th May 2010, 18th May 2010 and 12th June 2010 and of the letter dated 30th June 2010 issued by the Maharashtra State Load Despatch Centre.

In the said matter, GOM forwarded a Memorandum to the Commission along with the Report of the Five-member Committee set up by GOM, through which the GOM suggested that in public interest, the Commission should take suitable measures at the earliest, considering the Report of the Five-member Committee. After scrutinizing all the material placed on records, the Commission was of the view that the MSLDC took a reasonable decision as it was entitled to act as per the Government of Maharashtra Memorandums dated 7th May 2010 and 19th May 2010 issued in an extraordinary situation of public exigency.

The Commission vide its Order dated September 29, 2010 stated that the Government of India had constituted a Committee on manpower, certification and incentives for system operation and Ring Fencing Load Despatch Centres (LDC), chaired by Shri Gireesh B. Pradhan. The said Committee report has raised serious concerns regarding the functional autonomy and authority of the

LDCs and suggested that the LDCs have to ensure that their actions are non-discriminatory, transparent and not influenced by any market player or any other business activity. Further, the Appropriate Government must take suitable steps to facilitate the independent functioning of the Load Despatch Centres, in line with the EA 2003 and the National Electricity Policy.

Therefore, the Commission suggested the GOM to expeditiously implement the recommendations contained in the Gireesh Pradhan Committee report for the benefit of the power sector in the State of Maharashtra.

Petition of Shri Nathu Gangadhar Rambhad for seeking directions to upon the Respondents in regard to the methodology of repairs of Distribution Transformers which cause loss of power and choke electricity generation (Case No. 17 of 2009)

Shri.Nathu Gangadhar Rambhad, a manufacturer of Distribution Transformer (DT) and having an experience of repairing the Distribution Transformers for MSEDCL (then MSEB) since 1976. Based on his experience and in the interest of public, he submitted the Petition on 4th May, 2009 in regard to the wrongful methodology adopted by MSEDCL for repairs of DT which cause loss of power and choke electricity generation and also economize the working of the MSEDCL in the power sector.

During the hearing, the Commission noted that only action plan will not solve the problem but stringent monitoring system needs to be put in place so that quantifiable progress can be seen. After the due regulatory process, the Commission issued directives vide its Order dated November 24, 2010, the salient features of the Order are as follows:

- a. The Technical Qualifying criterion needs to be seriously specified and to be followed strictly during Bid evaluation process by MSEDCL.
- b. Pre-delivery inspection (Type test and Routine test at Manufacturer's site) and post-delivery sample testing / inspection for newly procured as well as repaired DT should be carried out.
- c. MSEDCL should design a monitoring system for the repaired DT.
- d. MSEDCL should submit quarterly status report of DT failure rate achieved against the following targets set by the Commission.

Year	Actual rate 2009-10	Target		
		2010-11	2011-12	2012-13
Percentage of failure rate	13.40	12%	10%	8.5%

- e. MSEDCL should follow the 'Action Plan' submitted by them to the Commission and also submit Action Taken Report to the Commission along with their next APR / ARR Petition.

Petition of M/s. Wardha Power Company Limited (WPCL) for grant of transmission capacity rights for evacuation of 270 MW (second phase) of power from the Petitioners generating substation at Warora through Maharashtra State Electricity Transmission Company Ltd.'s (MSETCL's) existing 220kV Warora Substation (Case 28 of 2010)

M/s. Wardha Power Company Limited submitted a Petition under affidavit on 9th June, 2010, under Section 86(1) (e), (f) and (k) read with Section 39 of the Electricity Act, 2003, for grant of transmission capacity rights for evacuation of 270 MW (second phase) of power from the generating substation at Warora through MSETCL's existing 220kV Warora Substation.

The Commission vide its Order dated March 17, 2011 directed STU, MSETCL and SLDC to synchronize and allow the evacuation of power generated from Unit-4 of WPCL in addition to existing WPCL Unit 3 with the Maharashtra Grid at MSETCL's existing 220kV Warora Substation subject to the mutually agreed conditions, as stated in the Minutes of Meeting held on February 15, 2011. The Commission clarified that all concerned parties should follow the grid discipline as stated in the EA 2003 and Rules & Regulations made thereunder. In addition to this, the Commission directed MSETCL to ensure the timely completion of new 400/220 KV Warora substation as per the schedule.

Petition of Tata Power Co Ltd (TPC) for blatant misuse of the electricity bills issued by Reliance Infrastructure Ltd (R-infra) to its consumers and abuse of the billing process to disparage and malign the TPC (Case 59 of 2010)

Tata Power Company Ltd., submitted a Petition under affidavit before the Commission on 29th September, 2010, under Section 86 (1) (f) alleging blatant misuse of electricity bills issued by RInfra, to its consumers and abuse of billing process to disparage and malign the TPC. TPC had prayed to restrain the Rinfra from publishing & disseminating any disparaging remarks/material against the TPC in the electricity bills issued by the Rinfra to its consumer. The offending statements like, "The Tata Power way to make Rs.1200 crores at your cost. To know more visit www.askmumbai.com"

The Commission was of the opinion that an electricity bill ought not to contain statements or words that may have

the effect of biasing consumers against another distribution licensee particularly when the Parliament has enabled consumers to have choice of supply from different sources by enacting the Electricity Act, 2003.

The Commission vide its Order dated March 31, 2011 issued directives that no Utility shall make use of electricity bills to campaign against rival competitors. The Respondent was directed to submit compliance on affidavit within 15 days from the date of this Order that it has stopped the publishing of disputed contents in the bill.

Petition of M/s. Jaigad Power Transco Ltd. for approval of the assignment of Transmission License to the lenders under Section 17 (3) of the Electricity Act, 2003 (“EA 2003”), (Case No. 77 of 2009)

M/s. Jaigad Power Transco Ltd. submitted a petition to MERC on December 11, 2009 under Section 17 (3) of the Electricity Act, 2003 (“EA 2003”), seeking approval of the assignment of Transmission license No. 1 of 2009 granted to them by MERC vide MERC order dated February 8, 2009 to their lenders. The Commission conducted hearings in the matter on January 12, 2010 & March 12, 2010 and issued its order on May 11, 2010. The Commission opined that transmission projects are capital intensive projects requiring huge capital investment. These projects are financed through loans for which the recourse is against the project. Therefore, it is essential that to enable the licensee to avail the loan facility to set up the transmission project the licensee should be able to create security over the project assets, project documents and project licenses and approvals. The Commission, therefore, accorded its in-principle approval allowing the applicant to create security in favour of Security Trustee pursuant to Security Trustee Agreement by way of mortgage on project assets by execution of indenture of mortgage for the project. The Commission, however, made it clear that the transmission licence granted by the Commission to the petitioner cannot be assigned in favour of the nominee of the Security Trustee unless prior approval of the Commission has been obtained at the time of creating rights in favour of such nominee.

Petition of M/s. Abhijeet MADC Nagpur Energy Pvt. Ltd. seeking clarification regarding non-requirement of Transmission Licence for laying Dedicated Transmission Line by a Generating Company under Section 86 of the Electricity Act, 2003. (Case No. 02 of 2010)

M/s. Abhijeet MADC Nagpur Energy Pvt. Ltd. submitted a petition to MERC on March 23, 2010 under Section 86 of the Electricity Act, 2003, (“EA 2003”), seeking clarification regarding non-requirement of Transmission Licence for laying Dedicated Transmission Line by a Generating Company. The Commission conducted hearings in the

matter on June 23, 2010 and issued its order on July 10, 2010. The Commission opined that a generating company or a person setting up a captive generating plant is not required to obtain any transmission license under the EA, 2003, for establishing, operating or maintaining a dedicated transmission line. Consequently, the Commission opined that it cannot interfere with the fact that the M/s. Abhijeet MADC Nagpur Energy Pvt. Ltd. has already been granted approval by the Secretary, (Energy) Industries, Energy and Labour Department, Government of Maharashtra to lay a Dedicated Transmission Line, under Section 68 of the EA, 2003. The Commission has no intervening role to play in the merits or demerits of any approval granted by the Secretary, (Energy) Industries, Energy and Labour Department, Government of Maharashtra (GoM) under Section 68 or on any Orders issued or any decision taken by the Secretary, (Energy) Industries, Energy and Labour Energy Department, GoM under Section 164 of the EA, 2003. The Commission also cannot interfere with the decisions made by the GoM under Section 164 of the EA, 2003. These facts are solely for the GoM to decide as per jurisdiction conferred upon it by the EA, 2003, the Rules and the various Orders made by the Central Government, particularly the Electricity (Removal of Difficulty) Fifth Order, 2005.

Partial Grid Disturbance in Mumbai system on 18th Nov-2010 at 17:40 hrs and 21st Nov-2010 at 17:05 hrs. (Case No. 84 of 2010)

As per Regulation 32 of the MERC (Conduct of Business) Regulations, 2004, the Commission, with a view to find the primary reasons for occurrence of such system disturbances and for identifying /taking preventive measures, conducted a *suo-motu* hearing of the concerned parties and other stakeholders including SLDC, Kalwa on 25th November 2010 and issued its order on December 01, 2010. It is felt that the Regulatory investigations and hearing will lead to finding the primary reasons for occurrence of such system disturbances and preparing guidelines for taking preventive measures. In view of the above two occurrences, the Commission directed the TPC-T and R-Infra-T to expedite the commissioning of various Transmission project investment schemes which are already approved by the Commission. The Commission also directed for review of protection setting at all inter-connection points between two transmission licensees and also between Transmission- Distribution Inter-connection boundary points.

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 28th February, 2011 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 FY2010-11, the CGRFs in the State were approached by approx. 1130 aggrieved electricity consumers, out of which 813 were redressed.

During the period, 167 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 158 cases.

Also, 34 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 and 155 during 2009-2010.

As many as 167 Representations were received during the year under report, of which 140 were decided during the year itself. In addition, 18 representations out of those received in the previous year, were also decided. Thus, total 158 Representations were decided and orders issued during 2010-11.

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 44 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 and 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 redress as envisaged under the Act.

Dr. Suresh Joshi, IAS (Retd.), took over as Ombudsman in Mumbai during the year.

ANNEXURE - I

LIST OF CASES BEFORE COMMISSION DURING THE YEAR 2010-11

NO.	APPLICANT	RESPONDENT	DATE OF PETITION	CASE NO	SUBJECT
1	Brihan Mumbai Electric Supply and Transport Undertaking	Tata Power Co Ltd (Generation)	29.03.2010	1 of 2010	Petition for approval of Power Purchase Agreement dated 5 th February 2010 between BEST and The Tata Power Company Ltd. (Generation Business), Mumbai
2	M/s. Abhijeet MADC Nagpur Energy Pvt. Ltd.	Secretary (Energy), Government of Maharashtra.	29.03.2010	2 of 2010	Petition for clarification regarding non-requirement of Transmission License for dedicated transmission Line of Generating Co.
3	Paul Strips & Tubes Pvt. Ltd	MSEDCL	12.03.2010	3 of 2010	Petition for non-implementation of an Order passed by the Ombudsman in Case No. 147 of 2009 dated 4.2.2010.
4	Mundra Steel & Alloy Pvt. Ltd	Maharashtra Electricity Distribution Co Ltd	15.03.2010	4 of 2010	Petition for non implementation of Order passed by the Ombudsman in Case No. 147 of 2009 dated 4.2.2010, and refund of Tariff Difference within one month of passing an Order
5	Maharashtra State Electricity Distribution Co Ltd	N/A	30.03.2010	5 of 2010	Petition seeking approval for continuation of Pen Zero Load Shedding Model and recovery of reliability charge
6	M/s Sunfresh Agro Pvt. Ltd	The Mula Pravara Co-Op. Electricity Society Ltd, and MSEDCL	11.09.2009	6 of 2010	Petition seeking direction for electric supply either from MPECS or MSEDCL
7	Reliance Infrastructure Ltd (Distribution)	BEST Undertaking, and Tata Power Co Ltd.	20.04.2010	7 of 2010	Petition seeking relief on account of certain critical issues affecting the Petitioner Company's consumers and its financial viability
8	Tata Power Company Ltd	Not mentioned	03.03.2010	8 of 2010	Petition seeking review of order dated 19.01.2010 in the matter of approval of the Capital Cost and Determination of Tariff of 250 MW Unit No. 8.
9	Reliance Infrastructure Ltd (Distribution)	Not mentioned	20.04.2010	9 of 2010	Petition seeking modification of present Interim Balancing and Settlement Mechanism (IBSM) with Final Balancing and Settlement Mechanism (FBSM)
10	M/s Trent Ltd	Reliance Infrastructure and Tata Power Co Ltd.	13.04.2010	10 of 2010	Complaint against contravention of the EA 2003 and the MERC Supply Code by the Respondent No. 1 and consequent failure to carry out disconnection to the Petitioner's premises thereby knowingly preventing the Petitioner to avail supply of electricity from other licensee and thereby compelling the Petitioner to avail supply from the Respondent No.1 at significantly high tariff.
11	Trent Hypermarket Ltd	Reliance Infrastructure and Tata Power Co Ltd.	13.04.2010	11 of 2010	Complaint against contravention of the EA 2003 and the MERC Supply Code by the Respondent No. 1 and consequent failure to carry out disconnection to the Petitioner's premises thereby knowingly preventing the Petitioner to avail supply of electricity from other Licensee and thereby compelling the Petitioner to avail supply from the Respondent No.1 at significantly high tariff.

