



# Maharashtra Electricity Regulatory Commission

## Annual Report 2012-2013



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

## From the Chairman

The year 2012-13 was a momentous period for the electricity sector in India and for Maharashtra. The Commission heard a variety of cases on issues like parallel licensing, multi-year tariffs (MYT), cross-subsidy, zero load shedding (ZLS) and power purchase agreements (PPAs).

The Commission took certain path-breaking decisions during the year. Among them are the series of decisions on MYT petitions for business plans and tariff orders for the generation, transmission and distribution companies in the State.

In the early part of the year, the Commission decided on cases relating to the State Load Dispatch Centre (SLDC) operations and Merit Order Dispatch (MOD) for generators. These decisions will facilitate smoother operations of the State Grid in the future.

During the year, the Commission presented two reports to the Government of Maharashtra. The first was on the implementation of progressive reduction of cross subsidy in the State while the second related to implementing a uniform tariff for Mumbai. The Commission also instituted Suo Motu proceedings on issues including open access and tariff for renewable energy generators.

The issues that we saw cropping up during the year will remain matters for concern for some more time. This is true especially of coal since its import prices have been going up over the last few years. This sharp increase has rendered the calculations of many Indian generators unrealistic as they had based their business models on imported coal prices and supplies remaining firm. Combined with the widening demand-supply gap for coal, the Indian electricity sector has become susceptible to erratic price fluctuations.

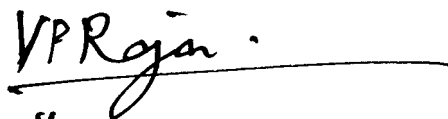
The water scarcity in large parts of Maharashtra and the difficulties in land acquisition for new projects will need closer attention of all concerned. We must look for lasting solutions to these issues which are bound to have a dramatic ripple effect on the overall growth of the economy.

In keeping up with the challenges and to build up capacity for the future, MERC has begun augmenting its cadre with the recruitment of 45 technical, legal and administrative personnel at various levels. They bring a wealth of experience which will add to the Commission's knowledge repository to deal with the issues it will be facing in the coming years.

As the electricity sector in the country expands, the requirement of experts to handle various responsibilities, including regulatory work, also grows. With this view, I have floated the idea of setting up an institute to train a regulatory cadre for the electricity sector in the country. Continuous upgradation of skills and capacity-building for regulatory personnel is the need of the hour.

My vision for MERC has always been that of creating a proactive and knowledge-based institution that is at the forefront of regulatory initiatives in the country, and to develop an institution that other Commissions can model themselves on. We, at MERC, will always be ready to offer our assistance and consultancy to other Commissions, should they seek it.

The Commission remains committed to the mandate set by the Electricity Act, 2003 and the reforms contained therein to ensure great prospects for Maharashtra.



V. P. Raja

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# 1. CONSTITUTION AND FUNCTIONS OF THE COMMISSION

The Government of Maharashtra vide Notification dated 5 August, 1999 set up the Maharashtra Electricity Regulatory Commission (MERC) consisting of a Chairman and two Members under the Electricity Regulatory Commissions Act (ERC), 1998. The Commission has three-fold functions viz.,

- (i) quasi-judicial
- (ii) quasi-legislative and
- (iii) executive.

The following functions were initially entrusted to the Commission under the said Act:

- a) To determine the tariff for electricity wholesale, bulk, grid or retail, as the case may be, in the manner provided in Section 29;
- b) To determine the tariff payable for the use of the transmission facilities in the manner provided in Section 29;
- c) To regulate power purchase and procurement process of the transmission utilities and distribution utilities including the price at which the power shall be procured from the generating companies, generating stations or from other sources for transmission, sale, distribution and supply in the State;
- d) To promote competition, efficiency and economy in the activities of the electricity industry to achieve the objects and purpose of this Act.

Consequent upon the enactment of Electricity Act, 2003 w.e.f. 10 June, 2003, the ERC Act 1998 was repealed and the Commission was entrusted with the following additional functions:

Facilitate intra-State transmission and wheeling of electricity;

Issue Licenses to persons seeking to act as Transmission Licensees, Distribution Licensees, and electricity traders;

Promote cogeneration and generation of electricity from renewable sources of energy;

Adjudicate upon disputes between Licensees and generation companies and to refer any dispute for arbitration;

Levy fee for the purposes of this Act;

Specify State Grid Code;

Specify or enforce standards with respect to quality, continuity and reliability of service by Licensees;

Fix trading margin in intra-State trading of electricity, if considered, necessary;

Discharge such other functions as may be assigned to it under this Act;

Advice the State Government as mandated under Section 86 (2) of EA, 2003.

