

# ANNUAL REPORT 2011-2012

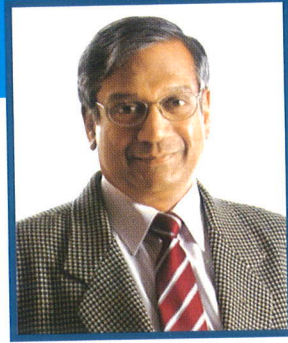


**MERC**

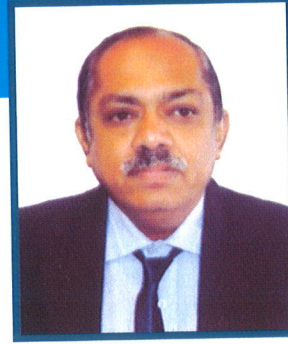
MAHARASHTRA ELECTRICITY REGULATORY COMMISSION



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 V.L. Sonavane**  
Member

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## FROM THE CHAIRMAN

The Year 2011-12 will be remembered for a long time owing to many momentous developments concerning the electricity sector. As Regulator for the largest Electricity consuming State in India, the Maharashtra Electricity Regulatory Commission has tried to stay abreast of these developments and chart a path that strictly adheres to the Electricity Act, 2003 for the healthy growth of the sector. Accordingly, the Commission has strived to promote a level playing field and to encourage competition. Some milestones during the Year need a mention.

The Commission re-determined the Cross Subsidy Surcharge and addressed standby charges for Open Access (OA) by an order dated 9 September 2011. This decision has been welcomed by the electricity sector and by industries in Maharashtra. The Commission expects a smoother implementation of the OA regime due to this Order. Another path-breaking decision by the Commission was to issue a fresh distribution licence to Reliance Infrastructure Limited in most of Mumbai Suburbs and Mira Bhayander area. The Solicitor-General of India, when approached by the Commission, advised that a second licensee should have its own distribution network. The Commission took a holistic view and decided to issue Reliance Infrastructure Limited a fresh licence for distribution of Electricity in most suburbs of Mumbai and Mira Bhayander area.

In the changing electricity scenario, I wish to reiterate that power purchase, power transmission and power distribution need to be viewed in a dynamic perspective. Power purchase, for instance, will be done in future through competitive bidding. The sector has to prepare itself to meet this stipulation. With growing demand for electricity from each segment of society, various distribution entities will have to prepare themselves for dispensing maximum consumer satisfaction. In this milieu, the activity that requires urgent attention is the strengthening of the transmission network in and around Mumbai as well as across the State. As demand for electricity is continually rising, a robust transmission network is the need of the hour. About 5000 MW of power is being sourced from outside the State while another 4000 MW is being scheduled to be added in the transmission network by 2013 within the State itself. Adequate transmission systems need to be developed to meet this load inflow and the projected outflow well in advance. Therefore, wherever possible, the underground and overhead options may be considered. In view of this, the Commission has constituted a Working Group / Standing Committee to suggest the ways and means to augment the transmission network in Mumbai Metropolitan Region (MMR) and all across Maharashtra. I am happy to note that the Group has done considerable work in this direction. Preparing a 5-Year Business Plan and a 15-Year Perspective Plan for MMR and Maharashtra are the principal assignments entrusted to the Group.

An important development for the power sector is a judgment delivered by Hon'ble APTEL which has directed the distribution utilities in the country to submit their tariff proposals before the expiry of every financial year, failing which, the SERCs concerned have been authorized to start proceeding suo motu. The impact of this decision will be far-reaching, leading to improvement in the health of the DISCOMs.

The Commission remains worried about the distribution losses in Maharashtra though it has been assured time and again that these losses are being brought down through constant endeavour. Hundred percent metering of all Distribution Transformers and Feeders is a milestone, which should be achieved on a time bound priority basis to be able to bring the situation under control. Another worrying factor is the mounting arrears from a large number of electricity consumers. The Commission feels that, drastic measures need to be taken to improve the conditions. The mandate of the EA, 2003 is to bring the cross-subsidy level within  $\pm 20$  percent of the Average Cost of Supply. The Commission is proceeding towards the attainment of this objective.

The Commission continues to ensure effective public participation in its decision-making process. Empowering the consumers and continuously bridging the asymmetry of information between the consumers and the utilities will be a constant endeavour of the Commission.

I particularly acknowledge the contributions of all the stakeholders, who liaise with the Commission in the meetings of the State Advisory Committee or other Forums on the issues of major policy matters. The SAC meets regularly around the end of every quarter and brain-storms complex issues concerning the electricity sector. The Commission is grateful to the experts who spend their time and energy in the cause of the people by dispensing valuable advice.

To speed up the progress of the Electricity sector, various players in the Sectors including Utilities, State and Central Governments, Regulatory Commissions, Consumer representatives, Investors and other stakeholders need to play their part as per the respective role (dharma) assigned to them in the Electricity Act, 2003, in the spirit of Verse 35, Chapter 3 of the Bhagawat Gita.

श्रेयान्सधर्मो विगुणः परधर्मात्स्वनुष्ठितात् ।

स्वधर्मे निधनं श्रेयः परधर्मो भयावहः॥

Shreyaan swadharmo vigunah: paradharmaat swanushthitaat;  
Swadharme nidhanam shreyah: paradharmo bhayaavahah.

(Better is one's own duty, though devoid of merit, than the duty of another well discharged.  
Better is death in one's own duty; the duty of another is fraught with fear.)

I take this opportunity to renew the Commission's pledge to fulfill the mandate of EA, 2003 and continue to contribute towards the progress and prosperity of Maharashtra.

V.P. Raja

(V.P. RAJA)



## STATE ADVISORY COMMITTEE

During 2011-12, four meetings of the State Advisory Committee (SAC) were held as scheduled. They were presided over by Shri V.P.Raja, Chairman, MERC. Following a request from the Ministry of New and Renewable Energy (MNRE), Government of India, the Commission decided to make MNRE a permanent invitee for the SAC meetings. Taking into consideration the importance of RE in coming years, the Commission has decided also to invite Maharashtra Energy Development Agency (MEDA), being the Nodal Agency for RE in the State, as a permanent invitee for the SAC meetings. Further, the Commission has decided to invite Dr. Omprakash G. Kulkarni, Mentor, Advisor and Consulting Engineer in Automation, Instrumentation, Energy Management, IPR CDM, Ecology and Renewable Energy as a permanent Invitee for the SAC meetings.

### 1. Renewable Energy

A presentation was made on the RE scenario. The initiatives taken by the Commission in this regard are:-

- i) Initiatives through Regulations
- ii) Initiatives through various RE Orders
- iii) Initiatives by promoting RE Purchase Obligations, RE Purchase Specifications and RE Certificate Mechanism
- iv) Initiatives by determining RE levelised tariff for Wind, Small Hydro, Bagasse Co-generation, Biomass and Solar Power.

Shri Shashi Shekhar, Joint Secretary, MNRE, stated that Maharashtra has done commendable work in promoting RE, particularly, the wind energy sector. According to a study conducted by Berkley University in US, the potential of wind power generation in India is expected to be around 100,000 MW. If this entire potential is exploited properly, the question one has to address is if the Grid can support this or not. Potential is available in other States, too, but cannot be exploited. Therefore, the MNRE is considering to pool the entire RE so that anybody can bid from this pool to meet their RPOs. This will benefit the entire nation. For meeting transmission costs, a separate fund in the Solar mission of the Prime Minister/ Forum of Regulators could be utilised so that transmission will not be a constraint.

### 2. Roadmap for Cross Subsidy Reduction

In the meeting held on 30<sup>th</sup> September 2011, a detailed presentation was made by the Commission's consultants, Pricewaterhouse Coopers (PwC), on the progress made so far in this regard, the key principles of Cross Subsidy

Reduction Roadmap and reduction of Cross Subsidy for each utility. Members and permanent invitees of the SAC made valuable suggestions, which, inter alia included -

- i) Development of tariff rationales based on cost supply through which the Cross Subsidy amount will come down by itself and it will not be difficult to maintain Cross Subsidy within 20 percent on either side of average tariff of each category.
- ii) Evaluation of the category-wise cost of supply and then determine the Cross Subsidy.
- iii) Preparation of a roadmap for reduction of Cross Subsidy in consultation with the Government.
- iv) Keeping in mind the category of IT industry coming up in textile mill land in and around Mumbai while finalising these issues.

They dealt with the following points -

- Average Cost of Supply (ACoS)  
Cost of Supply (voltage-wise)  
Cost of Supply to various consumer categories
- Utilities to segregate their accounts in a time bound manner to capture network and supply-related costs accurately
- Need to develop guidelines for computing CoS
- Cross Subsidy may be based on ACoS till such time.

The Report is under finalisation. The final Report will be forwarded to the Government of Maharashtra (GoM) for appropriate action.

### 3. Impact of communication from MoP on Open Access (OA) for 1 MW and above consumers

This issue was discussed in the SAC meeting held on 30<sup>th</sup> December 2011. Members and permanent invitees pointed out that with the implementation of this communication, the consumers of 1 MW and above may go out of the purview of the regulatory body and the tariff of such consumers will be determined by the market. When such consumers get out of the State Utility network, the impact on the State Utilities is going to be very high as these consumers are among the subsidizing consumers. This situation ultimately will lead to seeking more Annual Revenue Requirement (ARR) and a tariff increase for the subsidized consumers will be inevitable. The subsidized consumers will not be able to sustain this tariff shock. If a power supplier fails to supply, to the consumers of 1 MW and above what will happen to such consumers? Will they be able to source the supply from the Distribution Licensee (State Distribution Utility) or will they have to seek supply from Power Exchanges? Under such a situation, the main beneficiaries will be the Power Exchanges. Therefore, the Distribution Licensee



has to come out with a clear strategy in terms of

- i) Revenue loss
- ii) Forced supply obligation and
- iii) Cross subsidy surcharge.

However, there will be certain advantages such as improved efficiency, increasing competition and tariff rationalization. There will be a conflict of interests of DISCOMS as EA, 2003 makes USO mandatory for DISCOMS. The problems of variation in voltage levels, overloading or frequency level may have to be looked into in this context and be factored into. The risk factors are required to be shared equally by all participants. The DISCOMS will be the least affected, provided the Commission is able to tackle complex issues such as cross subsidy, availability of power and movement of consumers. The low-end consumers should not be overlooked. Keeping in mind the various problems related to this highly complex issue., it was suggested that OA may be implemented in a phased manner. The Commission noted the suggestions made at the meeting.

#### 4. Five Year Business Plan for MMR

Two grid disturbances occurred in November 2010 in Mumbai, severely affecting the power supply to Mumbai Metropolitan Region (MMR), including parts of South Mumbai. After a review meeting with all transmission utilities of the State, a detailed study was carried out under Prof. S.A. Khaparde of Bombay IIT. The study report recommended that urgent steps need to be taken to strengthen the power supply in terms of generation and transmission to cater to the projected future load demands of Mumbai to avoid recurrence of power supply failures.

MERC has constituted a Standing Committee comprising representatives from MSETCL, TPC, Rlnfra, the Western Regional Load Dispatch Centre, the State Load Dispatch Centre, Bombay IIT and external experts to review the situation and suggest remedial measures to overcome the existing and potential transmission bottlenecks in MMR and in the State. The Committee has been entrusted with the responsibility of preparing a 5-Year Business Plan and a 15-Year Perspective Plan for MMR and for Maharashtra. The Committee has made certain recommendations, some of which are as under:-

- a) Various Government Agencies such as MMRDA, SRA, CIDCO, Airport Authority, SEZ Commissioner, Railways and MCGM need to be involved at the planning stage for MMR so that necessary support can be obtained for implementation of the project.

- b) All the 110 kV lines in MMR area need to be necessarily converted from overhead to underground and the same RoW can be used for 220 kV lines with insulated cross arms.
- c) For all identified long-term transmission schemes, the model of competitive bidding through private sector participation should be explored. For this, the State Government may formulate appropriate guidelines and appoint an Empowered Committee.

It was observed that from the last many years, no action has been taken by the existing transmission licensees in MMR to address the issue of network planning for bringing required power into MMR. Therefore, it was suggested that the Committee is made to address the associated problems and come out with solutions so that the same can be put up before the Government for its final decision. It was also suggested that wherever possible, the underground and overhead options may be considered. MSEDCL suggested that the Commission and/or the State Government need to address two important issues--

- i) capital investment required for such transmission network augmentation
- ii) recovery of such investment through regulatory system.

Principal Secretary (Energy), Government of Maharashtra, suggested that a list of problem areas involving various Departments/ Agencies may be provided so that all possible efforts could be made to obtain early clearances.

The Standing Committee has submitted Report for MMR (Phase 1) and is working on the Five Year Plan for Maharashtra.

#### 5. Demand Response Potential for Mumbai City

In the meeting held on 30th March, 2012, a presentation was made by Shri Shekhar Khadilkar, TPC and Dr. Mahesh Patankar, LBLN. In the presentation, it was inter alia mentioned that more than 40% demand is from Air Conditioner load in Mumbai. With active participation of the consumers in Demand Response Scheme, the cost of procuring peak power can be reduced. Dr. Omprakash Kulkarni made presentation on Revolutionizing the Energy Scenario of Rural India. He mentioned that smart grid is essential for RE. He further mentioned that sincere efforts will have to be made for seeking Forest clearance for Micro/ Mini and Small Hydro Projects.



## 6. Other Items

### Setting up of a dedicated School/ Institute for technocrats required for regulatory functions -

The Commission has initiated capacity-building exercises to address the challenging need of a trained manpower. As a follow-up action, the Commission has decided to make recruitment of adequate personnel. TPC has offered to support this process by bringing in picture the Tata Management Training Institute. RInfra stated that they are having an in-house training programme for their executives. However, they could consider taking advantage of this programme also.

### Amendment in Supply Code and SoP Regulations for Distribution Licensees -

The Commission is in the process of amending the Supply Code and Standards of Performance (SoP) Regulations. Forum of Regulator (FoR) has published Model Supply Code and SoP Regulations. Based on these, amendments in MERC Regulations have been initiated.

### Review of Schedule of Charges for Distribution Licensees -

The Schedule of Charges was determined and approved by the Commission in 2006, based on the material and labour costs prevalent then. There has been significant upward movement of costs since then. Therefore, there is a need for review of the existing Schedule of Charges. The Commission suggested that the Distribution Licensees should include a proposal for review of Schedule of Charges in their respective ARR/Tariff Petitions in accordance with Supply Code Regulations so that the issues could be placed before the Public for their comments/ objections/ and suggestions. This will be addressed through the Tariff Orders.

### CAPACITY BUILDING INITIATIVE IN POWER SECTOR

MERC continues its stride towards Capacity Building in Electricity Regulation by intensifying its HRD initiatives and able to establish a sound system for developing human resources in key domains of power sector by collaborative learning. MERC has also been continuously conducting various training programmes with World Trade Institute, Mumbai, Symbiosis Institute of International Business, (SIIB), Pune, K.J.Somaiya Institute of Management and Research (SIMR), Mumbai,

Maharashtra Electricity Regulatory Commission (MERC) has further launched a series of multi-pronged initiatives and establishes, 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.

Initiatives undertaken by MERC are briefly recapitulated below:

- (1) Three day workshops on Concepts and Processes in Electricity Regulation, Legal Literacy and Legal aspects for Power/Energy sector professionals and Financial Literacy for Power Sector and Annual Revenue Requirement were conducted.
- (2) A six month 'Post Graduate Diploma in Electricity Regulation' for new entrants to this field. (Two batches of 60 candidates each, one batch has completed and the other batch is in progress).
- (3) A 20 week (on Saturday afternoon) Certificate Course in "Economics of Energy Sector" being conducted at K.J.Somaiya Management Institute for professionals in energy/ power sector
- (4) A capsule on Electricity Regulation, introduced on account of a MERC suggestion, as a part of the SIIB's (Symbiosis Institute of International Business) MBA programme on "Energy and Environment,"

MERC has proposed to conduct the following programmes in the near future

- Programme on Mentoring for MERC officers and Staff members
- Training of Trainers to develop in house resource persons for Electricity regulation.
- Management Development Programme, (techno-HR in nature), to impart multi Disciplinary skill sets, for MERC Officers and Staff.
- Induction course for new entrants.

### MARKET MONITORING CELL

Among the initiatives taken by the Commission in FY 2011 -12 is the setting up of a Market Monitoring Cell to monitor the developments in the electricity markets as mandated by the Electricity Act, 2003.

The cell will develop a data base of information on various aspects of the electricity market, the status of EA 2003, national electricity policies and Ministry of Power directives and various SERC regulations. This data will be available to all users within the Commission for reference.

The cell is currently focussed on acquiring and collating national and state level data on power sector planning encompassing generation, transmission and distribution; planned and ongoing RE projects including biomass and cogeneration, short term and long term trends in power markets and tariff.

The cell, as part of its mandate, has begun publishing reports on the power purchase trends seen in the state.



## Short Term Electricity Market in India

Of the total electricity transacted in India, the short term power market comprises around 10%, with 90% of the power being tied up through long term/medium contracts. In terms of volume, the size of the short term market in India was about 81.56 billion units in 2010-11. This translates into the growth of 24 percent compared to the volume of electricity (65.90 billion Units) transacted in 2009-10. Majority of this growth in volume (15.66 billion units) is on account of growth in transactions through the power exchanges (53.3%), followed by growth in direct bilateral transactions between the DISCOMS (about 26%). The contribution of Unscheduled Interchange (UI) to the overall growth is about 14.4 percent.

## Short Term Power Purchase Trends in Maharashtra in FY 2011-12

Maharashtra, given the sharp spurt in demand over the last few years, is among the top five buyers in the short term electricity market. In fact, in the entire year, there was only one week when it was not among the top five procurers. An analysis of the cumulative purchases by state DISCOMS shows that the average weekly purchase ranged from 145 MUs/week in the Jul-Sept quarter to 193.78 MUs/week in the Jan-Mar quarter. Prices ranged from 4.60 Rs/kWh in the Oct-Dec quarter (on Power Exchange of India) to 2.21 Rs/kWh (UI rate) in the Jan-Mar quarter. As demand typically drops in the monsoon months, the Jul-Sept quarter saw the lowest transactions (at 145 MUs/week) with prices ranging between 2.51 and 3.12 Rs/kWh. These months also saw the state sell an average of 30 MUs per week in the short term market.

The Oct-Dec quarter saw unusually high prices in the short term market on account of the fuel supply crisis owing to a host of factors - strikes at the collieries combined with heavy rains in parts of the country leading to transportation bottlenecks and the Telangana agitation in Andhra Pradesh. Prices shot up to 12 Rs/kWh in October. However, elections of the six state assemblies in February-March did not see a spike in power prices, with prices remaining in range bound between 2 and 3.30 Rs/kWh. This is in keeping with the trend seen in May 2011 when electricity prices held their own during the crucial Tamil Nadu assembly elections.

## Conclusion

In the coming year, there may be some glad tidings for the state as it is expected to see a reduction in the demand-supply gap. While demand is expected to grow by around 14%, peak time availability is also expected to grow by around 7-8 %, bringing down peak deficit from 13%. Price curves forecast by the Central Electricity Regulatory Commission (CERC) shows that, from Feb. 2012 to June 2013 there is a declining trend till May 2012 (3.05 Rs/kWh) and then follows an upward trend till June 2013 (3.75 Rs/kWh), based on contracts reported for the period (Feb 2012 to June 2013). Keeping this view, the state DISCOMS would be well advised to make arrangements to procure more electricity in the medium and long term to ensure an optimum for power price for the state's consumers.

## DEMAND SIDE MANAGEMENT

The MERC plays an important role in the implementation of DSM pilot programs in the consumer premises. The Commission had approved the following DSM pilot programs for distribution licensees and status of these programs is detailed in table no. 1 as under;

Table No. 1

Sr. No	Approved program by MERC	Utilities	Replacement quantity in Nos	Progress of utilities
1	T-5 FTL	TPC-D, R-Infra-D, BEST	1,75,000	8069 nos. of old inefficient tubes have been replaced
2	5 star Ceiling Fan (CF's) program	TPC-D, R-Infra-D, BEST MSEDCL	47,000	5700 nos. of CF's have been installed.
3	Window A/C program	TPC-D, R-Infra-D & BEST	600	90 nos. of A/C have been replaced.
4	Thermal Energy Storage	TPC-D, R-Infra-D & BEST	2500 TR	The program is in process of implementation.
5	5 Star Refrigerators	TPC-D and R-Infra-D	10,000	Program has been revised by approval of the Commission.
6	Gas water heaters	TPC-D and R-Infra-D	2,000	Program has stopped because of issue of Mahanagar Gas Limited.
7	Energy efficient Agricultural water pumps	MSEDCL	3530	PWC has generated M&V reports for sample size of 111 pumps and 117 pumps have been replaced.
8	Manual Demand Response	TPC-D	1000 consumers	2 Demand response events called by the TPC-D.
9	Auto-Demand Response	TPC-D	5 building	The program is in Consumer enrolment process
10	Energy Audit	TPC-D, R-Infra-D & BEST	-	More than 35 audits have been completed.
11	Load Survey/Research	TPC-D, R-Infra-D & BEST and MSEDCL	-	Load research has been completed.



In addition, the following DSM programs are focused by the Commission for achieving the targets of energy saving.

❖ **Demand Response Program:-**

The Commission has defined Demand Response (DR) concept in Section 4(c) of DSM Framework Regulations, 2010. The extract of Section 4(c) is detailed as under:-

**“4. DSM Guiding Principles:-**

*(c) Distribution licensees shall implement the programs that help to reduce the peak demand, peak shifting an associated costly power purchase, specifically in the Urban centres. Such program shall also include Demand Response initiatives involving consumers agreeing to modulate their load shapes through contract with licensees.”*

The Commission has taken proactive steps for successful implementation of Demand Response program in the Utilities. The Commission approved Automated as well as Manual Demand Response program for TPC-D and TPC-D have carried out 2 Demand Response calls in Mumbai under Manual Demand Response program. The first event was called on 11th November 2011, total load relief of around 4.1 MW and 7000 units of energy was achieved. The second event was called on 21st December 2011, More than 8000 KWh load shift was achieved. In this program, IT & ITES companies, sewage pumping stations and some industrial load customers participated. The customers used several methodologies to reduce their load when required by TPC-D. Their actions involved changes in temperature settings of AC plants, shifting of work times, staggered switching of lighting supply, shift in pump operations, load curtailment using building management systems and switching on the stand by generation.

❖ **Thermal Energy Storage (TES) program:-**

The Commission had approved the Thermal Storage Systems pilot DSM program with the target of up to 2500TR. The aforesaid program is designed to shift load from day peak time to off peak night by using Thermal Energy Storage System. Based on the various inputs and experiences, it was observed that some facilities were already installed in thermal Energy Storage system but were not being effectively utilized due to various reasons. Due to this reason, one of the utility has offered rebate for load shifting by TES and not on capacity basis. The fixed rebate of Rs.1.00/kWh offered to TES consumers for 1 year. If the consumer takes interest in such type of program, the energy conservations will be in term of MUs.

❖ **Energy Efficient Ceiling fan program:-**

The Commission approved the aforesaid pilot program for replacement of old inefficient Ceiling fans by 5 star rated ceiling fans to Rlnfra-D, BEST, MSEDCL and TPC-D with a target of 47,000 nos. of CF's. The program is very successful at the proposed residential category.

❖ **Energy Efficient Refrigerator program:-**

This program is designed to upgrade the technology as per the consumer's requirements and to conserve the energy. The Commission approved the Energy Efficient Refrigerator program for TPC-D and Rlnfra-D with a target of 10,000 nos. of refrigerators. The program is rolled out for replacement of old Direct Cool Refrigerators by 5 star rated Direct Cool Refrigerators and old Frost Free Refrigerators by 5 star rated Frost Free Refrigerators as a pilot program. The rebate offered for the same is Rs.4500/-per appliance. As per the DSM-Consultation Committee suggestions, more incentives (Rs.1000/-) offered to the participants for replacement of frost-free refrigerator by 5 star rated direct cool refrigerator. For adopting the more efficient technology, rebate of Rs. 5500/ - per appliance have been offered to the consumers.

**RENEWABLE ENERGY**

**Renewable Energy Certificate (REC) in India – Looking forward Robust & Credible Market**

Regulator's vision is incredibly broad as far as consumer's interest is concerned. The various initiatives taken up by Policy Makers while dealing with current explosive issue of Global Warming is really remarkable, wherein promotion of Renewable Energy (RE) is one of them. The Electricity Act, 2003, the policies framed under the Act, as also the National Action Plan on Climate Change (NAPCC) provide a roadmap for increasing the share of renewable in the total generation capacity in the country. State Electricity Regulatory Commission's are mandated by Section 3(1), Section 4, Section 61(h) & Section 86 (1)(e) of Electricity Act, 2003 and other enabling provisions under National Electricity Policy 2005 and Tariff Policy 2006 in order to promote RE by various means. As India is among the largest developing countries in the world, richly endowed with renewable energy potential (India is fifth largest wind energy producer just after China, US, Germany & Spain), developing RE is its inevitable choice for sustainable economic growth. As on date, the RE installed capacity in India is **23,129 MW**, whereas it is **3608 MW** in Maharashtra State.

However, RE sources are not evenly spread across different parts of the country. There are States (like Delhi) where the potential of RE sources is not that

significant. This inhibits SERC's in these States from specifying higher Renewable Purchase Obligation (RPO). On the other hand there are States (like Rajasthan and Tamil Nadu) where there is very high potential of RE sources. In such States there are avenues for harnessing the RE potential beyond the RPO level fixed by the SERC's. In this context, the concept of **Renewable Energy Certificates (REC)** assumes significance. This concept seeks to address the mismatch between availability of RE sources and the requirement of the obligated entities to meet their RPO. It is also expected to encourage the RE capacity addition in the States where there is potential for RE generation as the REC framework seeks to create a national level market for such generators to recover their cost.

In order to overcome the regional constraints and after detailed deliberations with all stakeholders, Central Electricity Regulatory Commission (CERC) notified the Central Electricity Regulatory Commission (Terms and Conditions for recognition and issuance of Renewable Energy Certificate for Renewable Energy Generation) Regulations, 2010 on 14th January, 2010 and subsequent amendment therein vide notification dated 29th September, 2010, introducing the modalities of REC in the Indian Electricity Sector. CERC vide Order dated 29th January, 2010 designated National Load Dispatch Centre (NLDC) as a Central Agency for undertaking various functions such as Registration of RE projects, issuance of REC etc. under REC framework. Furthermore, in line with CERC above Regulations, CERC vide Order dated 1st June, 2010 issued a "Detailed Procedure under REC mechanism submitted by Central Agency (NLDC)". REC's are also known by under functionally equivalent names such as Green Tags, Renewable Obligation Certificates or Tradable Renewable Certificates. Internationally, in

countries like UK, US, Australia, Japan, Netherlands, Denmark & Poland, the concept has been used to facilitate a robust and credible market for trading the green attributes of the electricity, with a view to provide an additional source of revenue to RE generators. Eventually, the RECs market in India also looking for the same.

Keeping in mind the National RE target and in order to promote RE and for effective implementation of REC framework, the Maharashtra State Electricity Regulatory Commission (MERC) introduced the MERC (Renewable Purchase Obligation, its compliance and implementation of REC framework) Regulations, 2010 on 7th June, 2010 and designated Maharashtra Energy Development Agency (MEDA) as a State Agency vide Order (suo-motu) dated 1st July, 2010, for undertaking Accreditation of RE projects in the Maharashtra State and Recommendation of same for Registration with NLDC under REC mechanism.

In India, during the inception of REC market, it was observed that due to MERC prompt initiative for promoting RPO-REC framework, Maharashtra was the pioneer and become the first State in India wherein first RE project was accredited and registered with NLDC. During the initial period, there was a question on the success of REC market in India. But now, within a year time, the picture has been completely changed and REC market becomes matured enough for Non-solar projects. Perhaps, it is predicted that within next two years, Solar REC's would also picked up the market, as 16.56 MW capacity solar PV projects have already got accreditation certificate. At present, if we look at the following current REC market in India and in Maharashtra state, it may give some confidence to RE generators.

**REC Status on 30<sup>th</sup> March, 2012 is as follows:**

Parameters	India		Maharashtra	
	No. of projects	Capacity in MW	No. of projects	Capacity in MW
Total Accredited RE Generators	451	2630.160	225	716.413
Total Registered RE Generators	363	2287.430	174	544.948
Total Non-solar REC issued	10,54,243 nos.		3,44,837 nos.	
Total Non-solar REC Redeemed	10,15,698 nos.		3,27,094 nos.	
Balance Non-solar REC	38,545 nos.		17,743 nos.	
Total Solar REC Issued	Nil		Nil	



As on today, Accredited and Registered RE sources wise projects in India are as follows;

Source wise	Accredited RE generators		Registered RE generators	
	Capacity (MW)	Units (No.)	Capacity (MW)	Units (No.)
Wind	1228.54	317	1064.73	255
Solar PV	16.56	4	0	0
Small Hydro	166	20	148	17
Biomass	546.96	53	467.3	41
Bio-fuel Co-generation	670.43	56	605.73	49
Others	1.67	1	1.67	1
<b>Total</b>	<b>2630.16</b>	<b>451</b>	<b>2287.43</b>	<b>363</b>

Success of REC mechanism in Indian market implies large investment of RE projects in the country as it incentivize the RE generators. On the other hand, as REC overcomes the regional constraints, the obligated entities can comply with their respective RPO even during the RE supply constraints within the State. Per se, it would be helpful for the SERC's to specify the RPO for their State in line with National RE target. In India, 25 SERC's framed their final RPO-REC Regulations, whereas only two SERC's RPO-REC Regulations is in the draft stage. It is understood that SERC's are promoting renewable not only through attractive feed-in tariff structure but also through various measures such as CDM benefits, introducing RPO-REC mechanism etc. as mandated under Section 86(1)(e) of EA 2003. With the MERC prompt initiative for the green evolution in the Maharashtra, state has achieved 5.75% against 6% RPO during F.Y 2010-11 with cumulative RE installed capacity of 3608 MW. Whereas, out of total REC issued in the country, more than 32% REC has been issued in the Maharashtra State alone.