NO.	APPLICANT	RESPONDENT	DATE OF PETITION	CASE NO	SUBJECT
12	Maharashtra Elektrosmeit Ltd.	Maharashtra Electricity Distribution Co Ltd	01.04.2010	12 of 2010	Petition seeking clarification on clause "The billing demand for consumer with captive power plant shall be governed as per CPP order of case 55 & 56 of 2003 in case 116 of 2008"
13	Suo Motu	Tata Power Co Ltd., and Reliance Infrastructure Ltd	17.05.2010	13 of 2010	Suo Motu hearing regarding supply of electricity from the generating stations of the Tata Power Co Ltd to Reliance Infrastructure Ltd for distribution to its consumers.
14	Maharashtra State Electricity Distribution Co Ltd.	Not mentioned	14.05.2010	14 of 2010	Petition seeking approval of 2000 (±20%) MW instead of already approved 1000 MW base load power on medium term basis through International Competitive Bidding Process (Case I).
15	Tata Power Company Ltd.	Municipal Corporation of Greater Mumbai	14.05.2010	15 of 2010	Petition regarding dispute in grant of excavation rights for laying of HT (electricity) cables
16	Tata Power Company Ltd.	State Load Despatch Centre, Kalwa; Tata Power Trading Company Limited; Reliance Infrastructure Limited and BEST Undertaking.	20.05.2010	16 of 2010	Petition assailing the legality and propriety of letters dated 16.05.2010 and 18.05.2010 issued by Maharashtra State Load Despatch Centre, thereby refusing to schedule 160 MW power in clear breach of its statutory duties, which the Petitioner's distribution division has contracted to procure through a PPA to meet the load requirements of its consumers in Mumbai license area.
17	Shri NathuGangadhar Rambhad	Maharashtra State Electricity Distribution Co Ltd.	03.03.2010	17 of 2010	Petition for directions to the Respondent to declare the repaired – failed transformers of which the colour of windings is blackened / Charred as failure due to overloads and hence outside the purview of guarantee-period clauses of the Order.
18	Tata Power Company Ltd.	Not mentioned	04.06.2010	18 of 2010	Petition for approval of additional Power Purchase during Q 4 of FY 2009-10
19	Shalivahana Green Energy Ltd	Maharashtra State Electricity Distribution Co. Ltd.	28.04.2010	19 of 2010	Petition seeking termination of Biomass Energy Purchase Agreement dated June 7, 2006 executed by and entered into with MSEDCCL.
20	Suo Motu	All Distribution Licensees and Renewable Energy Producers	23.06.2010	20 of 2010	Determination of Generic Tariff under Regulation 8 of the Maharashtra Electricity Regulatory Commission (Terms and Conditions for Determination of Renewable Energy Tariff) Regulations, 2010
21	Suo Motu	All Distribution Licensees and Renewable Energy Producers, and Maharashtra Energy Development Agency	01.07.2010	21 of 2010	Designating the State Agency to undertake functions as envisaged in Maharashtra Electricity Regulatory Commission (Renewable Purchase Obligation, its Compliance and REC Framework Implementation) Regulations, 2010
22	Maharashtra State Electricity Distribution Co Ltd	Not mentioned	22.06.2010	22 of 2010	Petition for adoption of the tariff for procurement of 2000 MW (-20%/+30%) power on Long Term Basis under International Competitive Bidding Process (Case 1 Stage 2)
23	Suo Motu	Maharashtra State Electricity Distribution Co Ltd.	30.06.2010	23 of 2010	Suo Motu hearing for action to be initiated against Maharashtra State Electricity Distribution Co Ltd for non-adherence of Load Shedding Protocol approved by the Commission.

NO.	APPLICANT	RESPONDENT	DATE OF PETITION	CASE NO	SUBJECT
24	M/s Yash Agro Energy Ltd	Maharashtra State Electricity Distribution Co Ltd.	22.06.2010	24 of 2010	Petition seeking adjudication of the claim arising out of denial of Open Access referred by a generating company directly connected to the distribution system of the Distribution Licensee.
25	Maharashtra State Electricity Distribution Co Ltd.	Not mentioned	01.07.2010	25 of 2010	Petition for withdrawal of load shedding in Gadchiroli District
26	Maharashtra State Electricity Distribution Co Ltd.	Not mentioned	15.06.2010	26 of 2010	Petition seeking Clarification for determination of additional cost as reliability charges for withdrawal of load shedding in the Thane II urban region including Kalwa Sub-Division
27	M/s Prabhat Dairy Private Ltd	Mula Pravara Electric Supply Co Ltd., and Maharashtra State Electricity Distribution Co Ltd.	07.07.2010	27 of 2010	Petition for Electric supply to the Petitioner under Open Access mode and noncompliance thereof by the Distribution Licensee (MPECS) and MSEDCL
28	Wardha Power Company Ltd.	Maharashtra State Electricity Transmission Co Ltd, and EMCO Energy Ltd.	05.06.2010	28 of 2010	Petition for grant of transmission capacity rights for evacuation of 270 MW (second phase) power from the Petitioner's generating sub-station at Warora through MSETCL's existing 220 kV Warora Sub-station.
29	Wardha Power Company Ltd.	Maharashtra State Electricity Transmission Co Ltd, and State Load Despatch Centre.	05.06.2010	29 of 2010	Petition for quashing of letter dated 30.03.2010 issued by the Maharashtra State Transmission Company Ltd., demanding transmission charges
30	Chief Electrical Engineer, Central Railway, Mumbai	Maharashtra State Electricity Distribution Co Ltd.	18.05.2010	30 of 2010	Petition seeking the direction to MSEDCL to stop levy of reliability charges from Railway traction bill and refund the reliability charges with interest.
31	Sinnar Power Transmission Company Ltd.	Not mentioned	19.07.2010	31 of 2010	Petition for grant of transmission Licence as per Section 14 of the Electricity Act 2003, and MERC (transmission Licence Conditions) Regulations, 2004 for development of the following transmission system : (a) 400 kv D/C Quad Moose Transmission Line from Sinnar TPP to Babhaleshwar Sub-Station. (b) two nos 400 kv line bays at Babhaleshwar Sub-station.
32	Amravati Power Transmission Company Ltd. (APTCL)	Not mentioned	19.07.2010	32 of 2010	Petition for grant of transmission Licence as per Section 14 of the Electricity Act 2003, and MERC (transmission Licence Conditions) Regulations, 2004 for development of the following transmission system : (a) 400 kv D/C Quad Moose Amravati TPP – Akola S/S Transmission Line. (b) LILO of 400 kv S/C Akola to Koradi Transmission line at Amravati TPP. (c) 2 nos 400 kv line bays at MSETCL Akola Sub-station.
33	Smt. Juhi Vikas Vartak	SE, MSEDCL, Kalyan Zone	22.07.2010	33 of 2010	Petition seeking action for non compliance of Order in the Grievance No. K/E/218/ 242 of 2009 – 2010 registered with Consumer Grievance Redressal Forum Kalyan Zone, Kalyan about flying squad recovery
34	M/s Jain Irrigation Systems Limited	Maharashtra State Electricity Distribution Co Ltd.	20.07.2010	34 of 2010	Petition seeking review of the Commission's Order dated 17.08.2009 passed in Case No. 116 of 2008
35	M/s NTSPower	Not mentioned	16.06.2010	35 of 2010	Petition for grant of Intra State Trading License
36	Tata Power Company Ltd.	Not mentioned	06.08.2010	36 of 2010	Petition for connectivity of 3 MW Solar based power generation project to the grid.

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37	Tata Power Company Ltd.	(i) MSLDC, (ii) Secretary, GoM, (iii) Reliance Infrastructure Ltd., (iv) BEST, (v) MSETCL, and (vi) Tata Power Trading Co.	18.08.2010	37 of 2010	Petition for assailing the legality and propriety of letters dated 16 th May 2010, 18 th May 2010 and 12 th June 2010 and of the letter dated 30 th June 2010 issued by the Respondent No.1- Maharashtra State Load Despatch Centre, thereby refusing to schedule 160 MW and 100 MW power respectively.
38	Maharashtra State Electricity Distribution Co Ltd.	Not mentioned	8/2/2010	38 of 2010	Petition for reviewing the matter of testing of distribution transformers by Third party as per desire of agency working for MSEDCL
39	Forbes & Company Limited	Maharashtra Energy Development Agency (MEDA)	23.06.2010	39 of 2010	Petition for determination of tariff for procurement of power by Distribution Licensees from Biomass based power Generating Company in the state of Maharashtra using the Gasification route (Otto cycle)
40	Shri. Vitthal Sidram Burute.	Maharashtra State Electricity Distribution Co Ltd.	23.08.2010	40 of 2010	Petition under Section 142 of EA, 2003 for non-compliance of order passed by Consumer Grievance Redressal Forum and Electricity Ombudsman
41	M/s Navlakha Translines	Maharashtra State Electricity Distribution Co. Ltd	18.08.2010	41 of 2010	Petition for adjudication of dispute and directions to MSEDCL for providing Non-discriminatory Open Access from the Petitioner's generating station to consumers
42	Cogeneration Association of India	Not mentioned	07.08.2010	42 of 2010	Petition for reviewing the tariff order & tariff structure for non-qualifying / incidental type bagasse based grid connected Cogeneration Projects in Maharashtra
43	Maharashtra State Electricity Distribution Co. Ltd	Not mentioned	25.08.2010	43 of 2010	Review petition in the matter of determination of cross subsidy surcharge and for determination of additional surcharge on the charges of wheeling to be recovered from a consumer and / or person, who has been granted Open Access
44	M/s Ispat Industries Ltd	Maharashtra State Electricity Distribution Co. Ltd	07.09.2010	44 of 2010	Petition for implementation of the judgment dated 05.08.2010 issued by Hon'ble Appellate Tribunal for Electricity (APTEL) in Appeal Nos. 70 and 110 of 2008.
45	Brihan-Mumbai Electric Supply & Transport Undertaking (BEST)	Not mentioned	01.09.2010	45 of 2010	Petition seeking relaxation of Regulation 7.2 of the MERC (Renewable Purchase Obligation, its compliance and implementation of REC framework Regulations), 2010 for FY 2010-11
46	M/s Mula Pravara Electric Co.op Society Ltd	MSEDCL, and M/s Sunfresh Agro Industries Pvt. Ltd.	17.08.2010	46 of 2010	Petition under Section 142 read with 146 of the EA, 2003 for violation of provisions relating to grant of Open Access.
47	M/s Janice Textiles Ltd	Maharashtra State Electricity Distribution Co. Ltd	17.08.2010	47 of 2010	Petition under Section 142 of the Electricity Act, 2003, seeking directives of the Commission for non-compliance by MSEDCL of the Order of CGRF Kalyan.
48	M/s Shree Steel Castings Ltd	The Suptd. Engineer, Nagpur Urban Circle, MSEDCL	17.08.2010	48 of 2010	Petition under Sections 142, 146, 151 and 151A of the Electricity Act, 2003, seeking directives of the Commission for penalizing MSEDCL, for not implementing the Order of CGRF dated 20.03.2010 and Corrigendum to the Order dated 26.03.2010 within the stipulated time frame.

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49	M/s Nidhye Engineering Co. Pvt. Ltd	The Suptd. Engineer, Nagpur Urban Circle, MSEDCL	16.08.2010	49 of 2010	Petition under Sections 142, 146, 151 & 151A of the Electricity Act, 2003, seeking directives of the Commission for penalizing MSEDCL, for contravening the provisions of the MERC (Consumer Grievance Redressal Forum & Electricity Ombudsman) Regulations, 2006 by not implementing the Order of Ombudsman dated 30.06.2010 within the stipulated time frame
50	M/s Skip Packing Pvt. Ltd	Supdt Engineer, Vasai Circle, MSEDCL	25.05.2010	50 of 2010	Petition u/s 142, 146 & 62(6) of the Electricity Act, 2003 for Non-compliance of the Order passed by the CGRF, Kalyan dated 31.08.2009
51	M/s J.D. Exports	Regional Executive Director, MSEDCL, Kalyan & Others	22.05.2010	51 of 2010	Petition under Section 142, 146 and 62 (6) of the Electricity Act, 2003, seeking directives of the Commission for Non-compliance of CGRF Kalyan Order dated 11.05.2009 by MSEDCL.
52	M/s R.L. Steels Ltd	Maharashtra State Electricity Distribution Co. Ltd	17.09.2010	52 of 2010	Petition under Section 142, 146 & 62(6) of EA 2003 r/w 92 & 94 of MERC (Conduct of Business) Regulations, 2004, seeking clarification about the Commission's directions in its Order dated 05.03.2010 in Case no. 71 of 2009 regarding levy of Voltage Surcharge and its interpretation and implementation by M.S.E.D.C.L.
53	Wardha Power Company Ltd	Reliance Infrastructure Ltd	28.09.2010	53 of 2010	Petition under Section 63 r/w 86 (1) (b) & (f) of the EA, 2003 regarding Dispute between a generating Company and the Distribution Licensee in connection with request for proposal for procurement of Power for 'Long Term' under Case-1 Bidding Procedure through Tariff Based Competitive Bidding Process issued in July 2009, by M/s Reliance Infrastructure Limited
54	Tata Power Co Ltd	Not mentioned	17.08.2010	54 of 2010	Petition seeking clarification on determination of Tariff for DG Set at Lodhivi.
55	M/s Yash Agro Ltd	Maharashtra State Electricity Distribution Co. Ltd	08.09.2010	55 of 2010	Petition seeking review of order dated 06.05.2008 passed in Case No. 93 of 2007 and for appropriate directions to the Respondent under Section 10(2) of the Electricity Act, 2003 and the Terms of EPA dated 25.10.2004
56	Maharashtra State Electricity Distribution Co. Ltd	Not mentioned	20.09.2010	56 of 2010	Petition for approval 125 MW Power Purchase Agreement initialed by MSEDCL and M/s Adani power Maharashtra Ltd. (APML) and adoption of tariff
57	M/s Vipras Castings Ltd	Supdt Engineer, Pen Circle, MSEDCL	03.06.2010	57 of 2010	Complaint against MSEDCL for non-compliance of CGRF Order dated 07/04/2010
58	Shri Nathu G Rambhad	Maharashtra State Electricity Distribution Co. Ltd	29.09.2010	58 of 2010	Petition under Sections 57(1), 86 (1) (i), 142 and 143 of the Electricity Act, 2003 for seeking directions to the Respondents on the methodology of repairs to Distribution Transformers which cause loss of power and choke the Electricity generation
59	The Tata Power Company Ltd	M/s Reliance Infrastructure Ltd	29.09.2010	59 of 2010	Petition under Section 86 (1) (f), under EA 2003 in the matter of blatant misuse of the electricity bills issued by M/s Reliance Infrastructure Ltd. (Rinfra) to its consumers, and abuse of the billing process to disparage and malign the Petitioner