## 2. ORGANISATIONAL SET UP OF THE COMMISSION

### 2.1 Staff on the Establishment of the Commission

The Government of Maharashtra initially sanctioned 24 posts to the Commission in June 2000 to carry out the functions entrusted to it under the Electricity Regulatory Commissions Act, 1998. In March 2010, the Government sanctioned 39 additional posts to cope with the increased scope of work due to the additional functions entrusted to the Commission consequent to the enactment of EA Act 2003. Details of sanctioned posts, filled-up posts and vacant posts are as detailed below:

#### Position of the Staff in MERC Office

Sr. No.	Name of the Post	No. of Posts sanctioned	No. of Posts Filled		Vacant Posts
			On Nomination	On Deputation	
1.	Secretary	1	-	1	
2.	Executive Director	1	-	-	1
3.	Director (Electrical Engineering)	2	1	-	1
4.	Director (Tariff)	2	1	-	1
5.	Director (Legal)	1	-	-	1
6.	Director (Admn.&Fin)	1	-	1	-
7.	Deputy Director (Technical)	8	7	1	-
8.	Deputy Director (Legal)	4	3	-	1
9.	Deputy Director (Admn & Fin)	4	3	1	-
10.	Under Secretary	1	1	-	-
11.	Assistant Director	4	3	-	1
12.	Section Officer	2	2	-	-
13.	Computer System Administrator	1	1	-	-
14.	Database/Web Administrator	1	1	-	-
15.	Assistant Accounts Officer	1	-	1	-

Sr. No.	Name of the Post	No. of Posts sanctioned	No. of Posts Filled		Vacant Posts
			On Nomination	On Deputation	
16.	Personal Assistant (Selection Grade)	3	3	-	-
17.	Personal Assistant (Higher Grade)	2	1	-	1
18.	Higher Grade Stenographer (English)	1	-	-	1
19.	Higher Grade Stenographer (Marathi)	1	-	-	1
20.	Receptionist-cum-Telephone Operator cum-Office Assistant	1	1	-	-
21.	Clerk Typist-cum-Office Assistant	7	4	-	3
22.	Librarian-cum-Office Assistant	1	1	-	-
23.	Driver-cum-General Assistant	5	4	-	1
24.	Peon	8	3	-	5
	<b>Total</b>	<b>63</b>	<b>40</b>	<b>5</b>	<b>18</b>

## 2.2 Consultants

Under section 91(4) of the Electricity Act 2003, the Commission can appoint consultants with specialized skills to assist the Commission in the discharge of its functions as per stipulated terms and conditions. The Commission notified the MERC (Terms & Conditions of Appointment of Consultants) Regulation, 2004 for appointment of consultants in the Commission. In line with these provisions, the Commission engages consultants to assist in carrying out various

administrative, technical, financial and legal functions. Consultants appointed by the Commission include firms and individuals. Individual consultants are mainly designated as Regulatory Experts, Regulatory Officers and Stipendiary Regulatory Analysts.

A separate Organizational Chart showing the staffing pattern comprising of regular staff and Consultants is shown on last page No. 91 of this report.

### 3. STATE ADVISORY COMMITTEE (SAC)

The State Advisory Committee (SAC) is constituted by the Commission under Section 87 of the Electricity Act, 2003. The objective of the State Advisory Committee is to advise the Commission on (i) major questions of policy; (ii) matters relating to quality, continuity and extent of service provided by the licensees; (iii) compliance by licensees with conditions and requirements of their license; (iv) protection of consumer interests; and (v) energy supply and overall standard of performance by the utility.

The State Advisory Committee (SAC) is reconstituted every two years. The Chairperson of the Commission is

the ex-officio Chairperson of the State Advisory Committee and the Members of the Commission are ex-officio members of the Committee. The Secretary to the Commission is the Member-Secretary of the Committee.