## GRANT OF LICENCE

### Distribution Licence

**Application of Reliance Infrastructure Limited for grant of Distribution Licence in and around suburbs of Mumbai inclusive of area covered under Chene and Varsova which are contiguous with Applicant's existing area of licence (Case No 65 of 2011)**

The Commission in its Order dated April 1, 2011 in Case No 78 of 2010, ruled that for grant of licence, Rlnfra needed to comply with Section 15 of the 2003 Act, read with the requirements under the MERC (General Conditions of Distribution Licence) Regulations, 2006 for applying for grant of licence to distribute electricity. Consequently, on April 25, 2011, Rlnfra submitted an application for grant of licence to distribute electricity in the area of supply as mentioned in the 2008 Regulations (i.e. the Mumbai suburban area excluding Bhandup and Mulund), plus the areas of Chene and Varsova

The application has been submitted under the provisions of Section 14 read with Section 15 of the 2003 Act and in accordance with the provisions of the MERC (General Conditions of Distribution Licence) Regulations, 2006

In compliance with Section 15(2) of the 2003 Act, Rlnfra published a notice on May 10, 2011, of its application for grant of Distribution Licence in two (2) daily English newspapers (Times of India & Hindustan Times) and in two (2) daily Marathi newspapers (Saamana&Loksatta) having circulation in the proposed area of supply. According to the notice, Rlnfra invited suggestions and/or objections on its application within thirty (30) days from the date of publication.

In accordance with Section 15 (2) (ii) of the 2003 Act, and in order to ascertain whether the Central Government could have any objection to the grant of licence, in the event the proposed area included the whole or any part of any cantonment, aerodrome, fortress, arsenal, dockyard or camp or of any building or place in the occupation of the Central Government for defence purposes, the Commission issued letters to the concerned ministries of the Central Government (Ministry of Defence, Ministry of Civil Aviation, and Ministry of Shipping) inviting objection(s), if any, with reference to the application of Rlnfra for grant of Distribution Licence. However, the Commission did not receive any objection in this respect within 30 days from the date of the issuance of the said letters.

The Commission used the following criteria to determine Rlnfra's eligibility for grant of distribution licence:

- Minimum area of supply requirement (E1)
- Capital Adequacy requirement (E2)
- Creditworthiness requirement (E3)
- Code of Conduct requirement (E4)
- Requirement of own network rollout plan (E5)

After considering all the material on record, the Commission satisfied that Rlnfra has complied with additional requirements as specified by the Central Government in the Distribution of Electricity Licence (additional requirements of Capital Adequacy, Creditworthiness and Code of Conduct) Rules, 2005 along with other conditions or requirement specified under the Electricity Act, 2003.

Having been satisfied that Rlnfra meets the eligibility criteria as per the requirements of Section 14 of the 2003 Act, the Commission proceeded to evaluate Rlnfra's application for grant of Distribution Licence on its merit. Based on the various information provided in the application and other submissions by Rlnfra from time to time, the Commission assessed Rlnfra's application for its

- Power Procurement Plan (S1); and
- Management and Technical Expertise (S2)

Considering all the material on record, the Commission noted that as per the plan submitted by Rlnfra, it proposes to procure most of the required power through Long-Term and Medium-Term contracts to meet the power requirement in the proposed area of supply. Rlnfra also has sufficient experience in the value chain of Electricity in the last 3 years and has gained substantial management and technical expertise for professionally running the distribution business, besides rolling out advanced technologies. Therefore, the Commission considers Rlnfra eligible and competent for the grant of Distribution Licence in its proposed area of supply.

In compliance of Sub-section (5) of Section 15 of the 2003 Act, the Commission published notices on June 15, 2011 proposing grant of Distribution Licence to Rlnfra in two (2) daily English newspapers (Times of India, and DNA) and in three (3) daily Marathi newspapers (Loksatta, Maharashtra Times, and Sakal) in proposed area of distribution. The Public Notice was hosted on the Commission's website. It was intimated that a public hearing inviting suggestions/ objections in the matter would also be held on Saturday, July 9, 2011.

Considering all the materials on record, the Commission vide its Order dated August 11, 2011 opined that it is in the public interest to grant licence to Rlnfra to distribute electricity in the proposed area of supply. Therefore, in exercise of the power vested in the Commission under Section 14 of the 2003 Act, the Commission granted Distribution Licence to Rlnfra to supply electricity in the proposed area of supply for a period of 25 years from August 16, 2011.

### **Application of Indiabulls Power Limited for grant of Distribution Licence in the area of supply served by R-Infra-D in the Suburbs of Mumbai (Case No 5 of 2011)**

Indiabulls filed an application on January 17, 2011, registered as Case 5 of 2011, as per the provisions of Section 14 read with Section 15 of the 2003 Act and in accordance with the provisions of the MERC (General Conditions of Distribution Licence) Regulations, 2006 for grant of Distribution licence in the area of supply served by Rlnfra-D.

Indiabulls published a notice on May 10, 2011, of its application for grant of Distribution Licence in two (2) daily English newspapers (Financial Express & Indian Express) and in two (2) daily Marathi newspapers (Lokmat and Loksatta) in the proposed area of supply. Indiabulls invited suggestions and/ or objections on its application within thirty (30) days from the date of publication of notice. Subsequently on June 20, 2011, Indiabulls revised the proposed area of supply to include Chene and Varsova villages in its application. An addendum to the aforesaid public notice was published by Indiabulls on June 24, 2011 in the same Newspapers.

In accordance with Section 15 (2) (ii) of the 2003 Act, and in order to ascertain whether the Central Government could have any objection to the grant of licence, in the event the proposed area of supply included the whole or any part of any cantonment, aerodrome, fortress, arsenal, dockyard or camp or of any building or place in the occupation of the Central Government for defence purposes, the Commission issued letters to the concerned Ministries of the Central Government (Ministry of Defence, Ministry of Civil Aviation, and Ministry of Shipping) inviting objection(s), if any, with reference to the application of Indiabulls for grant of Distribution Licence.

The Commission used the following criteria to determine Indiabullseligibility for grant of distribution licence:

- Minimum area of supply requirement (E1)
- Capital Adequacy requirement (E2)
- Creditworthiness requirement (E3)
- Code of Conduct requirement (E4)
- Requirement of own network rollout plan (E5)

Considering all the material on record, the Commission observed that Indiabulls application for grant of a Distribution Licence has complied with additional requirements as specified by the Central Government in the Distribution of Electricity Licence (Additional requirements of Capital Adequacy, Creditworthiness and Code of Conduct) Rules, 2005. However, Indiabulls application did not fulfill a mandatory requirement



specified under the 2003 Act, which is to lay out its own distribution system in the proposed area of supply.

Since, the Commission found that Indiabulls application does not conform to the provisions of the 2003 Act as well as the aspects relevant to grant of licence, an opportunity of being heard in terms of the proviso to clause (b) of Section 15(6) of the 2003 Act was granted by the Commission to Indiabulls on August 2, 2011 before rejection of its application.

After assessing the application of Indiabulls, the Commission opined that Indiabulls Application does not conform to aspects relevant to grant of distribution licence, on account of lack of action plan for geographical coverage and time frame for rolling out its own distribution network in the area of supply for which the licence is sought for. Therefore, the Commission vide its Order dated 11th August 2011, rejected the application filed by Indiabulls.

#### **Application of Maharashtra State Electricity Distribution Company Limited for grant of Distribution Licence in the area of supply served by Rlnfra-D (Case No 6 of 2010)**

MSEDCL filed an application on January 17, 2011, registered as Case 6 of 2011, as per the provisions of Section 14 read with Section 15 of the 2003 Act and in accordance with the provisions of the MERC (General Conditions of Distribution Licence) Regulations, 2006 for grant of sole distribution licence in the area of supply of Rlnfra.

MSEDCL published notice on May 10, 2011, of its application for grant of Distribution Licence in two (2) daily English newspapers (Business Standard & Indian Express) and in two (2) daily Marathi newspapers (Sakal and Navakal) in the proposed area of supply. MSEDCL invited suggestions and/ or objections on its application within thirty (30) days from the date of publication of notice.

In accordance with Section 15 (2) (ii) of the 2003 Act, and in order to ascertain whether the Central Government have any objection to the grant of licence, in the event the proposed area of supply included the whole or any part of any cantonment, aerodrome, fortress, arsenal, dockyard or camp or of any building or place in the occupation of the Central Government for defence purposes, the Commission issued letters to the concerned Ministries of the Central Government (Ministry of Defence, Ministry of Civil Aviation, and Ministry of Shipping) inviting objection(s), if any, with reference to the application of MSEDCL for grant of Distribution Licence.

The Commission used the following criteria to determine

MSEDCL's eligibility for grant of distribution licence:

- Minimum area of supply requirement (E1)
- Capital Adequacy requirement (E2)
- Creditworthiness requirement (E3)
- Code of Conduct requirement (E4)
- Requirement of own network rollout plan (E5)

Considering all the material on record, the Commission is of the view that MSEDCL's application for grant of a Distribution Licence has not complied with additional requirements as specified by the Central Government in the Distribution of Electricity Licence (additional requirements of Capital Adequacy, Creditworthiness and Code of Conduct) Rules, 2005. Further, MSEDCL's application did not fulfil a mandatory requirement specified under the 2003 Act, which is to lay out its own distribution system in the proposed area of supply

Since, the Commission found that MSEDCL application does not conform to the provisions of the 2003 Act as well as the aspects relevant to grant of licence, an opportunity of being heard in terms of the proviso to clause (b) of Section 15(6) of the 2003 Act was granted by the Commission to MSEDCL on August 2, 2011 before rejection of its application.

The Commission observed that the application filed by MSEDCL for grant of licence does not fulfil the requirements for grant of licence on account of the following:-

- The minimum area of supply requirement in terms of the Explanation to Rule 3 of the aforesaid Distribution of Electricity Licence (Additional requirements of Capital Adequacy, Creditworthiness and Code of Conduct) Rules, 2005 has not complied with;
- MSEDCL has not met the eligibility requirement for Capital Adequacy.
- On account of lack of action plan in terms of geographical coverage and time frame for rolling out its own distribution network in the area of supply for which the licence is sought for the requirement laid down in the sixth proviso to Section 14 of the 2003 Act of having its own distribution system have not been complied with by MSEDCL.
- An exclusive licence being contrary to the 2003 Act

In view of the above, the Commission vide its Order dated 11th August 2011, rejected the application filed by MSEDCL.

**Application of Torrent Power Limited for grant of Distribution Licence in the South Zone of Rlnfra-D area (Case No 7 of 2010)**

Torrent Power filed an application on January 17, 2011, registered as Case 7 of 2011, as per the provisions of Section 14 read with Section 15 of the 2003 Act and in accordance with the provisions of the MERC (General Conditions of Distribution Licence) Regulations, 2006 for grant of distribution licence in South Zone of Rlnfra-D area.

Torrent power published a notice on May 10, 2011, of its application for grant of Distribution Licence in two (2) daily English newspapers (Financial Express & Business Standard) and in two (2) daily Marathi newspapers (Sakal and Navakal) in the proposed area of supply. Torrent Power invited suggestions and/ or objections on its application within thirty (30) days from the date of publication of notice.

In accordance with Section 15 (2) (ii) of the 2003 Act, and in order to ascertain whether the Central Government could have any objection to the grant of licence, in the event the proposed area of supply included the whole or any part of any cantonment, aerodrome, fortress, arsenal, dockyard or camp or of any building or place in the occupation of the Central Government for defence purposes, the Commission issued letters to the concerned Ministries of the Central Government (Ministry of Defence, Ministry of Civil Aviation, and Ministry of Shipping) inviting objection(s), if any, with reference to the application of TPL for grant of Distribution Licence.

The Commission used the following criteria to determine TPL's eligibility for grant of distribution licence:

- Minimum area of supply requirement (E1)
- Capital Adequacy requirement (E2)
- Creditworthiness requirement (E3)
- Code of Conduct requirement (E4)
- Requirement of own network rollout plan (E5)

Considering all the material on record, the Commission observed that Torrent Power application for grant of a Distribution Licence has not complied with additional requirements as specified by the Central Government in the Distribution of Electricity Licence (additional requirements of Capital Adequacy, Creditworthiness and Code of Conduct) Rules, 2005. Further, Torrent Power application did not fulfill a mandatory requirement specified under the 2003 Act, which is to lay out its own distribution system in the proposed area of supply.

Since, the Commission found that Torrent Power application does not conform to the provisions of the

2003 Act as well as the aspects relevant to grant of licence, an opportunity of being heard in terms of the proviso to clause (b) of Section 15(6) of the 2003 Act was granted by the Commission to Torrent Power on August 2, 2011 before rejection of its application.

The Commission observed that the application filed by Torrent Power for grant of licence does not fulfil the requirements for grant of licence on account of the following:-

- The minimum area of supply requirement in terms of the Explanation to Rule 3 of the Distribution of Electricity Licence (Additional requirements of Capital Adequacy, Creditworthiness and Code of Conduct) Rules, 2005 has not been complied with;
- On account of lack of action plan in terms of geographical coverage and time frame for rolling out its own distribution network in the area of supply for which the licence is sought for the requirement laid down in the sixth proviso to Section 14 of the 2003 Act of having its own distribution system have not been complied with by Torrent Power, as well as non-compliance of the requirement of "minimum area of supply";
- An exclusive licence being contrary to the 2003 Act

In view of the above, the Commission vide its Order dated 11th August 2011, rejected the application filed by Torrent Power.

**Application of Lanco Infratech Limited for grant of Distribution Licence in the area of supply served by Rlnfra-D in the State of Maharashtra (Case No 8 of 2010)**

Lanco filed an application on January 28, 2011, registered as Case 8 of 2011, as per the provisions of Section 14 read with Section 15 of the 2003 Act and in accordance with the provisions of the MERC (General Conditions of Distribution Licence) Regulations, 2006 for grant of Distribution Licence in the area of supply served by Rlnfra-D.

Lanco published a notice on May 10, 2011, of its application for grant of Distribution Licence in two (2) daily English newspapers (Times of India & Indian Express) and in two (2) daily Marathi newspapers (Lokmat and Maharashtra Times) in the proposed area of supply. Lanco invited suggestions and/ or objections on its application within thirty (30) days from the date of publication of notice. Subsequently an addendum to the aforesaid public notice was published by Lanco on June 4, 2011 in the same Newspapers to include Chaene and Varsova villages in proposed area of supply.



In accordance with Section 15 (2) (ii) of the 2003 Act, and in order to ascertain whether the Central Government could have any objection to the grant of licence, in the event the proposed area of supply included the whole or any part of any cantonment, aerodrome, fortress, arsenal, dockyard or camp or of any building or place in the occupation of the Central Government for defence purposes, the Commission issued letters to the concerned Ministries of the Central Government (Ministry of Defence, Ministry of Civil Aviation, and Ministry of Shipping) inviting objection(s), if any, with reference to the application of Lanco for grant of Distribution Licence.

The Commission used the following criteria to determine TPL's eligibility for grant of distribution licence:

- Minimum area of supply requirement (E1)
- Capital Adequacy requirement (E2)
- Creditworthiness requirement (E3)
- Code of Conduct requirement (E4)
- Requirement of own network rollout plan (E5)

Considering all the material on record, the Commission observed that Lanco application for grant of a Distribution Licence has complied with additional requirements as specified by the Central Government in the Distribution of Electricity Licence (Additional requirements of Capital Adequacy, Creditworthiness and Code of Conduct) Rules, 2005. However, Lanco application did not fulfil a mandatory requirement specified under the 2003 Act, which is to lay out its own distribution system in the proposed area of supply.

Since, the Commission found that Lanco application does not conform to the provisions of the 2003 Act as well as the aspects relevant to grant of licence, an opportunity of being heard in terms of the proviso to clause (b) of Section 15(6) of the 2003 Act was granted by the Commission to Lanco on August 2, 2011 before rejection of its application.

After assessing the application of Lanco, the Commission opined that Lanco Application does not conform to aspects relevant to grant of distribution licence, on account of lack of action plan for geographical coverage and time frame for rolling out its own distribution network in the area of supply for which the licence is sought for. Therefore, the Commission vide its Order dated 11th August 2011, rejected the application filed by Lanco.

## **Trading Licence**

### **Application of M/s. Knowledge Infrastructure Systems Pvt Ltd for grant of Trading Licence in accordance with the MERC (Trading Licence Conditions) Regulations, 2004 (Case No. 61 of 2010)**

M/s. Knowledge Infrastructure Systems Pvt. Ltd. submitted an application on September 08, 2010 for grant of Intra-State Trading License, to undertake trading of more than 1000 MU, per year, for the next five years in the State of Maharashtra.

In accordance with Section 15(2) of Electricity Act, 2003 ("2003 Act") read with Regulation 7 of the MERC (Trading Licence Conditions) Regulations, 2004, the applicant published the Public notice in two English (viz. Business Standard and Free Press Journal) and two Marathi newspapers (viz. Navshakti and Navakal) edition dated December 11, 2010 inviting suggestions / objections on its licence application.

On prima facie satisfied that the applicant is eligible for grant of licence, the Commission in accordance with clause (a) of sub-section (5) of Section 15 of the Electricity Act 2003, issued a Public Notice on June 12, 2011 inviting suggestions and objections to the proposal to grant trading licence to the applicant.

The Public Hearing in the matter was held on July 28, 2011. The Commission has carried out a detailed analysis of the eligibility of the Applicant as against the technical requirement, capital adequacy pursuant to the provisions under Section 52 of the Electricity Act 2003 and MERC (Trading Licence Conditions) Regulations, 2004 as in force and found that the applicant satisfies the technical, commercial and financial requirements to qualify for the grant of licence to undertake intra-State trading.

Accordingly, the Commission vide its Order dated September 2, 2011 granted trading licence (Category F) to M/s Knowledge Infrastructure Systems Pvt. Ltd for undertaking intra-State trading of electricity above 1000 MU per year in the State of Maharashtra for a period of Twenty Five (25) years.

### **Application of M/s. NTS Power for grant of licence in accordance with the MERC (Trading Licence Conditions) Regulations, 2004 for grant of Trading Licence in accordance with the MERC (Trading Licence Conditions) Regulations, 2004 (Case No. 35 of 2010)**

M/s NTS Power submitted intends to trade in 'Category A' as per Reg. 5.4 of the MERC (Trading Licence Conditions) Regulations, 2004 to undertake trading of electricity, for 20 MU for the first year and gradually increase to 100 MU over a period of five years, in the

State of Maharashtra. The Commission conducted public hearing in the matter on January 4, 2010 and issued its order on May 04, 2011 granting Trading licence No. 1 of 2011 to NTS Power. The Commission opined that NTS Power satisfies the technical, commercial and financial requirements to qualify for grant of licence to undertake trading licence in accordance with MERC (Trading Licence Conditions) Regulations, 2004.

**Application of 21st Century Infrastructure (India) Private Limited for grant of Trading Licence in accordance with the MERC (Trading Licence Conditions) Regulations, 2004 (Case No. 80 of 2011)**

M/s 21st Century Infrastructure (India) Private Limited submitted intends to trade in 'Category A' as per Reg. 5.4 of the MERC (Trading Licence Conditions) Regulations, 2004 to undertake trading of electricity, for 80 MU for the first year and gradually increase to 100 MU over a period of next five years, in the State of Maharashtra. The Commission conducted public hearing in the matter on November 17, 2011 and issued its order on December 15, 2011 granting Trading licence No. 3 of 2011 to 21st Century Infrastructure (India) Private Limited. The Commission opined that 21st Century Infrastructure (India) Private Limited satisfies the technical, commercial and financial requirements to qualify for grant of licence to undertake trading licence in accordance with MERC (Trading Licence Conditions) Regulations, 2004.

**Transmission Licence**

**Application of M/s. Adani Power Maharashtra Limited for amendment of Transmission Licence for Adani Power Maharashtra Limited under Regulation 7 of Maharashtra Electricity Regulatory Commission (Transmission Licence Conditions) Regulations, 2004 as amended in 2006 ("Transmission Licence Conditions Regulations") (Case No. 62 of 2010)**

M/s Adani Power Maharashtra Limited (APML) is a subsidiary of Adani Power Limited engaged in development of generation and planned to expand its capacity from 3x660MW to 5 x 660MW Coal based thermal power project at Tiroda, Maharashtra. In connection to this APML submitted an application under Regulation 7 of MERC (Transmission Licence Conditions) Regulations, 2004 as amended in 2006 ("Transmission Licence Conditions Regulations") for amendment of Transmission Licence for Adani Power Maharashtra Limited (Licence No. 2 of 2009). The State Transmission Utility had also advised that the 400kV D/C Tiroda-Koradi-II Transmission line with the two associated 400kV bays each at Tiroda and Koradi ends will not be required any more as M/s Maharashtra Eastern Grid Power Transmission Company Limited

submitted an application for development of 765 KV Transmission line on right of way of Tiroda- Koradi. The Commission conducted public hearing in the matter on March 3, 2011 and issued its order on March 30, 2011 amended Transmission licence No. 2 of 2009 to APML. The Commission opined that APML to amend the "Transmission Licence for Licence No. 2 of 2009 to the extent and the following shall stand excluded from the licence 2 of 2009:-

- 400 KV Double Circuit Transmission Line with quad conductor from Tiroda (Gondia) to proposed 400 KV Koradi-II substation.
- 2 Nos. 400 KV bays for Tiroda-Koradi-II Double Circuit Transmission lines at Tiroda substation.
- 2 Nos. 400 KV bays for Tiroda-Koradi-II Double Circuit Transmission lines at Koradi-II substation.

**Application of Reliance Infrastructure Limited (R-Infra) for grant of Transmission Licence under the provisions of Section 14 read with Section 15 of Electricity Act, 2003 (Case No. 70 of 2011)**

M/s Reliance Infrastructure Limited (R-Infra) submitted an application in accordance with MERC (Transmission Licence Conditions) Regulations, 2004 as amended in 2006 (Transmission Licence Conditions Regulations) for grant of Transmission Licence for the entire state of Maharashtra. The Application mentioned the Part II: General Terms and Conditions appearing in the Form Of Licence appended to Schedule 2 to the MERC (Transmission Licence Conditions) Regulations, 2004 as amended in 2006 (Transmission Licence Conditions Regulations) for the area of transmission. The Technical Validation Session in the matter was held on May 26, 2011. The Commission conducted public hearing in the matter on July 27, 2011 and issued its order on August 11, 2011 granting Transmission licence No. 1 of 2011 to RInfra. The Commission opined that RInfra satisfies the technical, commercial and financial requirements to qualify for grant of licence to undertake transmission for the specified transmission lines in accordance with MERC (Transmission Licence Conditions) Regulations, 2004 as amended in 2006.

**POWER PURCHASE**

**MSEDCL 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 (+ 10%) base load power on long term basis through tariff based Competitive Bidding Process (Case 1) – (Case No. 88 of 2010)**

MSEDCL submitted a Petition seeking 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 1).

MSEDCL submitted the revised bidding documents consisting of Request for Proposal and the draft Power Purchase Agreement (PPA) under Case 1 and as per Standard Bidding Documents with some deviations.

The Commission approved the deviations in respect of Request for Proposal (RFP), Customisations in respect of Request for Proposal (RFP) and Deviations in respect of Power Purchase Agreement (PPA) because it is for customisation in accordance with the SBD of Case 1 and only necessary changes which are required to bring it in line with coal block allocation letter of Ministry of Coal.

**MSEDCL Petition for approval of Power Purchase Agreement (PPA) with M/s. Adani Power Maharashtra Ltd. (APML) for 125 MW long term power procurement and adoption of tariff (Case No. 56 of 2010)**

MSEDCL filed a petition seeking approval 125 MW Power Purchase Agreement (PPA) initiated by MSEDCL and M/s. Adani Power Maharashtra Ltd. (APML) and adoption of tariff. In the Petition, MSEDCL submitted that a petition was filed on June 22, 2010 in Case No.22 of 2010 for adoption of the tariff discovered through the bid process for Power procurement of 2000 ( $-20\%/+30\%$ ) MW under Case1 Stage-2. M/s APML offered additional supply of 125 MW on negotiated levelled tariff i.e, Rs. 3.28/kWh on same terms and conditions of offer dated August 7, 2009 through letter dated January 2, 2010. MSEDCL prepared the demand-supply forecast with 8% and 10% growth in peak load for the year 2014-15 and 2015-16. It shows surplus of 1222 MW and 180 MW, respectively. MSEDCL Board has accorded approval vide B.R.1018 dated January 5, 2010 for additional 125 MW Power procurement from APML and the proposal was sent to GoM for approval on January 12, 2010. Further, GoM conveyed approval of Cabinet sub-committee of Energy Meeting held on May 6, 2010, vide letter dated May 24, 2010, for additional 125 MW Power procurement from APML at levelled tariff of Rs. 3.28/kWh, on same terms and conditions of earlier offer submitted by M/s. APML on August 7, 2009, subject to the Commission's approval. Further MSEDCL sought approval of additional 125 MW Power procurement under Case-1 stage-2 in addition to already approved quantum of 2600 MW vide Case No. 28 of 2009.

The Commission after examination of the Competitive bids recently concluded under Case 1 bidding for long

term in the State of Karnataka and Rajasthan has observed that the levelled tariff in these States discovered through long term Competitive Bidding are higher than compared with the tariffs discovered by MSEDCL in Case 1 Stage 2 long term power procurement process i.e., 3.28/kWh.

The Commission ruled that as quantum of procurement of power is less and it is not advisable to start a fresh process of procurement of power of 125 MW through Competitive Bidding process, therefore, as a special case, the Commission approved the adoption of tariff for additional power procurement of 125 MW from Adani Power Maharashtra Ltd. at a levelled tariff of Rs. 3.28/kWh within same terms and conditions as indicated in Case 1 Stage 2 PPA entered by Adani Power Maharashtra Ltd.

**M/s. Wardha Power Company Ltd. seeking for adoption of Tariff and approval of Power Purchase Agreement dated June 4, 2010 for 260 MW of power under Section 63, 86 (1) (b) and 86 (1) (f) of the Electricity Act, 2003 pursuant to Case – 1 Bidding Procedure through Competitive Bidding process initiated by M/s. RInfra-D in terms of Request of Proposal for Medium Term issued on July 30, 2009 and Dispute between a Generating Company and Distribution Licensee as a result of the deliberate and willful failure of the Distribution Licensee to seek statutory adoption of tariff and approval of PPA (Case No. 11 of 2011)**

The Petitioner has filed the Petition seeking adoption of tariff by the Commission for supply of 260 MW of power for 3 years commencing from April 1, 2011 and the Power Purchase Agreement (PPA) dated June 4, 2010 executed between the Petitioner and Respondent pursuant to the Petitioner being selected under Case-I bidding process. WPCL offered the power supply of 260 MW from April 2011 till March 2014 to the Respondent on medium term basis (3 years) at a levelled tariff of Rs. 4.85/kWh, and RInfra sought to terminate the PPA on the following grounds:

- i. Fuel Supply Agreement (FSA) not executed by the Petitioner as per Article 3.1.1 of the PPA
- ii. Deviations sought by the Petitioner in the Draft Default Escrow Agreement and deed of hypothecation, requires approval from the Commission
- iii. Commission's Expression of Interest (EoI) for supply of power in the Respondent's Distribution Licensee area.

The Commission ruled that the PPA has been entered between WPCL and RInfra as well as AMNEPL and

Rlnfra are based on Competitive Bidding process in terms of the Government of India guidelines. There should be a presumption in favour of the validity of the Competitive Bidding process, unless the outcome of the same is set-aside after final hearing and, therefore, termination of PPA vitiating the Competitive Bidding process, at the interim stage, is neither in the interests of justice nor desirable. The Commission accordingly as an interim measure stayed the termination letter issued by Rlnfra to WPCL on March 7, 2011.

### **Final Order**

The Commission in the final Order ruled that the Request For Proposal Notification for Supply of Power through tariff based competitive bidding process is as per bidding guidelines, issued by the Government of India, for determination of tariff by bidding process for procurement of power by Distribution Licensees and when tested on the twin anvil of credibility of competitive bidding and protection of consumer/public interest, respondent's letter dated 7.3.2011 regarding termination of PPA cannot stand and ought to be quashed and set aside, and accordingly are hereby set aside. The Commission further directed Respondent to give effect to the Letter of Intent dated 10.05.2010 and PPA dated 04.06.2010 and shall not purchase power (either in the short term, medium term or long term) from any third party/parties to the extent contracted with the Petitioner under the Power Purchase Agreement dated 04.06.2010.

The Commission also directed the Respondent Rlnfra to file an appropriate Petition/application under Section 63 of the EA 2003 alongwith requisite documents, information and details for adoption of the tariff discovered through transparent bidding process as per Competitive Bidding guidelines of Ministry of Power, Government of India, and apply for taking on record the Power Purchase Agreement dated 04.06.2010.

### **Rlnfra-D 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 (PPA) entered into between Rlnfra-D and VIPL (Case No. 12 of 2011)**

Rlnfra filed a Petition under affidavit dated on January 28, 2011 under Section 63 of the Electricity Act, 2003 for Adoption of Tariff determined through transparent process of bidding in respect of Power Purchase Agreement (PPA) entered into between Reliance Infrastructure Limited and Vidharbha Industries Power Limited for supply of power of 134 MW starting from April 1, 2013 for the period of two years at Rs.4.80/kWh.