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60	M/s Rubi Mills Limited	Maharashtra State Electricity Distribution Co. Ltd	04.10.2010	60 of 2010	Petition for review of the MERC's Order in Case No. 71 of 2009 dated 5 th March, 2010 on MSEDCL's proposal for levy of voltage surcharge to consumers, who are supplied power at lower than prescribed voltage as per SoP Regulation.
61	M/s Knowledge Infrastructure Systems Pvt. Ltd.	Not mentioned	08.09.2010	61 of 2010	Application under Section 14 and 15 of the EA, 2003, R/w the MERC (Conduct of Business) Regulations, 2004, for granting Intra State Trading License.
62	M/s Adani Power Maharashtra Limited	Maharashtra State Electricity Transmission Co Ltd.	04.10.2010	62 of 2010	Application for the amendment of "Transmission Licence for Adani Power Maharashtra Limited (Licence No. 2 of 2009)" granted u/s 14 of the Electricity Act, 2003 (36 of 2003) and Maharashtra Electricity Regulatory Commission (Transmission License Conditions) Regulations, 2004, as amended in 2006
63	Maharashtra State Electricity Distribution Co. Ltd	Not mentioned	11.10.2010	63 of 2010	Petition of MSEDCL for approval of deviations for procurement of 2000 (±20%) MW power on medium term basis through International Competitive Bidding Process (Case I).
64	M/s JSW Energy (Ratnagiri) Ltd.	Maharashtra State Electricity Distribution Co. Ltd	8.10.2010	64 of 2010	Petition for adjudication of disputes arisen between JSW Energy (Ratnagiri) and Maharashtra State Electricity Distribution Company Limited.
65	Maharashtra State Electricity Distribution Co. Ltd	Not mentioned	8.09.2010	65 of 2010	Petition for relaxation from constitution of Consumer Grievance Redressal Forum at newly created Zones at Jalgaon, Nanded and Baramati.
66	M/s Abhinandan Enterprises	Maharashtra State Electricity Distribution Co. Ltd	13.05.2010	66 of 2010	Petition for Non Compliance of Order dated 30 th March, 2010 in Representation No. 26 of 2010 issued by Electrical Ombudsman.
67	Mula Pravara Electric Co-op Society Ltd.	Maharashtra State Electricity Distribution Co. Ltd	13.10.2010	67 of 2010	Petition seeking directions to the Respondent for following the load shedding protocol in terms of order dated November 28, 2010 in case no. 77 and 78 of 2008. And for setting aside the load shedding schedule issued by the Respondent to the Petitioner vide its letter dated 06.10.2010.
68	M/s Ispat Industries Ltd	(i) MSEDCL, (ii) MSETCL, (iii) Indian Energy Exchange Ltd., and (iv) Power Exchange India Ltd.	20.10.2010	68 of 2010	Application for Open Access under the provisions of the Electricity Act, 2003. The MERC (Distribution Open Access) Regulations, 2005, MERC (Transmission Open Access) Regulations, 2005 and procedure for Distribution Open Access.
69	Maharashtra State Electricity Distribution Co. Ltd	Not mentioned	15.10.2010	69 of 2010	Petition for Review of Order dated 12 th September 2010 in Case No. 111 of 2009 – Petition of MSEDCL for Truing Up for FY 2008-09, Annual Performance Review for FY 2009-10 and Aggregate Revenue Requirement and Tariff Determination for FY 2010-11
70	Ulhasnagar Manufacturers Association	Maharashtra State Electricity Distribution Co. Ltd	20.10.2010	70 of 2010	Petition seeking review of MSEDCL's Tariff Order dated 12.09.2010 in Case No. 111 of 2009 for the tariff of LT V: LT - Industry (B) Category

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71	Tata Power Co Ltd. (Generation)	Not mentioned	15.10.2010	71 of 2010	Review of MERC Order dated 08 th September 2010, with regards approval of the truing up of FY 2008-09, APR for FY 2009-10 and ARR for FY 2010-11 of Tata Power – G (Case No. 96 of 2009).
72	Reliance Infrastructure Ltd. (Distribution Division)	Not mentioned	11.10.2010	72 of 2010	Petition for approval of Aggregate Revenue Requirement of R-Infra- D for Annual Performance Review towards Truing up of FY 2008-09, Annual Performance Review of FY 2009-10 and for approval of ARR estimates and tariffs and charges for FY 2010-11.
73	Maharashtra State Electricity Transmission Co Ltd.	Not mentioned	15.10.2010	73 of 2010	Petition for review of APR Order for the Third Year (i.e. FY 2009-10) in Case No. 103 of 2009 order dated 10 th September 2010, truing up for FY 2008-09 of the first control period commencing from April 1, 2007 to March 31, 2010 under Multi Year Tariff framework and approval of Aggregate Revenue Requirement for FY 2010-11 of MSETCL.
74	Suo Motu	N/A	N/A	74 of 2010	Suo-Motu Order in the matter of "Determination of Fees and Charges payable under Regulation 9.7 of MERC (Renewable Purchase Obligation, its Compliance and Implementation of REC framework) Regulations, 2010" in Maharashtra State.
75	M/s Lloyds Steel Industries Ltd.	Maharashtra State Electricity Distribution Co Ltd.	28.10.2010	75 of 2010	Petition seeking payment of interest on regulatory charges collected by MSEDCL vide judgment of Hon'ble Appellate Tribunal (APTEL) dated 05.08.2010 in Appeal Nos. 70 and 110 of 2008.
76	Maharashtra State Electricity Distribution Co Ltd.	Not mentioned	30.10.2010	76 of 2010	Petition for continuation of Zero Load Shedding in the headquarters of Revenue Division of MSEDCL License Area.
77	Shri Sanjay Bhagwan Gondhali	Maharashtra State Electricity Distribution Co Ltd.	28.10.2010	77 of 2010	Petition for Non Compliance of Order passed by CGRF, Kolhapur dated 11.08.2010 by MSEDCL
78	Reliance Infrastructure Ltd.	Not mentioned	01.11.2010	78 of 2010	Petition in the matter of Distribution Licence of M/s Reliance Infrastructure Ltd.
79	Reliance Infrastructure Ltd (Transmission)	Not mentioned	01.11.2010	79 of 2010	Petition of M/s Reliance Infrastructure Ltd. for grant of Transmission Licence
80	Shri Nanasaheb Punjabi Pawar and Others	MSEDCL, MPECS, Secretary (Energy), GoM; and Secretary (Co-Operation and Marketing), GoM	12.10.2010	80 of 2010	Petition seeking directions to the Respondent for following the load shedding protocol in terms of Order dated November 28, 2010 in Case no. 77 and 78 of 2008 and for setting aside the load shedding schedule issued by the Respondent to the Petitioner vide its letter dated 06.10.2010
81	Maharashtra Veej Grahak Sanghatna	Maharashtra State Electricity Distribution Co Ltd.	20.10.2010	81 of 2010	Petition for initiating penalized action against MSEDCL's Officers for implementing excessive load shedding on single phase and Separate Agricultural Pumps electricity users, by violating the MERC's load shedding guidelines and Methodology.
82	Shri Ram Ramprasad Rathi, Proprietor M/s. Red Brick Company	Maharashtra State Electricity Distribution Co Ltd.	01.10.2010	82 of 2010	Complaint against MSEDCL for non-compliance of Order passed by Hon'ble CGRF dated 10-08-2010.

NO.	APPLICANT	RESPONDENT	DATE OF PETITION	CASE NO	SUBJECT
83	M/s Indo Rama Synthetics (India) Ltd.	Maharashtra State Electricity Distribution Co Ltd.	10.11.2010	83 of 2010	Complaint against MSEDCL under Section 142 of the EA 2003 for not extending the permission for purchase of power to the tune of 10 MW through Open Access from Indian Energy Exchange
84	Suo Motu	N/A	N/A	84 of 2010	Suo Motu Public Hearing on Grid Disturbance in Mumbai Suburbs on 18 th November, 2010 – reporting under Regulation 29 of the State Grid Code.
85	Maharashtra State Electricity Distribution Co Ltd.	N/A	03.11.2010	85 of 2010	Petition for grant of Distribution Licences in the area of MPECS
86	Indiabulls Power Limited	N/A	03.11.2010	86 of 2010	Petition for grant of Distribution Licence in the area of MPECS
87	Mula Pravara Electric Co-op Society Ltd.	N/A	03.11.2010	87 of 2010	Petition for grant of Distribution Licence in the area of MPECS
88	Maharashtra State Electricity Distribution Co Ltd.	Not mentioned	23.11.2010	88 of 2010	Petition for approval of deviations taken in Request for Proposal and Power Purchase Agreement from Standard Bidding Documents issued by Ministry of Power for procurement of 600 MW ($\pm 10\%$) base load power on long term basis through tariff based Competitive Bidding Process (Case I).
89	M/s. Kay Power and Paper Ltd.,	Maharashtra State Electricity Distribution Co Ltd.	24.11.2010	89 of 2010	Petition for grant of Interim unit Rate for Co-Generation Project
90	Maharashtra State Load Despatch Centre	Not mentioned	26.11.2010	90 of 2010	Petition for the approval of Budget of MSLDC for the Financial Year 2011-12
91	Tata Power Company Ltd.	Maharashtra State Electricity Distribution Co Ltd.	16.11.2010	91 of 2010	Petition for adjudication of disputes between the Petitioner (TPC) & Respondent (MSEDCL)
92	Suo Motu	Not mentioned	N/A	92 of 2010	Suo Motu Hearing on Draft MERC (Terms and Conditions of Tariff) (Amendment) Regulations, 2010 which intend to incorporate provisions for levying proportionate FAC.
93	Maharashtra State Electricity Distribution Co Ltd.	Not mentioned	01.12.2010	93 of 2010	Petition for withdrawal of load shedding of Divisions of A, B, C, D groups of other Region area
94	Maharashtra State Electricity Distribution Co Ltd.	Not mentioned	01.12.2010	94 of 2010	Petition for withdrawal of load shedding for Villages within 5 Kms area around Major Generating Power Stations in Maharashtra.
95	Shri Santosh Vasantrao Maisne	Maharashtra State Electricity Distribution Co Ltd.	04.11.2010	95 of 2010	Petition for Non Compliance of Order passed by CGRF, in case no. 63 of 2010 on date 18 October 2010
96	(1) M-Tech Innovations Ltd., (2) Kothari Industries, (3) Kothari Polyextrusion, and (4) S.K. Oil Industries	Maharashtra State Electricity Distribution Co Ltd.	20.10.2010	96 of 2010	Petition seeking clarification about the Commission's Order dated 24 th November 2003, in case No. 17(3), 3, 4 and 5 of 2002.
97	Jaigad Power Transco Ltd	Not mentioned	26.11.2010	97 of 2010	Petition for the approval of Annual Revenue Requirement for the Financial Year 2010-11
98	Shreem Electric Ltd. And Json Foundry Pvt Ltd.	Not mentioned	26.11.2010	98 of 2010	Petition seeking clarification about the Commission's Order dated 24 th November 2003, in case No. 17(3), 3, 4 and 5 of 2002.

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99	JSW Energy (Ratnagiri) Limited	Maharashtra State Electricity Distribution Co Ltd.	14.12.2010	99 of 2010	Petition for adjudication of disputes arisen between JSW Energy (Ratnagiri) and Maharashtra State Electricity Distribution Company Limited.
100	The Akot MIDC Industries Association	Maharashtra State Electricity	25.11.2010	100 of 2010	Petition seeking clarification about the Commission's directions in its Order dt. 01.10.2010 in Case No. 93 of 2008 regarding refund of ORC/DDF/ and such other charges which are not defined under Electricity Supply Code & are not approved under schedule of charges read with the regulation 18 of Supply Code, 2005
101	Maharashtra Rajya Veej Grahak Sanghatana	Maharashtra State Electricity Distribution Co Ltd.	15.12.2010	101 of 2010	Clarification about the Commissions' directions in its order dt. 29.11.2010 in case No. 24 of 2007 regarding refund of ORC/ ORC-P and such other charges which are not defined under Electricity Supply Code and /or the Order dated 08/09/2006
102	Ravindra Vinayak Jawlekar	Maharashtra State Electricity Transmission Co Ltd.	14.12.2010	102 of 2010	Petition challenging the Notice issued by MSETCL under Indian Telegraph Act, 1885 for erection of 400 kV Koradi - Wardha Line
103	Maharashtra State Electricity Distribution Co Ltd.	Maharashtra State Power Generation Co Ltd.	24.12.2010	103 of 2010	Petition in the matter of approval of the Addendum to the PPA dated 1.4.2009 between MSEDCL and MSPGCL
104	Ankur Scientific Energy Technologies Pvt Ltd.	Maharashtra Energy Development Agency (MEDA)	15.12.2010	104 of 2010	Petition for determination of tariff for procurement of power by Distribution Licensees from Biomass based power Generating Company in the State of Maharashtra using the Gasification route (Otto cycle) - up to 2 MW size.
105	Shyam Pulses	Executive Engineer (Rural), Akola, Maharashtra State Electricity Distribution Co Ltd.	18.12.2010	105 of 2010	Petition for non-compliance of the Order dated 11th October, 2010 passed by CGRF Amravati Zone, Akola in Case No. 55 of 2010.
106	Shyam Oil Mills	Executive Engineer (Rural), Akola, Maharashtra State Electricity Distribution Co Ltd.	18.12.2010	106 of 2010	Petition for non-compliance of the Order dated 23rd October, 2010 passed by CGRF Amravati Zone, Akola in Case No. 59 of 2010.
107	Shri Deepak Shankarlal Agrawal	Executive Engineer (Rural), Akola, Maharashtra State Electricity Distribution Co Ltd.	18.12.2010	107 of 2010	Petition for non-compliance of the Order dated 13th October, 2010 passed by CGRF Amravati Zone, Akola in Case No. 57 of 2010.
108	Shivam Oil Industries	Executive Engineer (Rural), Akola, Maharashtra State Electricity Distribution Co Ltd.	19.12.2010	108 of 2010	Petition for non-compliance of the Order dated 12th October, 2010 passed by CGRF Amravati Zone, Akola in Case No. 56 of 2010.
109	Chandak Constructions	Executive Engineer (Rural), Akola, Maharashtra State Electricity Distribution Co Ltd.	20.12.2010	109 of 2010	Petition for non-compliance of the Order dated 13th October, 2010 passed by CGRF Amravati Zone, Akola in Case No. 58 of 2010.
110	Maharashtra State Electricity Distribution Co Ltd.	Maharashtra State Electricity Transmission Co Ltd.	12.11.2010	110 of 2010	Petition for deferment of the payment to MSETCL as per tariff revised vide Order dated 10th September 2010 in Case 120 of 2009
111	Tata Power Co Ltd.	Not mentioned	31.12.2010	111 of 2010	Petition for approval of additional power purchase during Q-4 of FY 2010-11
112	Maharashtra State Electricity Distribution Co Ltd.	Not mentioned	22.12.2010	112 of 2010	Petition for consideration of the additional employee expenses for grant of ex-gratia to the employees of MSEDCL for the year 2009-10