The Maharashtra Electricity Regulatory Commission (MERC) has re-constituted the State Advisory Committee for a period of two years from 22 August, 2012. Shri V.P. Raja, Chairman and Shri V. L. Sonavane, Member, are, respectively, ex-officio Chairman and Member of the State Advisory Committee. Shri K. N. Khawarey, Secretary, MERC, is Member-Secretary of SAC. The list of SAC Members is as under:

1.	Chairperson, MERC	Ex-officio Chairperson
2.	Member, MERC (I)	Ex-officio Member
3.	Member, MERC (II)	Ex-officio Member
4.	Secretary, MERC	Member-Secretary
5.	Secretary, Food, Civil Supplies and Consumer Protection Department, Government of Maharashtra, Mumbai.	Ex-officio Member
6.	Secretary (Energy) Industries, Energy and Labour Department, Government of Maharashtra, Mumbai.	Ex-officio Member
7.	Jt. Secretary, Government of India, Ministry of Non-Conventional and Renewable Energy, New Delhi.	Member
8.	Zonal Manager (WZ), Rural Electrification Corporation Ltd, Mumbai.	Member
9.	General Manager / Chief Engineer (Electrical), Central Railway, Mumbai.	Member
10.	Member (Energy Group), Prayas, Pune.	Member
11.	President, Mumbai Grahak Panchayat, Mumbai.	Member
12.	President, Thane-Belapur Industries Association, Navi Mumbai.	Member
13.	President, Vidarbha Industries Association, Nagpur.	Member
14.	Director, Indian Institute of Technology (Department of Electrical Engineering), Mumbai.	Member
15.	President, Maharashtra Rajya Veej Grahak Shetkari Sabha, Kolhapur.	Member
16.	Chairman / Convenor (Energy Forum), Institute of Engineers (India), Pune Local Centre, Pune.	Member
17.	President, Maratha Chamber of Commerce, Industries and Agriculture, Pune	Member
18.	Director, Nimbkar Agricultural Research Institute, Phaltan.	Member



SAC meeting are held every quarter. In 2012-13, SAC meetings were held on 29 June, 2012, 28 September, 2012, 28 December, 2012 and 22 March, 2013. During these meetings, the SAC discussed the following issues:

#### **i. Cross Subsidy Reduction Road Map**

In the meeting held on 29 June, 2012 the detailed report on “Roadmap to reduce Cross-Subsidy in Maharashtra” was discussed. The report has been submitted to the Government of Maharashtra for taking action. The roadmap to reduce cross subsidy has been developed for a period of five years from FY 2011-12 to FY 2015-16 for BEST, MSEDCL, R Infra D and TPC-D. For preparation of the road map, projections were carried out for each licensee for the number of consumers, sales per consumer in each category, the average cost of supply (ACoS) and the average billing rate for each category.

Views and suggestions have been sought from the State Government on the options available for cross subsidy reduction before initiating the process of development of the roadmap for reduction of cross subsidy on respective licensee’s projections of consumer numbers and sales.

#### **ii. Open Access**

Impact of the Ministry of Power’s directive circulated vide letter dated 30 November, 2011 on open access for consumers of 1 MW and above was discussed in the meeting held on 29 June, 2012. During the meeting, the 2<sup>nd</sup> Task Force measures for operationalising open access were circulated. Subsequently, the Commission initiated suo motu proceedings, soliciting views and suggestions from the public and other stakeholders in Maharashtra (Case No. 50 of 2012). A public hearing was held on 12 October, 2012. Accordingly, the Commission issued its order on 2 January, 2013. A presentation on “Roadmap to Load Shedding-free Maharashtra” made by MSEDCL was also circulated during the meeting.

In the meeting held on 22 March, 2013, a presentation on “Issues in Transmission and Open Access” was made by Shri Harry Dhaul, Director General, IPPAI.

#### **iii. Grid failure in the Northern Region on 30 July, 2012 and North, East & North-Eastern Region on 31 July, 2012**

There was a major grid disturbance on 30 July, 2012 in the Northern region and again on the next day resulting in the collapse of the North, East, North-Eastern regional grids, barring a few pockets. Major reasons for the grid collapse were depleted transmission network, over-drawals and the inability to control the flow on the 400 kV Bina-Gwalior-Agra line. The reasons for the grid failure

and the precautionary measures to be taken to avoid such incidents in the future were also discussed in the SAC meetings held on 28 September, 2012 and 30 December, 2012. Shri G.S. Rao, RE, MERC made a presentation on “Grid failure - Northern Region on 30 July, 2012 and Northern, Eastern & Northern-Eastern Region of India on 31 July, 2012”.

Presentations were also made by WRLDC on the inter-state over-drawal limits, action taken by WRLDC during the grid failure and corrective measures taken by it to avoid future grid failures.