The original PPA was for supply of 134 MW at a levelised tariff of Rs. 4.80/kWh discovered through the

transparent bidding process. However, the addendum dated January 21, 2011, Rlnfra has amended the quantum to 404 MW at a levelised Tariff of Rs. 4.24/kWh.

The Commission on Perusal of project activities and progress of VIPL units concluded that the availability of power from April 2012 is unlikely. However, since the quantum and rate etc., are finalized based on Competitive Bidding process and also considering that the PPA is for medium term till March 2014, the Commission approved the supply of 134 MW of power by VIPL to Rlnfra as per original PPA signed on 16th June 2010 at the negotiated price of Rs. 4.24/kWh.

### **Abhijeet MADC Nagpur Energy Pvt. Ltd. Petition for the adoption of Tariff and approval of Power Purchase Agreement dated 04.08.2010 for 55 MW of Power under Sec 63 and 86 (1) (b) of the Electricity Act, 2003 pursuant to Case 1 Bidding Procedure through Tariff Based Competitive Bidding Process and Dispute between a generating Company and the distribution Licensee as a result of the deliberate and willful failure to comply with the terms and conditions of the PPA by Rlnfra-D (Interim Order – Case No. 42 of 2010)**

AMNEPL in its petition submitted that it is ready and willing to commence supply of the power up to the aggregated contracted capacity of 55 MW to Reliance Infrastructure Ltd., Distribution Business (Rlnfra-D) from the Scheduled Delivery Date i.e. April 1, 2011 subject to the conditions set out in the Power Purchase Agreement (PPA) dated August 4, 2010.

AMNEPL submitted that it is setting up a 246 MW (4\*61.5 MW) coal based generating station. AMNEPL has already synchronized three units of 61.5 MW and 4th Unit is likely to get synchronized in second week of April of this year, and only one unit of the plant has achieved CoD in January 6, 2011 and is currently supplying 54 MW to MSEDCL from 6.00 hrs. to 18.00 hrs. upto June 30, 2011.

The Commission in the Interim Order ruled that AMNEPL, is currently supplying 54 MW from Unit 1 to MSEDCL and other units have not yet achieved the CoD. AMNEPL is not presently in position to supply power to Rlnfra-D as per the PPA. However, since the PPA that has been executed is for a period of three (3) years, the legal validity thereof is subject to the outcome of the proceedings and final disposal thereof, the Commission directed Rlnfra that till the final outcome of the proceedings Rlnfra-D shall not terminate the PPA dated August 4, 2010, and maintain status quo till further



Orders of the Commission.

### Final Order

AMNEPL has submitted that at the time of filing the petition first unit of the plant had achieved COD and the same has been supplying 54 MW to MSEDCL. AMNEPL further submitted that subsequent to the Order dated April 15, 2011, the second unit of the Petitioner having capacity of 61.5 MW has also achieved the requirements of COD. AMNEPL by an application dated May 4, 2011 has addressed to the SLDC for deceleration of COD from May 7, 2011. As regards the PPA of Rlnfra and AMNEPL is concerned, the second unit is in the position to supply power to Rlnfra. Accordingly, the Commission directed AMNEPL to complete the formalities of scheduling and start supply of 55 MW Power to Rlnfra from July 1, 2011 as per PPA dated August 4, 2010.

Further, the Commission directed the Respondent Rlnfra to immediately file an appropriate petition/application under Section 63 of the Electricity Act, 2003 along with requisite documents, information and details for adoption of the tariff discovered through transparent bidding process as per Competitive Bidding guidelines of Ministry of Power, Government of India.

### **The Tata Power Co. Ltd seeking approval of the proposed quantum of Power for Medium term power procurement through Competitive bidding process under Case 1 bidding and Bidding documents in accordance with Section 63 of the Electricity Act, 2003 and Competitive Bidding Guidelines [Case No. 20 of 2011]**

The Tata Power Company Limited's, Distribution Business (TPC-D), submitted a Petition under Sections 61 and 63 of the Electricity Act, 2003 (EA 2003) and Regulation 23 of MERC (Term and Conditions of Tariff) Regulations, 2005, seeking approval of the proposed Quantum of Power for Medium term power procurement through Competitive Bidding Process under Case 1 bidding and for the approval of Bidding documents in accordance with Section 63 of the EA 2003 and the "Guidelines for Competitive Bidding for determination of tariff for procurement of power by Distribution Licensees", dated January 19, 2005 as notified and amended by the Ministry of Power (MoP), Government of India.

TPC-D has proposed to adopt 3 supply periods for procurement of power on medium-term basis for Base load and Diurnal load as under:

Supply Period	Scheduled Delivery date	Scheduled Expiry Date	Procurement of power (MW)	
			Base	Diurnal (0900: 2300)
Supply Period I	April 1, 2012	March 31, 2013	150	100
Supply Period II	April 1, 2013	March 31, 2014	200	150
Supply Period III	April 1, 2014	March 31, 2015	200	150

The Commission opined that the demand projected by TPC-D for future years appears to be reasonable considering the demand projected for FY 2010-11 and actual demand witnessed during the changeover period. However, in the context of the assumptions used for the demand projections, the Commission advised / suggested for improvement of historical data estimation of sales and consumption of electricity by use of the secondary data. The Commission approved quantum of power as proposed by TPC-D on medium-term basis through competitive bidding process under Case-1 Bidding in the different supply periods.

### **MSEDCL Petition for adoption of Tariff and approval of reduction in requisitioned capacity to 1000 MW for Medium Term Power Procurement under Case I Bidding (Case No. 23 of 2010)**

MSEDCL submitted a Petition seeking approval for adoption of tariff and approval of reduction in requisition capacity to 1000 MW for Medium Term Power Procurement (MTPP) under Case I Bidding under Section 63 of the Electricity Act, 2003. Six bidders submitted the bid and the non-financial bids were opened and all the six bidders were found as eligible by the evaluation committee. The rates received against the tender varied from Rs. 4.27/kWh to Rs. 4.88/kWh for the first year and Rs.4.22/kWh to Rs.5.43/kWh for the second year at MSETCL periphery.

MSEDCL Board suggested forming a two member committee to negotiate the rates. The Board approved the proposal of 1000 MW quantum instead of 2000 MW and for a period of one year from March 1, 2011 to February 29, 2012 and two member committee consisting of Director (Operation) and Director (Finance) negotiated with the bidder and the bidders agreed on the negotiated tariff of Rs.4.10/kWh

The Commission observed that APML had committed 1320 MW power from Unit 2 and Unit 3 of Tiroda Power Plant under Case I, Stage 1 under Long Term Power Procurement, and as per PPA, the power generated prior to schedule of COD has to be supplied to MSEDCL. The Commission approved the quantum of 800 MW from Unit 1 of Tiroda or Mundra Power Plant or any other power sources (Other than Unit 2 and Unit 3 of Tiroda Power Plant) for the quantum of 800 MW under Medium

Term Power Procurement at the price the discovered through Competitive Bidding process and further negotiated by the two member committee in the interest of consumers and MSEDCL at Rs.4.10/kWh on MSETCL Periphery for a period of one year and one day from the date of scheduling of power. And also approved the Medium Term Power Procurement from Unit 2 of JSW Energy, Ratnagiri Power Plant for the quantum of 200 MW, at Rs 4.10/kWh for a period of one year and one day from the date of scheduling of power.

**Reliance Infrastructure Limited 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 Abhijeet MADC Nagpur Energy Pvt. Ltd. (Case No. 84 of 2011)**

RInfra-D submitted a Petition under Section 63 of the Electricity Act, 2003 for adoption of tariff determined through transparent process of bidding in respect of PPA entered into between RInfra-D and AMNEPL. The Commission condoned the extended time taken in the bidding process and directed RInfra to adhere to the timelines stipulated in the Competitive Bidding Process for new bidding processes in future. The Commission also approved the adoption of the tariff for 55 MW as per the following schedule consequent to the selection process in accordance with the terms and conditions as finalised in the RFP bid documents. The levellised tariff approved for adoption is as under:

Sr. No.	Period of Supply	Timing (hrs.)	Quantum	Levellised Tariff (Rs./kWh)
1	Starting from July 1, 2011 to March 31, 2014	Round the Clock	55 MW	4.80

The Commission directed RInfra to submit the final PPA with Abhijeet MADC Nagpur Energy Pvt. Ltd. along with duly signed Escrow Agreement and Hypothecation agreement to the Commission.

**RInfra-D's 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 and Wardha Power Company Ltd. (WPCL) – (Case No. 85 of 2011)**

RInfra submitted a Petition for adoption of tariff determined through transparent process of bidding under Section 63 of the Electricity Act, 2003 (EA 2003) in respect of PPA entered into between RInfra-D and WPCL.

The Commission condoned the extended time taken in the bidding process and directed RInfra to adhere to the timelines stipulated in the Competitive Bidding Process

for new bidding processes in future. The Commission approved the adoption of the tariff for 260 MW as per the schedule mentioned in Order dated May 31, 2011 in Case No.11 of 2011 consequent to the selection process in accordance with the terms and conditions as finalised in the RFP bid documents. The levellised tariff approved for adoption is Rs.4.85/kWh. The Commission also directed RInfra to submit the final PPA with WPCL along with duly signed Escrow Agreement and Hypothecation agreement to the Commission.

**MSPGCL's PPA with MSEDCL (Case 71 of 2011)**

In the matter of Petition for Review of an Order dated 30th March 2011 (Case No. 103 of 2010) in the matter of approval of the Addendum to the Power Purchase Agreement dated 1st April 2009 signed between MSPGCL & MSEDCL

MSEDCL had submitted its petition for approval of PPA between MSPGCL and MSEDCL for power to be generated from 26 new generation projects of MSPGCL. The Commission appointed a team to arrive at reasonable criteria to determine readiness of the Projects where stress was given to completion of essential processes such as land acquisition, tying up coal supply, water supply and other essential resources. Accordingly the Commission had approved those PPAs regarding those projects which had fulfilled the criteria. MSPGCL vide its petition, (Case 71 of 2011) petitioned for approval of some additional projects in the list for which it submitted backup data to establish that the said projects had fulfilled the criteria specified up by the Commission. The Commissioned made a review and accorded approval to additional projects from the said list which had progressed adequately.

**Petition filed by Ixora Construction (P) Ltd., Mumbai for approval of Power quantum and Power purchase for Medium Term from FY 2013-14 to FY 2017-18. (Case No 149 of 2011)**

Ixora Constructions (P) Ltd., Mumbai ("ICPL") is a "Co-developer" for providing power distribution infrastructure for SEZ at Panvel, located at Village Talegaon and Panshil, TalukaKhalapur and village Bhokarpada, TalukaPanvel in District Raigad in the State of Maharashtra. ICPL has submitted a Petition under affidavit on October 12, 2011 under Section 62 of the Electricity Act 2003 for seeking approval of power quantum and power purchase for medium term from FY 2014 to FY 2018

After analysing the demand projected by ICPL for the period from FY 2013-14 to FY 2017-18, the Commission vide its Order dated January 16, 2012 approved the quantum of power to be procured by ICPL for the period as under:



Period	Demand (in MW)
FY 2014	3
FY 2015	11
FY 2016	17
FY 2017	25
FY 2018	35

The Commission also approved the request of the Petitioner to adopt a single stage bidding process for medium term power procurement in accordance with all applicable stipulations under the "Guidelines for Determination of Tariff by Bidding Process for Procurement of Power by Distribution Licensees

#### OPEN ACCESS

##### **Petition of Indo Rama Synthetics (India) Ltd for penalizing MSEDCL for not sanctioning standby demand and for violating the Commission's Order in Case No. 83 of 2010 by not sanctioning Open Access for purchase of power through Power Exchange.( Case No 27 of 2010)**

Indo Rama Synthetics (India) Ltd (IRSL) filed a Petition under affidavit before the Commission on 11th March, 2011, for penalizing MSEDCL under Sections 142, 146, 151 & 151(a) of the Electricity Act 2003 (EA 2003) for contravening the provisions of MERC (Standards of Performance of Distribution Licensees, Period for Giving Supply and Determination of Compensation) Regulations, 2005 for not sanctioning standby demand to the Petitioner and violating the Commission's Order dated 1st March 2011 issued in Case No. 83 of 2010 by not sanctioning Open Access to the Petitioner for purchase of power through Power Exchange.

The Commission vide its Order dated October 20, 2011 disposed of this Petition with following observations / directives:

- As IRSL has already synchronised its captive generating facility with the grid at 220 kV level after signing a connection agreement with MSETCL on 20th December 2010, IRSL has become eligible for additional standby demand for its CPP unit and therefore, the Commission directed MSEDCL to sanction the same to IRSL.
- By granting Open Access permission on 25th August 2011 to IRSL for 10 MW of power purchase from IEX and subsequent withdrawal of the clauses of the said permission which was not in accordance with the Electricity Act 2003, MSEDCL has complied with the Commission's directives issued in Order dated 1st March 2011 in the matter of Case No 83 of 2010.

- Availing standby for CPP units as per Orders of the Commission and availing Open Access as a statutory right provided by the Electricity Act 2003 are two distinct issues and cannot be interrelated with each other. Therefore, the Commission directed MSEDCL not to interrelate these two distinct issues and sanction standby demand for CPP units of IRSL.

##### **Petition filed by MSEDCL regarding Cross Subsidy Surcharge and Stand by Charges for Open Access consumers and De novo re-determination of Cross Subsidy Surcharge and issues related to Open Access (Case No. 43 of 2010)**

- The Commission vide Order dated 9th September 2011 dismissed MSEDCL's Review Petition, on the grounds that it doesn't hold any merit and is also time barred as it is not within the stipulated timeline of 45 days from the date of Order, i.e., 5<sup>th</sup> September, 2006. The Commission decided for De novo re-determination of the CSS due to the change in the current power scenario, as compared to the scenario that prevailed in 2006. The Commission, after appropriate deliberations, has adopted the CSS formula as specified in the Tariff Policy, Ministry of Power, Government Of India which is in tune with the objectives of Electricity Act, 2003 (EA 2003) and redetermined CSS for all distribution licensees.
- CSS applicable to Open Access transactions from Renewable Energy Sources has been fixed at 25% of the applicable CSS of the relevant consumer category. The Commission has fixed a discounted CSS in order to promote generation from Renewable Energy sources, which is in line with the objectives of EA 2003, and re-determined the CSS for all three distribution Licensees (viz. TPC-D, Rlnfra-D and MSEDCL) for each consumer category and BEST being a Local Authority, they were exempted from Distribution Open Access as per Section 42(3) of the EA 2003 and also Regulation 19 of the existing MERC (Distribution Open Access) Regulation, 2005.

##### **Petition filed by M/s NavlakhaTranslines in the matter of adjudication of dispute regarding provisions of Non-discriminatory Open Access (Case No 41 of 2010)**

M/s NavlakhaTranslines, a wind energy developer submitted a Petition under affidavit, before the Commission on August 18, 2010 under Section 42(3) of the Electricity Act, 2003 and Regulations 3 and 18 (2) of

MERC (Distribution Open Access) Regulations 2005 and Regulations 92 to 94 of MERC (Conduct of Business) Regulation, 2004 for adjudication of dispute with MSEDCL for not providing non-discriminatory open access.

The Commission vide its Order dated October 20, 2011 disposed of this Petition with following observations / directives:

- Neither MSEDCL nor the Petitioner, would have any power to agree to any interim cross subsidy surcharge. The entire proposed interim arrangement is held to be unsustainable, unauthorized, ultra vires and thus, void.
- The Commission has subsequently issued an order dated September 9, 2011 in case 43 of 2010 for de novo re-determination of Cross Subsidy Surcharge. Hence with effect from September 9, 2011 in case of open access consumer purchasing power from renewable sources of energy, the CSS shall be 25% of the applicable CSS.
- MSEDCL is statutorily mandated to seek prior approval of the Commission before levying administrative charges on Open Access transactions.
- Credit notes should be immediately released by the MSEDCL.

#### **APR AND TRUE UP ORDER**

#### **MSEDCL Petition for Final True up for the FY 2009 – 10, Provisional True Up for the FY 2010 -11 and Annual Performance Review for the FY 2010-11 (Case No. 100 of 2011)**

The Commission Order dated October 31, 2011 has done Final True-up for the FY 2009 – 10, Provisional True Up for the FY 2010 -11 and Annual Performance Review for the FY 2010-11 of MSEDCL.

The prominent features of the Order are as under:

- (a) The Commission approved a relief of Rs 3,265 Crore, which will be recovered through tariff from consumers.
- (b) The Commission provided the category wise Additional Energy Charge to be levied to all consumer categories effective from November 1, 2011 for twelve (12) months.

#### **Reliance Infrastructure Ltd. Distribution Business' (RInfra-D) Petition for Truing Up for FY 2008-09, Annual Performance Review for FY 2009-10 and Tariff Determination for FY 2010-11 (Case No 72 of 2010)**

A Petition has been filed by Reliance Infrastructure Limited (RInfra), for Truing up of FY 2008-09 Aggregate Revenue Requirement, Annual Performance Review for FY 2009-10 and determination of Aggregate Revenue Requirement and Tariff for FY 2010-11 for its Distribution Business.

The Commission vide its Order dated 29th July 2011 reviewed annual performance of RInfra-D for FY 09-10 and determines ARR for FY 10-11. The Public hearing in the matter was held in Mumbai on 2nd April 2011.

The prominent features of the Order are as follows:

- The additional revenue gap after final truing up for FY 2008-09 works out to Rs. 95.60 Crore, which has been added to the ARR of FY 2010-11.
- Based on provisional truing up of various elements for FY 2009-10, the Aggregate Revenue Requirement for FY 2009-10 works out to Rs. 5510.43Crore as against the amount of Rs. 5668.15 Crore projected by RInfra.
- The Commission approved Rs. 4836.11Crore as ARR for FY 2010-11, as against RInfra-D's projection of Rs. 5244.28Crore.
- The Commission approved Rs. 2316.21Crore as cumulative Revenue Gap for FY 2010-11 as against Rs. 2787.80Crore projected by RInfra.
- The Commission categorized consumers in various groups for applicability of charges for recovery of regulatory assets and the cross-subsidy surcharge. The same are summarised in the following matrix

Sr. No.	Particulars	Applicability of Charges to		
		Group I	Group II	Group III
1	Charges for recovery of Regulatory Assets	Yes	Yes	Yes
2	Cross-subsidy Surcharge	No	Yes	No

#### **Note:**

Group I : Consumers who are receiving supply from RInfra-D through RInfra-D's wires

Group II : Consumers who are receiving supply from TPC-D through RInfra-D's wires

Group III: Consumers who are receiving supply from TPC-D through TPC-D's wires



**The Tata Power Company Limited- Distribution Business' (TPC-D) Petition for Truing Up for FY 2009-10 and Annual Performance Review for FY 2010-11 (Case No 104 of 2011 Order Dated 15.02.2012)**

In accordance with MERC (Terms and Conditions of Tariff) Regulations, 2005 and upon directions from the Maharashtra Electricity Regulatory Commission, The Tata Power Company Limited's Distribution Business (TPC-D), submitted its application for approval of truing up for FY 2009-10 and Annual Performance Review for FY 2010-11.

As Audited Accounts for the FY 2009-10 and FY 2010-11 were available, the Commission vide its Order dated 15th February 2012 had carried out the final truing up of expenditure and revenue for FY 2009-10 and FY 2010-11. The Public hearing in the matter was held in Mumbai on 26th November 2011.

The prominent features of the Order are as follows:

- The Commission adopted the actual tax computation statement of the Petitioners and supporting Returns of Income filed i.e., the documentary evidence as submitted by them as the base for true-up petitions. The segmental allocation of taxable income and tax thereon is being done on line by line basis based on segmental allocation of income and expenses as approved.
- The tax allocable to segment under consideration of this order is Rs. 5.28 Crore which is being sanctioned against the claim of Rs. 29 Crore under this petition.
- The Commission has re-considered the issue of de-capitalisation of assets such as Guest Houses, etc, since it has larger implications, and there is a possibility that the consumers, who have contributed towards creation of certain assets, may be deprived of realising the benefits in case of realisation from sale of the assets. The Commission opined that the assets should continue to remain in the books of the regulated business, since consumers have paid for it at some point of time. If the guest houses are used by other Group Companies or other Business under the same Balance Sheet, appropriate rentals at market rates, may be paid by them for use of the guest houses, and such rental will be

considered under the non-tariff income of the regulated business. This will ensure that as and when such assets are sold, the benefit of market valuation will be realised by the regulated business. Hence, the Commission disallows the de-capitalisation of the guest houses and other administrative assets as proposed by TPC.

- The Commission has approved a revenue gap of Rs 18.92 Crore for FY 2009-10 after final true-up for FY 2009-10 as against Rs. 59.09 Crore claimed by TPC-D.
- The Commission has approved a revenue surplus of Rs. 96.03 Crore for FY 2010-11 after final true-up for FY 2010-11 as against Rs. 75.74 Crore claimed by TPC-D.
- After considering past period recoveries, impact of Hon. ATE judgment and recoveries on account of share of TPC-D in the gap of TPC-G, the Commission approved the total gap of Rs. 318.23 Crore as against Rs. 718.38 Crore claimed by TPC-D.

#### **RENEWABLE ENERGY ORDERS**

##### **Suo-Motu Order In the matter of Determination of Generic Tariff 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. (Case No 39 of 2011)**

– In accordance with the MERC (Terms and Conditions for determination of RE tariff) Regulations, 2010, the Commission by due regulatory process and after incorporating the comments/suggestions from various stakeholders pertaining to the Public Hearing held on April 15th, 2011 in this matter, determined the levellised tariff for Renewable Energy projects such as wind, small hydro including min/micro hydro, Solar PV, Solar Thermal, Solar Roof-top and other small solar applications, Biomass projects and Bagasse based co-generation projects etc. The levellised tariff as mentioned in this Order shall be applicable for the new RE projects commissioned in FY 2011-12.

The Levellised tariff for RE projects commissioned during FY 2011-12 are as follows;

**A) Wind Power Projects:**

Indexed Capital Cost during 2011-12 (Lakh/MW)
Rs. 489.53

Levellised Tariff for New Wind Power projects Commissioned during F.Y 2011-12

Particular	Tariff Period	Levellised Total tariff (FY 2011-12)	Benefits of Accelerated Depreciation (if availed)	Net Levellised tariff (upon adjusting for Accelerated Depreciation benefit) (if availed)
		(Rs/kWh)	(Rs/kWh)	(Rs/kWh)
<b>Wind Energy Projects</b>				
Wind Zone - 1	13	5.37	(0.81)	4.56
Wind Zone - 2	13	4.67	(0.70)	3.96
Wind Zone - 3	13	3.97	(0.60)	3.38
Wind Zone - 4	13	3.58	(0.54)	3.04

**B) Small Hydro Power Projects and Mini/Micro Hydro Projects:**

Project Size	Indexed Capital Cost during 2011-12 (Lakhs/MW)
> 1 MW and upto and including 5 MW	Rs. 522.80
> 5 MW to 25 MW	Rs. 475.28

Levellised Tariff for New Small Hydro Power Projects Commissioned during F.Y. 2011-12.

Particular	Tariff Period	Levellised Total tariff (FY 2011-12)	Benefits of Accelerated Depreciation (if availed)	Net Levellised tariff (upon adjusting for Accelerated Depreciation benefit) (if availed)	
	Years	(Rs/kWh)	(Rs/kWh)	(Rs/kWh)	
<b>Small Hydro Projects</b>					
Mini and Micro Hydro Projects	500 kW & below	35	5.51	(0.59)	4.92
	Above 500 kW and upto and including 1 MW	35	5.01	(0.59)	4.42
Other small hydro projects	Above 1 MW & up to and including 5 MW	35	4.51	(0.59)	3.92
	Above 5 MW upto & including 25 MW	13	3.87	(0.53)	3.34

**C) Solar Photovoltaic (PV) Power Projects:**

Benchmark Capital Cost during 2011-12 (Lakh/MW)
Rs. 1442.00

Levellized Tariff for New Solar PV Projects Commissioned during F.Y 2011-12

Particular	Tariff Period	Levellised Total tariff (FY 2011-12)	Benefits of Accelerated Depreciation (if availed)	Net Levellised tariff (upon adjusting for Accelerated Depreciation benefit) (if availed)
	Years	(Rs/kWh)	(Rs/kWh)	(Rs/kWh)
<b>Solar Power Projects</b>				
Solar PV Projects	25	15.61	(2.51)	13.10

**D) Tariff for New Solar Roof top PV and Other Small Solar Projects Commissioned during F.Y 2011-12:**

<b>Tariff for New RE Projects – Solar Power Projects [refer Regulation 3.1 of MERC (Terms and conditions of RE Tariff) Regulations, 2010]</b>				
Particular	Tariff Period	Levellised Total tariff (FY 2011-12)	Benefits of Accelerated Depreciation (if availed)	Net Levellised tariff (upon adjusting for Accelerated Depreciation benefit) (if availed)
	Years	(Rs/kWh)	(Rs/kWh)	(Rs/kWh)
<b>Solar Power Projects</b>				
Solar roof top PV and other small solar power Projects	25	16.11	(2.51)	13.60

**E) Solar Thermal Projects:**

Benchmark Capital Cost during 2011-12 (Lakh/MW)
Rs. 1500.00



**Levellised Tariff for Solar Thermal Projects  
Commissioned during F.Y 2011-12**

**Tariff for New RE Projects – Solar Power Projects  
[refer Regulation 3.1 of MERC]**

Particular	Tariff Period	Levellised Total tariff (FY 2011-12)	Benefits of Accelerated Depreciation (if availed)	Net Levellised tariff (upon adjusting for Accelerated Depreciation benefit) (if availed)
	Years	(Rs/kWh)	(Rs/kWh)	(Rs/kWh)
Solar Power Projects				
Solar Thermal	25	15.24	(2.39)	12.85

F) Tariff for Biomass Power Project :

Normative Capital Cost during FY 2010-11:
Rs. 402.54 Lakh/MW

Tariff: Tariff shall be applicable to all existing and new Biomass projects till 31st March, 2013.

Financial Year	Fixed Charge (Rs/kWh)	Variable Charge (Rs/kWh)	Tariff (Rs/kWh)
2010-11 to 2011-12	1.70	3.28	4.98

G) Tariff for Non-fossil based Bagasse Cogeneration Power Projects:

Normative Capital Cost during FY 2010-11:
Rs. 398.07 Lakh/MW

Tariff: Tariff shall be applicable to all existing and new Non-fossil fuel based Co-generation projects till 31st March, 2013.

Financial Year	Fixed Charge (Rs/kWh)	Variable Charge (Rs/kWh)	Tariff (Rs/kWh)
2010-11 to 2012-13	2.26	2.53	4.79

The Tariff Rate for Non-Qualifying non-fossil fuel based Co-generation projects (existing and new) during FY 2010-11 was Rs. 2.14/kWh and during FY 2011-12 shall be Rs 2.18/kWh.

**In the matter of Petition filed by M/s. Kay Power and Paper Ltd., for Grant of Interim Unit Rate for Bagasse Based Co-generation Project (Case No. 89 of 2010)**

M/s. Kay Power and Paper Ltd. ("the Petitioner") filed a

Petition before the Commission on November 24, 2010, sought an interim rate of Rs. 4.79/kWh for exportable power to MSEDCL Grid. The matter was heard on January 20th, 2011 and March 9th, 2011. Taking a holistic picture of the matter in hand, the Commission's ruling while disposing of this case is that the levellized tariff applicable to Qualifying bagasse based Co-generation projects during F.Y 2010-11 to F.Y 2012-13 as mentioned in the Commission's Order dated July 14th, 2010 in Case No. 20 of 2010 are to continue till March 31st, 2013. Thereafter, if needed, and after scrutinizing the variable cost of bagasse based Co-generation projects; transportation costs; loading/unloading charges and labour cost, etc., the Commission may revisit the tariffs. At this stage, therefore, the Commission is not inclined to revisit the levellized tariff applicable to Qualifying bagasse based Co-generation projects during F.Y 2010-11 to F.Y 2012-13 as mentioned in the Commission's Order dated July 14th, 2010 in Case No. 20 of 2010 which are to continue till March 31st, 2013.

The Commission recorded that the MSEDCL has agreed to purchase the power generated from the Petitioners' bagasse based co-generation plant at the levellized tariff applicable to Qualifying bagasse based co-generation project during F.Y 2010-11 to F.Y 2012-13 as per the Order dated July 14, 2010. Therefore, the tariff of Rs. 4.79/- shall apply to the Petitioner till March 31, 2013.

**In the matter of Petition filed by M/s. DLI Power (India) Pvt. Ltd., seeking clarification from Suo-Motu Order dated July 14th, 2010 in Case No. 20 of 2010 regarding Determination of Generic Tariff under Regulation 8 of the MERC (Terms and Conditions for Determination of Renewable Energy Tariff) Regulations, 2010 (Case No. 3 of 2011)**

M/s. DLI Power (India) Pvt. Ltd. ("the Petitioner") filed the above Petition before the Commission on December 27, 2010 sought clarification that whether the levellised Tariff of Rs. 4.26 per kWh is applicable for all 35 years for SHP having capacity more than 1 MW & up to and including 5 MW or the front loaded tariff as given in the table of Annexure-2A of the MERC order dated July 14th, 2010 is applicable.