NO.	APPLICANT	RESPONDENT	DATE OF PETITION	CASE NO	SUBJECT
113	Shri Rajesh Namaware	MSPGCL, CGM Khaperkega, Nagpur, and CGM Koradi, Nagpur	20.11.2010	113 of 2010	Petition in the matter of violation of Government Notification dated 6.6.2005 and the MERC Order dated 27.09.2006
114	Brihan-Mumbai Electric Supply and Transport Undertaking (BEST)	Not mentioned	18.11.2010	114 of 2010	Petition for recovery of power factor incentive amounting to (i) Rs.26.14 cr for FY 2007-08; and (ii) Rs.44.23 cr for FY 2008-09 which had inadvertently and through honest oversight remained to be accounted by BEST as expenditure in the ARR and tariff for FY 2007-08 and 2008-09 respectively.
115	Suo Motu	Not applicable	23.12.2010	1 of 2011	Review of MERC Order dated 12.9.2010 in Case No. 102 of 2009 - MSPGCL Petition for ARR and Tariff 2010-11 and APR for 2009-10
116	Pace Investments Pvt Ltd	Maharashtra State Electricity Distribution Co Ltd.	23.12.2010	2 of 2011	Complaint under Section 142 r/w Section 149 of the Electricity Act, 2003 for Non-Compliance of the Order dated 14.11.2010 of Internal Grievance Redressal Cell, Pune
117	DLI Power (India) Pvt Ltd	Maharashtra State Electricity Distribution Co Ltd.	23.12.2010	3 of 2011	Petition for clarification on the MERC Order for determination of Generic Tariff under Regulation 8 of the MERC (Terms and Conditions for Determination of Renewable Energy Tariff) Regulations, 2010 in Case No. 20 of 2010.
118	Tata Power Company Ltd.	Not mentioned	14.01.2011	4 of 2011	Invitation for Expression of Interest dated 6.10.2010 issued by MERC and further letter No. MERC/EoI/ R-Infra/2010/1750 dated 25.11.2010 by MERC calling for submission of application for grant of distribution license in Reliance Infrastructure Ltd. – Distribution ("R-Infra-D") area of supply.
119	Indiabulls Power Limited	Not mentioned	14.1.2011	5 of 2011	Petition for grant of Distribution Licence in the Reliance Infrastructure Ltd's (R-Infra) supply area.
120	Maharashtra State Electricity Distribution Co Ltd.	Not mentioned	11.1.2011	6 of 2011	Petition for grant of Distribution Licence in the Reliance Infrastructure Ltd's (R-Infra) supply area.
121	Torrent Power Ltd.	Not mentioned	16.1.2011	7 of 2011	Petition for grant of Distribution License in East Zone and South Zone of R-Infra- D area.
122	Lanco Infratech Limited	Not mentioned	8.12.2010	8 of 2011	Petition for grant of Distribution Licence in the Reliance Infrastructure Ltd's (R-Infra) supply area.
123	JSW Energy Limited	Maharashtra State Electricity Distribution Co Ltd.	4.1.2011	9 of 2011	Petition under Section 86 (1) (f) and other applicable provisions of the Electricity Act, 2003 for adjudication of disputes that have arisen between JSW Energy Limited and Maharashtra State Electricity Distribution Company under the PPA dated 23.2.2010
124	Renewable Energy Development Association of Maharashtra	Maharashtra State Electricity Distribution Co Ltd.	24.11.2010	10 of 2011	Petition for adjudication of dispute regarding provisions of non discriminatory open access.
125	Wardha Power Co Ltd	Reliance Infrastructure Ltd	24.1.2011	11 of 2011	Petition of Wardha Power Co Ltd for adoption of Tariff and approval of Power Purchase Agreement dated 04.06.2010 for 260 MWs by M/s. Reliance Infrastructure Limited, and Dispute between a Generating Company and the Distribution Licensee

NO.	APPLICANT	RESPONDENT	DATE OF PETITION	CASE NO	SUBJECT
126	Reliance Infrastructure Ltd	Not mentioned	28.1.2011	12 of 2011	Petition for Adoption of Tariff determined through transparent process of bidding under Section 63 of the Electricity Act, 2003 in respect of Power Purchase Agreement entered into between Reliance Infrastructure Limited on the one hand and Vidharbha Industries Power Limited.
127	Reliance Infrastructure Ltd	Not mentioned	27.01.2011	13 of 2011	Petition for Adoption of Tariff determined through transparent process of bidding under Section 63 of the Electricity Act, 2003 in respect of Power Purchase Agreement entered into between Reliance Infrastructure Limited on the one hand and Chitrangi Power Private Limited
128	Wardha Power Company Limited	Maharashtra State Electricity Distribution Co Ltd	07.01.2011	14 of 2011	Petition seeking recovery of unpaid dues/ tariff for supply of electricity in terms of Power Purchase Agreement dated 13.05.2009
129	Maharashtra State Power Generation Co Ltd	Not mentioned	24.01.2011	15 of 2011	Petition for additional employee expenses for Grant of Ex- gratia to the employees of MSPGCL for the year 2009-2010
130	Maharashtra Airport Development Company Ltd	Not mentioned	02.02.2011	16 of 2011	Petition under Section 16 & 181 of the Electricity Act (EA), 2003 and under MERC (General Conditions of Distribution Licensee) Regulations, 2006 for taking on record the Distribution Licensee status of the Petitioner, Maharashtra Airport Development Company Ltd. for Multi Product Special Economic Zone at Mihan, Nagpur.
131	M/s Reliance Infrastructure Ltd	Wardha Power Company Ltd	08.02.2011	17 of 2011	Petition for review of Order dated 27 th January, 2011 passed by the Hon'ble Commission in Case No. 53 of 2010.
132	M/s Godrej Properties & Investment Pvt Ltd, and M/s Castlemaine Premises Co-operative Society Ltd	Maharashtra State Electricity Distribution Co Ltd	09.12.2010	18 of 2011	Complaint under Section 142, 149 of the EA 2003 for non compliance of Tariff Orders of MERC by the MSEDCL
133	of Indian Wind Energy Association (InWEA), M/s Ajanta Ltd., M/s D.J. Malpani, M/s Lap Finance & Consultancy Pvt Ltd., M/s Navalakha Translines, Shri S.K. Parikh, M/s Sun-N-Sand Hotels (Shirdi) Pvt Ltd., M/s Sun-N-Sand Hotels Pvt Ltd., M/s Musale Investments Pvt Ltd., M/s Diamond Labels Pvt Ltd., M/s Pooa Health Services Pvt Ltd., M/s Nav Gases & Chemicals, M/s Melilink Services, and M/s Giriraj Enterprises.	Maharashtra State Electricity Distribution Co Ltd	25.01.2011	19 of 2011	Petition for adjudication of dispute regarding provisions of non-discriminatory Open Access.
134	The Tata Power Company Ltd	Not mentioned	01.02.2011	20 of 2011	Petition seeking Approval of the proposed Quantum of Power for Medium Term Power Procurement through Competitive Bidding process under Case-I Bidding and for the approval of Bidding documents in accordance with Section 63 of the EA 2003
135	Maharashtra State Electricity Transmission Co Ltd	Not mentioned	15.02.2011	21 of 2011	Petition for consideration of additional Employee Expenses for grant of the ex-gratia to the employees of MSETCL for the year 2009-10.
136	The Tata Power Company Ltd	Maharashtra State Load Despatch Centre, Maharashtra State Transmission Co. Ltd., and Reliance Infrastructure Ltd.	15.02.2011	22 of 2011	Petition assailing the legality and propriety of letter dated 29 th January, 2011 issued by the Respondent No. 1 Maharashtra State Load Dispatch Centre refusing to schedule 200 MW power in accordance with the request of the Petitioner.

NO.	APPLICANT	RESPONDENT	DATE OF PETITION	CASE NO	SUBJECT
137	Maharashtra State Electricity Distribution Company Limited	Not mentioned	24.02.2011	23 of 2011	Petition for adoption of Tariff and approval of reduction in requisitioned capacity to 1000 MW for Medium Term Power Procurement under Case 1 Bidding.
138	Maharashtra State Electricity Distribution Company Limited	Not mentioned	02.02.2011	24 of 2011	Petition for Deferment of the implementation of MYT Regulations 2011.
139	M/s Kaygaon Paper Mill Ltd	EE (Rural), MSEDCL, Aurangabad.	09.02.2011	25 of 2011	Petition under Section 142 read with Section 62(6) of the Electricity Act (EA), 2003, for non compliance of the CGRF Order dated 06/10/2010
140	M/s Reliance Infrastructure Ltd	Maharashtra Energy Development Agency (MEDA)	20.07.2010	26 of 2011	Petition for variation, alteration, modification or amendment as well as review of the provisions of the MERC (Renewable Purchase Obligation, its Compliance and Implementation of REC framework) Regulations, 2010.
141	Maharashtra State Electricity Distribution Company Limited	Not mentioned	22.02.2011	27 of 2011	Petition for levy of voltage surcharge to consumer who have been supplied power at lower voltage than prescribed voltage as per Sop Regulations
142	Maharashtra State Electricity Distribution Company Limited	Mula Pravara Electric Co-Operative Society Ltd.,	11.02.2011	28 of 2011	Petition under Section 142 and 149 of Electricity Act 2003 for non- compliance of the Order dated 27.01.2011 passed by the Commission in Case No. 85 of 2010 and 87 of 2010
143	M/s Reliance Infrastructure Ltd	Not Mentioned	01.03.2011	29 of 2011	Petition seeking for "in principle" approval for Medium Term Power Procurement under the provisions of Section 86 (1) (b) of the Electricity Act, 2003 read with Regulation 24 of the Maharashtra Electricity Regulatory Commission (Terms & Condition of Tariff) Regulations, 2005.
144	Suo Motu	Shri Guruprasad C. Shetty, M/s Metro Entertainment (Bom) Pvt Ltd., M/s Automatic Electric Ltd., Minerva Premises Co-Op. Housing Society, M/s Aldowiet Eng. Co., Ms Anila Gupta, Tata Power Co Ltd., BEST Undertaking, and M/s Reliance Infrastructure Ltd.	N/A	30 of 2011	Suo Motu Hearing to facilitate the switch over policy and procedure from BEST to TPC as the TPC has laid down the necessary infrastructure to provide electricity and that Shri Shetty has requested BEST to disconnect their connection to enable him to opt for supply from TPC.
145	M/s R. L. Steel and Energy Ltd.	Maharashtra State Electricity Distribution Co Ltd.	03.03.2011	31 of 2011	Petition for Non-compliance by MSEDCL of the Commission's direction in its order dated 09/11/2010 in Case No.52 of 2010 regarding levy of Voltage Surcharge
146	Maharashtra State Electricity Distribution Co Ltd.	Not Mentioned	01.03.2011	32 of 2011	Petition under affidavit before the Commission on 10/03/2011 under Regulation 85 (A) of the MERC (Conduct of Business) Regulation, 2004, for Review of Order dated 30/11/2009 in Case No 31 of 2009 for determination of Additional Supply Charge for withdrawal of Load Shedding in the Headquarters of Revenue Divisions in MSEDCL Licence Area.
147	M/s Ixora Constructions Pvt. Ltd.	Not mentioned	03.03.2011	33 of 2011	Petition under Section 14 (b) of Electricity Act 2003, for deemed distribution licensee status to SEZ developers and Co-developers, Ixora Construction Pvt. Ltd. (ICPL) a Co-Developers of Panvel SEZ Area is a Deemed Distribution Licensee and for issuing specific conditions of license by the Commission

NO.	APPLICANT	RESPONDENT	DATE OF PETITION	CASE NO	SUBJECT
148	Maharashtra State Electricity Distribution Co Ltd	Not Mentioned	10.03.2011	34 of 2011	Petition for amendment in SOP Regulations related to Harmonics limits.
149	M/s Baja Finserv Limited	Maharashtra State Electricity Distribution Co Ltd	01.03.2011	35 of 2011	Petition under Section 142 and 146 of E.A. 2003 for Non- compliance of the MERC's different Orders by Commercial department of MSEDCL (i) not permitting change of third party sale to existing wind energy project, (ii) deviating from the Commission's rulings, Orders, etc by SE MSEDCL, Satara by erroneous recovery of short term transmission charges other than approved tariff 2010-11, (iv) forcefully stopping wheeling arrangement of third party sale w.e.f Jan 2011, and (v) holding refund of capital subsidy and erroneous wheeling charges forcibly recovered earlier.
150	M/s Areeb Rolling Mills Pvt Ltd	Maharashtra State Electricity Distribution Co Ltd	08.02.2011	36 of 2011	Petition seeking similar provision to Refund RLC & ASC amount to Permanently Disconnected Consumers as it is in case of all other Consumers and to arrange to Refund our unpaid balance RLC & ASC amount of Rs.16,658,045.46 with interest for delay payment as the refund is already due since April 2010.
151	M/s Abhijeet MADC , Nagpur Energy Pvt Ltd.	Maharashtra State Electricity Distribution Co Ltd	01.03.2011	37 of 2011	Application seeking clarification of the Order dated 12 th September,2010 in Case No. 111 of 2009 in respect of MSEDCL's APR for FY 2009-2010, True up for FY 2008-2009, and ARR and Tariff Determination for FY 2010-2011 regarding applicability of Tariff Category for Startup Power connection of Power Plant.
152	M/s Vivek Polymer India	Maharashtra State Electricity Distribution Co Ltd	09.03.2011	38 of 2011	Petition for non compliance of CGRF Kalyan Interim Order dated 17.02.2011
153	Suo Motu	Not Applicable	-	39 of 2011	Suo-motu Draft Order in the matter of determination of Generic Tariff for Renewable Energy Technologies for the second year of the first Control Period under Regulation 8 of the Maharashtra Electricity Regulatory Commission (Terms and Conditions for Determination of Renewable Energy Tariff) Regulations, 2010
154	Shri Damji Samji Patel	Executive Engineer, O&M, Malkapur, MSEDCL, Amravati	10.02.2011	40 of 2011	Petition for Non Compliance of the Order dated 6th Dec. 2010 passed by the CGRF Amravati Zone, Akola by MSEDCL.
155	Shri. Ankush Sitaram Gayakwad	Executive Engineer, MSEDCL, Solapur	17.03.2011	41 of 2011	Non compliance of the Order dated 28th October, 2010 of the CGRF Kolhapur Zone, by MSEDCL
156	M/s Abhijeet MADC Nagpur Energy Pvt Ltd.	Reliance Infrastructure Ltd	23.03.2011	42 of 2011	Petition under affidavit before the Commission on 29/03/2011 under Section 63, Section 86 (1) (b) and Section 86 (1) (f) of the E.A. 2003 read with guidelines for determination of tariff by bidding process for procurement of power by distribution Licensee, 2005 and the Order dated July 21, 2009 passed by this Hon'ble Commission in Case No. 94/ 2008
157	BEST Undertaking	Not Mentioned	24.03.2011	43 of 2011	Petition for deferment of the implementation of the MERC (MYT) Regulations, 2011.
158	Maharashtra State Power Generation Co Ltd	Not Mentioned	30.03.2011	44 of 2011	Petition seeking exemption from determination of tariff under the MYT framework under the proviso to Regulation 4.1 of MERC MYT Regulations, 2011