R-Infra and TPC made a joint presentation on the Mumbai islanding system. Shri Ashok Sethi, vice president, TPC stated that the ancillary system will play a vital role in grid security and commercial aspects and will bring about grid discipline.

Shri V.P. Raja, Chairman, MERC suggested that an appropriate a reporting system should be developed for reporting and analyzing each major/minor occurrences related to the grid.

#### **iv. Setting up an Institute of Regulatory Chartered Analyst**

In the meeting held on 29 June, 2012 commenting the rising need for qualified manpower in the regulatory sector, the Commission proposed the idea of setting up an Institute of Chartered Regulatory Analysts along the lines of the Institute of Chartered Accountants of India and the responsibility to form a group with representatives of all the utilities in the state and submit a concept paper on the subject was entrusted to Director (Admn & Fin). Accordingly, a meeting was held with the representatives of state utilities wherein a concept paper was circulated and comments invited from the representatives. Based on the feedback received, Director (A&F) made a presentation on “Capacity Building in the field of Electricity Regulation” in the meeting held on 28 September, 2012. Chairman, MERC emphasized the need for capacity building in the regulatory sector. The concept paper on setting up a dedicated Institute of Chartered Regulatory Analysts was also circulated in the 33rd meeting of the Forum of Regulators (FOR) held at Port Blair (Andaman & Nicobar Islands) on 7-8 December, 2012. The meeting was attended by Chairman, MERC. In addition, a detailed project report has also been submitted to the FOR. A presentation on “The Institute of Chartered Regulatory Analysts” was made during the meeting held on 22 March, 2013 and discussed.

#### **v. National Electricity Fund and Interest Subsidy Scheme**

In the meeting held on 28 December, 2012 it was brought to the notice of the SAC members that the National Electricity Fund (interest subsidy scheme)

is available for both public as well as private sector Discoms. The Chairman, in his introductory remarks at the meeting on 28 September, 2012 mentioned that all the four Discoms in Maharashtra, i.e., BEST, Reliance, Tata and MSEDCL, should try to take full advantage of the scheme. The National Electricity Fund has been created by the Government of India to mitigate the funding gap and to expedite the reform process and investment in the distribution sector. Shri Sanjay Kulshreshta, Chief Manager, Rural Electrification Corporation (REC) made a presentation on the National Electricity Fund (interest subsidy scheme) in the meeting and informed all the Distribution Licensees of the benefits of the scheme. Shri C. P. Bhatia, Zonal Manager, REC mentioned that for private Discoms, DPR should be approved by the Regulator but the condition does not apply to state-owned Discoms. Chairman, MERC, requested the representatives of the Discoms to raise queries on the scheme. He stated that MSEDCL had submitted a few proposals under the scheme and suggested that other Discoms such as BEST, Reliance and TPC should also take advantage of the scheme. The scheme was discussed in detail at the meeting. Shri Bhatia answered queries raised by the various invitees and assured that REC will extend its full support to the proposals submitted by any utility for assistance.

#### **vi. Introduction of trading margin**

In the meeting held on 28 December, 2012 Shri Amit Mittal, Consultant, Imacs, made a presentation on the "Introduction of Trading Margin in the Intra-State Trading of Electricity in Maharashtra" and Shri Harry Dhaul, DG, IPPAI made a presentation on "Trading Margin in Intra-State Trading - Relevance and Need". Shri Dhaul also circulated a copy of "Legal Perspectives on Intra-State Trading Margin". Shri O. P. Gupta, GM, BEST, expressed the opinion that there should be some regulation and cap on trading margin. He further elaborated that as the generation is totally unregulated, monopolies may crop up where generators will keep on doing business without any margin and the unregulated trading margin may be ultimately passed on to the consumers through Distribution Licensees which may not be in the interest of the power market. Representatives of power exchanges, namely, IEX and PXIL, suggested that the cap on trading margin as has been specified in inter-state trading regulations may be considered for intra-state trading also. Similar trading margins in both inter and intra-state trading would avoid any loophole for converting inter-state transactions into intra-state transactions.