The matter was heard on February 11, 2011 and the Commission clarified that that based on the MERC (Terms and Conditions for the Determination of RE Tariff) Regulations, 2010 dated June 7, 2010, the Commission has issued an Order (Suo-Motu) dated July 14, 2010, in Case No. 20 of 2010, for the determination of generic tariff under Regulation 8 of the MERC (Terms and Conditions for Determination of Renewable Energy Tariff) Regulations, 2010, for the various Renewable Energy projects including Small hydro Projects. The levellised tariff applicable for the new Small hydro

Projects commissioned in F.Y 2010 - 11, having capacity above 1 MW & up to and including 5 MW is Rs. 4.26 per kWh and the tariff shall be valid for the period of 35 years from the Commercial Operation Date (COD), whereas the front loaded tariff calculation as mentioned in Form 1.2 Form template of the Annexure – 2A of the said Order, shall not be considered as the tariff for new Small hydro Projects commissioned in F.Y 2010-11. Similarly, the levelised tariff for the new Small hydro Projects, Mini and Micro hydro Projects to be commissioned in F.Y 2011-12 has also been determined by the Commission vide its Order (Suo-Motu) dated April 29, 2011, in Case No. 39 of 2011.

**In the matter of Petition filed by Maharashtra State Electricity Distribution Company Ltd (MSEDCL) seeking approval for Energy Purchase Agreement between MSEDCL and NTPC for Purchase of wind energy as per CERC Order dated 09.11.2010 and CERC (Terms and Conditions for Tariff determination from Renewable Energy Sources) Regulations, 2009 (Case No. 66 of 2011).**

The Maharashtra State Electricity Distribution Company Ltd., ("the Petitioner") filed a Petition before the Commission on May 2, 2011, sought approval of an Energy Purchase Agreement between MSEDCL and NTPC for purchase of wind energy as per CERC Order dated November 9, 2010 and CERC (Terms and Conditions for Tariff determination from Renewable Energy Sources) Regulations, 2009. The hearing was held in this matter on May 9, 2011. The Commission examined the PPA signed between the Petitioner and NTPC Ltd., wherein the Commission observed that there is uncertainty in the applicable tariff as the commissioning date of the said wind project is not clearly mentioned, which is subject to the investment approval from NTPC board. It is the fact that NTPC is a Government of India entity and the tariff of such entity shall be regulated by CERC. However, the wind tariff as mentioned in CERC Order dated November 9, 2010, Petition No. 256/2010 (suo-motu), is applicable for the wind power projects commissioned during F.Y 2011-12. Considering the fact that, in line with Regulation 8(1) of CERC (Terms and Conditions for Tariff determination from Renewable Energy Sources) Regulations, 2009, CERC shall determine the generic tariff on the suo-motu basis for renewable energy technologies for subsequent years also, the tariff determined by CERC during the subsequent year shall also be applicable to the NTPC wind power project commissioned during that year, provided that the Petitioner shall intimate and take the prior approval of this Commission regarding the wind zone wise applicable tariff for the NTPC's wind power project at which the power would be purchased by the Petitioner.

In view of above and in exercise of the functions of this Commission under Sub-section (b) and (e) of Section 86 (1) of EA 2003, the Commission approved the

procurement of wind power by MSEDCL from NTPC and the consequent Energy Purchase Agreement (EPA)/PPA between NTPC Ltd. and the Petitioner, for 39 MW wind power project at Village Chakala (Nandurbar District). During the hearing, a reference was made to the proviso to Regulation 7.2 of MERC (Renewable Purchase Obligation, its compliance and Implementation of REC framework) Regulations 2010 extracted in the above paragraphs.

It was clarified that the decision in this case in terms of the above paragraphs is not affected by the proviso to Regulation 7.2 because the said proviso does not apply to those generating companies, whose tariffs are regulated under Section 79 of the EA 2003.

**Petition filed by Reliance Infrastructure Limited (RIInfra-D) seeking Clarification on various issues related to MERC (Renewable Purchase Obligations, its compliance and Implementation of REC framework) Regulations, 2010 (Case No. 57 of 2011).**

RIInfra – D filed this Petition before the Commission on March 18, 2011, sought clarification on various issue such as (1) trading margin in case of RE purchase from traders, (2) to waive the Solar RPO for FY 2010-11 & FY 2011-12 or cumulative achievement of Solar RPO from FY 2010-11 to FY 2015-16, (3) to allow as pass through the additional cost, which may be incurred by RIInfra- D to compensate the bagasse based RE suppliers for foregoing the benefits of tax exemption that they may have enjoyed, if they had sold the power to MSEDCL, (4) to clarify whether such RE purchased from traders who have in turn tied up with RE Generators would be eligible for compliance of RPO by RIInfra/ distribution licensees even though such power may be accredited or such Generator may be registered under the REC Regulations, (5) to clarify that the RE generated outside Maharashtra and purchased at preferential tariff and delivered at Maharashtra InSTS would be considered for RPO compliance.

The Commission by due regulatory process and based on material placed on records clarified that a Distribution Licensee is free to source RE power from an Electricity Trader so long as the mutually agreed price plus the trading margin does not exceed the "rate approved by the State Commission". Further, the Solar RPO is concerned, the Commission will take a view for F.Y 2010-11 and F.Y 2011-12 cumulatively at the end of F.Y 2011-12, whereas the issue regarding allowance of pass through the additional expenses for sugar cane tax is concerned, the Commission is of the view that the RIInfra-D and other Distribution Licensees may approach the Government of Maharashtra in the matter of sugar cane tax exemption and for making Government of Maharashtra Policy applicable to other distribution licensees in the Maharashtra State.



On the fourth issue, the Commission is of the view that the RE Generators opting for the capacity under REC Mechanism, can sell the electricity component and environment attribute separately. However, the electricity component is devoid of environmental attribute so it is basically equivalent to 'conventional' electricity. As such, for the capacity committed under 'REC Mechanism', the Obligated Entities cannot claim for the electricity component as "Green Energy" purchased from traders or directly from RE generators or from other distribution licensees, for their RPO compliance

On the last issue, the Commission's finding is that if the developers are ready to pay for all applicable charges and losses payable/received till energy is delivered in Maharashtra InSTS, due to which the consumers will not be required to bear such additional costs associated with inter-state transaction. The commercial implication for inter-state transaction deliverable at Maharashtra InSTS would be exactly same as procurement of power from RE generated within Maharashtra. Hence, this will be considered as eligible quantum for fulfillment of renewable purchase obligation of distribution licensees provided these are long term arrangements.

## **LOAD SHEDDING**

### **Petition of Maharashtra Veej Grahak Sanghatna for initiating penal action against MSEDCL's Officers for implementing excessive load shedding on single phase & Separate Agricultural Pumps electricity users, by violating the MERC's load shedding guidelines and Methodology (Case No 81 of 2010 1)**

Maharashtra Veej Grahak Sanghatna (MVGS) filed a Petition on 28 October, 2010, for initiating penal action against MSEDCL's Officers for violating the MERC's load shedding protocol and implementing excessive load shedding to Agricultural Pumps connected on Single Phasing & Separate Agricultural feeders ('Ag Load Management Feeders'). It was prayed to supply electricity at least 10 hours to the Ag Load Management feeders.

As the issue of numbers of hours of power supply to Agricultural pumps connected on Single Phasing and Ag Feeder Separation schemes is not merely the issue of power availability to Agricultural pumps but it is also intimately connected with water resource conservation policy of State of Maharashtra, the Commission impleaded the Energy Secretary (Govt. of Maharashtra) as a party in the present matter. GoM, on 6th April 2011, submitted their written submission wherein it was mentioned that in order to ensure the sustainable development and optimal use and management of the state water resources to provide the greatest economic and social benefits to the people of Maharashtra, GoM

has taken a policy decision to restrict power supply to Agricultural pumps for 8 hours per day only. Whenever there is surplus power in the System up to 10 hrs per day power supply may be given in night.

Accordingly, the Commission vide its Order dated 9th May 2011 ruled that the norms for power supply to Agricultural pumps shall remain 8 hours per day only. Whenever there is surplus power in the System, power supply up to 10 hours per day shall be given at night starting from 23.00 hours and 8 hours per day power supply shall be given during day time (excluding peak load hours) on rotational basis. In case of critical System condition, the power supply to Agricultural Pumps shall be restricted to 8 hours per day only.

In view of the above, the Commission noted that there is no need to initiate penal action against MSEDCL.

### **SuoMotu hearing for action to be initiated against Maharashtra State Electricity Distribution Co Ltd for non-adherence of Load Shedding Protocol approved by the Commission (Case No 23 of 2010)**

The Commission vide its Notice dated June 30, 2010 scheduled a "suo-motu" hearing in the matter for non-adherence of Load Shedding Protocol by MSEDCL.

The Commission vide its Order dated May 30, 2011 disposed of this Petition with following observations / directives:

- No change in Load Shedding Protocol should be made unilaterally by MSEDCL without obtaining prior approval of the Commission. However, the Commission feels that the situation could have been avoided if,
  - MSEDCL had consulted the Commission by bringing the gravity of the situation (that even load shedding scenario VI could not be followed) to the Commission's notice.
  - MSEDCL have used generation from Koradi Units #1, 2, 3, and 4, Bhusawal Unit #1, Paras Unit #2, Parli Unit #1, 2 for ZLS, and under no circumstances diversion of power from the common pool of the State is allowed for ZLS, which is a serious matter. It is because of the utilization of energy from vintage units, power deficit in balance MSEDCL area was aggravated
  - MSEDCL need to purchased sufficient additional power rather than using power from common pool of the State.
- The Commission concluded that for implementing ZLS; Grid support has been taken by MSEDCL. In other words, some consumers of MSEDCL might have been deprived of their

share of Grid power because appropriate power for ZLS was not procured by MSEDCL. The Commission considers this as a serious lapse of responsibility on the part of MSEDCL.

- The Commission directed that Rs. 92.38 crore which ZLS consumers would have paid if MSEDCL would have purchased power for them instead of using Grid power should be passed on to non-ZLS MSEDCL consumers through FAC and ZLS consumers shall bear this additional cost.

MSEDCL is bound to adhere to the direction of the Honourable Supreme Court. Accordingly, in future, MSEDCL shall approach the Commission when there is a need for deviation from approved load shedding protocols. Till then, MSEDCL shall not issue any circulars that deviate from approved load shedding protocols. Henceforth no change in PPLS should be made unilaterally by MSEDCL without prior approval of the Commission.

**Application of Maharashtra State Electricity Distribution Company Limited for continuation of Zero Load Shedding in the Headquarters of Revenue Division of MSEDCL Licence Area (Case No 76 of 2010)**

MSEDCL submitted a Petition on November 1, 2010 for continuation of Zero Load Shedding in the Headquarters of Revenue Divisions in MSEDCL Licence Area for one year from 1st December 2010.

During the pendency of this case the Commission vide Order dated November 26, 2010 first extend the applicability of ZLS model up to February 28, 2011 and then by Order dated February 24, 2011 further extended the applicability up to June 30, 2011.

On June 7, 2011 MSEDCL filed a Miscellaneous Application in Case 76 of 2011. MSEDCL prayed for withdrawal of its Petition in Case 76 of 2010. During the hearing held in this matter on July 11, 2011, MSEDCL submitted that in view of the improved power supply scenario in the State MSEDCL had proposed to withdraw its Petition in Case 76 of 2010 seeking extension of the ZLS scheme.

Accordingly, the Commission vide Order Dated October 20, 2011 dismissed the Petition of MSEDCL in Case 76 of 2010 as withdrawn. With this Order, ZLS model ceased to exist from July 01, 2011.

**Application of Maharashtra State Electricity Distribution Company Limited for withdrawal of load shedding of Divisions A, B, C, D groups of Other Region area (Case No 93 of 2010)**

MSEDCL submitted a petition on December 2, 2011, dated December 1, 2010 for withdrawal of load shedding of Divisions A, B, C, D groups of Other Region area.

The Commission received a letter from MSEDCL on January 4, 2011, informing the Commission that it had decided not to pursue the proposal of withdrawal of load shedding of A, B, C, D groups of Other Region area.

On April 4, 2011, the Commission received a submission from MSEDCL, under affidavit, essentially submitting that there was no further necessity of hearing of the original petition submitted for withdrawal of load shedding in A, B, C, D groups of Other Region area as MSEDCL planned for complete withdrawal of load shedding by procuring short-term power and UI power from Central Grid whenever frequency profile was better and through load relief from Load Management Schemes. Accordingly, MSEDCL submitted that complete load shedding was withdrawn except the load shedding to Agriculture Load Management Schemes and weekly staggering day to industrial consumers.

As MSEDCL has withdrawn / cancelled its proposal for withdrawal of load shedding in the areas of A, B, C, D groups in Other Region; the Commission vide Order dated October 20, 2011 disposed of the present Petition.

**OTHER ORDERS**

**Petition filed by M/s Tata Power Co Ltd seeking direction to MSETCL to grant connectivity to 60.48 kWp Rooftop Solar Power Project at Tata Power's Carnac Receiving Station under section 86(1)(e) of Electricity Act-2003 (Case No. 77 of 2011)**

M/s Tata Power Co. Ltd., filed a petition under Section 86 (i) (e) of EA, 2003 seeking direction upon MSETCL to grant of connectivity to its Rooftop Solar Project at Carnac Receiving Station.

The Commission in its order ruled that the present connectivity arrangement of Solar Project at 415 V auxiliary bus at TPC's transmission substation can not be treated as interconnection point of In-STS as per MERC RE Tariff Regulations 2010.

The consumption of the corporate office building can neither be treated as part of auxiliary consumption of the receiving station nor be treated as part of transmission loss. The said energy consumption of corporate office building needs to be metered and accounted for separately, as distinct from Auxiliary Consumption of Transmission Substation.

Station Auxiliary Bus (415 V) to which Rooftop Solar PV plant is presently connected should be treated as part of asset of TPC-D supplying consumption of commercial building.

The energy injection by solar plant should be metered separately and considered as purchased by TPC-D towards fulfilment of solar RPO obligation of TPC-D.

The issue of accounting and treatment of auxiliary consumption of transmission grid substations cannot be addressed as part of present proceedings. The Commission advises MSETCL/MSLDC to undertake detailed study in the matter over the next two months and make appropriate submissions by separate filings.

The Commission directs TPC, MSETCL and MSLDC to submit compliance report to the Commission outlining the actions taken in this respect within four weeks from date of issuance of this Order.

MSLDC would be the appropriate authority to verify and establish fairness of the process of Joint Meter Reading undertaken by Tata Power-Solar and Tata Power-Distribution for the 60.48 kWp Solar Rooftop project. The Parties should also explore feasibility of sharing of metered data of solar power generation over communication links with MSLDC at regular intervals. Further, MSLDC, in consultation with TPC, should devise appropriate protocol for verification and certification of metered data at regular intervals at least once in every quarter

**BEST's Petition for deferment of the implementation of the MERC (Multi Year Tariff) Regulations, 2011 (Case No. 43 of 2010)**

BESR submitted a Petition under Section 94 (2) of EA 2003, Regulation 85 (a) of the MERC (Conduct of Business) Regulations, 2004, and Regulations 4.1, 99 and 100 of the MERC (Multi Year Tariff) Regulations, 2011 for deferment of the implementation of MYT Regulations, 2011

The Commission ruled that it is mandated under clause (f) of Section 61 of the Electricity Act, 2003 to be guided by "Multi Year Tariff principles" while determining the terms and conditions of tariff including while determining the tariff. The Commission expressed its view that there is no force in the contention of BEST that the Commission is not obligated to adopt MYT regime.

The Commission taking cognizance of BEST's concerns regarding the timelines for submission of the Business Plan and MYT Petition, and as BEST is filing the Business Plan and MYT Petition for a period of 5 years for the first time, the Commission found it appropriate to invoke the provisions of Regulation 100 "Power to remove difficulties" and to remove the difficulty which has arisen on the part of BEST in giving effect to the provisions of Regulation 19.1. Hence, the Commission by Specific Order and for removing the difficulty allowed BEST an extension by 4 months, of date of submission of the Business Plan and MYT Petition, i.e., on or before August 31, 2011.

**MSPGCL Parli Unit 6 and Paras Unit 3 (Order in Case 107 of 2009)**

MSPGCL's new thermal power generating units Parli Unit 6 and Paras Unit 3, each of 250 MW capacity were commissioned in November 1, 2007 and March 31, 2008, respectively. The Commission issued the MYT Order (Case No. 26 of 2008) for Parli Unit 6 on October 21, 2009. In the Order, the Commission determined the generation tariff for Parli Unit 6 for the remaining part of FY 2007-08 (November 2007 to March 2008), FY 2008-09 and FY 2009-10. The Commission issued MYT Order (Case No. 95 of 2008) for Paras Unit 3 (on December 15, 2009).

In the Order, the Commission had determined the generation tariff for Paras Unit 3 for FY 2008-09 and FY 2009-10. Vide its Petition as above, MSPGCL had sought approval of APR for FY 2009-10 and Tariff for FY 2010-11 for the two units, Parli Unit 6 as and Paras Unit 3. The Commission directed MSPGCL to re-submit its Petition with the Capital costs as approved by the Commission in its earlier tariff Order. After compliance by MSPGCL, the matter was heard by the Commission and tariff order was issued in the case as above.

**Order in Case 79 of 2011**

**In the matter of Petition for applicability extension and request for continuation of Billing to MSEDCL in the Financial Year 2011-12 for energy sale from Parli Unit 6 & Paras Unit 3 of MAHAGENCO in respect of the Order dated 13th April, 2011 in MERC Case No. 107 of 2009 under the Regulation 100 of the MERC (Multi Year Tariff), Regulations, 2011.**

The Commission heard the matter and issued Order approving the applicability of tariffs determined under Order in the Case of 107 of 2009, till new tariff order was issued.

**Order in Case 81 of 2011**

**In the matter of Petition filed by Maharashtra State Power Generation Company Limited seeking review of Order dated 13th April 2011 (Case No. 107 of 2009) of the Commission in the matter of Approval of Truing up for FY 2007-08 and FY 2008-09 for Parli Unit 6 and Truing up of Paras Unit 3, Annual Performance Review for FY 2009-10 and Determination of Tariff for FY 2010-11 for Parli Unit-6 and Paras Unit-3.**

MSPGCL submitted its review Petition as above, primarily based on the disallowances made by the Commission in its above mentioned order in Case 107 of 2009, on recovery of actual fuel cost incurred by the Petitioner and non-recovery of fixed costs of the plant on account of non-availability / low PLF due to forced outages. The Commission, after hearing the Case,



issued its order observing that no such grounds as presented by the Petitioner were admissible for revirewing the earlier Order of the Commission.

#### **Order in Case 74 of 2011, and Case 75 of 2011**

**In the matter of Implementation of Hon'ble Appellate Tribunal for Electricity's Judgment dated 24th May, 2011 in Appeal 72 of 2010 and Appeal No. 99 of 2010, MSPGCL v/s MERC & Ors.**

MSPGCL was aggrieved by the Tariff Order issued by the Commission for Parli unit 6 in the matter of Case 26 of 2008, on October 21, 2009, and for Paras unit 3 in the matter of Case 95 of 2008, on December 15, 2009, and appealed to the Hon'ble ATE (Appeal 72 of 2010 and Appeal No. 99 of 2010 respectively). The major issues were, computation of Capital expenditure, disallowance if part of the IDC and on account of project delays and part of the HO expenses, disallowance of computation of stationwise AAD etc. . The Hon'ble ATE, after hearing the two cases issued its judgments. Subsequently, in compliance with the ATE Order the Commission re-examined the issues and has issued a review orders as above, following the guidelines given by the Hon'ble ATE .

#### **ATE judgment regarding Tariff Orders of MSPGCL (Case 72 of 2011)**

**In the matter of Implementation of Hon'ble Appellate Tribunal for Electricity's Judgment dated 27th April, 2011 in Appeal No. 191 of 2009, MSPGCL v/s MERC & Ors**

The Commission issued the MSPGCL Tariff Order for 2009-10 (Case No. 115 of 2008) on 17th August 2009. MSPGCL was aggrieved with some of the observations and views taken by the Commission and filed Appeal No. 191 of 2009 with Hon'ble ATE. Judgment in the case was issued On April 27, 2011 This Order relates to implementation of directions as issued in the said judgment by the Hon'ble Tribunal

#### **MSPGCL Parli unit 7 and Paras unit 4 (Case 69 of 2011)**

In the matter of the Maharashtra State Power Generation Company Limited's (MSPGCL) Petition for determination of final Tariff and approval of ARR for FY 2010-11 for Paras Unit No.4 and Parli Unit No.7.

MSPGCL's 250 MW Parli Unit 7 was put into commercial operation on July 31, 2010 and Paras Unit 4 was on August 31, 2010. The Commission issued the Order for determination of final Tariff and approval of ARR for FY 2010-11 for Paras Unit No. 4 & Parli Unit No. 7 (Case 69 of 2011 ) on December 22, 2011. In this Order the

Commission took cognisance of directives issued by the Hon'ble ATE regarding Capital cost determination for MSPGCL's Parli unit 6 and Paras unit 7 and the guidelines issued by the Hon'ble ATE were complied with. As petitioned by MSPGCL, the entire costs of common auxiliaries between Parli unit 6 and unit 7 were apportioned to Parli unit 6 and those between Paras unit 3 and unit 4 to Paras unit 3 in respective cases.

#### **MSPGCL ARR 11-12 (Case 44 of 2011)**

In the matter of Maharashtra State Power Generation Company Ltd's (MSPGCL) Petition for deferment of implementation of MYT Regulations 2011.

#### **Case 68 of 2011**

In the matter of Maharashtra State Power Generation Company Ltd's (MSPGCL) Petition in regard to Annual Performance Review for the year 2010-11 & determination of tariff and approval of Aggregate Revenue Requirement (ARR) for the year 2011-12

#### **Case 107 of 2011**

In the matter of Petition filed by The Maharashtra State Power Generation Company Limited (MSPGCL) for approval of Truing up for FY 2009-10, and Annual Performance Review for FY 2010-11

These three orders pertain to the Petition of MSPGCL for tariff determination for FY 2011-12 as per MERC Tariff Regulations, 2005 instead of MYT Regulations, 2011.

The Commission issued MYT Regulations 2011 which repealed its Tariff Regulations 2005. MSPGCL petitioned to the Commission that while determining tariff for FY 2011-12, the Tariff Regulations 2005 should be applied instead of applying the MYT Regulations which were effective from 1st April 2011. After hearing the Petitioner, the Commission agreed for deferment in application of the MYT Regulation to MSPGCL for a further period of 2 years. Accordingly, the Commission proceeded with Truing up for FY 2009-10 and APR for 2010-11 vide Order issued in the matter of Case 107 of 2011

#### **Change in methodology of computation of FAC of MSPGCL (Case 103 of 2011)**

**In the matter of Petition for seeking review of the methodology of FAC calculation for MSPGCL's stations in line with section 62 (4) of Electricity Act 2003 :**

MERC had introduced the mechanism of allowing the State sector Generation and Distribution utilities to recover variances in the variable cost of power generation as compared to those considered in the tariff order since year 2000 through FOCA order.

Subsequently, in year 2005, the said mechanism was extended to the other utilities in the State through the Tariff Regulations. The two modalities addressing common issue of FAC recovery, were slightly different from each other as one was issued in year 2000 and the others in year 2005-06 where reference was taken from CERC orders.

Though this Order the Commission addressed the issue and ensured that with effect from the date of the said order, identical methodology as that specified in MERC Tariff Regulations 2005 would be applied to all the power distribution licensees in the State for periodic recovery of FAC.

**Petition of M/s Reliance Infrastructure Limited seeking extension/renewal of Distribution Licence for its Mumbai Licence Area for 25 Years (Case No. 78 of 2010)**

Deemed Distribution Licence of Rlnfra was valid up to August 15, 2011. Therefore, Rlnfra submitted a Petition on November 1, 2010, which was amended subsequently and submitted on March 4, 2011, with the prayer of extending period of their distribution licence for 25 years with effect from June 10, 2003 or with effect from August 16, 2011 under the provisions of Section 18 of the Electricity Act 2003. In alternative to this, Rlnfra have prayed for renewal of licence for a period of 25 years with effect from August 16, 2011 under Section 14 of the Electricity Act 2003.

The Commission vide its Order dated April 1, 2011 opined that all applicants for grant of license irrespective of whether they are deemed licensees or not, will need to comply with the entire Section 15 of the Electricity Act 2003 read with the requirements laid down under the MERC (General Conditions of Distribution Licence) Regulations, 2006 for applying for grant of distribution licence. Accordingly, the Commission ruled that this Petition cannot be treated as an application made for grant of licence under Section 14 of Electricity Act 2003 and therefore directed Rlnfra to comply with the entire Section 15 of the Electricity Act 2003 read with the requirements laid down under the MERC (General Conditions of Distribution Licence) Regulations, 2006 for applying for grant of distribution licence.

**Supply of Electricity from the generating stations of the Tata Power Company Ltd. to Reliance Infrastructure Ltd. for distribution to its consumers (Case 13 of 2010)**

The Government of Maharashtra ("GOM") issued a "Memorandum" dated 7th May 2010. The said "Memorandum" besides giving certain instructions, also contains a report of a five-member Committee ("Committee"), which was issued after considering representations made by Rlnfra as well as TPC and

BEST to the "GOM" regarding supply of electricity from the generating stations of TPC to Rlnfra for distribution to its consumers. In the said "Memorandum", the GOM has taken the view that in public interest, the Commission should take suitable measures at the earliest taking into the account the said report of the Committee on certain broad principles as contained therein.

Pursuant to the said "Memorandum" dated 7th May 2010, this Commission initiated proceedings in Case No. 13 of 2010. The Commission held a public hearing at Rangsharda Natya Mandir, Bandra Reclamation, Bandra (W), Mumbai on 28th June, 2010 and 3rd July 2010.

The Commission vide Order dated 19th May 2011 gave its following findings on the broad principles laid down by the Government of Maharashtra vide its "Memorandum" dated 7th May 2010:

- a) TPC's obligation to supply electricity from its generating stations at regulated / reasonable rates to distribution licensees of Mumbai on priority and not to take advantage of its dominant position in the absence of a Power Purchase Agreement ("PPA") with Rlnfra to trade electricity, divert electricity to TPC (Distribution) ("TPC-D") or to offer electricity to Rlnfra at higher rates, thereby adversely affecting the consumers of Rlnfra.

The Commission observed that the Hon'ble High Court as well as Hon'ble Supreme Court have clearly ruled in the same matter that the generator cannot be forced to sell power to any specific entity, especially in the absence of a PPA, and the hardship caused to consumers of any licensee or the fairness or otherwise of the supply of electricity to different distribution licensees is outside the purview of the Commission.

Accordingly, the Commission ruled that TPC-G cannot and should not be compelled to supply electricity to Rlnfra, in the absence of any PPA between TPC and Rlnfra for the same.

- b) Regarding Rlnfra's obligation to ensure that its consumers do not have to suffer any increase in tariff only on account of its failure to procure electricity at reasonable costs over and above the quantum of electricity that TPC can be reasonably expected to supply to it after taking care of its commitments under the PPA with BEST and requirement of TPC (Distribution) and the issue of the need to put in place a mechanism to ensure that subsidized consumers of Rlnfra do not have to suffer abnormal tariff rise only on account of the effect of migration of its cross-subsidizing consumers

to TPC, the Commission decided to deal with these issues in R/Infra-D's Petition for approval of Aggregate Revenue Requirement and tariff for FY 2010-11 which was then pending before the Commission in Case No. 72 of 2010.

- c) Regarding the need to assure that if there is any surplus power from the generation meant for Mumbai licensees at any time, it should be supplied to deficit distribution licensees in Mumbai at the average cost of purchase or any other reasonable rate to be determined by MERC, the Commission observed that this issue has been already ruled by the Commission vide its Order dated August 23, 2010 in Case No 9 of 2010.

**Petition of M/s. Wardha Power Company Limited for quashing of letter dated March 30, 2010 issued by Maharashtra State Electricity Transmission Company Limited demanding transmission charges. (Case No. 29 of 2010)**

M/s. Wardha Power Company Limited ("WPCL") submitted a Petition under affidavit on June 9, 2010, under Section 86(1)(f) of the Electricity Act, 2003 ("EA 2003"), read with 9.4 of the MERC (Transmission Open Access) Regulations, 2005 for quashing of letter dated March 30, 2010 issued by the Maharashtra State Electricity Transmission Company Ltd., demanding transmission charges.

The Commission vide its Order dated June 1, 2011 ruled that the evacuation arrangements were in place on December 19, 2009 and hence directed the Petitioner WPCL to pay the Transmission Charges for 101 days (from December 19 2009 to March 30, 2010) to MSETCL amounting to Rs 9,04,06,120.10 /- as invoiced by MSETCL vide their letter Dated March 30, 2010 along with interest at prevailing interest rate of a scheduled bank. WPCL is directed to pay to MSETCL within 4 weeks of this order.

**Petition filed by M/s Abhijeet MADC Nagpur Energy Private Ltd., seeking clarification of the Order dated 12th September, 2010 in Case No. 111 of 2009 in respect of MSEDCL's Tariff Determination for FY 2010-2011 regarding applicability of Tariff Category for Startup Power connection of Power Plant. (Case No 37 of 2011)**

Abhijeet MADC Nagpur Energy Private Ltd. (AMNEPL) filed a Petition for seeking clarification of the Order dated 12th September, 2010 in Case No. 111 of 2009 in respect of MSEDCL's Tariff Determination for FY 2010-2011 regarding applicability of Tariff Category for Startup Power connection of Power Plant.