NO.	APPLICANT	RESPONDENT	DATE OF PETITION	CASE NO	SUBJECT
159	M/s Reliance Infrastructure Ltd	Not Mentioned	25.03.2011	45 of 2011	Petition for for deferment of the implementation of Maharashtra Electricity Regulatory Commission (Multi Year Tariff) Regulations, 2011
160	Alliedplast	CE (Kalyan) and SE (Vasai), MSEDCL	24.03.2011	46 of 2011	Petition under Section 142, 146 of the EA 2003 against MSEDCL for part non compliance of CGRF Order dated 9.12.2010 by MSEDCL
161	D. D. Polyplast P. Ltd	CE (Kalyan) and SE (Vasai), MSEDCL	17.03.2011	47 of 2011	Petition under Section 142 and 146 of the EA 2003 against MSEDCL for Non Compliance of CGRF Kalyan Order dated 08.09.2010
162	Ashirwad Plastics	CE (Kalyan) and SE (Vasai), MSEDCL	21.03.2011	48 of 2011	Petition under Section 142 and 146 of the EA 2003 against MSEDCL for Non Compliance of CGRF Kalyan Order dated 27/09/2010.
163	Mahendra Industrial Mfg. Co.	CE (Kalyan) and SE (Vasai), MSEDCL	29.03.2011	49 of 2011	Petition under Section 142 and 146 of the EA 2003 against MSEDCL for Non compliance of CGRF Kalyan Order dated 15/12/2010
164	Simplex Plast	CE (Kalyan) and SE (Vasai), MSEDCL	25.03.2011	50 of 2011	Petition under Section 142 and 146 of the EA 2003 against MSEDCL for Part non compliance of CGRF Order dated 09.12.2010
165	Veetek Plastics	CE (Kalyan) and SE (Vasai), MSEDCL	25.03.2011	51 of 2011	Petition under Section 142 and 146 of the E.A.2003 against MSEDCL for Part non compliance of CGRF Order dated 02.12.2010
166	Bhakti Industries	CE (Kalyan) and SE (Vasai), MSEDCL	29.03.2011	52 of 2011	Petition under Section 142 and 146 of the E.A. 2003 against MSEDCL for non-compliance of CGRF Kalyan Order dated 15.12.2010
167	Jay Vijay Plastics	CE (Kalyan) and SE (Vasai), MSEDCL	29.03.2011	53 of 2011	Petition under Section 142 and 146 of the E.A. 2003 against MSEDCL for Non compliance of CGRF Kalyan Order dated 24/12/2010
168	JSW Green Energy Ltd	Not mentioned	17.03.2011	54 of 2011	Petition for seeking tariff approval of Solar Rooftop Photo Voltaic Project under Section 61, 62, 86 & 181 of the EA, 2003 & Regulation 7 of the MERC (Terms & Conditions for determination of RE Tariff) Regulations, 2010 by JSW Green Energy Ltd. as the Generating Utility.
169	Sai Metal Treat	CE (Kalyan) and SE (Vasai), MSEDCL	21.03.2011	55 of 2011	Petition under Section 142 and 146 of the E.A. 2003 against MSEDCL for Non compliance of CGRF Kalyan Order dated 27/09/2010
170	Lloyds Metal & Engineers Ltd	MSEDCL, Tata Power Co Ltd., BEST Undertaking and Reliance Infrastructure Ltd.	24.03.2011	56 of 2011	Petition under Section 62 (1) (a) and 86 (1) (e) of the Electricity Act 2003 for determination of tariff for supply of electricity from Industrial waste heat recovery co-generation Power plant of capacity 30 MW at Ghugus, Dist Chandrapur of Maharashtra to the Distribution licensee in Maharashtra and fixation of purchase obligation for electricity produced from waste heat recovery based Co-generation plants
171	Reliance Infrastructure Ltd (Distribution)	Not mentioned	18.03.2011	57 of 2011	Petition seeking (i) clarification in respect of trading margin in case of RE Procurement from traders, (ii) relaxation in solar RPO for FY 2010-11 to 2015-16, (iii) permission to pay to bagasse based co-generation plants an amount equivalent to tax exemption on sugar cane purchase as pass-through to consumers, (iv) clarification of tariff applicable for inter-State RE purchased at Maharashtra InSTS

ANNEXURE - II

LIST OF ORDERS ISSUED BY COMMISSION DURING THE YEAR 2010-11

S. NO.	CASE NO.	DATE OF APPLICATION	DATE OF HEARING	DATE OF ORDER	IN THE MATTER OF
1	109 of 2010	11.01.2010	15.01.2010	01.04.2010	Petition of M/s. Power Controls, Nagpur seeking directions upon MSEDCL regarding Vendor's Registration for the supply of Distribution Transformer of 63, 100, and 200 kVA; 11/0.433 kV Class.
2	10 of 2007	25.05.2007	15.03.2010 / 30.03.2010	01.04.2010	Application filed by MSEDCL initiating enquiry in respect of revocation / suspension of licence of MPECS.
3	88 of 2009	06.11.2009	14.01.2010	08.04.2010	Complaint filed by M/s. Shivalik Ventures Pvt. Ltd. Against Reliance Infrastructure Ltd., alleging non-release of new electricity connections for want of recovery of arrears of unknown slum dwellers and non-compliance of Section 43 of EA, 2003.
4	75 of 2009	19.11.2009	07.01.2010	13.04.2010	Clarification of Order dated November, 24, 2003 in Case No. 17 (3), 3, 4, 5 of 2002.
5	104 of 2009	20.01.2010	05.03.2010	13.04.2010	Petition of MSEDCL for approval of deviations taken in the Request for Proposal (RFP) from the Standard Bidding Document issued by Ministry of Power for Competitive Bidding Process under Case - I, to be issued to Bidders for procurement of 1000 (+/- 20%) MW base Load Power on Medium Term Basis under International Competitive Bidding Process (Case 1).
6	70 of 2009	09.10.2009	07.01.2010	23.04.2010	Petition of M/s. Pidilite Industry Pvt. Ltd. Seeking clarification of Order dated November, 24, 2003 in Case No. 17 (3), 3,4, 5 of 2002 passed by the Commission.
7	76 of 2009	03.12.2009	07.01.2010 / 17.03.2010	26.04.2010	Petition of MSEDCL seeking approval for installing Prepaid Energy Meters and other reliefs.
8	34 of 2009	15.07.2009	22.07.2009 / 22.02.2010	11.05.2010	Petition of University of Pune seeking re-categorisation from HT II Commercial to HT I Industrial (Non-Continuous), in view of the Appellate Tribunal's Judgement dated May 21, 2009 in Appeal No. 48 of 2009.
9	77 of 2009	11.12.2009	07.12.2009 / 12.01.2010 / 12.03.2010	11.05.2010	Petition of M/s. Jaigad Power Transco Ltd. For approval of the assignment of Transmission License to the lenders.
10	121 of 2008	N/A	N/A	12.05.2010	Clarification Order in respect of tariff order dated 15.6.2009 in Case No. 121 of 2008 for Reliance Infrastructure Ltd.
11	113 of 2008	N/A	N/A	12.5.2010	Clarificatory Order in respect of Tariff Order dated 15.6.2009 in Case 113 of 2008 for Tata Power Co Ltd. (Distribution)
12	116 of 2008	N/A	N/A	12.5.2010	Clarificatory Order in respect of Tariff Order dated 17.8.2009 in Case No. 116 of 2008 for MSEDCL.
13	118 of 2008	N/A	N/A	12.5.2010	Clarificatory Order in respect of Tariff Order dated 15.6.2009 in Case 118 of 2008 for BEST Undertaking
14	106 of 2009	22.01.2010	22.02.2010	12.05.2009	Petition filed by MSEDCL for procurement of power from Solar projects.
15	74 of 2009	25.09.2009	29.12.2009	13.05.2010	Petition of MSEDCL seeking approval of Power Purchase Agreements signed between MSEDCL and MSPGCL for procurement of power from 250 MW Parli (Unit - 7) and 250 MW Paras (Unit - 4).
16	142 of 2008	11.02.2009	17.03.2010	24.05.2010	Petition of M/s. Ixora Constructions Pvt. Ltd. For Grant of Distribution License, under Section 14 of the Electricity Act, 2003 and Regulation 5 of MERC (General Conditions of Distribution License) Regulations, 2006, for upcoming SEZ in Panvel.
17	110 of 2009	18.02.2010	03.03.2010	24.05.2010	Petition of MSEDCL for determination of Reliability Charge for withdrawal of Load Shedding in the District Headquarters of MSEDCL Licence area.

S. NO.	CASE NO.	DATE OF APPLICATION	DATE OF HEARING	DATE OF ORDER	IN THE MATTER OF
18	16 of 2009	07.05.2009	28.05.2009 / 27.08.2009	24.05.2010	Petition of MSEDCL seeking permission for withdrawal of load shedding in respect of feeder / Sub-station for evacuation of power from Non-Conventional Energy Sources.
19	89 of 2009	24.05.2009	20.01.2010	24.05.2010	Petition of MSEDCL for determination of additional cost as Reliability Charge for withdrawal of load shedding in the Thane II Urban Region including Kalwa Sub-Division
20	62 of 2009	25.09.2009	06.04.2010	24.05.2010	Petition of for In-principle approval of MoU route for selection of Distribution Franchise and Bulk Supply Tariff (BST) for the area to be developed under Township Policy / SEZ policy / Industrial policy
21	105 of 2009	07.01.2010	22.03.2010 / 09.04.2010	24.05.2010	Petition of Dodson-Lindblom Hydro Power Pvt. Ltd for re-determination of Tariff for 34 MW Bhandardara Hydro project - Phase II.
22	90 of 2009	23.12.2009	28.01.2010	28.05.2010	Petition of MSEDCL for Additional scenario of Load Shedding Protocol.
23	82 of 2009	14.12.2009	07.01.2010	01.06.2010	Petition of MSEDCL 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.
24	75 of 2007	28.11.2008	20.12.2007 / 26.03.2008 / 12.03.2010 /	01.06.2010	Petition of by M/s. Mahratta Chamber of Commerce, Industries and Agriculture with regard to supply on single point to commercial building / industrial complexes for mixed load.
25	21 of 2010	Suo-motu	-	01.07.2010	Designating the State Agency to undertake functions as envisaged in MERC (Renewable Purchase Obligation, its Compliance and REC Framework Implementation) Regulations, 2010.
26	02 of 2010	23.03.2010	23.06.2010	10.07.2010	Petition of M/s. Abhijeet MADC Nagpur Energy Pvt. Ltd. seeking clarification regarding non-requirement of Transmission Licence for laying Dedicated transmission Line by a Generating Company.
27	20 of 2010	Suo-motu	10.07.2010	14.07.2010	Determination of Generic Tariff under Regulation 8 of the MERC (Terms and Conditions for Determination of Renewable Energy Tariff) Regulations, 2010.
28	113 of 2009	15.01.2010	31.03.2010	19.07.2010	Proposal of MSEDCL for change in methodology of levy of Fuel Adjustment Cost (FAC)
29	15 of 2010	14.05.2010	01.07.2010	19.07.2010	Petition of the Tata Power Company Ltd. regarding dispute in grant of excavation rights for laying of HT (Electrical) Cables
30	93 of 2009	11.01.2010	22.02.2010	19.07.2010	Petition of MSEDCL seeking approval of project for the supply of power above 10 MVA and 22 kV level through Independent dedicated distribution facility at Rajiv Gandhi Infotech Park, Hinjewadi.
31	14 of 2009	13.04.2009	29.06.2009	19.07.2010	Complaint filed by Shri P.S. Ballani alleging non-compliance of Order dated 28.01.2009 passed by the CGRF Kalyan Zone.
32	12 of 2010	05.04.2010	29.06.2010	19.07.2010	Petition of Maharashtra Elektros melt Ltd. seeking clarification of Commission's CPP Order dated September 8, 2004 in Case No. 55 & 56 of 2003 read with Commission's Order dated 17.08.2009, in Case No. 116 of 2008
33	06 of 2010	09.09.2009	22.06.2010	21.07.2010	Petition of M/s. Sunfresh Agro Industries Pvt. Ltd. u/S 42 (3) and 43 of the EA, 2003 and Regulations 3 and 18 (2) of the MERC (Distribution Open Access) Regulations, 2005 and Regulations 92 - 94 of the MERC (Conduct of Business) Regulations, 2004
34	16 of 2010	24.05.2010 / 20.05.2010/	24.06.2010/	03.08.2010	Petition of Tata Power Company Limited seeking directions against letters dated 16.05.2010 and 18.05.2010, issued by MSLDC and In the matter of Complaint under Section 142 of the Electricity Act, 2003.