#### **vii. GR dated 3 March, 2011 issued by the Government of Maharashtra granting**

#### **100% rebate on 3% tax levied on the cost of sugarcane purchased by co-generation sugar mills which have executed EPA with MSEDCL, for 10 years for projects commissioned since 2006-07**

Shri O.P. Gupta, GM, BEST, stated that BEST took up the issue of giving special incentive regarding exemption of duty on sugarcane purchased for RE power sold to MSEDCL and requested the State Government to include other utilities also in the scheme. He further submitted that the State Government rejected the request of BEST and therefore, requested the Commission to issue directives to the State Government to provide a level playing field to all the utilities. Chairman, MERC pointed out that taxation is a State subject and the Commission cannot issue directives to the State Government but can only advice the Government. He advised Shri Gupta to approach the State Government in this regard.

#### **viii Proposed Amendments to Electricity Act, 2003:**

In the meeting held on 22 March, 2013, Shri G.S.Rao, RE, made a presentation on "Proposed Amendments in the Electricity Act, 2003 on Grid Security Issues". The Ministry of Power, New Delhi has proposed amendments in the Electricity Act, 2003 to enforce necessary discipline among various utilities to ensure grid security at the national, regional and state level. A committee on grid security issues was constituted under the chairmanship of Chairperson, Central Electricity Authority, for examination and recommendation on the proposed amendments in the Electricity Act, 2003. The Committee has suggested the following amendments to the Electricity Act, 2003:

Formation of National Power Committee (Section 26-A)

Amendment to the definition of person (Section 2(49))

Amendment to Section 27- Constitution of Regional Load Despatch Centre (RLDC)

Amendment to Section 31- Constitution of State Load Despatch Centre (SLDC)

Modifications in the penal provisions for non-compliance of directions issued by RLDC/SLDC (Section 29/33)

Modifications in the penal provisions for non-compliance of technical standards (Section 34)

Providing powers of imposing and recovering penalty to the appropriate Commission for non-compliance of directives (Section 94/146)

The Central Commission should issue a detailed Regulation for levying penalty for Grid Security (Section 178(2)(h)-A).

## 4. POWER SECTOR SCENARIO IN MAHARASHTRA

Maharashtra is one of the hi-growth States in the country, contributing 14.9% to the country's GDP. The State's electricity consumption is directly proportional to its GDP growth. The per capita electricity consumption in Maharashtra has increased from 975 kWh in 2006-07 to 1029 kWh in 2009-10.

### Generation

The energy requirements of the State are supplied from the plants of the Maharashtra State Power Generation Company Ltd. (MSPGCL), Independent Power Producers (IPPs), Central Sector allocation and renewable energy generators. The energy requirement of the State for FY 2012-13 was 124001.4 MUs out of which 38.313% was supplied by MSPGCL, 12.953% by IPPs, 3.083% by renewable energy generators and 29.014% by Central Sector allocation. 12.294% by Mumbai generator (TPCL and RInfra) and 4.34% from short term inter-state bilateral purchases. The total installed capacity of the State is 30,232 MW (as on 31 March, 2013). MSPGCL is the major generation utility in the State with a total installed capacity of 10,746 MW (as on 31 March, 2013) including a thermal generation capacity of 7,480 MW, hydro capacity of 2,594 MW and a gas-based capacity of 672 MW. MSPGCL's plants are located at Chandrapur, Koradi, Paras, Parali, Bhusawal, Khaparkheda, Nashik (thermal), gas-based plant at Uran and hydro at Koyna, Vaitarna, Bhira, Ghatghar (pumped storage). MSPGCL has long term power purchase agreements (PPAs) with Maharashtra Electricity Distribution Company Ltd (MSEDCL).

Apart from MSPGCL, there are IPPs in the State, which have tied up power with the Distribution Licences in the State. The list of major IPPs is as in table:

The energy purchase from IPPs in FY 2012-13 was 16,061.9 MUs. Central Sector allocation to the State came from the plants of the National Thermal Power Corporation (NTPC) at Korba, Vindhya, Kawas, Gandhar, Sipat, etc., and Nuclear Power Corporation Ltd. (NPCIL)'s plant at Tarapur. In FY 2012-13, a total of 35,978.9 MUs were supplied from the Central Sector allocation.