The Commission vide its Order dated 20th July 2011

noted that during the normal operation of Power Plant, requirement of auxiliary Power is met through own generation whereas in case of emergency such as tripping of Power Plant, grid support is required to feed the auxiliaries to start the Power Plant. Such a grid support is required only for period of few hours depending upon the type of Power Plant. As Power Plants being the most essential components of Power System, such a grid support has to be provided. However, how to treat this grid support i.e. whether to adjust the consumed units with the energy injected in to the grid or to charge the Power Plants for the energy consumed by them is needed to be decided. As this issue being not restricted to the State of Maharashtra but equally applicable at National level, the Commission is of the view that, Central Electricity Authority (CEA) being a technical body at the Central level is the appropriate authority to set guiding principles on the same. Therefore, the Commission directed both the parties to approach CEA on the above mentioned issue and thereafter considering all the pros and cons, if required, MSEDCL may propose separate Tariff Category for Startup Power Connection of Power Plant in its upcoming Tariff Petition.

**Case No. 59 of 2011**

**Grahak Panchayat, Ratnagiri**, filed a Petition with the Commission, with a request to amend the "Maharashtra Electricity Regulatory Commission (Consumer Grievance Redressal Forum & Electricity Ombudsman) Regulations, 2006", by adopting definition of "Complainant" as per Section 2(1)(b)(ii) of Consumer Protection Act 1986 so that Voluntary Consumer Organization would have locus standi to raise the consumers' grievances with the Consumer Grievance Redressal Forums (also known as 'CGRF' or 'Forum') and the Electricity Ombudsman. The said Regulations presently allow a electricity consumer only to raise his/her grievance to the CGRF/ Electricity Ombudsman ("EO").

The Petitioner, referring to Section 175 of the Electricity Act, 2003, had submitted that the provisions of the Electricity Act, 2003 ("E.A. 2003") are in addition to and not in derogation of any other law for the time being in force, and also that the Electricity Regulatory Commissions in the States of Delhi, Gujarat and Uttarakhand, among others, have permitted voluntary consumer associations to approach the Consumer Grievance Redressal Forum and the Electricity Ombudsman under their respective Regulations. All the four Distribution Licensees in the State, were made party to the Petition. As submitted by them, with their reasoning for same, the Distributions Licensees were against the amendment to the Regulations, asked for by the Petitioner.



The Commission through its Order dated 25th January, 2012 formed its opinion that the term 'consumer' has been defined in the E.A.2003, at Section 2(15), as a person who is supplied with electricity for his own use --- and includes any person whose premises are for the time being connected for the purpose of receiving electricity ---. Also that, on a conjoint reading of Section 2(15) and Section 42(5), (6) and (7), of the EA 2003, there is no scope for permitting anybody other than a "consumer" to file grievances / representations before the CGRF and the EO. Moreover, if any voluntary consumer association wishes to file a complaint, the said association can invoke the machinery under the Consumer Protection Act, 1986, as a complainant therein, as its rights prescribed under Section 42(8) of E.A.2003.

The Commission in its Order dated 25th January, 2012 ruled that amending the said Regulations by acceding to the prayers of the Petitioner, would be in excess of the Electricity Act, 2003, and, the Case 59 of 2011 was dismissed.

#### **Petition of BEST Undertaking for permission for filing Annual Revenue Requirement and determination of tariff for FY 2011-12 under MERC (Terms & Conditions of Tariff) Regulations, 2005**

BEST Undertaking submitted a Petition under affidavit on October 19, 2011 under Section 61 of the Electricity Act 2003, in the matter of seeking permission for filing Annual Revenue Requirement and determination of tariff for FY 2011-12 under MERC (Terms & Conditions of Tariff) Regulations, 2005. The Commission vide its Order dated May 5, 2011 in Case No. 43 of 2011 allowed BEST an extension by four months for submission of Business plan as per MERC (Multi Year Tariff) Regulations, 2011, which took effect from April 1, 2011. Accordingly BEST submitted the Business Plan on August 25, 2011. BEST can file MYT Tariff Petition only after approval of Business Plan which was likely to be issued by the end of FY 2011-12. There was no other choice but to enable Petitioner to file ARR and Tariff Petition for FY 2011-12 separately. Hence, the Commission, vide its Order dated November 30, 2011 in Case No. 150 of 2011, exempted determination of Tariff of BEST under Multi Year Tariff Framework till March 31, 2012 and directed BEST to file its Petition for Annual Revenue Requirement and determination of Tariff for FY 2011-12 on or before November 30, 2011 under the Second proviso of Regulation 4.1 of MERC (Multi Year Tariff) Regulations, 2011.

#### **CONSUMER ADVOCACY AND GRIEVANCE REDRESSAL MECHANISM**

As prescribed under Sections 42(5) and 42(6) of the Electricity Act, 2003, the Consumer Grievance Redressal Forums (CGRFs), constituted by the Distribution Licensees, and, the Electricity Ombudsman (EO) appointed by the Commission, have been working effectively in the State. Formation of the CGRFs and the office of the EO, enables the electricity consumers to

seek redressal of their grievances without having to go to a court of law.

#### **The Consumer Grievance Redressal Forums (CGRFs):**

At present, as constituted by the four(4) nos. of the Distribution Licensees in the State, a total of 14nos. of CGRFs have been functioning in the State. Formation of these CGRFs had started after the Commission had formed the "Maharashtra Electricity Regulatory Commission (Consumer Grievance Redressal Forum and Electricity Ombudsman) Regulations, 2003". These Regulations have been replaced by new set of Regulations in year 2006, which were further amended once in the year 2007.

In compliance with the MERC(Consumer Grievance Redressal and Electricity Ombudsman Regulations), 2006, as amended in 2007, the posts of Members of the CGRFs (each CGRF comprising of 3 Members, i.e. one Chairperson and two Members) are filled up whenever any Member's term expires. Out of the 2 Members, in the case of one Member - who represents the Consumers - on each of these Forums, his name is nominated by the Commission to the Licensee, after ascertaining that the applicant meets the eligibility criteria, from of the applications received from the interested persons. During the period of reporting, after the tenures of the existing member/s expired, Chairpersons of six and the Consumer Representative Members of one of CGRFs, were either replaced by new appointees or re-appointed depending upon the suitability of applications received.

During the year 2011, the 14 of CGRFs in the State, dealt with approximately 1100 of complaints filed by the aggrieved electricity consumers (as compared to 1350 during same period of previous year). A total of 966 grievances were redressed (1059 in previous period) by all the CGRFs. It was noticed that out of the total number of actionable grievances before the CGRFs, the maximum number was from Kolhapur Zone (360nos.), followed by Kalyan Zone (183nos.).

Annual one day conference of the Members of the CGRFs, Electricity Ombudsman, the Consumer Representatives and the Distribution Licensees, where review of the consumers' grievances, redressed by various CGRFs in the past year, and the ways and means of improving the service to consumers, in respect of addressing their grievances, is discussed, could not be held before end March 2012, due to some unavoidable circumstances. The conference is planned for April 2012.

#### **The Electricity Ombudsman**

The office of the Electricity Ombudsman was constituted on 27<sup>th</sup> December, 2004, under section 42(6) of the Electricity Act, 2003 and was made functional immediately. From that date onwards, the electricity consumers who are aggrieved by non-redressal of grievances by the CGRFs, under section 42 (5) of the

Act, have been making representations to the Electricity Ombudsman. The Ombudsman's office has been handling an increasing number representations received by it.

After the expiry of the term of the incumbent Electricity Ombudsman, Shri W. G. Gorde, who had assumed the charge on 27<sup>th</sup> December 2007, and continued in the office upto 26<sup>th</sup> December 2010, Dr. Suresh Joshi, IAS (Retd.), took over as Electricity Ombudsman at Mumbai, on 20<sup>th</sup> January 2011.

In year 2011, taking into consideration the convenience of the electricity consumers in the State, for making them travel shorter distance for reaching the office of the Electricity Ombudsman, the Commission decided to have two numbers of Electricity Ombudsman in the State, in place of one number. Accordingly, a new post of the Electricity Ombudsman at Nagpur, was created. Justice Shri K. J. Rohee was appointed as the Electricity Ombudsman (Nagpur), who started functioning since 1<sup>st</sup> July 2011. The District-wise areas divided between the two Ombudsmen, decided on the basis of approximate distances the consumers of the areas would have to cover, for approaching the office of the individual Ombudsman, are:

#### **Electricity Ombudsman(Mumbai):**

Mumbai, Mumbai-Suburbs, Thane, Raigad, Ratnagiri, Sindhudurg, Kolhapur, Solapur, Sangli, Satara, Pune, Nashik, Dhule, Jalgaon, Ahmednagar, Nandurbar.

#### **Electricity Ombudsman(Nagpur):**

Amravati, Akola, Buldhana, Yavatmal, Washim, Nagpur, Wardha, Bhandara, Gadchiroli, Chandrapur, Gondia, Latur, Beed, Nanded, Osmanabad, Aurangabad, Jalna, Parbhani, Hingoli.

The Ombudsman (Mumbai) decided 118 representations during 2011-12. The MERC (Consumer Grievance Redressal Forum and Electricity Ombudsman) Regulations 2006 stipulate that the representations by consumers should be decided within 60 days. The Mumbai Ombudsman took, on average, 36 days to decide a representation. The Ombudsman (Nagpur) decided 21 representations since his appointment during the year.

Most of the representations were in regard to billing, faulty meters, quality of supply and deficiency in service. With increased awareness, consumers have started complaining about deficiency in services and also about Distribution Licensee's failure to observe norms for rendering services. The aggrieved consumers claimed compensation on various counts. In some cases, compensations 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.

The Ombudsman has provided an alternative efficient remedy to the consumers for speedier and inexpensive

redressal as envisaged by the EA, 2003.

Also, 34 nos. of consumers who felt aggrieved due to the Distribution Licensees delaying in complying with or not complying with the order of the CGRF/ Ombudsman, filed their Complaints with the Commission under relevant sections of the Act.

The above data shows the continual improvement in the level of awareness in electricity consumers about their rights and also availability of various platforms to them, to resolve their grievances.

#### **Compliance with Act and Regulations**

The MERC(Consumer Grievance Redressal and Electricity Ombudsman Regulations), 2006, prescribe that every Distribution Licensee shall establish Forums for redressing the grievances of its consumers. The Regulations provide that establish at least one Forum in each Distribution Zone falling within its area of operation. The Maharashtra State Electricity Distribution Company Limited (**MSEDCL**), after creation of 3 new operational Zones, at Baramati, Jalgaon and Nanded in its area, in the year 2009, had filed a Petition, with the Commission, in the year 2010, praying for relaxation from forming the Consumer Grievance Redressal Forums.

The Commission, after studying the reasons submitted by MSEDCL for not wanting to establish the new Forums at the newly created Zones, did not agree with the contention of the Licensee that the new Forums need not be created in these new Zones. MSEDCL was, however, allowed to hold initially the Forums' hearings within the areas of the new Zones, on weekly basis, along-with spreading the information about the same, among the consumers, through different means of communication.

During the hearings in the above mentioned matter, it was submitted by the Opponent Consumer Representatives that level of awareness among the electricity consumers in MSEDCL's area, about the consumers' rights and the grievance redressal mechanism. The Commission directed its office to arrange to study by a sample survey among the consumers in MSEDCL's area, to find out the level of consumers in the MSEDCL's area.

The Commission's office has placed an Order on an experienced firm from New Delhi, for carrying out the said survey.

#### **CGRF of Tata Power Co. Ltd.:**

The CGRF constituted by The Tata Power Company, Mumbai, earlier had only a one member Forum, in accordance with the MERC (CGRF & EO) Regulation, 2006, which under Proviso(c) of the Regulation 4.1 provides that "*in case the Distribution Licensee has less than one lakh fifty thousand (1,50,000) consumers in its area of supply in the State of Maharashtra, the Forum may consist of a single member.....*". During the period of this report, due to increase in the number of their electricity Consumers, TPC has now constituted the Forum with total three Members.

## ANNEXURE-I

## LIST OF CASES FOR 2011-12

No.	Applicant	Respondent	Date of Petition	Case No	Subject
1	Grahak Panchayat, Ratnagiri	Not mentioned	25.01.2011	59 of 2011	Amendment to MERC (CGRF & EO) Regulations, 2006 by adopting definition of complainant as per Section 2(1) (b) (ii) of Consumer Protection Act 1986
2	Adani Power Maharashtra Limited	Not mentioned	07.04.2011	60 of 2011	Petition for determination of tariff from FY 2011-12 to FY 2015-16 of Transmission Business of Adani Power Maharashtra Limited (APML) under Maharashtra Electricity Regulatory Commission (Multi year Tariff) Regulations 2011.
3	M/s Raj Laboratories	MSEDCL	26.04.2011	61 of 2011	Petition u/s 142, 146 of the Electricity Act (EA), 2003 against MSEDCL for part non compliance of CGRF Kalyan Order
4	Maharashtra State Electricity Transmission Company Limited	Not mentioned	15.04.2011	62 of 2011	Petition seeking deferment and amendment of Tariff determination principles and applicability of MERC (MYT) Regulations, 2011 for MSETCL under the enabling provisions of the said Regulation
5	M/s MEC Engineers	MSEDCL	26.04.2011	63 of 2011	Petition u/s 142, 146 of the Electricity Act (EA), 2003 against MSEDCL for part non compliance of CGRF Kalyan Order
6	Maharashtra State Electricity Distribution Co Ltd.	Not mentioned	06.04.2011	64 of 2011	Petition for Extension of deadline of 5.1.2011 for Procurement of Power through MoU Route
7	M/s Reliance Infrastructure Ltd.	Not mentioned	25.04.2011	65 of 2011	Application for grant of Distribution License in and around suburbs of Mumbai inclusive of area covered under Chene and Varsova which are contiguous with Applicants existing area of License
8	Maharashtra State Electricity Distribution Co Ltd.	Not mentioned	29.04.2011	66 of 2011	Petition seeking approval for Energy Purchase Agreement between MSEDCL and NTPC for Purchase of wind energy as per CERC order dated 09.11.2010 and CERC Regulations, 2009.
9	M/s JSW Energy Ltd	MSEDCL	28.04.2011	67 of 2011	Petition M/s JSW Energy Limited for adjudication of disputes that have arisen between JSW Energy Limited and Maharashtra State Electricity Distribution Company.
10	Maharashtra State Power Generation Co. Ltd	Not mentioned	31.03.2011	68 of 2011	Petition in regards to Annual Performance Review for year 2010-11 & determination of tariff and approval of Aggregate Revenue Requirement (ARR) for the year 2011-12 of Maharashtra State Power Generation Company Limited
11	Maharashtra State Power Generation Co. Ltd	Not mentioned	31.03.2011	69 of 2011	Petition regarding tariff determination and approval of ARR for Parli Unit No. 7 and Paras Unit No. 4 of Maharashtra State Power Generation Co. Ltd. For the FY 2010-11 and FY 2011-12
12	M/s Reliance Infrastructure Ltd.	Not mentioned	13.05.2011	70 of 2011	Petition of Reliance Infrastructure Limited for grant of Transmission Licence
13	Maharashtra State Power Generation Co. Ltd	Not mentioned	16.05.2011	71 of 2011	Petition for Review of an Order dated 30th March 2011 (Case No. 103 of 2010) of Hon'ble Commission in the matter of approval of the Addendum to the Power Purchase Agreement dated 1st April 2009 signed between MSPGCL & MSEDCL



No.	Applicant	Respondent	Date of Petition	Case No	Subject
14	Suo Moto	MSPGCL	-	72 of 2011	Suo Moto proceedings for Implementation of the Hon'ble Appellate Tribunal for Electricity (APTEL) Judgment dated 27 <sup>th</sup> April, 2011 in Appeal No. 191 of 2009 – MSPGCL v/s MERC & Ors.
15	Tata Power Co Ltd	Not mentioned	18.05.2011	73 of 2011	Petition of M/s Tata Power Co Ltd for approval of additional / revised norms in MYT Tariff Regulations
16	Suo Moto	MSPGCL	-	74 of 2011	Suo Moto proceedings for Implementation of the Hon'ble Appellate Tribunal for Electricity (APTEL) Judgment dated 27 <sup>th</sup> April, 2011 in Appeal No. 72 of 2010 – MSPGCL v/s MERC & Ors
17	Suo Moto	MSPGCL	-	75 of 2011	Suo Moto proceedings for Implementation of the Hon'ble Appellate Tribunal for Electricity (APTEL) Judgment dated 24 <sup>th</sup> May, 2011 in Appeal No. 99 of 2010 – MSPGCL v/s MERC & Ors.
18	The Tata Power Co Ltd	Not mentioned	31.05.2011	76 of 2011	Petition of Tata Power Co Ltd for approval of the PPA between TPC-Generation and TPC-Distribution
19	The Tata Power Company Limited	MSETCL	01.06.2011	77 of 2011	Petition seeking direction to MSETCL to grant connectivity to 60.48 kWp Rooftop Solar Power Project at Tata Power's Carnac Receiving Station
20	The Tata Power Company Limited	MSEDCL	30.05.2011	78 of 2011	Petition seeking Redressal u/s 86(1)(e) of the Electricity Act, 2003.
21	Maharashtra State Power Generation Co Ltd.	Not mentioned	02.06.2011	79 of 2011	Petition for applicability extension and request for continuation of Billing to MSEDCL in the FY 2011-12 for energy sale from Parli Unit 6 & Paras Unit 3 of MAHAGENCO in respect of the Order dated 13 <sup>th</sup> April, 2011, MERC Case No. 107 of 2009 under the Regulation 100 of MERC (MYT), Regulations, 2011
22	M/s 21st Century Infrastructure (India) Private Limited (TCIPL)	Not mentioned	31.05.2011	80 of 2011	Application for grant of Trading License in accordance with MERC (Terms and Conditions of Trading License) Regulation, 2004
23	Maharashtra State Power Generation Co Ltd.	Not mentioned	30.05.2011	81 of 2011	Petition for review of Order dated 13 <sup>th</sup> April, 2011 in Case No. 107 of 2009 in the matter of approval of truing up for 2007-08 and 2008-09 for Parli Unit 6 and truing up of Paras Unit 3, APR for 2009-10 and determination of tariff for FY 2010-11 for Parli Unit 6 and Paras Unit-3.
24	Suo Moto	Mumbai International Airport Pvt. Ltd, Tata Power Co Ltd., and Reliance Infrastructure Ltd.	N/A	82 of 2011	Implementation of the Judgment dated 31 <sup>st</sup> May, 2011 given by the ATE, in Appeal No. 195 of 2009, filed by the Mumbai International Airport Pvt. Ltd. (MIAL) challenging the Commission's Order dated 24.11.2009
25	Shri Indradev Ramnaresh Mishra	MSETCL	10.06.2011	83 of 2011	Petition under Section 67 of the Electricity Act (EA), 2003, seeking direction upon MSETCL in regard to erection of Towers
26	Reliance Infrastructure Ltd.	Abhijeet MADC Nagpur Energy Pvt Ltd.	14.06.2011	84 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 and Abhijeet MADC Nagpur Energy Pvt. Ltd.

No.	Applicant	Respondent	Date of Petition	Case No	Subject
27	Reliance Infrastructure Ltd.	Wardha Power Co Ltd.	14.06.2011	85 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 Wardha Power Company Ltd
28	Maharashtra State Electricity Transmission Company Limited	Not mentioned	08.06.2011	86 of 2011	Petition of MSETCL for approval of Aggregate Revenue Requirement for FY 2011-12, Annual Review of Performance for FY 2010-11 and Truing up for FY 2009-10
29	M/s Accurate Plastic Co	CE, Kalyan, MSEDCL, and SE, Vasai, MSEDCL	20.05.2011	87 of 2011	Petition under Section 142 & 146 of E.A, 2003 against MSEDCL for Non Compliance of CGRF Kalyan Order dated 04/10/2010
30	M/s Kipril Product & Packagings P Ltd	CE, Kalyan, MSEDCL, and SE, Vasai, MSEDCL	19.05.2011	88 of 2011	Petition u/s 142 & 146 of Electricity Act (EA), 2003 against MSEDCL for Non Compliance of CGRF Kalyan Order dated 13/10/2010
31	Shri Santu Sambhaji Khandekar	Executive Engineer, City Circle, MSEDCL, Sangli.	13.04.2011	89 of 2011	Pe ition u/s 142 of the EA 2003 & 22 of MERC CGRF & EO Regulations, 2006 against MSEDCL for non compliance of the Order of the CGRF Kolhapur Zone, Kolhapur in Case No. 275 of 2010
32	Shri Sakharam Ganpatrao Deshpande	Executive Engineer, City Circle, MSEDCL, Jalna	13.05.2011	90 of 2011	Petition u/s 142 of the Electricity Act (EA), 2003 against MSEDCL for non compliance of the Order dated 4th November, 2010 passed by CGRF Aurangabad Zone.
33	M/s Essar Power Ltd	Not mentioned	23.06.2011	91 of 2011	Petition for grant of Distribution Licence for power distribution in Mumbai suburbs area.
34	BEST Undertaking	Not mentioned	29.06.2011	92 of 2011	Petition for review of the Order dated 5.5.2011 in Case No. 43 of 2011 for deferment of implementation of the MERC (MYT) Regulations, 2011
35	Shri Vithoba Moglappa Pogul	CE, MSEDCL, Kolhapur	25.03.2011	93 of 2011	Petition of Shri Vithoba Moglappa Pogul for Non Compliance of CGRF Kalyan Order dated 14/12/2010.
36	R. L. Steel and Energy Ltd	MSEDCL	5.07.2011	94 of 2011	Petition for Non-compliance of the Order passed by the Commission dated 02/06/2011 in Case No.31 of 2011.
37	Maharashtra State Electricity Distribution Co Ltd.	N/A	01.07.2011	95 of 2011	Petition of MSEDCL for (i) levy of 2% additional units as voltages surcharge to consumers who have been provided power supply at voltage level below the prescribed voltage level, and (ii) Order dated 2nd June 2011 passed by the Hon'ble Commission in Case No. 31 of 2011, and (iii) Miscellaneous Application of Maharashtra State Electricity Distribution Company Limited for Grant of Stay.
38	M/s. Prerna Stone Crusher, Akola	SE (O&M), EE (Rural), MSEDCL, Akola	05.07.2011	96 of 2011	Non-Compliance of CGRF, Amravati Zone, Akola, Order dated 04th June, 2011 in the Case No.15 of 2011
39	M/s. Surya Bio Fuel, Sangli	EE, Solapur, and EE Islampur, MSEDCL	04.07.2011	97 of 2011	Petition for non-compliance of CGRF Order dated 4th May 2011.
40	Maharashtra State Electricity Distribution Co Ltd.	Not mentioned	06.07.2011	98 of 2011	Review Petition for Suo-Moto Order dated 30th May, 2011 in Case No. 23 of 2010.

No.	Applicant	Respondent	Date of Petition	Case No	Subject
41	Shri Sanjay Ankush Nikam	EE, Solapur, and EE K Mahakal, MSEDCL, Solapur	04.07.2011	99 of 2011	Petition of Shri Sanjay Ankush Nikam for part non compliance of CGRF Kolhapur Order Dated 29.10.201
42	Maharashtra State Electricity Distribution Co Ltd.	Not mentioned	12.07.2011	100 of 2011	Petition for Approval of Final true up for the Financial Year FY 2009-10, Provisional Truing Up for the Financial Year 2010-11 and Annual Performance Review (APR) for the Financial Year FY 2010-11.
43	Suo Moto	Mumbai International Airport Pvt Ltd, Reliance Infrastructure Ltd., and Tata Power Co Ltd.	N/a	101 of 2011	Implementation of the Judgment dated 18th July, 2011 given by the ATE, in Appeal No. 144 of 2009, filed by the Mumbai International Airport Pvt. Ltd. (MIAL) challenging the Commission's Order dated 15.06.2009 passed in Rlnfra's Tariff Petition for FY 2009-10.
44	Maharashtra State Electricity Transmission Company Limited	Not mentioned	21.07.2011	102 of 2011	Petition of MSETCL for Approval of Annual Review of Performance for the Year FY 2010-11 and Truing Up for FY 2009-10 under the provisions of Maharashtra Electricity Regulatory Commission (Terms and Conditions of Tariff) Regulations 2005.
45	Maharashtra State Power Generation Co Ltd	Not mentioned	25.07.2011	103 of 2011	Petition seeking review of the methodology of FAC calculation for its stations in line with section 62 (4) of the Electricity Act, 2003.
46	The Tata Power Co Ltd	Not mentioned	25.07.2011	104 of 2011	Petition of The Tata Power Company Ltd. (Distribution Business) for Truing Up for FY 2009-10 and Annual Performance Review of FY 2010-11 for its Distribution business.
47	The Tata Power Co Ltd	Not mentioned	25.07.2011	105 of 2011	Petition of The Tata Power Company Ltd. for Truing Up for FY 2009-10 and Approval of Annual Performance Review for FY 2010-11 for its Generation Business.
48	The Tata Power Co Ltd	Not mentioned	25.07.2011	106 of 2011	Petition of The Tata Power Company Ltd. for Truing Up for FY 2009-10 and Approval of Annual Performance Review for FY 2010-11 for its Transmission Business.
49	Maharashtra State Power Generation Co Ltd	Not mentioned	25.07.2011	107 of 2011	in regards to the Final True-Up for the FY 2009-10 and Annual Performance Review for the FY 2010-11 of the Maharashtra State Power Generation Company Limited under Section 61 & 62 of the Electricity Act 2003, Part C of MERC (Terms and Conditions of Tariff) Regulations 2005.
50	Suo Moto	-	N/A	108 of 2011	Implementation of the Judgment dated 11th July, 2011 given by the ATE, in Appeal Nos. 156 of 2010 and 155 of 2010, filed by (i) M/s. Maharatta Chamber of Commerce Industry & Agriculture and (ii) M/s. K. Raheja Corporation Pvt. Ltd. challenging the Commission's Order dated 01.06.2010.
51	Maharashtra State Power Generation Co Ltd.	MSEDCL, MSLDC	15.07.2011	109 of 2011	Petition seeking consideration on the expected variation in the performance parameters for MSPGCL power stations on account of backing down instructions from State Load Dispatch Centre
52	N. Ponrathnam (Proprietor) Vel Induction Hardenings	Reliance Infrastructure and Tata Power Co Ltd	27.07.2011	110 of 2011	Petition seeking legal action under section 129 (1), 142 and 146 for arbitrarily levying two part tariff and wrongful categorization of Low tension consumers in the Commission's Orders.