S. NO.	CASE NO.	DATE OF APPLICATION	DATE OF HEARING	DATE OF ORDER	IN THE MATTER OF
35	49 of 2010	30.07.2010	29.09.2009	03.08.2010	Petition of MSEDCL seeking review of Order dated 15.06.2009, 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.
36	92 of 2009	24.12.2009	25.10.2010	03.08.2010	Petition filed M/s. Ispat Industries Ltd., seeking Clarification of Tariff Order dated 18.05.2007 and Clarification thereto issued by MERC, in view of Order dated 13.11.2009 passed by the Appellate Tribunal for Electricity.
37	04 of 2010	15.03.2010	23.04.2010 / 06.07.2010	03.08.2010	Complaint filed by M/s. Mundra Steel & Alloy Pvt. Ltd., against MSEDCL alleging non-compliance of the Electricity Ombudsman's Order dated 04.02.2010 and seeking refund of Tariff Difference.
38	03 of 2010	12.03.2010	06.07.2010	03.08.2010	Complaint filed by M/s. Paul Strips & Tubes Pvt. Ltd., against MSEDCL alleging non-compliance of the Electricity Ombudsman's Order dated 03.02.2010, and seeking refund of Tariff difference.
39	18 of 2010	04.06.2010	06.07.2010	03.08.2010	The Tata Power Company Limited - Distribution's Petition seeking approval of additional Power Purchase during Quarter four of FY 2009 - 10
40	8 of 2010	03.03.2010	01.07.2010	03.08.2010	Petition of the Tata Power Company Ltd. for review of Order dated January 19, 2010, in Case No. 35 of 2009 in the matter of Approval of the Capital Cost and Determination of Tariff of 250 MW Unit No. 8
41	94 of 2009	07.12.2010, 11.03.2010	08.02.2010, 12.04.2010	06.08.2010	Petition filed by MSETCL for approval of MSLDC Budget for FY 2010-11
42	09 of 2010	28.04.2010	24.06.2010	25.08.2010	Petition of Reliance Infrastructure (Distribution) Ltd seeking modification of present Interim Balancing and Settlement Mechanism (IBSM) with Final Balancing and Settlement Mechanism (FBSM)
43	93 of 2008	21.10.2008	17.12.2008, 06.01.2009, 19.03.2009, 13.05.2009, 24.08.2010	01.09.2010	Petition of Akhil Bhartiya Grahak Panchayat, Latur seeking directions against MSEDCL for non-compliance of the Electricity Supply Code Regulations and the Electricity Act, 2003.
44	117 of 2009	12.03.2010	07.04.2010	01.09.2010	Petition of MSEDCL seeking approval of the Power Purchase Agreements of MSEDCL and NTPC, SPV of UMPP and RGPPL.
45	32 of 2009	10.06.2009	22.01.2010	01.09.2010	Petition of MSEDCL for approval of deviations taken in Request for Qualification (RFQ) issued to bidders, from Standard Bidding Document issued by the Ministry of Power, GoI, for development of Yavatmal project under International Competitive Bidding Process (Case-II).
46	1 of 2010	22.03.2010	12.05.2010	01.09.2010	Petition of Brihan-Mumbai Electric Supply and Transport Undertaking seeking approval of Power Purchase Agreement between BEST and TPC for 100 MW.
47	65 of 2009	21.10.2009	TVS 16.11.2009, 31.3.2010, 17.4.2010, Public Hearing 19.7.2010	03.09.2010	Petition of Sholapur Bioenergy Systems Pvt Ltd. For determination of Tariff for supply of electricity from Municipal Solid Waste Power Project to Distribution Licensees in Maharashtra.
48	97 of 2009	29.12.2009	Public Hearing 16.04.2010	03.09.2010	Petition of Tata Power Company Limited's Transmission Business for approval of truing up of Aggregate Revenue Requirement for FY 2008-09, Annual Performance Review for FY 2009-10 and Aggregate Revenue Requirement for FY 2010-11.
49	100 of 2009	23.12.2009	TVS 15.3.2010, Public Hearing 15.4.2010	03.09.2010	Petition of Reliance Infrastructure Ltd's Transmission Business 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.

S. NO.	CASE NO.	DATE OF APPLICATION	DATE OF HEARING	DATE OF ORDER	IN THE MATTER OF
50	10 of 2010	13.04.2010	04.08.2010, 25.08.2010	08.09.2010	Complaint filed by M/s Trent Hypermarket Ltd against Reliance Infrastructure Ltd for supply of electricity at 440/1100 volts with sanctioned load of 1000 kW at Contract Demand of 700 kVA to the Petitioner.
51	14 of 2010	05.05.2010	29.06.2010	08.09.2010	Petition of MSEDCL for approval for procurement of 2000 (+/-20%) MW instead of already approved 1000 (+/- 20%) MW base load power on Medium Term Basis through International Competitive Bidding Process (Case -I)
52	11 of 2010	13.04.2010	04.08.2010, 25.08.2010	08.09.2010	Complaint filed by M/s Trent Ltd against Reliance Infrastructure Ltd for supply of electricity at 440/1100 volts with sanctioned load of 1280 kW at Contract Demand of 1600 kVA to the Petitioner.
53	99 of 2009	20.12.2009	15.04.2010	08.09.2010	Petition of Reliance Infrastructure Ltd (Generation Business) for approval of Annual Performance Review of 2009-10, Truing up of FY 2008-09 ARR, Partial Truing up of FY 2009-10, and estimates of FY 2010-11 ARR for Tariff determination.
54	96 of 2009	29.12.2009	16.04.2010	08.09.2010	Petition of Tata Power Co Ltd (Generation Business) for approval of Truing Up for FY 2008-09, Annual Performance Review for 2009-10 and determination of Tariff for 2010-11.
55	133 of 2008	30.01.2009	12.11.2009	08.09.2010	Petition of Mula Pravara Electric Co-operative Society Ltd seeking approval of Truing Up for FY 2006-07, and determination of ARR for 2007-08 and 2008-09 and tariff determination for FY 2009-10.
56	12 of 2009	07.05.2009	14.05.2009, 27.08.2009, 22.06.2010, 23.08.2010	09.09.2010	Petition of MSEDCL for increase in 3-phase availability power under Agricultural Load Management Schemes from 8 hrs to 11 hrs in Sangamner Division
57	48 of 2009	07.05.2009	14.05.2009, 27.08.2009, 22.06.2010, 23.08.2010	09.09.2010	Petition of Dr Sushil Kumar and Sukhdeo Rahangadale, Shri Kunwarlal & Balchand Paradhi, Surajlal & Sevakram Paradhi for cancellation of Load Shedding on Pump Irrigation Scheme of Express Feeders.
58	121 of 2009	Suo Motu	N/A	09.09.2010	Suo Motu Order vacating the Interim Order dated 15.7.2009 in the matter of Reliance Infrastructure Ltd.'s Order dated 15.7.2009 in Case No. 121 of 2008 in respect of APR 2008-09, and Tariff for 2009-10
59	120 of 2009	Suo Motu	N/A	10.09.2010	Suo Motu Order in the matter of determination of tariff for the Intra-State Transmission System(InSTS) for FY 2010-11
60	103 of 2009	30.01.2010	Public Hearings on 14, 15, 17, 19, 21 & 22nd May 2010	10.09.2010	Petition of Maharashtra State Electricity Transmission Co Ltd for approval of Annual Review of Tariffs and Performance of for 2009-10, Truing up of 2008-09 and Revenue Requirement of 2010-11.
61	07 of 2010	27.04.2010	24.06.2010	10.09.2010	Petition of Reliance Infrastructure Ltd seeking relief on account of certain critical issues affecting the Petitioner's consumers and its financial viability
62	Suo Motu	N/A	N/A	12.09.2010	Suo Motu Order in the matter of removal of difficulties under Regulation 96 of the MERC (Conduct of Business) Regulations, 2004
63	102 of 2009	31.12.2009	Public Hearings on 14, 15, 17, 19, 21 & 22nd May 2010	12.09.2010	Petition of Maharashtra State Power Generation Co Ltd. For approval of Truing Up for FY 2008-09, Annual Performance Review of 2009-10, and determination of Tariff for 2010-11
64	95 of 2009	31.12.2009	Public Hearing 13.04.2010	12.09.2010	Petition of BEST Undertaking for approval of Truing up for 2008-09, Annual Performance for 2009-10 and determination of Annual Revenue Requirement and Tariff for 2010-11
65	98 of 2009	15.01.2010	Public Hearing 16.04.2010	12.09.2010	Petition of Tata Power Co Ltd (Distribution Business) for approval of Truing up of 2008-09, Annual Performance Review for 2009-10, and Annual Revenue Requirement and Tariff for 2010-11

S. NO.	CASE NO.	DATE OF APPLICATION	DATE OF HEARING	DATE OF ORDER	IN THE MATTER OF
66	111 of 2009	18.02.2010	Public Hearings on 14, 15, 17, 19, 21 & 22nd May 2010	12.09.2010	Petition of Maharashtra State Electricity Distribution Co Ltd for approval of Turing up of 2008-09, Annual Performance Review for 2009-10 and determination of ARR and Tariff for 2010-11
67	118 of 2009	18.02.2010	Public Hearing 17.08.2010	14.09.2010	Application of Maharashtra Eastern Grid Power Transmission company Ltd for grant of Transmission Licence for development of Intra State Transmission System.
68	87 of 2007	08.01.2008	03.09.2010	14.09.2010	Complaint of Ramsons Castings Pvt Ltd. Against MSEDCL alleging non-compliance of Ombudsman's Order dated 12.11.2007
69	37 of 2010	20.08.2010	03.09.2010	29.09.2010	Petition of Tata Power Co Ltd assailing the legality and propriety of letters dated 16.5.2010, 18.5.2010, 12.6.2010 and 30.6.2010 issued by Respondent MSLDC refusing to schedule 160 MW and 100 MW power.
70	95 of 2009	N/A	N/A	21.10.2010	Errata and Corrigendum on the Order dated 12.9.2010 in respect of BEST's ARR and Tariff Petition in Case No. 95 of 2009
71	45 of 2010	01.09.2010	Public Hearing 13.10.2010	28.10.2010	BEST Undertaking's Petition seeking relaxation of Regulation 7.2 of the MERC (Renewable Purchase Obligation, its compliance and implementation of REC framework) Regulations, 2010 for FY 2010-11.
72	33 of 2010	29.07.2010	03.09.2010	28.10.2010	Complaint filed by Smt. Juhi Vikas Vartak, under Sections 142 and 146 of Electricity Act, 2003 against Maharashtra State Electricity Distribution Company Ltd., alleging non-compliance of the Order of CGRF, Kalyan Zone dated 1 st July, 2009 about flying squad recovery
73	30 of 2010	14.07.2010	24.08.2010	28.10.2010	Petition filed by the Central Railway, Mumbai seeking review of Orders dated May 16, 2006 in Case No. 1 of 2006, Order dated June 20, 2008 in Case No. 5 of 2008 and Order dated March 23, 2009 in Case No. 10 of 2008 and direction upon MSEDCL to stop the levy of Reliability Charges on Railway traction
74	20 of 2009	18.05.2009	07.07.2009, 11.10.2010	29.10.2010	Complaint filed by Shri Bhagwan Bhawarlal Dayama alleging non-compliance of Order dated 5th March, 2009 passed by the CGRF, Aurangabad Zone of MSEDCL
75	27 of 2010	08.07.2010	17.08.2010	04.11.2010	Petition of M/s Prabhat Dairy Private Ltd for Electric supply to the Petitioner under Open Access mode and non-compliance thereof by the Distribution Licensee (MPECS) and MSEDCL
76	40 of 2010	01.09.2010	11.10.2010	08.11.2010	Petition filed by Shri Vitthal Sidram Burute for Non-compliance of order dated 3.3.2010 passed by the CGRF Kolhapur.
77	52 of 2010	15.09.2010	14.10.2010	09.11.2010	Petition of M/s R.L. Steels Ltd seeking clarification about the Commission's directions in its order dated 05.03.2010 in Case no. 71 of 2009 regarding levy of Voltage Surcharge and its interpretation and implementation by M.S.E.D.C.L.
78	5 of 2010	29.03.2010	24.06.2010 and 03.06.2010	15.11.2010	MSEDCL's Petition seeking approval for continuation of Pen Zero Load Shedding Model and recovery of reliability charge.
79	26 of 2010	15.06.2010	04.08.2010	15.11.2010	Petition of Maharashtra State Electricity Distribution Co. Ltd for Clarification for determination of additional cost as reliability charges for withdrawal of load shedding in the Thane II urban region including Kalwa Sub-Division.
80	57 of 2010	30.06.2010	22.10.2010	18.11.2010	Complaint filed by M/s Vipras Castings Ltd against MSEDCL under Section 142 of the Electricity Act, 2003, alleging non-compliance of the Order dated 07.04.2010 passed by the CGRF, Kalyan Zone of MSEDCL
81	17 of 2009	04.05.2009	06.07.2009, 24.11.2009, 29.12.2009, 22.10.2010	24.11.2010 (Combined Order)	Shri Nathu Gangadhar Rambhad's Petition seeking directions to the Respondents on the methodology of repairs to Distribution Transformers which cause loss of power and choke the Electricity Generation

S. NO.	CASE NO.	DATE OF APPLICATION	DATE OF HEARING	DATE OF ORDER	IN THE MATTER OF
82	17 of 2010	22.02.2010	01.07.2010, 16.07.2010, 21.09.2010, 22.10.2010	24.11.2010 (Combined Order)	Petition of Shri Nathu G Rambhad for directions to the Respondent to declare the repaired – failed transformers of which the colour of windings is blackened / Charred as failure due to overloads and hence outside the purview of guarantee-period clauses of the Order.
83	38 of 2010	02.08.2010	05.10.2010, 22.10.2010	24.11.2010	Petition of MSEDCL for reviewing the matter of testing of distribution transformers by Third Party as per desire of agency working for MSEDCL.
84	58 of 2010	23.09.2010	05.10.2010, 22.10.2010	24.11.2010	Petition of Shri Nathu G Rambhad for direction to the Respondents on the methodology of repairs to Distribution Transformers which cause loss of power and choke the electricity generation.
85	76 of 2010	01.11.2010	Not applicable	26.11.2010	Petition of MSEDCL for extension of applicability of Order in the matter of MSEDCL's Petition for determination of Additional supply Charges for withdrawal of Load Shedding in the Headquarters of Revenue Divisions in MSEDCL Licence area in Case No. 31 of 2009
86	51 of 2010	25.05.2010	14.10.2010, 15.11.2010	26.11.2010	Petition of M/s J.D. Exports for Non-compliance of CGRF order dated 11.05.2009 by MSEDCL.
87	24 of 2007	27.06.2007	14.10.2010	29.11.2010	Petition of M/s. Maharashtra Rajya Veej Grahak Sanghatna for review of Order dated 17.05.2007 in Case No. 82 of 2006.
88	73 of 2010	22.10.2010	03.09.2010, 29.09.2010, 21.10.2010	30.11.2010	Petition of MSETCL for review of APR Order for the Third Year (i.e. FY 2009-10) in Case No. 103 of 2009 Order dated 10 th September 2010, truing up for FY 2008-09 of the first control period commencing from April 1, 2007 to March 31, 2010 under Multi Year Tariff framework and approval of Aggregate Revenue Requirement for FY 2010-11 of MSETCL.
89	71 of 2010	18.10.2010	15.11.2010	30.11.2010	Petition of Tata Power Co Ltd (Generation) for review of MERC Order dated 08 th September 2010, with regards approval of the truing up of FY 2008-09, APR for FY 2009-10 and ARR for FY 2010-11 of Tata Power – G (Case No. 96 of 2009).
90	84 of 2010	Suo Motu	16.11.2010	01.12.2010	In the matter of Partial Grid Disturbance in Mumbai system on 18 th Nov-2010 at 17:40 hrs and 21 st Nov-2010 at 17:05 hrs.
91	63 of 2010	11.10.2010	25.11.2010	01.12.2010	Petition of MSEDCL for approval of deviations for procurement of 2000 (±20%) MW power on medium term basis through International Competitive Bidding Process (Case I).
92	69 of 2010	18.10.2010	15.11.2010	02.12.2010	Petition of MSEDCL for review of Order dated 12 th September 2010 in Case No. 111 of 2009 for Truing Up for FY 2008- 09, Annual Performance Review for FY 2009-10 and Aggregate Revenue Requirement & Tariff Determination for FY 2010-11.
93	60 of 2010	04.10.2010	26.11.2010	13.12.2010	Petition filed by M/s. Ruby Mills Ltd. seeking review of Order dated 5 th March, 2010 in Case 71 of 2009
94	54 of 2010	02.09.2010	26.11.2010	13.12.2010	Petition of Tata Power Co. Ltd. for clarification on determination of Tariff for 40 MW DG Set at Lodhivil.
95	48 of 2010	17.08.2010	24.11.2010	13.12.2010	Petition of M/s Shree Steel Castings Ltd alleging non-compliance of the Order dated 10.3.2010, r/w Corrigendum, dated 26.3.2010 passed by the CGRF, Nagpur Urban Zone) within the stipulated time frame.
96	25 of 2010	01.07.2010	08.12.2010	15.12.2010	Petition of Maharashtra State Electricity Distribution Co. Ltd for withdrawal of load shedding in Gadchiroli District
97	50 of 2010	22.05.2010	13.10.2010, 26.11.2010	15.12.2010	Petition of M/s Skip Packing Pvt. Ltd. u/s 142, 146 & 62(6) of the Electricity Act, 2003 for Non-compliance of order passed by CGRF, Kalyan dated 31.08.2009.
98	66 of 2010	31.05.2010	19.11.2010	20.12.2010	Petition of M/s Abhinandan Enterprises regarding non-compliance of Order dated 30 th March, 2010 in Representation No. 26 of 2010 issued by Electrical Ombudsman

S. NO.	CASE NO.	DATE OF APPLICATION	DATE OF HEARING	DATE OF ORDER	IN THE MATTER OF
99	114 of 2009	15.01.2010	17.03.2010, 31.03.2010, 13.12.2010	23.12.2010	Proposal of The Bombay Dyeing & Manufacturing Co. Ltd. Alleging partial compliance of the Order dated 17.09.2009 passed by the CGRF Kalyan Zone in the matter of refund of Additional Supply Charges.
100	82 of 2010	07.10.2010	08.12.2010	23.12.2010	Complaint filed by Shri Ram R. Rathi, Proprietor, M/s. Red Brick Co. against MSEDCL, u/s 43, 142 and 149 of EA, 2003, alleging non-compliance of the Order dated 10.08.2010 passed by the CGRF, Amravati Zone, in regard to release of supply and refund of the infrastructure cost.
101	70 of 2010	21.10.2010	25.11.2010	24.12.2010	Petition of Ulhasnagar Manufacturers' Association for review of MSEDCL tariff Order dated 12.09.2010 in Case No. 111 of 2009.
102	49 of 2010	20.08.2010	20.12.2010	28.12.2010	Petition of M/s Nidhye Engineering Co. Pvt. Ltd alleging non-compliance of the Order dated 30th June, 2010 passed by the Electricity Ombudsman, within the stipulated time frame.
103	67 of 2010	13.10.2010	24.11.2010	28.12.2010	Petition of The Mula Pravara Electric Co. Operative Society Ltd seeking directions to the Respondent for following the load shedding protocol in terms of order dated November 28, 2010 in case no. 77 and 78 of 2008. And for setting aside the load shedding schedule issued by the Respondent to the Petitioner vide its letter dated 06.10.2010
104	77 of 2010	24.10.2010	13.12.2010	28.12.2010	Complaint filed by Shri Sanjay Bhagwan Gondhali, against MSEDCL, under Section 142 of the Electricity Act, 2003, alleging non-compliance of the Order dated 11th March, 2010, passed by the CGRF, Kolhapur Zone, in the matter of delay in providing services to the Consumer.
105	22 of 2010	19.06.2010	03.08.2010	28.12.2010	Petition of MSEDCL for adoption of the tariff for procurement of 2000 MW (-20%/+30%) power on Long Term Basis under International Competitive Bidding Process (Case 1 Stage 2)
106	31 of 2010	20.07.2010	Public Hearing 20.12.2010	28.12.2010	Petition of M/s Sinnar Power Transmission Company Ltd for grant of Transmission Licence for development of the following transmission system : (a) 400 kV D/C Quad Moose Transmission Line from Sinnar TPP to Babhaleshwar Sub-Station. (b) two nos. 400 kV line bays at Babhaleshwar Sub-station.
107	108 of 2009	28.01.2010	13.12.2010	29.12.2010	Petition of M/s Sree Marathwada Paper Mills Pvt Ltd., against MSEDCL under Section 142 r/w 146 of the Electricity Act, 2003 alleging contravention of the Ombudsman's Order dated 8.12.2009 in regard to recovery of excessive bill raised based on wrongly charged tariff and seeking action as per the provisions of the Electricity Act, 2003 against the Respondents (MSEDCL)
108	59 of 2009	28.08.2009	13.12.2010	29.12.2010	Petition of Shri Naim S/O Late Abdul Jaleel Mohd. Momin under Section 142 & 146 of Electricity Act, 2003 alleging non-compliance of the Order dated 26.05.2009 passed by CGRF, Bhandup Zone
109	39 of 2010	23.06.2010	TVS 22.10.2010 (no hearing took place)	30.12.2010	Petition of M/s Forbes & Company Ltd. for determination of tariff for procurement of power by Distribution Licensees from Biomass based power generating company in the State of Maharashtra using the Gasification route (Otto cycle).
110	32 of 2010	20.07.2010	Public Hearing 20.12.2010	30.12.2010	Petition of M/s Amravati Power Transmission Company Ltd for grant of Transmission Licence for development of the following transmission system : (a) 400 kV D/C Quad Moose Amravati TPP – Akola S/S Transmission Line. (b) LILO of 400 kV S/C Akola to Koradi Transmission line at Amravati TPP. (c) 2 nos. 400 kV line bays at MSETCL Akola Sub-station.
111	24 of 2010	22.06.2010	03.08.2010	30.12.2010	Petition of M/s Yash Agro Energy Ltd for adjudication of the claim arising out of denial of Open Access referred by a generating company directly connected to the distribution system of the Distribution Licensee.

S. NO.	CASE NO.	DATE OF APPLICATION	DATE OF HEARING	DATE OF ORDER	IN THE MATTER OF
112	47 of 2010	17.08.2010	28.12.2010	30.12.2010	Petition of M/s Janice Textiles Ltd against MSEDCL under Section 142 and 146 of the Electricity Act, 2003 alleging non-compliance of the Order dated 14th July 2010 passed by CGRF Kalyan Zone in the matter of non-refund of Security deposit and other charges.
113	75 of 2010	28.10.2010	25.11.2010, 15.12.2010	30.12.2010	Petition of M/s Lloyds Steel Industries Ltd. for payment of interest on regulatory charges collected by MSEDCL vide judgment of Hon'ble Appellate Tribunal (APTEL) dated 05.08.2010 passed in Appeal Nos. 70 and 110 of 2008.
114	28 of 2010	09.06.2010	03.09.2010	12.01.2011 (Interim Order)	Petition of M/s Wardha Power Company Ltd for grant of Transmission Capacity Rights for evacuation of 270 MW (second phase) power from the Petitioner's generating substation at Warora through MSETCL's existing 220 kV Warora Substation.
115	95 of 2010	19.11.2010	05.01.2011	21.01.2011	Complaint filed by Shri Santosh Vasantrao Maisne against MSEDCL under Sections 43, 142 and 149 of the Electricity Act, 2003, alleging non-compliance of the Order dated 18th October,2010 passed by the CGRF, Amravati Zone, in regard to release of supply.
116	74 of 2010	Suo Motu	N/A	24.01.2011	Suo Motu Order in the matter of determination of Fees and Charges payable under Regulation 9.7 of MERC (Renewable Purchase Obligations, its compliance and implementation of REC framework) Regulations, 2010
117	53 of 2010	28.09.2010	24.11.2010	27.01.2011	Petition of M/s Wardha Power Company Ltd in the matter of adjudication of dispute against Reliance Infrastructure for request for Proposal for Procurement of Power for "Long Term" under Case-I Bidding Procedure through tariff based Competitive Bidding Process issued in July 2009.
118	85 of 2010	4.11.2010	TVS 2.12.2010, Public Hearing 14.1.2011	27.01.2011	Application of MSEDCL for grant of Distribution Licence for MPECS area of supply
119	87 of 2010	3.11.2010	TVS 2.12.2010, Public Hearing 14.1.2011	27.01.2011	Application of MPECS for grant of Distribution Licence for MPECS area of supply
120	92 of 2010	Suo Motu	Public Hearing 7.1.2011	27.01.2011	Suo Motu Order for levying of proportionate FAC instead of existing uniform FAC.
121	96 of 2010	20.12.2010	04.01.2011	27.01.2011	Petitions of M-Tech Innovations Ltd, Kothari Industries, Kothari Polyextrusion and S.K. Oil Industries seeking clarification of Order dated 24.11.2003 in Case No. 17(3), 3, 4, 5 of 2002 passed by the Commission.
122	98 of 2010	07.12.2010	04.01.2011	27.01.2011	Petitions of Shreem Electric Ltd and JSON Foundry Pvt Ltd seeking clarification of Order dated 24.11.2003 in Case No. 17(3), 3, 4, 5 of 2002 passed by the Commission.
123	36 of 2010	06.08.2010	19.11.2010	28.01.2011	Petition of Tata Power Company Ltd for connectivity of 3 MW of Solar based power generation project to the grid.
124	94 of 2010	02.12.2010	05.01.2011, 02.02.2011	10.02.2011	Petition of MSEDCL for withdrawal of load shedding for villages within 5 kms area around major generating power stations in Maharashtra.
125	112 of 2010	22.12.2010	2.2.2011	15.02.2011	Petition of MSEDCL for consideration of the additional employee expenses for grant of ex-gratia to the employees of MSEDCL for the year 2009-10
126	100 of 2010	25.11.2010	02.02.2011	18.02.2011	Petition of The Akot MIDC Industries Association seeking clarification about the Commission's Order dated 1.10.2010 in Case No. 93 of 2008 regarding refund of ORC/DDF and such other charges which are not defined under the Electricity Supply Code and are not approved under the Schedule of Charges read with the Regulation 18 of the Supply Code, 2005

S. NO.	CASE NO.	DATE OF APPLICATION	DATE OF HEARING	DATE OF ORDER	IN THE MATTER OF
127	101 of 2010	20.12.2010	02.02.2011	18.02.2011	Petition of Maharashtra Veej Grahak Sanghatana seeking clarification about the Commissions directions in its Order dated 29.11.2010 in Case No. 24 of 2007 regarding refund of ORC/ ORC-P and such other charges which are not defined under Electricity Supply Code and/or the Order dated 08/09/2006.
128	110 of 2010	12.11.2010	N/A	23.02.2011	Petition of Maharashtra State Electricity Distribution Co Ltd seeking deferment of payment to MSETCL as per tariff revised vide Order dated 10th Sept 2010 in Case No.120 of 2009
129	Suo Motu	N/A	N/A	23.02.2011	Suo Motu Order in the matter of removal of Difficulty in Implementing the MERC (Multi Year Tariff) Regulations, 2011
130	76 of 2010	01.11.2010	16.12.2010	24.02.2010	Petition of Maharashtra State Electricity Distribution Co Ltd seeking extension of applicability of Order in the matter of MSEDCL's Petition for determination of Additional Supply Charges for withdrawal of Load Shedding in the Headquarters of Revenue Divisions in MSEDCL Licence Area in Case No.31 of 2009
131	80 of 2010	13.10.2010	13.12.2010	24.02.2011	Petition of Shri Nanasaheb Punjabi Pawar & Ors seeking directions to the Respondent No1. (MSEDCL) for following the load shedding protocol in terms of Order dated 28.11.2008 in Case Nos. 77 and 78 of 2008 and for setting aside the load shedding schedule issued by the Respondent No.1 to the Petitioner vide its letter dated 6.10.2010
132	89 of 2010	24.11.2010	06.01.2011 20.01.2011	24.02.2011	Petition of M/s Kay Power and Paper Ltd for grant of Interim Unit Rate for Bagasse Based Co-generation project.
133	44 of 2010	07.09.2010	5.10.2010 25.11.2010 15.12.2010	01.03.2011	Petition of M/s Ispat Industries Ltd against MSEDCL seeking direction for implementation of the judgment of Hon'ble APTEL dated 05.08.2010 passed in Appeal Nos.70 and 110 of 2008
134	83 of 2010	10.11.2010	2.12.2010 06.01.2010	01.03.2011	Petition of M/s Indo Rama Synthetics (India) Ltd against MSEDCL for not providing Open Access to Purchase of 10 MW Power from Indian Energy Exchange.
135	105 of 2010	23.12.2010	01.02.2011	10.03.2011	Complaint filed by M/s Shyam Pulses against MSEDCL under Section 142 and 149 of the Electricity Act, 2003 alleging non-compliance of the Order dated 11.10.2010 passed by the CGRF, Amravati Zone, in matter of refund of infrastructure cost and the transformer testing charges.
136	28 of 2010	09.06.2010	29.09.2010, 28.12.2010, 12.01.2011, 24.02.2011	17.03.2011	Petition of M/s Wardha Power Company Ltd for grant of Transmission Capacity Rights for evacuation of 270 MW (second phase) of power from the Petitioners generating sub-station at Warora through MSETCL's existing 220 kV Warora Sub-station.
137	114 of 2010	18.11.2010	04.02.2011	17.03.2011	Petition of BEST Undertaking for review for recovery of Power factor Incentives paid to consumers during FY 2007-08 and FY 2008-09 amounting to (i) Rs.26.14 crore for FY 2007-08 and (ii) Rs.44.23 crore for FY 2008-09.
138	15 of 2011	24.01.2011	03.03.2011	30.03.2011	Petition of Maharashtra State Power Generation Co Ltd for consideration of the additional Employee Expenses for grant of ex-gratia to their employees for the F 2009-10
139	18 of 2011	09.12.2010	04.03.2011	30.03.2011	Complaint filed by M/s Godrej Properties & Investment Ltd and M/s Castlemaine Premises Co-operative Society Ltd seeking directions upon MSEDCL under Section 142 and 149 of Electricity Act, 2003 alleging non-compliance of tariff Orders passed by MERC, dated and/ or made applicable from 10th March 2004, 1st June, 2008 and 1st August, 2009
140	21 of 2011	15.02.2011	11.03.2011	30.03.2011	Petition of Maharashtra State Electricity Transmission Co Ltd for consideration of the additional Employee Expenses for grant of ex-gratia to their employees for the FY 2009-10