No.	Applicant	Respondent	Date of Petition	Case No	Subject
53	Shri Renuka Sugars Ltd.	MSEDCL and MSETCL	12.07.2011	111 of 2011	Petition for Reimbursement of expenses by Maharashtra State Electricity Distribution Company Maharashtra State Electricity Transmission Company Ltd. incurred towards creation of evacuation infrastructure by Shree Renuka Sugars Ltd. (SRSL) for its Bagasse based co-generation project of 30 MW capacity in the State of Maharashtra on BOOT basis.
54	Shri Ravindra Vinayak Jawlekar	District Collector, Wardha; MSETCL, Nagpur	04.08.2011	112 of 2011	Petition of Shri Ravindra S/o Vinayak Jawlekar challenging Order dated 22/07/2011 issued by Hon'ble District Magistrate Wardha & Notice issued by Maharashtra State Electricity Transmission Co. Ltd. (MSETCL) under Indian Telegraph Act, 1885.
55	M/s Gimatex Industries Pvt Ltd.	MSEDCL	08.08.2011	113 of 2011	Petition of M/s. Gimatex Industries P. Ltd. Wani for penalizing MSEDCL under Sections 142, 146 of the Electricity Act (EA), 2003, for not complying with the Order of Ombudsman.
56	M/s Gimatex Industries Pvt Ltd.	MSEDCL	08.08.2011	114 of 2011	Petition of M/s. Gimatex Industries P. Ltd. Hinganghat for penalizing MSEDCL under Sections 142, 146 of the Electricity Act (EA), 2003, for not complying with the Order of the Ombudsman.
57	Reliance Infrastructure Ltd.	Not mentioned	08.08.2011	115 of 2011	Petition of Reliance Infrastructure Limited (RInfra) for Truing up of FY 2009-10 and Provisional Truing up for FY 2010-11 for its Transmission Business.
58	Maharashtra State Power Generation Co Ltd.	Not mentioned	11.08.2011	116 of 2011	Petition of Maharashtra State Power Generation Co Ltd (MSPGCL) for review of direction given during the hearing held on 21 <sup>st</sup> July, 2011 on a Petition for Project Cost Determination and Tariff Determination in respect of Parli Unit 7 and Paras Unit 4.
59	M/s Borax Morarji Ltd	MSEDCL	16.08.2011	117 of 2011	Petition of M/s. Borax Morarji Ltd., seeking clarification of Order dated 24th November, 2003, in Case Nos.17 (3), 3, 4 & 5 of 2002 Passed by the Hon'ble Commission.
60	M/s Superfine Photo Co Pvt Ltd.	MSEDCL	16.08.2011	118 of 2011	Petition of M/s. Superfine Photo Co. Pvt Ltd. seeking clarification on Government of Maharashtra's Policy dated 12 <sup>th</sup> March, 1998 on Wind Power Generation, Capital Subsidy granted by MEDA and Clarification of Order dated 24 <sup>th</sup> November, 2003 in Case Nos. 17(3), 3, 4 & 5 of 2002 passed by the Commission.
61	M/s Dodson Lindblom Hydro Power Pvt Ltd	MSEDCL	16.08.2011	119 of 2011	Petition for Adjudication of Dispute, Clarification and Direction on the Calculation of the Capacity index of the Generating station of the Petitioner for supply of Electricity to the Respondent.
62	Shri Anjaya Ram Anparthi and Spanco Ltd	MSEDCL,	12.08.2011	120 of 2011	Petition of Shri Anjaya Rajam Anparthi challenging the power distribution franchisee agreement signed between Maharashtra State Electricity Distribution Company Ltd. (MSEDCL) and M/s. Spanco Ltd. on 23 <sup>rd</sup> February, 2011
63	Maharashtra Veej Grahak Sanghatna	MSEDCL	12.08.2011	121 of 2011	Petition of Maharashtra Veej Grahak Sanghatna seeking investigation of the contracts for appointment of Distribution Franchisees at various places by MSEDCL and setting standards and rules as per law

No.	Applicant	Respondent	Date of Petition	Case No	Subject
64	Reliance Infrastructure Ltd.	Not mentioned	18.08.2011	122 of 2011	Petition of Reliance Infrastructure Limited (RInfra) for Truing up for FY 2009-10 and Provisional Truing up for FY 2010-11 for its Generation Business.
65	Shri. Ashok Susuruddin Nadaf	MSEDCL	16.08.2011	123 of 2011	Non compliance of CGRF Kolhapur Order Dated 20/04/2011
66	BEST Undertaking	Not mentioned	25.08.2011	124 of 2011	Petition of The Brihan Mumbai Electric Supply & Transport (BEST) Undertaking for Second Control Period for FY 2011-12 To FY 2015-16 under Regulation 32, 94 of MERC (Conduct of Business) Regulation, 2004 and Regulation 4.2 (ii), 7.1 of MYT Regulations, 2011
67	BEST Undertaking	Not mentioned	26.08.2011	125 of 2011	Petition for approval of Final Truing up for FY 2009 10 and provisional truing up for FY 2010-11 as per MERC (Terms & Conditions of Tariff) Regulations, 2005.
68	Reliance Infrastructure Ltd.	Not mentioned	06.09.2011	126 of 2011	Petition of M/s Reliance Infrastructure Ltd Distribution for Truing Up for FY 2009-10 and Provisional Truing up for FY 2010-11.
69	Maharashtra Veej Grahak Sanghatna	MSEDCL	22.08.2010	127 of 2011	Petition for seeking permission for the Residential Electricity Consumer to use the electricity for the small household business as similar to the business of Doctors, Advocates, Charter Accountant etc and for that purpose Commission should make the appropriate changes in Approved Tariff Schedule
70	Akot Taluka Grahak Panchayat	MSEDCL	28.08.2011	128 of 2011	Petition under Section 129 of EA. 2003 and under Regulation 22 of Supply Code and Regulation 26 of MERC (CGRF and EO ) Regulations 2006, seeking Order and practice directions for respondents in the interest of existing and new prospective electricity consumers.
71	The Akot MIDC Industrial Association	MSEDCL	03.09.2011	129 of 2011	Petition of the Akot MIDC Industrial Association under Section 42 (1) of EA. 2003 and under regulation 22, 23 and 24 of supply code 2005 seeking practice directions and removal of difficulties arising to industrial consumers who are illegally feeded from either agriculture feeder or feeder on which single phase scheme of AG-LM is implemented restricting three phase availability for 8 Hrs. only
72	Godrej Properties & Investment Limited.	MSEDCL	22.08.2011	130 of 2011	Clarification seeking the applicability of the MERC's Tariff Order dated 17.08.2009 in Case No. 116 of 2008
73	Godrej Castlemaine	MSEDCL	22.08.2011	131 of 2011	Petition of M/s Godrej Castlemaine for Clarification seeking the applicability of the MERC's Tariff Order dated 17 <sup>th</sup> August 2009
74	Suo Moto	Solapur Bioenergy . Systems Pvt Ltd., and MSEDCL	n/a	132 of 2011	Implementation of the Hon'ble Appellate Tribunal for Electricity (APTEL) Judgment dated 16 <sup>th</sup> September, 2011 in Appeal No. 197 of 2010
75	Shri. Babaso Hari Jadhav	MSEDCL	16.09.2011	133 of 2011	Complaint for compliance of the Order passed by Hon'ble CGRF Solapur Zone, dated 07 <sup>th</sup> June, 2011.
76	Sonabai Nanaso Jadhav	MSEDCL	12.09.2011	134 of 2011	Non compliance of the Order passed by Hon'ble CGRF Kolhapur Zone, dt 07 <sup>th</sup> June, 2010.
77	M/s Amravati Power Transmission Company Limited	N/A	19.09.2011	135 of 2011	Petition of M/s Amravati Power Transmission Company Limited for Approval of Business Plan for Second Control Period from FY 2010-11 to FY 2015-16.

No.	Applicant	Respondent	Date of Petition	Case No	Subject
78	M/s Sinnar Power Transmission Company Limited	N/A	19.09.2011	136 of 2011	Petition of M/s Sinnar Power Transmission Company Limited for Approval of Business Plan for Second Control Period from FY 2010-11 to FY 2015-16.
79	Maharashtra State Electricity Transmission Co Ltd	N/A	23.09.2011	137 of 2011	Petition of MSETCL for Approval of Business Plan for the period FY 2011-12 to FY 2015-16.
80	M/s Lloyds Steel Industries Ltd	MSEDCL	20.09.2011	138 of 2011	Petition in the matter of payment of interest on Regulatory Liability Charges (RLC) collected by Maharashtra State Electricity Distribution Co. Ltd.
81	Maharashtra State Electricity Distribution Co Ltd.	N/A	23.09.2011	139 of 2011	Review Petition in respect of Order dated 12 <sup>th</sup> September 2010 in Case No. 111 of 2009 for withdrawal of load factor incentive to consumers who exceed contract demand (during off-peak hours i.e 22.00 to 6.00) and pay meager penalty
82	Suo Moto	MSPGCL	N/A	140 of 2011	Implementation of the Judgment dated 4.8.2011 of the ATE, in Appeal No. 199 of 2010, filed by the Maharashtra State Power Generation Company Limited challenging the Commission's Order dated 12.09.2010 in Case No. 102 of 2009 for Truing up for FY 2008-09, APR for FY 2009-10 and ARR and tariff for FY 2010-11
83	Vidarbha Chamber of Commerce & Industry	MSEDCL	23.09.2011	141 of 2011	Petition seeking immediate appointment of Chairman at CGRF, Amravati Zone, Akola and for issuing practice directions during the vacant post of Chairman at any CGRF
84	M/s. Dodson Lindblom Hydro Power Pvt Ltd	MSEDCL	03.10.2011	142 of 2011	Petition for Clarification and Directions on the Calculation of the Capacity index for the Generating station of the Petitioner for supply of Electricity to the Respondent
85	Maharashtra State Electricity Distribution Co Ltd.	N/A	04.10.2011	143 of 2011	Petition of MSEDCL seeking Review of the decision (oral) given in Miscellaneous Application No. 4 of 2011 for interim relief in Case No. 100 of 2011
86	Vidyut Dar Vad Virodhi Sangharsh Samiti, Amravati	MSEDCL	11.10.2011	144 of 2011	Petition regarding farmers' difficulties arising due to MSEDCL's Load Shedding policy in the State, specially in Amravati Zone, and seeking 8 hours electricity in a day for the crops of Cotton & Orange within Western Vidarbha
87	Shri. Anandrao Sidu Dabane	MSEDCL	04.10.2011	145 of 2011	Non compliance of the Order passed by CGRF Kolhapur Zone, Order dated 04 <sup>th</sup> May, 2011.
88	Shri Dhan Ayurvedik Agro Agriculturals	MSEDCL	04.10.2011	146 of 2011	Non compliance of the Order passed by CGRF Kolhapur Zone, Order dated 04 <sup>th</sup> May, 2011.
89	Shri. Shailendra C. Modi	MSETCL	11.10.2011	147 of 2011	Petition for Mandatory pre-permission of the land owner at time of establishment of electricity towers in his land, as per the Order and Judgment dated 07.09.2011 in Appeal No. 83 of 2010 passed by ATE.
90	Shri Haribhau D Khapre	EE, O & M, MSEDCL, Kolhapur	11.10.2011	148 of 2011	Petition for violation of the Provisions of Electricity Act, 2003 and Regulations of MERC (Electricity Supply Code and Other Conditions of Supply) Regulations, 2005 at the time of granting of new electricity connections by Maharashtra State Electricity Distribution Co Ltd
91	Ixora Constructions Pvt Ltd	N/A	12.10.2011	149 of 2011	Petition of M/s Ixora Constructions (P) Ltd seeking approval of procurement of power for medium term from FY 2014 to FY 2018.



No.	Applicant	Respondent	Date of Petition	Case No	Subject
92	BEST Undertaking	N/A	19.10.2011	150 of 2011	Petition for Annual Revenue Requirement and determination of Tariff for FY 2011-2012 of BEST Undertaking under MERC (Terms and Conditions of Tariff) Regulations, 2005.
93	Reliance Infrastructure Ltd. (Distribution)	TPC Ltd	21.10.2011	151 of 2011	Petition of Reliance Infrastructure Ltd (Distribution) seeking relief on account of certain critical issues affecting Reliance Infrastructure Limited (Distribution) and its financial viability
94	Vel Induction Heaters & Others	Reliance Infrastructure and Tata Power Co Ltd.	23.08.2011	152 of 2011	Petition seeking legal action under section 129 (1),142 and 146 for arbitrarily levying two part tariff and wrongful categorization of Low tension consumers in the Commission's Orders.
95	Gamesa Wind Turbines Pvt Ltd.	Maharashtra Energy Development Agency (MEDA)	24.10.2011	153 of 2011	Petition for amendment of Annual Mean Wind Power Density criteria for Wind Power Projects under Wind Zone-I category
96	Shri Vijay Omkarrao Malokar, Akola	MSEB Holding Co & MSEDCL	18.10.2011	154 of 2011	Petition for initiating the legal action under Sections 142, 146 and 149 of the EA 2003 against the Managing Director and Chairman of Maharashtra State Electricity Board Holding Company (MSEBHC) for violation of various MERC's Orders, and set aside the MSEDCL's Circular No. 35 of dated 05.10.2011 and seeking electricity power supply to Farmers in day hours.
97	Shri Vinodkumar Giridharilal Mittal	MSEDCL	02.11.2011	155 of 2011	Petition to provide the Electricity to all the consumers at same unit rate without any difference in the consumers and provide the electricity at 3 Rs per unit
98	Reliance Infrastructure Ltd (Generation)	N/A	03.11.2011	156 of 2011	Petition for approval of Business Plan for the period FY 2011-12 to FY 2015- 16 for its Generation Business
99	Serene Properties Pvt Ltd.	N/A	04.11.2011	157 of 2011	Petition for taking on record the Distribution Licensee status of the Petitioner for IT & ITES SEZ at Plot No. 3 Airoli, Kalwa TTC Industrial Area, MIDC, District Thane and for issuing the Specific Condition of Distribution Licence applicable to the Petitioner
100	Reliance Infrastructure Ltd (Distribution)	N/A	16.11.2011	158 of 2011	Petition for approval of Business Plan for the period FY 2011-12 for its Distribution Business
101	Reliance Infrastructure Ltd (Transmission)	N/A	03.11.2011	159 of 2011	Petition for approval of Business Plan for the period FY 2011-12 for its Transmission Business
102	Shopping Center Association of India	MSEDCL	22.11.2011	160 of 2011	Petition for Single Point Supply to Commercial Building / Industrial Complexes for mixed load, (ii) the Order dated 3 <sup>rd</sup> October 2011 passed by the MERC pursuant to the Suo motu hearing on 5 <sup>th</sup> September, 2011, (iii) Commercial Circular No 143 issued by the Chief Engineer (Commercial), MSEDCL dated 16 <sup>th</sup> Sept 2011.
103	Wardha Power Co Ltd.	MSETCL, MSEDCL and SLDC	23.11.2011	161 of 2011	Petition against failure to grant open access under the provisions of the E A,2003 read with Regulation 3 of the MERC (Transmission open access ) Regulations,2005 Regulation 3 of MERC (Distribution open access ) Regulation,2004 and against abuse of the dominant position under the provisions of the Electricity Act 2003.

No.	Applicant	Respondent	Date of Petition	Case No	Subject
104	BEST Undertaking	N/A	22.11.2011	162 of 2011	Petition to permit the BEST to recover the FAC for the period from April, 2011 to October, 2011 incurred by BEST in excess of the 10% cap imposed by the Hon'ble Commission and allow to recover FAC levied by TPC.
105	Reliance Infrastructure Ltd.	N/A	29.11.2011	163 of 2011	Petition for determination of Annual Revenue Requirement (ARR) for FY 2011-12 of Reliance Infrastructure Limited-Generation Business under Section 61 & 62 of the Electricity Act, 2003 and Part-C of MERC (Terms and Conciliations of Tariff) Regulations 2005
106	Hindustan Antibiotics Ltd	MSEDCL and Govt of Maharashtra	18.10.2011	164 of 2011	Provide electricity at concessional rates to the Petitioner and such other consumers manufacturing bulk life saving drugs and giving advise to the Govt of Maharashtra to provide subsidy to the Petitioner.
107	Tata Power Co Ltd (Distribution)	N/A	29.11.2011	165 of 2011	Petition for approval of Business Plan for the Distribution Business of Tata Power Company Ltd for the Second Control Period (FY 2011-12 to FY 2015-16)
108	Tata Power Co Ltd (Generation)	N/A	29.11.2011	166 of 2011	Petition of M/s Tata Power Co Ltd (Generation) for approval of Business Plan for the Generation Business of Tata Power Company Ltd for the Second Control Period (FY 2011-12 to FY 2015-16)
109	Reliance Infrastructure Ltd (Transmission)	N/A	24.11.2011	167 of 2011	Petition for approval of Annual Revenue Requirement (ARR) for FY 2011-12 under Section 61 & 62 of the Electricity Act, 2003 and Part-C of MERC (Terms and Conciliations of Tariff) Regulations 2005.
110	Tata Power Co Ltd (Transmission)	N/A	29.11.2011	168 of 2011	Petition for approval of Business Plan for its Transmission Business for the Second Control Period (FY 2011-12 to FY 2015-16)
111	Maharashtra State Electricity Transmission Co Ltd.	N/A	25.11.2011	169 of 2011	Petition for Truing Up for FY 2010-11, approval of Aggregate Revenue Requirement for FY 2011-12 and FY 2012-13 and determination of Tariff for FY 2012-13.
112	Jaigad Power Transco Ltd	N/A	24.11.2011	170 of 2011	Petition for approval of true up of Annual Revenue Requirement for 2010-11 and Approval of Annual Revenue Requirement for FY 2011-12 (ARR)
113	BEST Undertaking	N/A	30.11.2011	171 of 2011	Petition for approval of Aggregate Revenue Requirement and Tariff for FY 2011-12 as per the MERC (Terms and Conditions of Tariff) Regulations, 2005
114	Maharashtra State Electricity Distribution Co Ltd.	Municipal Commissioner, Nagpur	16.11.2011	172 of 2011	Petition for Recovery of expenditure to be incurred for such shifting of poles & conversion of low tension / high tension overhead distribution network to underground from consumers situated within the geographical limits of Nagpur Municipal Corporation
115	Tata Power Renewable Energy Ltd	N/A	12.10.2011	173 of 2011	Petition seeking grant of connectivity to 500 kWp Rooftop Solar Power Plant in Tata Motors' premises in Pimpri unit to the electrical system within the premises of Tata Motors.
116	M/s Adani Power Maharashtra Ltd	N/A	29.11.2011	174 of 2011	Petition for approval of Annual Revenue Requirement for determination of tariff for FY 2011-12 for licensed Transmission Business

No.	Applicant	Respondent	Date of Petition	Case No	Subject
117	M/s Hi-Tech Carbon (A unit of Aditya Birla Nuvo Ltd.	MSEDCL, Tata Power . Co Ltd., BEST Undertaking, Reliance Infrastructure Ltd	03.11.2011	175 of 2011	Petition for determination of Tariff for supply of electricity from Industrial Waste heat recovery cogeneration Power plant of 23 MW capacity at village Lohop/Talvali, Patalganga Dist Raigad in Maharashtra to the Distribution licensee in Maharashtra and fixation of purchase obligation for electricity producer from waste heat recovery based Co-generation plants.
118	M/s Ladam Finance Ltd	MSEDCL	07.12.2011	176 of 2011	Petition against MSEDCL for non-compliance of the Electricity Ombudsman, Mumbai Order dated 04.11.2011.
119	Tata Power Co Ltd (Generation)	N/A	01.12.2011	177 of 2011	Petition for approval of Tariff for the Second Control Period from FY 2011-12 to FY 2015-16 under the MERC (MYT) Regulations, 2011 for its Generation Business
120	Tata Power Co Ltd (Transmission)	N/A	28.11.2011	178 of 2011	Petition for approval of Tariff for the Second Control Period from FY 2011-12 to FY 2015-16 under the MERC (MYT) Regulations, 2011 for its Transmission Business.
121	Tata Power Co Ltd (Distribution)	N/A	28.11.2011	179 of 2011	Petition for approval of Tariff for the Second Control Period from FY 2011-12 to FY 2015-16 under the MERC (MYT) Regulations, 2011 for its Distribution Business
122	Reliance Infrastructure Ltd (Distribution)	N/A	09.12.2011	180 of 2011	Petition for approval of Annual Revenue Requirement (ARR) and determination of Tariff & Charges for FY 2011-12
123	Maharashtra State Load Dispatch Centre	N/A	30.11.2011	181 of 2011	Petition of MSLDC for approval of Budget for the Financial Year 2012-13
124	M/s Areeb Rolling Mills Pvt Ltd.	MSEDCL	14.12.2011	182 of 2011	Petition against MSEDCL for non-compliance of the CGRF, Kalyan Zone of MSEDCL for refund of unpaid RLC and ASC amount
125	Chamber of Marathwada Industries & Agriculture.	MSEDCL	13.12.2011	183 of 2011	Petition for issuing directions to Maharashtra Electricity Distribution Company Ltd. to withdraw their commercial amount along with interest to the consumers
126	Finolex Industries Ltd, Pune	MSEDCL, MEDA	22.12.2011	1 of 2012	Interim fixation of Power Procurement Price for Purchase of Power by the Respondent No. 1 from Fossil-Fuel based Captive Co-generation Power Plant of the Petitioner located at Ratnagiri
127	Maharashtra State Power Generation Co. Ltd and Water Resources Department	N/A	06.01.2012	2 of 2012	Petition for determination of Lease Rent for Ghatghar Pumped Storage Hydro Power Station as per MERC (Terms and Conditions of Tariff) Regulations, 2005.
128	M/s Adani Power Maharashtra Limited	N/A	10.01.2012	3 of 2012	Petition for the assignment of Transmission License No. 2 of 2009, granted to Adani Power Maharashtra Limited, to the lenders by way of security in respect of its 400kV Transmission system



No.	Applicant	Respondent	Date of Petition		Case NoSubject
129	M/s Maharashtra Eastern	N/A	10.01.2012	4 of 2012	Petition for the assignment of Transmission License Grid Power Transmission Co Limited No. 1 of 2010, granted to Maharashtra Eastern Grid Power Transmission Co Limited, to the lenders by way of security in respect of its 765 kV Intra-State Transmission system.
130	Water Resources Department, GoM	MSPGCL	16.12.2012	5 of 2012	Petition of the Govt of Maharashtra, Water Resources Department as regards to review of calculations in respect of arithmetical errors noticed in the Order dated 27 <sup>th</sup> Oct 2008 for Hydro Power Station Lease Rent in Case No. 17 of 2007
131	Maharashtra State Power Generation Co Ltd.	N/A	10.12.2011	6 of 2012	Petition of Final Truing up for the FY 2010-11 and Approval of ARR & Tariff for FY 2011-12, FY 2012-13 as per MERC (Terms and Conditions of Tariff) Regulations, 2005.
132	M/s. Rochem Green Energy Pvt. Ltd	MSEDCL, Tata Power Co Ltd., BEST Undertaking, Reliance Infrastructure Ltd.	12.01.2012	7 of 2012	Petition for determination of Tariff for supply of electricity from 4.87 MW capacity Municipal Solid Waste Power Project to be set up at Aurangabad to the Distribution licensee in Maharashtra
133	Indian Wind Power Association (Maharashtra State Council)	MSEDCL	25.11.2011	8 of 2012	Petition for directing MSEDCL to issue open access approval in accordance with the MERC (Distribution Open Access) Regulations, 2005, as amended and modified, for RE from time to time.
134	Suo Moto	MSEDCL, MPECS, Jagran Manch	N/a	9 of 2012	Implementation of APTEL Order dated 16.12.2011 in Appeal No. 39 of 2011 with regards to granting of License to MSEDCL and seeking directions and guidelines on the issue of development works within the previous jurisdiction of MPECS
135	Suo Moto	N/A	N/a	10 of 2012	Draft Order in the matter of determination of Generic Tariff for Renewable Energy Technologies for FY 2012-13 within Maharashtra
136	Sou. Arunabai w/o Shivsing Pardeshi	MSETCL, International Co.Ltd	25.01.2012	11 of 2012	Petition for non-compliance of regulation while laying down transmission line and non payment of compensation for the same
137	Maharashtra State Electricity Distribution Co Ltd.	Not mentioned	07.02.2012	12 of 2012	Petition of MSEDCL for increasing the existing ceiling of 10% (of the variable component of tariff) on levy & recovery of Fuel Adjustment Charges (FAC) and Recovery of unrecovered FAC accumulated during the period April 2011 to October 2011 beyond the 10% ceiling amounting to Rs.753.71 crs.
138	Maharashtra State Electricity Distribution Co Ltd.	Not mentioned	10.02.2012	13 of 2012	Petition of MSEDCL for approval of Short Term Power Procurement for the period April 2011 to March 2012.
139	Shetkari Sanghatna, Maharashtra State.	MSEDCL	15.12.2011	14 of 2012	Petition for Action in respect of non-replacement of Failed Transformers and to set aside the MSEDCL's Circular No. 36 dated 04.11.2011 & the letter No. 33329 dated 08.11.2011

No.	Applicant	Respondent	Date of Petition		Case NoSubject
140	Water Resources Department, Govt of Maharashtra	Not mentioned	17.01.2012	15 of 2012	Petition of Water Resources Department, (GoM) for approval of completion of first Stage of Bidding Process undertaken by the Petitioner for Private Sector Participation for Development of Kodali Pumped Storage Scheme for electricity generation on Build , operate and Transfer (BOT) basis and procurement of power for long term basis, and initiation of second Stage of Bidding Process under Case-1 bidding procedure through Tariff based competitive bidding process (as per bidding guidelines, issued by the Ministry of Power , Govt of India vide notification No. 23 /11 2004/R&R (Vol II) ) dated 19.01.2005
141	M/s. Geeta Pumps Pvt. Ltd	MSEDCL	14.02.2012	16 of 2012	Petition of M/s Geeta Pumps Pvt Ltd for non compliance of the directions of the CGRF Forum, Kolhapur Zone, for refund of excess ASC Charges through future bills, in spite of the rejection of interim stay by Hon'ble High Court Mumbai in Respondent's Writ Petition No. 7873 of 2010 by the Order dated 25/07/2011
142	Maharashtra State Electricity Transmission Co Ltd	Not mentioned	13.02.2012	17 of 2012	Petition of MSETCL for review of Order dated December 29, 2011 in Case No. 102 of 2011 in the matter of Petition of MSETCL for Truing up of FY 2009-10 and approval of Annual Performance Review for FY 2010-11 under provisions of MERC (Terms and Conditions of Tariff) Regulations, 2005.
143	Tata Motors Ltd	MSEDCL	23.02.2012	18 of 2012	Petition of Tata Motors Ltd to set aside Commercial Circular No. 155 dated 23.01.2012 issued by the Maharashtra State Electricity Distribution Company Limited providing for tariff terms and conditions without the approval of the Hon'ble Commission
144	Maharashtra State Electricity Distribution Co Ltd.	Not mentioned	24.02.2012	19 of 2012	Petition for Approval of final true up for FY 2010-11, ARR for FY 2011-12 & FY 2012-13 and Tariff determination for FY 2012-13
145	Enercon (India) Ltd	MSEDCL	24.02.2012	20 of 2012	Petition of Enercon (India) Ltd for quashing Circular No 155 dated 23 .01.2012 by the Maharashtra State Electricity Distribution Company Limited purporting to provide for additional tariff terms and conditions for granting Open Access without the approval of the Hon'ble Commission
146	Maharashtra State Electricity Distribution Co Ltd.	Not mentioned	10.02.2012	21 of 2012	Petition for seeking review of the decisions, directions and order of the Hon'ble Commission in respect of the Order dated 30th December, 2011 in Case No. 100 of 2011- Petition of Maharashtra State Electricity Distribution Company Ltd., for final Truing Up for the year FY 2009-10, Provisional Truing Up and Annual Performance Review for the year FY 2010-11.
147	Poultry Breeders Welfare Association	MSEDCL	20.02.2012	22 of 2012	Petition for proper Tariff Categorization of the Hatchery Units in LT/HT Agricultural Category in order to stop improper Commercial Tariff Application by MSEDCL with reference to the Tariff philosophy of Hon'ble Commission and concerned orders of the Hon'ble High Court, Mumbai.

No.	Applicant	Respondent	Date of Petition	Case No	Subject
148	Suo Moto	-	N/A	23 of 2012	Implementation of the Judgement dated 3.01.2012 given by ATE in Appeal No. 124 of 2010 filed by MSEDCL challenging the Commission's Order dated 17.08.2009 passed in Case No. 116 of 2008.
149	MPECS	MSEDCL	06.03.2012	24 of 2012	Petition for Determination of Compensation/ charges payable pursuant to Hon'ble APTEL order and Judgment dated 16.12.2011 in Appeal No. 39 of 2011.
150	Shri Ganpat K. Farande	MSETCL	27.02.2012	25 of 2012	Petition under Section 67 of EA 2003 and Article 300A of the Constitution of India challenging the Judgment and Order dated 31.12.2011 passed by the Ld. Divisional Magistrate, Wai in Misc. Application No. 13 of 2011.
151	Sau. Dipali S. Ahir	MSEDCL	29.02.2012	26 of 2012	Petition for non compliance of order dated 26.08.2011 passed by CGRF Kolhapur.
152	Steel Authority of India Ltd.	Not mentioned	21.02.2012	27 of 2012	Application to grant exemption from purchase of Renewable Energy Certificates in respect of 6% of its consumption from applicant's power generation plant towards its fulfillment of Renewable Energy Purchase Obligation.
153	Shri Ramchandra P. Farande	MSETCL	02.03.2012	28 of 2012	Petition under Section 67 of EA 2003 and Article 300A of the Constitution of India challenging the Judgment and Order dated 30.11.2011 and 31.12.2011 passed by the Ld. Divisional Magistrate, Wai in Misc. Application No. 12 and 13 of 2011.
154	TPC-D	Not mentioned	26.03.2012	29 of 2012	Petition seeking approval to levy an additional FAC by TPC-D for nine months in FY 2012-13.



## ANNEXURE-II

## LIST OF ORDERS FOR 2011-12

Sr.No.	Case No.	Date of Application	Date of Hearing	Date of Order	In the matter of
1	78 of 2010	01.11.2010	11.02.2011	01.04.2011	Petition of M/s Reliance Infrastructure (Distribution) seeking extension / renewal of Distribution Licence for its Licence Area for 25 years.
2	102 of 2010	20.12.2010	20.12.2010	07.04.2011	Petition of Shri Ravindra Vinayak Jawlekar challenging the Notice issued by MSETCL under Indian Telegraph Act, 1885 for erection of 400 kV Koradi Wardha Line.
3	55 of 2010	08.09.2010	08.09.2010	08.04.2011	Petition of M/s Yash Agro for review of Order dated 6.5.2008 in Case 93 of 2007 and for appropriate directions to Respondent under Section 10(2) of the EA 2003 and the terms of EPA dated 25.10.2004
4	107 of 2009	-	22.10.2010	13.04.2011	Petition of Maharashtra State Power Generation Co Ltd. (MSPGCL) for approval of Truing up of 2007-08 and 2008-09 for Parli Unit No.6 and truing up of Paras Unit-3 APR for 2009-10 and determination of tariff for 2010-11 for Parli Unit 6 and Paras Unit-3
5	11 of 2011	24.11.2010	29.03.2011	Interim Order 15.04.2011	Petition of M/s Wardha Power Co Ltd seeking adoption of tariff and approval of PPA dated 4.6.2010 for 260 MW with M/s Reliance Infrastructure Ltd.
6	42 of 2011	29.03.2011	29.03.2011	do	Petition of M/s Abhijeet MADC Nagpur Energy Pvt Ltd seeking for adoption of tariff and approval of PPA dated 4.8.2010 for 55 MW with M/s Reliance Infrastructure Ltd
7	39 of 2011	Suo Motu	15.04.2011	29.04.2011	Suo Motu Order for determination of Generic Tariff for the second year of the first Control Period under Regulation 8 of the MERC (Terms & conditions for determination of Renewable Energy Tariff) Regulations, 2010
8	35 of 2011	19.06.2011	04.01.2010	04.05.2011	Application of M/s NTS Power for grant of Trading Licence in accordance with the MERC (Trading License Conditions) Regulations, 2004
9	43 of 2011	24.03.2011	20.04.2011	05.05.2011	Petition of BEST for deferment of the implementation of the MERC (Multi Year Tariff) Regulations, 2011
10	81 of 2010	28.10.2010	08.10.2010, 04.03.2011, 10.03.2011, 30.03.2011, 07.04.2011	09.05.2011	Petition of Maharashtra Rajya Veej Grahak Sanghatana for initiating penal 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.
11	79 of 2010	01.11.2010	03.12.2010, 11.02.2011	09.05.2011	Petition of M/s Reliance Infrastructure Ltd and M/s Reliance Power Transmission Ltd seeking extension / renewal of Transmission Licence under the provisions of the Electricity Act, 2003
12	20 of 2011	02.02.2011	18.03.2011	09.05.2011	Petition of M/s Tata Power Co Ltd seeking approval of the proposed quantum of power for Medium Term Power Procurement through Competitive Bidding Process under Case -1 Bidding and Bidding documents in accordance with Section 63 of the electricity Act, 2003 and Competitive Bidding Guidelines.
13	17 of 2011	08.02.2011	17.02.2011, 17.03.2011, 25.04.2011	16.05.2011	Petition of M/s Reliance Infrastructure Ltd seeking review of Order dated 27.1.2011 passed by the Commission in Case 53 of 2010
14	13 of 2011	27.01.2011	17.02.2011, 17.03.2011, 30.03.2011, 25.04.2011	16.05.2011	Petition of M/s Reliance Infrastructure Ltd seeking adoption of tariff under Section 63 of the Electricity Act, 2003 in respect of Power Purchase Agreement entered into between Reliance Infrastructure Ltd and Chitrangi Power Pvt Ltd.