S. NO.	CASE NO.	DATE OF APPLICATION	DATE OF HEARING	DATE OF ORDER	IN THE MATTER OF
141	113 of 2010	26.11.2010	11.03.2011	30.03.2011	Complaint filed by Shri Rajesh Narnaware under Sections 142 and 149 of the Electricity Act, 2003 for violation of Government Notification 6.6.2005 and MERC Order dated 27.09.2006.
142	103 of 2010	28.12.2010	09.02.2011, 23.02.2011	30.03.2011	Petition of Maharashtra State Electricity Distribution Co Ltd seeking approval of the Addendum to the Power Purchase Agreements dated 01.04.2009 signed between MSEDCL and MSPGCL.
143	109 of 2010	23.12.2010	01.02.2011	30.03.2011	Petition filed by Shri Santosh Lunkaranji Chandak, proprietor, Chandak Constructions, seeking compliance of CGRF's Order dated 13th October, 2010, by MSEDCL and penal action under Sections 142 and 149 of the Electricity Act, 2003 in the matter of refund of infrastructure cost.
144	62 of 2010	07.10.2010	03.03.2011	30.03.2011	Application of M/s Adani Power Maharashtra Ltd for amendment of "Transmission Licence for Adani Power Maharashtra Ltd" (Licence No. 2 of 2009"
145	2 of 2011	07.01.2011	11.03.2011	31.03.2011	Complaint filed by M/s Pace Investment Pvt Ltd seeking directions against MSEDCL under Section 142 and 149 of the Electricity Act, 2003 for non-compliance of the Order passed by the CGR Cell Pune dated 14.09.2010
146	59 of 2010	29.09.2010	19.11.2010	31.03.2010	Petition of Tata Power Co Ltd for blatant misuse of the electricity bills issued by Reliance Infrastructure Ltd to its consumers, and abuse of the billing process to disparate and malign the Petitioner.
147	90 of 2010	26.11.2010	18.03.2011	31.03.2011	Petition of Maharashtra State Load Despatch Centre for approval of Budget of MSLDC for the Financial Year 2011-12
148	1 of 2011	N/A	21.01.2011	31.03.2011	Suo Motu Hearing in the matter of Order dated 12 th September, 2010 in Case No. 102 of 2009 regarding approval of APR for the year 2009-10 and for determination of tariff and approval of ARR for the year 2010-11 of MSPGCL
149	46 of 2010	17.08.2010	13.10.2010, 19.11.2010, 03.03.2011	31.03.2011	Petition of M/s Mula Pravara Electric Cooperative Society Ltd for violation of provisions relating to grant of Open Access
150	111 of 2010	31.12.2010	01.02.2011	31.03.2011	Petition of M/s Tata Power Co Ltd. for approval of additional Power Purchase during Q-4 of FY 2010-11.

ANNEXURE - III

MAHARASHTRA ELECTRICITY REGULATORY COMMISSION

RECEIPTS & PAYMENTS FOR THE PERIOD/YEAR ENDED 31ST MARCH 2011 (UNAUDITED)

RECEIPTS	Current Year 2010-11 Amount (Rs.)	Previous Year 2009-10	PAYMENTS	Current Year 2010-11 Amount (Rs.)	Previous Year 2009-10
(1) OPENING BALANCE	572,470,025.88	286,441,316.74	(1) EXPENSES		
(a) Cash on Hand	147.00	4,137.04	(a) Establishments Expenses	15,467,440.00	14,749,447.00
(b) Bank Balances (SBI)			(i) Pay & Allowances of Chairman & Members & Secretary Of Commission	3,026,117.00	4,360,648.00
(i) In Current A/C	-	-	(ii) Pay & Allowances of Officers & Staff	8,734,487.00	7,655,063.00
(ii) in Deposit A/C	404,000,000.00	285,000,000.00	(iii) Bonus & Honorarium	-	-
(iii) Savings A/C	168,469,878.88	1,437,179.70	(iv) Overtime Allowances	206,974.00	212,643.00
(2) GRANTS RECEIVED	100,000.00	100,000.00	(v) Medical & Health Care facilities	213,704.00	114,697.00
(a) Grants from GoM	100,000.00	100,000.00	(vi) Tuition Fees / Stipend	1,289,950.00	503,135.00
(b) From Other Sources (Details)			(vii) Any Other		
Grants for Capital Expenditure			Resident Rent for Member	-	-
Grants for Revenue expenditure			Salary reimbured to BEST Employees	-	-
(3) INCMOE ON INVESTMENTS FROM			Leave Travel Concession	53,887.00	10,277.00
(a) Earmarked / Endow. Funds	-	-	Peon Allowances	174,200.00	144,703.00
(b) Own Funds (Other Investments)	-	-	(viii) Contribution to P F	678,615.00	560,049.00
(4) TO RECEIPTS OF THE COMMISSION	198,187,611.00	439,900,358.00	(ix) Contribution to any other Fund	17,704.00	74,494.00
(a) Fees charged by the Commission			(x) Staff Welfare	-	-
(i) Fees for initial License	1,000,000.00	500,000.00	(xi) Expenses on Employees retirement & terminal benefits	388,650.00	401,136.00
(ii) Fees for Annual Licenses	182,399,694.00	425,418,504.00	(xii) Other Allowances		38,478.00
(iii) Fees for Trading Licenses	2,500,000.00	-	(xiii) Incentives	683,152.00	603,764.00
(iv) Fees for Suspension of Licenses	-	-	(iv) Transfer Grant Expenses		70,360.00
(v) Fees for Documents	18,337.00	36,354.00	(b) OTHER ADMINISTRATIVE EXPENSES	116,952,562.00	122,171,083.04
(vi) Fees for APR	2,000,000.00	4,100,000.00	(i) Purchases	-	-
(vii) Fees for Annual Tariff Review	-	-	(ii) Cartages & Carriage Inwards	-	-
(viii) Fees for Filing Application	10,269,250.00	9,845,500.00	(iii) Electricity & Power	566,139.00	567,667.00
(ix) Fees for Inspection	200.00	-	(iv) Water Charges	-	-
(x) Fees for RTI	130.00	-	(v) Insurances	-	-
(b) Interest Received	28,222,727.41	23,695,589.18	(vi) Repairs & Maintenances	573,828.00	148,847.00
(i) On Bank deposits	28,222,727.41	23,695,589.18	(vii) Rent Rates & Taxes	48,575,184.00	31,404,356.00
(ii) On Loans , advances to employees etc.	-	-	(viii) Vehicles Running & Maintenances	527,270.00	551,425.00
(c) Other Income	10,960.00	7,967.00	(ix) Postage Telephone & Communication	562,702.00	496,437.00
(i) Miscellaneous Receipts	10,960.00	7,967.00	(x) Printing & Stationery	938,808.00	1,706,646.50
(d) Investments	-	259,056.00	(xi) Travelling & Conveyance		
(i) to face value of investments encashed	-	-	Foreign Travel	326,478.00	591,825.00
(ii) Interest on investments	-	259,056.00	Domestic Travel	1,336,581.00	2,119,144.00
(5) RECOVERY OF ADVANCES FROM STAFF	697,453.00	660,432.00	Conveyance	64,042.00	45,627.00
(i) House building advances	12,768.00	23,781.00	(xii) Expenses on Seminar	189,348.00	2,087,726.00
(ii) Motor Car/ Personal computer advance/Scooter / Motor cycle advances	36,080.00	29,280.00	(xiii) Workshops / Training	975,125.00	27,937.00
(iii) Other Advances			(xiv) Subscription expenses	431,225.00	526,117.00
Loan Instalment	35,950.00	56,200.00	(xv) Expenses on Fees	-	-
Advances for Expenses	612,655.00	551,171.00	(xvi) Auditors remuneration	60,000.00	5,000.00
Advances against Salary	-	-	(xvii) Hospitality Expenses	-	31,175.00
(6) RECOVERY OF CONTIGENT ADVANCES		1,373,087.00	(xviii) Professional Charges	50,609,043.00	74,309,633.00
(i) Advance To PWD	-	-	(xix) News papers / Periodicals	58,802.00	44,877.50
(ii) Advance to Suppliers	-	1,372,087.00	(xx) Irrevacable balances written off	-	-
(iii) Other Advance	-	1,000.00	(xxi) Advertisement & Publicity	5,762,350.00	1,939,357.00
			(xxii) Others		
			Bank Charges	8,398.00	1,930.00
			Office Expenses	1,236,608.00	482,270.00
			Canteen Expenses	345,366.00	205,762.00
			Rental for Equipement	154,775.00	146,429.00
			Consumable Office Equipement	-	12,346.00
			Vehicle Lease Rental	858,748.00	1,637,449.00
			Public Hearing Expenses	1,343,163.00	1,156,116.00
			Meeting Expenses	638,230.00	563,261.00
			Internet Expenses	491,806.00	655,218.00
			Web site Epenses	82,443.00	220,907.50
			Computer Expenses	236,100.00	485,597.50
			(xxiii) Reco Adjustment A/c	-	-
			(xxiv) Round Off	-	0.04
			(2) PAYMENTS MADE AGAINST FUNDS FOR VARIOUS PROJECTS		
BALANCE C/F	799,688,777.29	751,064,718.92	BALANCE C/F	135,533,064.00	143,308,670.04

RECEIPTS	Current Year 2010-11 Amount (Rs.)	Previous Year 2009-10	PAYMENTS	Current Year 2010-11 Amount (Rs.)	Previous Year 2009-10
BALANCE B/F	799,688,777.29	751,064,718.92	BALANCE B/F	135,533,064.00	143,308,670.04
(7) TO OTHER DEPOSITS	2,157,660.00	324,780.00	(3) INVESTMENTS & DEPOSITS MADE	3,113,062.00	6,388,140.00
(a) Security Deposit	57,660.00	-	(a) Investments	-	-
(b) Earnest Money Deposit	600,000.00	320,000.00	(i) Out of Earmarked / Endown Funds	-	-
(c) Any other Deposit	-	-	(ii) Out Of Own fund	-	-
Telephone Deposit	-	4,780.00	(b) Deposits	6,500.00	5,633,762.00
Other Deposits	1,500,000.00	-	(i) Security Deposits	2,726,562.00	654,378.00
			(ii) Earnest Money Deposits	380,000.00	100,000.00
(8) TO REMITTANCES RECEIPTS	12,580,617.00	15,607,416.00	(4) ADVANCE TO STAFF	744,710.00	605,429.00
(a) Recovery from Deputationists	-	-	(i) House building advances	29,850.00	135,025.00
(b) License Fees	35,676.00	6,852.00	(ii) Motor Car/ Personal computer advance/Scooter / Motor cycle advances	40,000.00	-
(c) Income Tax (TDS)	11,476,668.00	14,796,928.00	(iii) Other Advances	-	-
(d) Surcharge	-	-	Festival Advance	-	-
(e) Sales Tax	-	-	Advance for Expenses	674,860.00	470,404.00
(f) Central Government Health Scheme	-	-	Advance against Salary	-	-
(g) Postal life insurance	-	-	(5) RECOVERY OF CONTIGENT ADVANCES	729,212.00	1,532,860.00
(i) Any other	-	-	(i) Advance To PWD	729,212.00	-
General Provident Fund	84,000.00	56,500.00	(ii) Advance to Supplies	-	93,937.00
Group Insurance Scheme	4,320.00	4,440.00	(iii) Other Advance	-	1,438,487.00
Profession Tax	65,115.00	60,175.00	Refund Of Fees	-	436.00
MERC Employees CPF Share	675,080.00	498,487.00	(6) OTHER REMITTANCES	12,579,881.00	15,696,499.00
HRA Recovered	222,054.00	134,623.00	(a) GPF/CPF etc. recoverd from deputationists	-	56,500.00
CPF Meda Employees Share	-	7,800.00	(b) License Fees	32,650.00	6,852.00
PPF MERC Employees Share	17,704.00	41,611.00	(c) Income Tax (TDS)	10,380,470.00	14,796,928.00
(9) RECEIPTS AGAINST SALE OF ASSETS	-	-	(d) Central Government Health Scheme	-	-
(i) Mobile Handset	0.00	-	(e) Postal life insurance	-	-
(ii) Vehicles	-	-	(f) CGEGIS /CEEIS	3,960.00	4,440.00
(iii) Telephone EPBX	-	-	(g) Any Other Recoveries	-	-
			General Provident Fund	101,414.00	-
			Loan Recovery Payment	41,740.00	56,200.00
			Profession Tax	57,615.00	60,175.00
			MERC Employees P F Contributions	1,703,843.00	498,487.00
			H.R.A. Recovered	203,416.00	134,623.00
			CPF Meda Employees Share	31,685.00	7,800.00
			PPF Contribution Employees	23,088.00	74,494.00
			(7) CONTRIBUTIONS	8,439,355.00	6,158,671.00
			(a) Pension & Gratuity Fund	138,753.00	-
			(b) Leave Salary & pension Contribution	256,602.00	-
			(c) Other Contribution	-	-
			Grants To Ombudsman	8,044,000.00	6,158,671.00
			(8) EXPENDITURE ON FIXED ASSETS	4,771,571.00	28,597,847.00
			(a) Land	-	-
			(b) Building	-	-
			(c) Furniture & Fixtures	211,590.00	465,895.00
			(d) Machinery & Equipments	-	159,489.00
			(e) Motor Vehicles	-	-
			(f) Books & Periodicals	248,232.00	172,828.00
			(g) Capital Work In Progress	3,685,389.00	25,620,773.00
			(h) Any Other	-	-
			Office Equipement	103,659.00	5,377.00
			Interior Renovation	-	249,664.00
			Computers	430,926.00	1,697,505.00
			Telephone Instruments	91,775.00	226,316.00
			(i) Purchase Of License for RIMS Project	-	-
			(9) CLOSING BALANCE	651,629,261.29	572,470,025.88
			(a) Cash on Hand	3,246.00	147.00
			(b) Bank Balances (SBI)	-	-
			(i) In Current A/C	-	-
			(ii) in Deposit A/C	624,000,000.00	404,000,000.00
			(iii) Savings A/C	27,626,015.29	168,469,878.88
TOTAL (Rs)	814,427,054.29	768,370,001.92	TOTAL (Rs)	814,427,054.29	768,370,001.92

FOR MAHARASHTRA ELECTRICITY REGULATORY COMMISSION

SECRETARY

MEMBER

CHAIRMAN

2010-11



MERC

Maharashtra Electricity Regulatory Commission

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