Sr.No.	Case No.	Date of Application	Date of Hearing	Date of Order	In the matter of
15	23 of 2011	25.02.2011	18.03.2011, 30.03.2011	19.05.2011	Petition of Maharashtra State Electricity Distribution Co Ltd for adoption of Tariff and approval of reduction in requisitioned capacity to 1000 MW for Medium Term Power Procurement under Case-I Bidding.
16	56 of 2010	20.09.2010	21.10.2010, 26.11.2010	19.05.2011	Petition of Maharashtra State Electricity Distribution co Ltd for approval of Power Purchase Agreement with M/s Adani Power Maharashtra Ltd for 125 MW Long Term Power Procurement and adoption of tariff
17	13 of 2010	Suo Motu	28.06.2010, 03.07.2010	19.05.2011	Supply of electricity from the generation stations of the Tata Power Co Ltd to Reliance Infrastructure Ltd for distribution to its consumers.
18	99 of 2010	14.12.2010	12.01.2011, 20.04.2011,	25.05.2011	Petition of M/s JSW Energy Ltd seeking adjudication of dispute with MSEDCL arising from a Power Purchase Agreement dated 23.02.2010
19	89 of 2010	24.11.2010	20.01.2011, 09.03.2011	25.05.2011	Petition of M/s Kay Power and Paper Ltd for grant of Interim Unit Rate for Bagasse Based Co-generation Projects.
20	97 of 2010	01.12.2010	11.04.2011	25.05.2011	Petition of M/s Jaigad Power Transco Ltd for approval of Aggregate Revenue Requirement for FY 2010-11
21	3 of 2011	27.12.2010	11.02.2011	25.05.2011	Petition of M/s DLI Power (India) Pvt Ltd seeking clarification from Sua Motu Order dated 14.7.2010 regarding determination of Generic Tariff under Regulation 8 of the MERC (Terms and Conditions for Determination of Renewable Energy Tariff) Regulations, 2010
22	64 of 2010	08.10.2010	20.12.2010, 20.04.2011	26.05.2011	Petition of M/s JSW Energy (Ratnagiri) Ltd for adjudication of disputes with MSEDCL
23	41 of 2011	17.03.2011	17.05.2011	30.05.2011	Complaint filed by Shri Ankush Sitaram Gayakwad under Section 142 of the EA, 2003 and Regulation 22 of the MERC (CGRF&EO) Regulations, 2006 against MSEDCL alleging non-compliance of the Order dated 28.10.2010 passed by the CGRF Kolhapur, Zone.
24	23 of 2010	Suo Motu	16.07.2010, 06.08.2010, 16.08.2010	30.05.2011	Suo Motu proceedings for action to be initiated against MSEDCL for non adherence of Load Shedding Protocol approved by the Commission.
25	12 of 2011	28.01.2011	17.02.2011, 17.03.2011, 30.03.2011,	31.05.2011	Petition of M/s Reliance Infrastructure Ltd. For adoption of tariff determined through transparent process of bidding under Section 63 of the EA 2003 in respect of PPA entered between Reliance Infrastructure Ltd and Vidarbha Industries Power Ltd respectively.
26	11 of 2011	24.01.2011	17.02.2011, 17.03.2011, 30.03.2011, 08.04.2011, 13.04.2011, 16.05.2011	31.05.2011	Petition of M/s Wardha Power Co Ltd seeking adoption of tariff and approval of PPA dated 4.6.2010 for 260 MW with M/s Reliance Infrastructure Ltd for medium term and dispute between a generation company and distribution licensee as a result of the deliberate and willful failure of the Distribution Licensee to seek statutory adoption of tariff and approval of PPA within a reasonable time frame so as to enable supply of power from 1.4.2011 in terms of PPA dated 4.6.2010
27	42 of 2011	29.03.2011	30.03.2011, 08.04.2011	31.05.2011	Petition of M/s Abhijeet MADC Nagpur Energy Pvt Ltd seeking for adoption of tariff and approval of PPA dated 4.8.2010 for 55 MW with M/s Reliance Infrastructure Ltd
28	29 of 2010	09.06.2010	24.02.2011	01.06.2011	Petition of Wardha Power Co Ltd for quashing of letter dated March 30, 2010 issued by the Maharashtra State Transmission Co Ltd demanding transmission charges.
29	31 of 2011	03.03.2011	25.04.2011, 30.5.2011	02.06.2011	Petition filed by M/s. R. L. Steels and Energy Ltd seeking action against MSEDCL for non-compliance of the Commission's direction regarding levy of Voltage Surcharge in its Order dated 09.11.2010 in Case No.52 of 2010

Sr.No.	Case No.	Date of Application	Date of Hearing	Date of Order	In the matter of
30	77 of 2010	24.10.2010	13.12.2010	28.06.2011	Complaint filed by Shri Sanjay Bhagwan Gondhali against MSEDCCL u/s 142 of the EA 2003 alleging non-compliance of the Order dated 11.3.210 passed by the CGRF Kolhapur Zone in the matter of delay in providing services to the consumer.
31	106 of 2010	23.10.2010	31.01.2011, 9.3.2011, 4.5.2011, 10.6.2011	28.06.2011	Complaint filed by M/s Shyam Oil Mills, against MSEDCCL u/s 142 and 149 of the EA 2003 alleging non-compliance of Order dated 13.10.2010 passed by CGRF, Amravati Zone, Akola in the matter of seeking refund of infrastructure cost and excessive charges.
32	107 of 2010	23.12.2010	1.02.2011, 9.3.2011, 4.5.2011, 10.6.2011	29.06.2011	Complaint filed by Shri Deepak Shankarlal Agrawal against MSEDCCL u/s 142 of EA 2003 alleging non-compliance of Order dated 13.10.2010 passed by the CGRF Amravati Zone in the matter of seeking refund of infrastructure and excessive charges
33	108 of 2010	23.12.2010	31.01.2011, 9.3.2011, 4.5.2011, 10.6.2011	29.06.2011	Complaint filed by M/s Shivam Oil Industries against MSEDCCL u/s 149 of EA 2003 alleging non-compliance of Order dated 12.10.2010 passed by the CGRF Amravati Zone in the matter of seeking refund of infrastructure and excessive charges.
34	79 of 2011	02.06.2011	23.06.2011	30.06.2011	Petition of Maharashtra State Power Generation Co Ltd for applicability extension and request for continuation of billing to MSEDCCL in the FY 2011 12 for energy sale from Parli Unit No.6 and Paras Unit No.3 of MSPGCL in respect of the Order dated 13.4.2011 in Case No. 107 of 2009
35	81 of 2011	30.05.2011	29.06.2011	30.06.2011	Petition of Maharashtra State Power Generation Co Ltd seeking review of Order dated 13.4.2011 in Case 107 of 2009 in the matter of approval of truing up for FY 2007-08 and FY 2008-09 for Parli Unit No.6 and Truing up of Paras Unit No.3, APR for FY 2009-10, and tariff for FY 2010-11 for Parli Unit No.6 and Paras Unit No.3
36	58 of 2011	09.02.2011	16.05.2011, 10.06.2011	30.06.2011	Petition of M/s The Bombay Dyeing and Mfg Co Ltd. Seeking review of the Order dated 23.12.2010 in Case No. 114 of 2009.
37	84 of 2011	14.06.2011	28.06.2011	01.07.2011	Petition of Reliance Infrastructure Ltd for adoption of tariff determined through transparent process of bidding u/s 63 of the EA 2003 in respect of PPA entered into between Reliance Infrastructure Ltd on the one hand and Abhijeet MADC Nagpur Energy Pvt Ltd.
38	85 of 2011	14.06.2011	28.06.2011	01.07.2011	Petition of Reliance Infrastructure Ltd for adoption of tariff determined through transparent process of bidding u/s 63 of the EA 2003 in respect of PPA entered into between Reliance Infrastructure Ltd on the one hand and Wardha Power Co Ltd.
39	73 of 2011	17.05.2011	14.06.2011	01.07.2011	Petition of The Tata Power Co Ltd for approval of Additional / Revised Norms in MERC MYT Regulations, 2011
40	66 of 2011	02.05.2011	09.05.2011	06.07.2011	Petition of Maharashtra State Electricity Distribution Co Ltd seeking approval for Energy Purchase Agreement between MSEDCCL and NTPC for purchase of wind energy as per CERC Order dated 9.11.2010 and CERC (Terms & Conditions for Tariff Determination from Renewable Energy Sources) Regulations, 2009
41	37 of 2011	03.03.2011	05.05.2011, 10.06.2011, 13.07.2011	20.07.2011	Petition of M/s Abhijeet MADC Nagpur Energy Pvt Ltd seeking clarification of the Order dated 12.9.2010 in Case NO. 111 of 2009 in respect of MSEDCCL's APR for FY 2009-10, True Up for FY 2008-09, and ARR & Tariff determination for FY 2010-11 regarding applicability of Tariff Category for Start Up Power connection of Power Plant.



Sr.No.	Case No.	Date of Application	Date of Hearing	Date of Order	In the matter of
42	88 of 2010	24.11.2010	31.01.2011, 25.02.2011, 18.03.2011	20.07.2011	Petition of MSEDCL for approval of deviations taken in Request for Proposal and PPA from Standard Bidding Documents issued by MoP for procurement of 600 MW (+ (-) 10% base load power on long term basis through tariff based Competitive Bidding Process (Case-1).
43	72 of 2011	Suo Motu	10.06.2011, 26.06.2011, 08.07.2011	26.07.2011	Suo Motu proceedings on implementation of Hon'ble Appellate Tribunal for Electricity's Judgment dated 27.4.2011 in Appeal No 191 of 2009
44	74 of 2011	Suo Motu	10.06.2011, 26.06.2011 08.07.2011	26.07.2011	Suo Motu proceedings on implementation of Hon'ble Appellate Tribunal for Electricity's Judgment dated 27.4.2011 in Appeal No 72 of 2010.
45	75 of 2011	Suo Motu	10.06.2011, 26.06.2011, 08.07.2011	26.07.2011	Suo Motu proceedings on implementation of Hon'ble Appellate Tribunal for Electricity's Judgment dated 24.05.2011 in Appeal No 99 of 2010.
46	86 of 2011	07.06.2011	11.07.2011	26.07.2011	Petition of Maharashtra State Electricity Transmission Co Ltd for approval of ARR for 2011-12, APR for FY 2010-11 and Truing Up for FY 2009-10
47	72 of 2010	11.10.2010	02.04.2011	29.07.2011	Petition of Reliance Infrastructure Ltd (Distribution Business) for Truing for FY 2008-09, APR for FY 2009-10 and Tariff Determination for FY 2010-11
48	65 of 2011	25.04.2011	09.07.2011	11.08.2011	Application of M/s Reliance Infrastructure Ltd for grant of Distribution Licence in and around Suburbs of Mumbai inclusive of area covered under Chene and Versova which are contiguous with Applicant's existing area of licence.
49	5 of 2011	17.01.2011	02.08.2011	11.08.2011	Application of M/s Indiabulls Power Ltd for grant of Distribution Licence in the area of supply served by Rinfra-D in the suburbs of Mumbai.
50	6 of 2011	17.01.2011	02.08.2011	11.08.2011	Application of Maharashtra State Electricity Distribution Co Ltd for grant of Distribution Licence in the area of supply served by Rinfra-D in the suburbs of Mumbai.
51	7 of 2011	17.01.2011	02.08.2011	11.08.2011	Application of M/s Torrent power Ltd for grant of Distribution Licence in the South Zone of Rinfra-D area.
52	8 of 2011	17.01.2011	02.08.2011	11.08.2011	Application of M/s Lanco Infratech Ltd for grant of Distribution Licence in the area of supply served by Rinfra-D in the suburbs of Mumbai.
53	70 of 2011	13.05.2011	27.07.2011	11.08.2011	Application of Reliance Infrastructure Ltd for grant of Transmission Licence under the provisions of Section 14 read with Section 15 of the Electricity Act, 2003
54	40 of 2011	10.02.2011	15.04.2011, 16.05.2011, 23.06.2011, 23.07.2011	16.08.2011	Complaint filed by Shri Damji Samji Patel against MSEDCL under Section 142, 146 and 149 of the EA, 2003 alleging non-compliance of the Order dated 6.12.2010 passed by the CGRF Amravati Zone in regard to infrastructure cost of switching over supply from Agricultural Feeder to Gaonthan Feeder
55	44 of 2011	31.03.2011	10.05.2011, 28.06.2011, 26.07.2011	23.08.2011	Petition of Maharashtra State Power Generation Co Ltd for deferment of implementation of MYT Regulations, 2011
56	94 of 2011	06.07.2011	20.07.2011	23.08.2011	Petition of M/s R.L. Steel & Energy Ltd for non-compliance of Order passed by the Commission dated 2.6.2011 in Case No. 31 of 2011
57	95 of 2011	01.07.2011	20.07.2011	23.08.2011	Petition of Maharashtra State Electricity Distribution Co Ltd seeking stay of Order dated 2nd June, 2011 in Case No. 31 of 2011

Sr.No.	Case No.	Date of Application	Date of Hearing	Date of Order	In the matter of
58	24 of 2011	22.02.2011	31.03.2011, 09.05.2011, 13.06.2011	23.08.2011	Petition of Maharashtra State Electricity Distribution Co Ltd for deferment of implementation of MYT Regulations, 2011
59	65 of 2010	28.09.2010	19.11.2010, 03.03.2011, 23.06.2011, 11.07.2011	25.08.2011	Petition of Maharashtra State Electricity Distribution Co Ltd under Regulation 27 of the MERC (CGRF&EO) Regulations, 2011 for relaxation from constitution of Consumer Grievance Redressal Forums at the newly created three Zones at Jalgaon, Nanded and Baramati.
60	4 of 2011	14.01.2011	10.02.2011	26.08.2011	Petition of The Tata Power Company Ltd seeking clarifications with respect to EoI for distribution of electricity in the Rinfra area of supply.
61	45 of 2011	25.03.2011	04.05.2011	02.09.2011	Petition of Reliance Infrastructure Ltd for deferment of the implementation of the MERC (Multi Year Tariff) Regulations, 2011
62	61 of 2010	08.09.2010	12.05.2011, 28.07.2011	02.09.2011	Application of M/s Knowledge Infrastructure Systems Pvt Ltd for grant of Trading Licence in accordance with the MERC (Trading License Conditions) Regulations, 2004.
63	77 of 2011	01.06.2011	27.06.2011, 25.07.2011, 11.08.2011	02.09.2011	Petition of The Tata Power Co Ltd seeking direction upon MSETCL to grant connectivity to 60.48 kWp Rooftop Solar Power Project at Tata Power's Carnac Receiving Station.
64	87 of 2011	18.03.2011	13.07.2011	02.09.2011	Complaint filed by M/s Accurate Plastics Company against MSEDCL under Section 142 and 146 of the EA, 2003 alleging non-compliance of the Order dated 29.09.2010 passed by the CGRF Kalyan Zone in the matter of refund of Security Deposit / Additional Security Deposit / Regulatory Liability Charges.
65	88 of 2011	18.03.2011	13.07.2011	02.09.2011	Complaint filed by M/s Kipril Products &Packagings Pvt Ltd. Against MSEDCL under Section 142 and 146 of the EA 2003 alleging part non compliance of the Order dated 13.10.2010, passed by the CGRF, Kalyan Zone in the matter of refund of Additional Security Deposit (ASD)
66	89 of 2011	20.04.2011	11.07.2011	02.09.2011	Complaint filed by Shri Santu Sambhaji Khandekar against MSEDCL under Section 142 of the EA, 2003 alleging non-compliance of the Order dated 31.12.2010 passed by the CGRF, Kolhapur Zone in the matter of delay in providing electricity connection.
67	98 of 2011	06.07.2011	04.08.2011	02.09.2011	Petition of Maharashtra State Electricity Distribution Co Ltd seeking review of the Commission's Suo motu Order dated 30.05.2011 in Case No. 23 of 2010.
68	43 of 2010	25.08.2010	12.10.2010, 31.05.2011, 06.07.2011, 08.07.2011, 26.07.2011	09.09.2011	Petition of Maharashtra State Electricity Distribution Co Ltd regarding Cross Subsidy Surcharge and Standby Charges for Open Access consumers, and de-novo re-determination of Cross Subsidy Surcharge and issues related to Open Access.
69	92 of 2011	29.06.2011	27.07.2011	09.09.2011	Petition of BEST Undertaking for review of Order dated 5.5.2011 in Case No. 43 of 2011 regarding deferment of implementation of the MERC (Multi Year Tariff) Regulations, 2011.
70	93 of 2011	05.07.2011	27.07.2011	14.09.2011	Complaint filed by Shri Vithoba Moglappa Pogul against MSEDCL under Section 142 of the EA 2003 alleging non-compliance of the Order dated 14.12.2010 passed by the CGRF, Kolhapur Zone.
71	116 of 2011	10.08.2011	25.08.2011,	14.09.2011	Petition of Maharashtra State Power Generation Co Ltd seeking review of direction given during the hearing held on 21st July, 2011 on a Petition for Project Cost Determination and tariff Determination in respect of Parli Unit No.7 and Paras Unit No.4

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72	83 of 2011	30.05.2011	13.07.2011	19.09.2011	Petition of Shri Indradev Ramnaresh Mishra under Section 67 of the EA, 2003 seeking directions upon MSETCL in regard to erection of Tower.
73	68 of 2011	01.04.2011	18.05.2011, 20.05.2011, 28.06.2011, 21.07.2011	21.09.2011	Petition of Maharashtra State Power Generation Co Ltd in regard to Annual Performance Review for the year 2010-11 and determination of Tariff and Approval of Annual Revenue Requirement for the year 2011-12.
74	29 of 2011	01.03.2011	30.03.2011, 16.05.2011, 04.08.2011, 17.08.2011	23.09.2011	Petition of Reliance Infrastructure Ltd for "In Principle" approval for Medium Term Power Procurement under Section 86(1)(b) of the Electricity Act, 2003.
75	108 of 2011	Suo Motu	05.09.2011	03.10.2011	Suo Motu Order regarding implementation of the Judgment dated 11th July, 2011 rendered by the Hon'ble Appellate Tribunal in Appeal Nos. 156 of 2010 and 155 of 2010.
76	110 of 2011	28.07.2011	06.09.2011	20.10.2011	Petition of Shri N. Ponrathnam seeking legal action under Section 129(1), 142 and 146 of the Electricity Act, 2003 for arbitrary levy of two-part tariff and wrongful categorisation of low tension consumer in the Commission's Orders.
77	32 of 2011	03.03.2011	11.04.2011	20.10.2011	Petition of Maharashtra State Electricity Distribution Co Ltd for review of Order dated 30th November, 2009 in Case 31 of 2009
78	25 of 2011	14.01.2011	18.08.2011	20.10.2011	Complaint filed by M/s Kaygaon Paper Mills Ltd against MSEDCL under section 142 read with Section 62(6) of the Electricity Act, 2003 alleging non compliance of the CGRF Aurangabad Order dated 30.09.2010 in the matter of refund of infrastructure costs.
79	41 of 2010	18.08.2010	05.10.2010, 02.12.2010	20.10.2011	Petition filed by M/s Navlakha Translines under Section 42(3) 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 in the matter of adjudication of dispute regarding provisions of non-discriminatory Open Access.
80	76 of 2010	01.11.2010	16.12.2010, 05.01.2011, 11.07.2011	20.10.2011	Petition of Maharashtra State Electricity Distribution Co Ltd for continuation of Zero Load Shedding in the Headquarters of Revenue Division of MSEDCL Licence Area.
81	93 of 2010	02.12.2010	05.01.2011, 11.04.2011	20.10.2011	Petition of Maharashtra State Electricity Distribution Co Ltd for withdrawal of load shedding of Divisions A, B, C, D Groups of other Region area
82	117 of 2011	16.08.2011	19.09.2011	20.10.2011	Petition of M/s Borax Morarji Ltd seeking clarification of Order dated 24.11.2003 in Case Nos. 17(3), 3, 4, 5 of 2002 passed by the Commission
83	118 of 2011	16.08.2011	19.09.2011	20.10.2011	Petition of M/s Superfine Photo Co Pvt Ltd seeking clarification of Order dated 24.11.2003 in Case Nos. 17(3), 3, 4, 5 of 2002 passed by the Commission
84	Misc. Appl. 4 of 2011	05.09.2011	28.09.2011	31.10.2011	Miscellaneous Application filed by MSEDCL in Case No. 100 of 2011 seeking interim relief.
85	143 of 2011	04.10.2011	14.10.2011	31.10.2011	Petition of MSEDCL seeking review of Oral Directions in Miscellaneous Application No. 4 of 2011
86	113 of 2011	08.08.2011	16.09.2011	31.10.2011	Complaint filed by M/s Gimatex Industries Pvt Ltd, Wani, Dist Wardha against MSEDCL under Sections 142 and 146 of the EA, 2003 alleging non compliance of the Order dated 6.10.2010 passed by the Ombudsman.

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87	114 of 2011	08.08.2011	16.09.2011	31.10.2011	Complaint filed by M/s Gimatex Industries Pvt Ltd, Hinganghat, Dist Wardha against MSEDCL under Sections 142 and 146 of the EA, 2003 alleging non compliance of the Order dated 6.10.2010 passed by the Ombudsman.
88	76 of 2011	01.06.2011	23.06.2011, 13.07.2011, 12.08.2011, 26.08.2011, 23.09.2011	31.10.2011	Petition of Tata Power Company Ltd for approval of a Power Purchase Agreement between its Generation Division and TPC's Distribution Division.
89	62 of 2011	25.03.2011	05.05.2011	03.11.2011	Petition of Maharashtra State Electricity Transmission Co Ltd. Seeking exemption under the first proviso to Regulation 4.1 of MERC (Multi Year Tariff) Regulations, 2011 and certain amendments thereto.
90	123 of 2011	23.08.2011	03.10.2011	04.11.2011	Complaint filed by Shri Ashok Susuruddin Nadaf against MSEDCL under Section 142 of the EA, 2003 alleging non-compliance of the Order dated 20.04.2011 of CGRF, Kolhapur.
91	54 of 2011	18.03.2011	02.11.2011	04.11.2011	Petition of M/s JSW Green Energy Ltd seeking tariff approval of Solar Rooftop Photo voltaic Project under Sections 61, 62, 86 and 181 of the EA, 2003 and Regulation 7 of the MERC (Terms & Conditions for determination of RE Tariff) Regulations, 2010 for the Petitioner as the Generating Utility.
92	47 of 2011	18.03.2011	11.05.2011, 22.06.2011, 08.07.2011	08.11.2011	Complaint filed by M/s D.D. Polyplast Pvt Ltd against MSEDCL under Sections 142 and 146 of the EA, 2003 for non-compliance of the CGRF Order dated 08.09.2010
93	51 of 2011	25.03.2011	11.05.2011, 22.06.2011, 08.07.2011	08.11.2011	Complaint filed by M/s Veetek Plastics against MSEDCL under Sections 142 and 146 of the EA, 2003 for non-compliance of the CGRF Order dated 02.12.2010
94	9 of 2011	05.01.2011	15.12.2011, 20.04.2011, 12.05.2011, 27.06.2011, 20.07.2011	16.11.2011	Petition of M/s JSW Energy Ltd for adjudication of dispute between JSW Energy Ltd and Maharashtra State Electricity Distribution Co Ltd.
95	38 of 2011	14.03.2011	12.05.2011	16.11.2011	Complaint filed by M/s Vivek Polymer India under Section 142 and 146 of the EA, 2003 against MSEDCL for non-compliance of CGRF Order dated 17.02.2011 by MSEDCL
96	147 of 2011	11.10.2011	09.11.2011	22.11.2011	Petition of Shri Shailendra C Modi under Section 67 of the EA 2003, against Maharashtra State Electricity Transmission Co Ltd for obtaining mandatory permission of the land owner at the time of erection of 220 kV Mhaisal-Jath Line.
97	111 of 2011	13.07.2011	06.09.2011, 03.10.2011, 24.10.2011	23.11.2011	Petition of M/s Shree Renuka Sugars Ltd seeking reimbursement of expenses from MSEDCL / MSETCL incurred towards creation of evacuation infrastructure for its Bagasse based co-generation project of 30 MW capacity in the State of Maharashtra on BOT basis.
98	28 of 2011	11.02.2011	06.04.2011, 11.07.2011, 11.08.2011, 02.09.2011, 15.09.2011, 09.11.2011	30.11.2011	Petition of Maharashtra State Electricity Distribution Co Ltd against Mula Pravara Electric Co-operative Society Ltd for non-compliance of the Order dated 27.01.2011 passed by the Commission in Case Nos. 85 of 2010 and 87 of 2010



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99	34 of 2010	20.07.2010	13.09.2010, 12.10.2010, 13.12.2010, 28.01.2011, 09.03.2011, 13.04.2011, 23.08.2011	30.11.2011	Petition filed by M/s Jain Irrigation Systems Ltd under Regulations 24, 85(a), 92 and 95 of the MERC (Conduct of Business) Regulations, 2004 seeking review of the Commission's Order dated 17th August 2009 passed in Case No. 116 of 2008
100	46 of 2011	24.03.2011	11.05.2011, 26.06.2011, 08.07.2011, 23.08.2011	30.11.2011	Complaint filed by M/s Allied Plast against MSEDCL under Sections 142 and 146 of the Electricity Act, 2003 for non-compliance of the CGRF, Kalyan Zone Order dated 9.12.2010
101	48 of 2011	22.03.2011	11.05.2011, 26.06.2011, 08.07.2011, 23.08.2011	30.11.2011	Complaint filed by M/s Ashirwad Plastics against MSEDCL under Sections 142 and 146 of the Electricity Act, 2003 for non-compliance of the CGRF, Kalyan Zone Order dated 27.09.2010
102	49 of 2011	30.03.2011	11.05.2011, 26.06.2011, 08.07.2011, 23.08.2011	30.11.2011	Complaint filed by M/s Mahendra Industrial Mfg Co against MSEDCL under Sections 142 and 146 of the Electricity Act, 2003 for non-compliance of the CGRF, Kalyan Zone Order dated 15.12.2010
103	99 of 2011	11.07.2011	03.08.2011, 03.11.2011	30.11.2011	Complaint filed by Shri Sanjay Ankush Nikam against MSEDCL for non-compliance of CGRF, Kolhapur Zone, Order dated 29.10.2010
104	71 of 2011	16.05.2011	28.07.2011, 12.08.2011, 25.08.2011, 19.09.2011, 11.11.2011	30.11.2011	Petition of Maharashtra State Power Generation Co Ltd for review of an Order dated 30th March 2011 (In Case No. 103 of 2010) in the matter of approval of the Addendum to the Power Purchase Agreement dated 1.4.2009 between MSPGCL and MSEDCL.
105	150 of 2011	19.10.2011	08.11.2011	30.11.2011	Petition of BEST Undertaking seeking permission for filing Annual Revenue Requirement and determination of Tariff for FY 2011-12 under the MERC (Terms & Conditions of Tariff) Regulations, 2005
106	50 of 2011	25.03.2011	11.05.2011, 22.06.2011, 08.07.2011, 23.08.2011	01.12.2011	Complaint filed by M/s Simplex Plast against MSEDCL under Sections 142 and 146 of the Electricity Act, 2003 for non-compliance of the CGRF Order dated 9.12.2010
107	52 of 2011	30.03.2011	11.05.2011, 22.06.2011, 08.07.2011, 23.08.2011	01.12.2011	Complaint filed by M/s Bhakti Industries against MSEDCL under Sections 142 and 146 of the Electricity Act, 2003 alleging non-compliance of CGRF Kalyan Order dated 15th December, 2010.
108	53 of 2011	30.03.2011	11.05.2011, 22.06.2011, 08.07.2011, 23.08.2011	01.12.2011	Complaint filed by M/s Vijay Plastics against MSEDCL under Sections 142 and 146 of the Electricity Act, 2003 for non-compliance of the CGRF Kalyan Order dated 24th December, 2010.
109	55 of 2011	22.03.2011	11.05.2011, 22.06.2011, 08.07.2011, 23.08.2011	01.12.2011	Complaint filed by M/s Sai Metal Treat against MSEDCL under Sections 142 and 146 of the electricity Act, 2003 for non-compliance of the CGRF Order dated 27th September, 2010
110	57 of 2011	18.03.2011	09.05.2011, 19.05.2011, 17.06.2011, 20.07.2011, 18.08.2011	01.12.2011	Petition of Reliance Infrastructure Ltd seeking clarification on various issues related to MERC (Renewable Purchase Obligations, its compliance and implementation of REC framework) Regulations, 2010

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111	61 of 2011	26.04.2011	11.05.2011, 22.06.2011, 08.07.2011, 23.08.2011	01.12.2011	Compliant filed by M/s Raj Laboratories against MSEDCL under Sections 142 and 146 of the Electricity Act, 2003 for non-compliance of the CGRF Order dated 3rd January, 2011
112	63 of 2011	26.04.2011	11.05.2011, 22.06.2011, 08.07.2011, 23.08.2011	01.12.2011	Complaint filed by M/s MEC Engineers against MSEDCL under Sections 142 and 146 of the Electricity Act, 2003 for non-compliance of the CGRF Order dated 3rd January, 2011
113	67 of 2011	28.04.2011	19.05.2011, 08.06.2011, 27.06.2011, 20.07.2011, 12.08.2011, 07.09.2011	01.12.2011	Petition of M/s JSW Energy Ltd under Section 86(1)(f) of the Electricity Act, 2003 regarding levy of Clean Energy Cess and Counter Veiling Duty on import of coal as notified by the Ministry of Finance affecting its Power Purchase Agreement with MSEDCL.
114	27 of 2011	11.03.2011	11.04.2011, 17.08.2011, 15.09.2011, 29.09.2011	08.12.2011	Petition of M/s Indo Rama Synthetics (India) Ltd for penalising MSEDCL for contravening the provisions of MERC (Standard of Performance of Distribution Licensees, Period for giving supply and determination of compensation) Regulations, 2005 for not sanctioning standby demand and for violating the Commission's Order dated in Case No. 83 of 2010 by not sanctioning Open Access for purchase of power through Power Exchange.
115	36 of 2011	20.4.2011	01.08.2011, 17.08.2011, 19.09.2011	08.12.2011	Petition of M/s Ispat Industries Ltd for clarification of the Commission's Order dated 1st March, 2011 in Case No. 44 of 2010.
116	130 of 2011	26.08.2011	02.11.2011	15.12.2011	Petition of M/s Godrej Properties and Investment Ltd under Section 86 and 94 of the EA, 2003 seeking clarification of the Tariff Order dated 17.8.2009 in Case No. 116 of 2008
117	131 of 2011	26.08.2011	02.11.2011	15.12.2011	Petition of M/s Godrej Castlemaine under Section 86 and 94 of the EA, 2003 seeking clarification of the Tariff Order dated 17.8.2009 in Case No. 116 of 2008
118	103 of 2011	25.07.2011	02.09.2011, 03.10.2011, 17.11.2011	15.12.2011	Petition of Maharashtra State Power Generation Co Ltd for seeking review if the methodology of FAC calculation for MSPGCL's stations in line with Section 62(4) of the EA, 2003
119	80 of 2011	02.06.2011	17.11.2011	15.12.2011	Petition of M/s 21st Century Infrastructure (India) Pvt Ltd for grant of Trading Licence in accordance with the MERC (Trading Licence Conditions) Regulations, 2004.
120	69 of 2011	31.03.2011	30.05.2011, 21.07.2011, 25.08.2011, 30.09.2011	22.12.2011	Petition of Maharashtra State Power Generation Co Ltd for determination of final Tariff and approval of Aggregate Revenue Requirement for F 2010-11 for Paras Unit No. 4 and Parli Unit No. 7
121	82 of 2010	07.10.2010	08.12.2010, 11.08.2011, 06.09.2011	29.12.2011	Complaint filed by Shri Ram Ramprasad Rathi, proprietor, Red Brick Company against MSEDCL u/s 43, 142 and 149 of the EA, 2003 alleging non compliance of an Order dated 10.08.2010 passed by CGRF, Amravati Zone in regard to the release of supply and the refund of the infrastructure cost.
122	102 of 2011	21.07.2011	-	29.12.2011	Petition of Maharashtra State Transmission Co Ltd for truing up of FY 2009 10 and approval of Annual Performance Review for FY2010-11
123	56 of 2011	24.03.2010	20.05.2011, 14.06.2011, 29.07.2011, 26.08.2011	29.12.2011	Petition of M/s Lloyds Metals & Energy Ltd for determination of tariff for supply of electricity from industrial waste heat recovery co-generation power plant of capacity of 30 MW at Ghugus, district Chandrapur to the Distribution Licensee in Maharashtra and fixation of purchase obligation for electricity produced from waste heat recovery based co-generation plants.

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124	127 of 2011	26.08.2011	03.10.2011, 11.11.2011	30.12.2011	Petition of Maharashtra Veej Grahak Sanghatana seeking changes in Tariff Schedule for including consumption by small commercial activities run in residential premises into Residential Category.
125	107 of 2011	25.07.2011	07.10.2011, 08.10.2011, 14.10.2011, 15.10.2011, 19.10.2011, 23.10.2011, 25.10.2011	30.12.2011	Petition of Maharashtra State Power Generation Co Ltd for approval of Truing up for FY 2009-10, and approval of Annual Performance Review for FY 2010-11
126	100 of 2011	12.07.2011	07.10.2011, 08.10.2011, 14.10.2011, 15.10.2011, 19.10.2011, 23.10.2011, 25.10.2011	30.12.2011	Petition of Maharashtra State Electricity Distribution Co Ltd for approval of final True Up for FY 2009-10 provisional true up for FY 2010-11 and Annual Performance Review for FY 2010-11
127	146 of 2011	04.12.2011	25.11.2011	02.01.2012	Petition of M/s Dhan Ayurved Agro Agriculturals against MSEDCL u/s 142 of the EA 2003 alleging non-compliance of the Order dated 4.5.2011 passed by the CGRF Kolhapur Zone in the matter of refund of cost of infrastructure and excessive charges collected.
128	148 of 2011	11.10.2011	17.11.2011 09.12.2011	05.01.2012	Complaint against MSEDCL alleging that the terms & conditions for supply of electricity contained in MSEDCL's sanction letter dated 1.6.2007 are not in line with the EA, 2003.
129	128 of 2011	28.08.2011		05.01.2012	Petition u/s 129 of the EA 2003 and Regulation 22 of the Supply Code and Regulation 26 of the CGRF Regulations, 2006 seeking Order and Practice directions for Respondents in the interest of existing and prospective electricity consumers.
130	152 of 2011	23.08.2011	30.11.2011	05.01.2012	Petition of M/s Vel Induction Heaters & others alleging that Reliance Energy and Tata Power Co Ltd have contravened the provisions of Section 45(5) of the Electricity Act, 2003 by arbitrarily levying two part tariff and categorizing low tension consumers in contravention of Section 62(3) of the EA, 2003.
131	145 of 2011	04.10.2011	04.10.2011	11.01.2012	Complaint of Shri Anandrao Sidu Dabane against MSEDCL u/s 142 of the Electricity Act, 2003 and Regulation 22 of the MERC (CGRF) Regulations, 2006 alleging non-compliance of the Order dated 4.5.2011 of the CGRF Kolhapur Zone in the matter of refund of Cost of Infrastructure and excessive charges collected.
132	153 of 2011	24.10.2011	02.12.2011	11.01.2012	Petition of M/s Gamesa Wind Turbines Pvt Ltd seeking amendment of Annual Mean Wind Power Density criteria for Wind Power Projects under Wind Zone-I category in accordance with Regulation 26 read with sub-Regulations 26.1., 26.2 and 26.3 of the MERC (Terms & Conditions for determination of RE Tariff) Regulations, 2010.

Sr.No.	Case No.	Date of Application	Date of Hearing	Date of Order	In the matter of
133	96 of 2011	07.07.2011	02.08.2011, 24.08.2011, 24.11.2011	11.01.2012	Complaint of M/s Prerna Stone Crusher against MSEDCL u/s 142, 149 and 42(1) of the EA, 2003 against MSEDCL alleging non-compliance of the Order dated 4.6.2011 passed by the CGRF Amravati Zone in the matter of seeking refund of infrastructure cost and excessive charges incurred by the complainant.
134	41 of 2011	17.03.2011	11.05.2011, 02.09.2011, 24.11.2011	11.01.2011	Complaint of Shri Ankush Sitaram Gaikwad u/s 142 of the EA, 2003 and Regulation 22 of the MERC (CGRF &EO) Regulations, 2006 against MSEDCL alleging non-compliance of the Order dated 28.10.2010 passed by the CGRF Kolhapur Zone.
135	155 of 2011	16.09.2011	05.12.2011	16.01.2012	Petition of Shri Vinodkumar Giridharilal Mittal seeking uniform tariff for all consumers at Rs.3/- per unit, single tax and other prayers.
136	149 of 2011	12.10.2011	18.11.2011, 29.12.2011	16.01.2012	Petition of M/s Ixora Construction (P) Ltd for approval of power quantum and power purchase for medium term from FY 2013-14 to FY 2017-18
137	59 of 2011	19.01.2011	12.05.2011	25.01.2012	Petition filed by Grahak Panchayat, Ratnagiri seeking amendment to the MERC (Consumer Grievance Redressal Forum & Electricity Ombudsman) Regulations, 2006
138	112 of 2011	30.07.2011	20.09.2011, 04.11.2011	25.01.2012	Petition of Shri Ravindra Vinayak Jawlekar challenging the Order dated 22.07.2011 issued by the District Magistrate, Wardha and notice issued by MSETCL under Indian Telegraph Act, 1885 for erection of 400 kV Koradi Wardha Line.
139	139 of 2011	23.09.2011	25.11.2011	25.01.2012	Petition of MSEDCL for review of Order dated 12.09.2010 in Case No. 111 of 2009 for withdrawal of load factor incentive to consumers who exceeds contract demand (during off-peak hours i.e. 22.00 to 06.00 hrs) and pay meager penalty
140	35 of 2011	01.03.2011	05.05.2011, 18.11.2011, 08.06.2011, 28.07.2011, 18.08.2011, 01.11.2011	25.01.2012	Complaint filed by M/s Bajaj Finserv Ltd alleging non compliance of the Commission's Orders by MSEDCL on change of Third Party sale, erroneous recovery of short-term transmission charges, stopping wheeling arrangement of third party sale and holding refund of erroneous wheeling charges forcibly recovered earlier.
141	162 of 2011	22.11.2011	07.12.2011, 16.01.2012	08.02.2012	Petition of BEST Undertaking seeking permission to recover FAC for the period from April 2011 to October 2011 incurred by BEST in excess of 10% cap and to allow recovery of FAC levied by TPC.
142	78 of 2011	30.05.2011	27.06.2011, 26.07.2011, 12.08.2011, 19.09.2011,	10.02.2012	Petition of Tata Power Company Ltd seeking redressal under Section 86(1)(e) of the Electricity Act, 2003 seeking clarification and appropriate remedies for issues relating to wind power evacuation.
143	90 of 2011	05.05.2011	13.07.2011, 26.08.2011, 20.09.2011	13.02.2012	Complaint filed by Shri Sakharam Ganpatrao Deshpande against MSEDCL under Section 142 of the Electricity Act, 2003 alleging non-compliance of the Order dated 4th Nov 2010 passed by the CGRF, Aurangabad Zone in regard to meter reading and revision of electricity bill.



Sr.No.	Case No.	Date of Application	Date of Hearing	Date of Order	In the matter of
144	106 of 2011	22.07.2011	26.11.2011	14.02.2012	Petition of The Tata Power Co Ltd (Transmission Business) for approval of Truing Up of Aggregate Revenue Requirement for FY 2009-10 and Annual Performance Review for FY 2010-11.
145	172 of 2011	17.11.2011	05.01.2012, 23.01.2012, 27.01.2012	15.02.2012	Petition of Maharashtra State Electricity Distribution Co Ltd for recovery of expenditure to be incurred for shifting of poles and conversion of low tension / high tension overhead distribution network to underground from consumers situated within the geographical limits of Nagpur Municipal Corporation.
146	105 of 2011	25.07.2011	26.11.2011	15.02.2012	Petition of The Tata Power Co Ltd (Generation Business) for approval of Truing Up of Aggregate Revenue Requirement for FY 2009-10 and Annual Performance Review for FY 2010-11.
147	104 of 2011	25.07.2011	26.11.2011	15.02.2012	Petition of The Tata Power Co Ltd (Distribution Business) for approval of Truing Up of Aggregate Revenue Requirement for FY 2009-10 and Annual Performance Review for FY 2010-11.
148	172 of 2011	17.11.2011	05.01.2012, 23.01.2012, 27.01.2012	15.02.2012	Petition of Maharashtra State Electricity Distribution Co Ltd for recovery of expenditure to be incurred for shifting of poles and conversion of low tension / high tension overhead distribution network to underground from consumers situated within the geographical limits of Nagpur Municipal Corporation.
149	105 of 2011	25.07.2011	26.11.2011	5.02.2012	Petition of The Tata Power Co Ltd (Generation Business) for approval of Truing Up of Aggregate Revenue Requirement for FY 2009-10 and Annual Performance Review for FY 2010-11.
150	104 of 2011	25.07.2011	26.11.2011	15.02.2012	Petition of The Tata Power Co Ltd (Distribution Business) for approval of Truing Up of Aggregate Revenue Requirement for FY 2009-10 and Annual Performance Review for FY 2010-11.
151	129 of 2011	-	-	23.02.2012	Petition of the Akot MIDC Industries Association under Section 42 (1) of the Electricity Act, 2003, and under Regulations 22, 23 and 24 of the MERC (Electricity Supply Code and Other Conditions of Supply) Regulations, 2005, seeking practice directions and removal of difficulties in regard to industrial consumers who are illegally feeding from either agriculture feeder or feeder on which single phase scheme of AG?LM is implemented restricting three phase availability for 8 hours only.
152	122 of 2011	-	-	27.02.2012	IN THE MATTER OF Petition filed by Reliance Infrastructure Limited's Generation Business (RInfra-G) for approval of truing up for FY 2009-10 and Annual Performance Review for FY 2010-11
153	115 of 2011	-	-	27.02.2012	IN THE MATTER OF Reliance Infrastructure Limited's Transmission Business (RInfra-T) Petition for Truing Up of FY 2009-10 and Provisional Truing-Up of FY 2010-11 under the provisions of MERC (Terms and Conditions of Tariff) Regulations, 2005
154	126 of 2011	-	-	27.02.2012	IN THE MATTER OF Petition filed by Reliance Infrastructure Limited Distribution (RInfra-D) seeking Final True Up for FY 2009-10 and Annual Performance Review for FY 2010-11

Sr.No.	Case No.	Date of Application	Date of Hearing	Date of Order	In the matter of
155	125 of 2011	-	-	16.03.2012	IN THE MATTER OF Petition filed by Brihanmumbai Electric Supply & Transport Undertaking (BEST) for approval of Truing-Up for FY 2009-10 and Provisional Truing-Up for FY 2010-11
156	176 of 2011	-	-	22.03.2012	In the matter of Complaint filed by Ladam Finance Ltd., Thane, under Section 142 of E.A. 2003, against MSEDCL for non-compliance of the Order dated 04.11.2011, passed by the Electricity Ombudsman, Mumbai
157	60 of 2011	-	-	27.03.2012	IN THE MATTER OF Approval of Multi Year Tariff Business Plan of Adani Power Maharashtra Limited for the second Control Period from FY 2012-13 to FY 2015-16
158	174 of 2011	-	-	27.03.2012	IN THE MATTER OF Petition filed by Adani Power Maharashtra Limited for approval of its Aggregate Revenue Requirement for FY 2011-12
159	11 of 2012	-	-	27.03.2012	In the matter of Petition filed by Sou. Arunabai w/o Shivsing Pardeshi seeking legal action under sections 142 and 149 of the EA 2003 against Maharashtra State Electricity Transmission Company Limited
160	134 of 2011	-	-	27.03.2012	In the matter of Complaint submitted by Smt. Sonabai Nanaso Jadhav under affidavit under Section 142 of EA 2003 & Regulation 22 of MERC (CGRF & EO) Regulations, 2006 for non compliance of Order No 672 dated 07 June 2010 passed by CGRF Kolhapur Zone, in Case No. 52 of 2010
161	181 of 2011	-	-	30.03.2012	In the matter of Petition filed by MSETCL for approval of MSLDC Budget for FY 2012-13
162	10 of 2012	-	-	30.03.2012	In the matter of Determination of Generic Tariff for the third 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

## ANNEXURE III

## MAHARASHTRA ELECTRICITY REGULATORY COMMISSION

## RECEIPTS &amp; PAYMENTS FOR THE PERIOD/YEAR ENDED 31ST MARCH 2012 (PROVISIONAL)

RECEIPTS	Current Year 2011-12	Previous Year 2010-11	PAYMENTS	Current Year 2011-12	Previous Year 2010-11
<b>(1) OPENING BALANCE</b>	<b>651,663,950.29</b>	<b>572,470,025.88</b>	<b>(1) EXPENSES</b>		
(a) Cash on Hand	3,246.00	147.00	<b>(a) Establishments Expenses</b>	<b>17,253,971.00</b>	<b>15,467,440.00</b>
(b) Bank Balances (SBI)			(i) Pay & Allowances of Chairman & Members & Secretary Of Commission	2,519,793.00	3,026,117.00
(i) In Current A/C	-	-	(ii) Pay & Allowances of Officers & Staff	9,919,072.00	8,734,487.00
(ii) in Deposit A/C	624,000,000.00	404,000,000.00	(iii) Bonus & Honorarium	-	-
(iii) Savings A/C	27,626,015.29	168,469,878.88	(iv) Overtime Allowances	267,426.00	206,974.00
<b>(2) GRANTS RECEIVED</b>	<b>100,000.00</b>	<b>100,000.00</b>	(v) Medical & Health Care facilities	311,546.00	213,704.00
(a) Grants from GoM	100,000.00	100,000.00	(vi) Tuition Fees / Stipend	2,671,444.00	1,289,950.00
(b) From Other Sources (Details)	-	-	(vii) Any Other	-	-
Grants for Capital Expenditure	-	-	Resident Rent for Member Salary reimbursed to BEST Employees	-	-
Grants for Revenue expenditure	-	-	Leave Travel Concession	33,847.00	53,887.00
<b>(3) INCOME ON INVESTMENTS FROM</b>	-	-	Peon Allowances	192,000.00	174,200.00
(a) Earmarked / Endow. Funds	-	-	(viii) Contribution to P F	937,466.00	678,615.00
(b) Own Funds	-	-	(ix) Contribution to any other Fund	-	17,704.00
(Other Investments)	-	-	(x) Staff Welfare	323,077.00	-
<b>(4) TO RECEIPTS OF THE COMMISSION</b>			(xi) Expenses on Employees retirement & terminal benefits	-	388,650.00
(a) Fees charged by the Commission	<b>96,290,002.00</b>	<b>198,187,611.00</b>	(xii) Other Allowances	72,800.00	-
(i) Fees for initial License	2,000,000.00	1,000,000.00	(xiii) Incentives	5,500.00	683,152.00
(ii) Fees for Annual Licenses	62,331,000.00	182,399,694.00	(xiv) Transfer Grant Expenses	-	-
(iii) Fees for Trading Licenses	-	2,500,000.00	<b>(b) OTHER ADMINISTRATIVE EXPENSES</b>	<b>156,037,797.00</b>	<b>116,952,562.00</b>
(iv) Fees for Suspension of Licenses	-	-	(i) Purchases	-	-
(v) Fees for Documents	7,172.00	18,337.00	(ii) Cartages & Carriage Inwards	-	-
(vi) Fees for APR	-	2,000,000.00	(iii) Electricity & Power	702,576.00	566,139.00
(vii) Fees for Annual Tariff Review	30,661,000.00	-	(iv) Water Charges	-	-
(viii) Fees for Filing Application	1,289,338.00	10,269,250.00	(v) Insurances	-	-
(ix) Fees for Inspection	200.00	200.00	(vi) Repairs & Maintenance	731,439.00	573,828.00
(x) Fees for RTI	1,292.00	130.00	(vii) Rent Rates & Taxes	48,674,558.00	48,575,184.00
			(viii) Vehicles Running & Maintenance	348,480.00	527,270.00
			(ix) Postage Telephone & Communication	514,357.00	562,702.00
			(x) Printing & Stationery	845,470.00	938,808.00
			(xi) Traveling & Conveyance		
			Foreign Travel	221,412.00	326,478.00
			Domestic Travel	866,278.00	1,336,581.00
			Conveyance	462,324.00	64,042.00
<b>BALANCE C/F</b>	<b>748,053,952.29</b>	<b>770,757,636.88</b>	<b>BALANCE C/F</b>	<b>173,291,768.00</b>	<b>132,420,002.00</b>

RECEIPTS	Current Year 2011-12	Previous Year 2010-11	PAYMENTS	Current Year 2011-12	Previous Year 2010-11
<b>BALANCE B/F</b>	<b>748,053,952.29</b>	<b>770,757,636.88</b>	<b>BALANCE B/F</b>	<b>173,291,768.00</b>	<b>132,420,002.00</b>
(b) Interest Received	30,475,024.78	28,222,727.41	(xii) Expenses on Seminar	1,347,047.00	189,348.00
(i) On Bank deposits	30,475,024.78	28,222,727.41	(xiii) Workshops / Training	1,325,568.00	975,125.00
(ii) On Loans , advances to employees etc.	-	-	(xiv) Subscription expenses	-	431,225.00
(c) Other Income	901,116.00	10,960.00	(xv) Expenses on Fees	-	-
(i) Miscellaneous Receipts	123,851.00	10,960.00	(xvi) Auditors remuneration	-	60,000.00
(ii) Fees for Recruitment Applications	777,265.00	-	(xvii) Hospitality Expenses	-	-
(d) Investments	-	-	(xviii) Professional Charges	85,909,490.00	50,609,043.00
(i) to face value of investments encashed	-	-	(xix) News papers / Periodicals	601,329.00	58,802.00
(ii) Interest on investments	-	-	(xx) Irrevacable balances written off	-	-
(5) RECOVERY OF ADVANCES FROM STAFF	496,313.00	697,453.00	(xxi) Advertisement & Publicity	8,368,998.00	5,762,350.00
(i) House building advances	12,768.00	12,768.00	(xxii) Others	-	-
(ii) Motor Car/ Personal computer advance/Scooter / Motor cycle advances	40,880.00	36,080.00	Bank Charges	12,381.00	8,398.00
(iii) Other Advances	-	-	Office Expenses	1,080,889.00	1,236,608.00
Loan Instalment	14,450.00	35,950.00	Canteen Expenses	-	345,366.00
Advances for Expenses	428,215.00	612,655.00	Rental for Equipment	307,879.00	154,775.00
Advances against Salary	-	-	Consumable Office Equipment	-	-
(6) RECOVERY OF CONTIGENT ADVANCES	-	-	Vehicle Lease Rental	1,373,209.00	858,748.00
(i) Advance To PWD	-	-	Public Hearing Expenses	1,140,550.00	1,343,163.00
(ii) Advance to Suppliers	-	-	Meeting Expenses	601,085.00	638,230.00
(iii) Other Advance	-	-	Internet Expenses	484,569.00	491,806.00
(7) TO OTHER DEPOSITS	1,689,394.00	2,157,660.00	Web site Expenses	4,370.00	82,443.00
(a) Security Deposit	119,394.00	57,660.00	Computer Expenses	113,539.00	236,100.00
(b) Earnest Money Deposit	1,570,000.00	600,000.00	(xxiii) Reco Adjustment A/c	-	-
(c) Any other Deposit	-	-	(xxiv) Round Off	-	-
Telephone Deposit	-	-	(2) PAYMENTS MADE AGAINST FUNDS FOR VARIOUS PROJECTS	-	-
Other Deposits	-	1,500,000.00	(3) INVESTMENTS & DEPOSITS MADE	1,150,000.00	3,113,062.00
(8) TO REMITANCES RECEIPTS	16,465,554.00	12,580,617.00	(a) Investments	-	-
(a) Recovery from Deputationists	-	-	(i) Out of Earmarked / Endown Funds	-	-
(b) License Fees	33,278.00	35,676.00	(ii) Out Of Own fund	-	-
(c) Income Tax (TDS)	15,172,867.00	11,476,668.00	(b) Deposits	-	6,500.00
(d) Surcharge	-	-	(i) Security Deposits	10,000.00	2,726,562.00
(e) Sales Tax	-	-	(ii) Earnest Money Deposits	1,140,000.00	380,000.00
(f) Central Government Health Scheme	-	-	(4) ADVANCE TO STAFF	719,690.00	744,710.00
(g) Postal life insurance	-	-	(i) House building advances	-	29,850.00
(h) Any other	-	-	(ii) Motor Car/ Personal computer advance/Scooter / Motor cycle advances	14,300.00	40,000.00
General Provident Fund	147,000.00	84,000.00	(iii) Other Advances	-	-
Group Insurance Scheme	2,280.00	4,320.00	Festival Advance	-	-
Profession Tax	64,075.00	65,115.00	Advance for Expenses	705,390.00	6,74,860.00
MERC Employees CPF Share	792,360.00	675,080.00	Advance against Salary	-	-
HRA Recovered	253,694.00	222,054.00	(5) RECOVERY OF CONTIGENT ADVANCES	6,614,935.00	729,212.00
			(i) Advance To PWD	6,614,935.00	729,212.00
<b>BALANCE C/F</b>	<b>798,081,354.07</b>	<b>814,427,054.29</b>	<b>BALANCE C/F</b>	<b>181,776,393.00</b>	<b>137,006,986.00</b>



RECEIPTS	Current Year 2011-12	Previous Year 2010-11	PAYMENTS	Current Year 2011-12	Previous Year 2010-11
<b>BALANCE B/F</b>	<b>798,084,351.07</b>	<b>814,427,054.29</b>	<b>BALANCE B/F</b>	<b>181,776,393.00</b>	<b>137,006,986.00</b>
CPF Meda Employees Share	-	-	(ii) Advance to Supplies	-	-
PPF MERC Employees Share	-	17,704.00	(iii) Other Advance	-	-
			Refund Of Fees	-	-
<b>(9) RECEIPTS AGAINST</b>			<b>(6) OTHER REMITTANCES</b>	<b>17,702,249.00</b>	<b>12,579,881.00</b>
<b>SALE OF ASSETS</b>	-	-	(a) GPF/CPF etc.	-	-
(i) Mobile Handset	-	-	recovered from deputationists	-	-
(ii) Vehicles	-	-	(b) License Fees	26,520.00	32,650.00
(iii) elephone EPBX	-	-	(c) Income Tax (TDS)	16,269,065.00	10,380,470.00
			(d) Central Government		
			Health Scheme	-	-
			(e) Postal life insurance	-	-
			(f) CGEGIS /CEEIS	3,120.00	3,960.00
			(g) Any Other Recoveries		
			General Provident Fund	174,000.00	101,414.00
			Loan Recovery Payment	-	41,740.00
			Profession Tax	71,575.00	57,615.00
			MERC Employees P F		
			Contributions	850,065.00	1,703,843.00
			H.R.A. Recovered	273,405.00	203,416.00
			CPF Meda Employees Share	34,499.00	31,685.00
			PPF Contribution Employees	-	23,088.00
			<b>(7) CONTRIBUTIONS</b>	<b>14,549,248.00</b>	<b>8,439,355.00</b>
			(a) Pension & Gratuity Fund	12,181.00	138,753.00
			(b) Leave Salary & pension		
			Contribution	232,067.00	256,602.00
			(c) Other Contribution		
			Grants To Ombudsman	14,305,000.00	8,044,000.00
			<b>(8) EXPENDITURE ON</b>		
			<b>FIXED ASSETS</b>	<b>4,280,824.00</b>	<b>4,771,571.00</b>
			(a) Land	-	-
			(b) Building	-	-
			(c) Furniture & Fixtures	234,629.00	211,590.00
			(d) Machinery & Equipments	-	-
			(e) Motor Vehicles	-	-
			(f) Books & Periodicals	233,276.00	248,232.00
			(g) Capital Work In Progress	-	3,685,389.00
			(h) Any Other		
			Office Equipement	12,599.00	103,659.00
			Interior Renovation	1,813,152.00	-
			Computers	1,939,388.00	430,926.00
			Telephone Instruments	47,780.00	91,775.00
			(i) Purchase Of License for RIMS Project	-	-
			<b>(9) CLOSING BALANCE</b>	<b>579,772,640.07</b>	<b>651,629,261.29</b>
			(a) Cash on Hand	29,690.00	3,246.00
			(b) Bank Balances (SBI)		
			(i) In Current A/C	-	-
			(ii) in Deposit A/C	565,000,000.00	624,000,000.00
			(iii) Savings A/C	14,742,950.07	27,626,015.29
<b>TOTAL (Rs)</b>	<b>798,081,354.07</b>	<b>814,427,054.29</b>	<b>TOTAL (Rs)</b>	<b>798,081,354.07</b>	<b>814,427,054.29</b>

**FOR MAHARASHTRA ELECTRICITY REGULATORY COMMISSION**

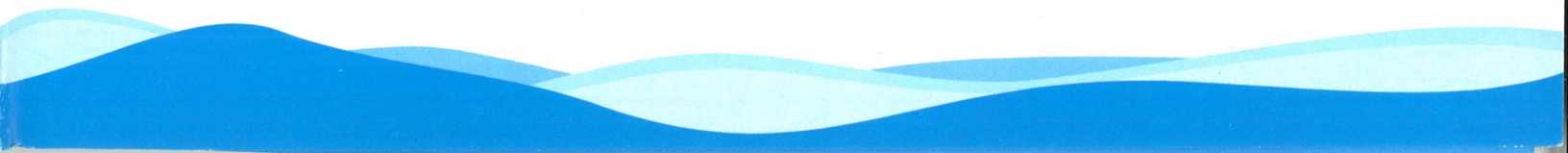
SECRETARY

MEMBER

CHAIRMAN



**MERC**





**MERC**

**MAHARASHTRA ELECTRICITY REGULATORY COMMISSION**

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