### Transmission

Transmission is an important function which connects the supply and demand in the electricity market. The transmission systems of various transmission licensees is collectively called the Intra-State Transmission System (InSTS). The onus of InSTS planning lies with the State Transmission Utility (STU). There are eight Transmission Licensees in the State viz., Maharashtra State Electricity Transmission Company Ltd. (MSETCL), Reliance Infrastructure Ltd. – Transmission (RInfra T), The Tata Power Company Ltd. – Transmission (TPC T), Adani Power Transmission Ltd. (APTL), Indiabulls Amravati Transmission Company Ltd., Indiabulls Sinnar Transmission Company Ltd., Maharashtra Eastern Grid Power Transmission Company Ltd. (MEGPTCL), Jaigad Power Transmission Ltd. (JPTL). The summary of the network of the transmission system in Maharashtra as on 31 March, 2013 is as in following table :

Sr. No.	Name of I.P.P.	Installed Capacity (MW)
1.	JSW Energy Ltd., Ratnagiri	1200
2.	Wardha Power Company Pvt. Ltd., Chandrapur	540
3.	Abhijit MADC Nagpur Energy Pvt. Ltd., Nagpur	246
4.	Gupta Energy Pvt. Ltd., Chandrapur (60MWx2)	120
5.	Adani Power Maharashtra Ltd., Tirora (660MWx2)	1320
	<b>Total</b>	<b>3426</b>

Voltage Level (KV)		765	500	400	220	132	110	100	66	Total
No. of EHV S/s	MSETCL	0	2	25	183	270	34	36	34	584
	R-Infra	0	0	0	7	0	0	0	0	7
	TPCL	0	0	0	7	0	17	0	0	24
	STU	0	2	25	197	270	51	36	34	615
	PGCIL	1	0	6	0	0	0	0	0	7
	<b>Total</b>	<b>1</b>	<b>2</b>	<b>31</b>	<b>197</b>	<b>270</b>	<b>51</b>	<b>36</b>	<b>34</b>	<b>622</b>
Trans. Capacity (MVA)	MSETCL	0	3582	22280	43208	24218.5	2674	2610	1144	99717
	R-Infra	0	0	0	2600	0	0	0	0	2600
	TPCL	0	0	0	4429	0	3826	0	0	8255
	STU	0	3582	22280	50236.5	24218.5	6500	2610	1144	110571
	PGCIL	3000	0	3020	0	0	0	0	0	6020
	<b>Total</b>	<b>3000</b>	<b>3582</b>	<b>25300</b>	<b>50236.5</b>	<b>24218.5</b>	<b>6500</b>	<b>2610</b>	<b>1144</b>	<b>116591</b>
EHV Lines Ckt (KM)	MSETCL	0	1504	7348	13969	12878	1724	697	3270	41391
	R-Infra	0	0	0	500	0	0	0	0	500
	TPCL	0	0	0	315	0	647	0	0	962
	JPTL	0	0	330	0	0	0	0	0	330
	STU	0	1504	7678.291	14784.175	12877.899	2371	697.146	3270	43183
	PGCIL	269	0	3077	0	0	0	0	0	3346
	<b>Total</b>	<b>269</b>	<b>1504</b>	<b>10755</b>	<b>14784</b>	<b>12878</b>	<b>2371</b>	<b>697</b>	<b>3270</b>	<b>46529</b>

## Distribution

There are four Distribution Licensees who cater to the demand of the consumers of Maharashtra. These licensees are Maharashtra State Electricity Distribution Company Ltd. (MSEDCL), Reliance Infrastructure Ltd. – Distribution (RInfra-D), The Tata Power Company – Distribution (TPC-D) and Brihanmumbai Electric

Supply and Transport Undertaking (BEST). BEST, RInfra-D and TPC-D cater to the load of Mumbai city and its suburbs, while the rest of Maharashtra excluding the area of Mumbai Distribution Licensees is catered to by MSEDCL. A summary of the distribution segment in the State is given below:

	MSEDCL (FY 2012-13)	TPC D (FY 2011-12)	RInfra D (FY 2011-12)	BEST Undertaking (FY 2011-12)
Consumer Base (in millions)	219.24	0.329	2.72	0.99
Sales (MUs)	87971	5793	6412	4300
Annual Revenue Requirement (Rs Crores)	48926	3391	4747	3684
Average Cost of Supply (ACoS) (Rs. / kWh)	5.56	5.85	7.40	7.78
Average Power Purchase Cost (Rs. / kWh)	3.39	4.63	4.14	5.08
Coincident Peak demand (MW)	13782	1166	1180	924

## Renewable Energy

Maharashtra has a potential for generating 8,840 MW of power from renewable sources which is almost 10% of the all-India potential of 89,200 MW. The current status energy from renewable sources - wind, solar, biomass, bagasse cogeneration, etc., is summarized in the following table:

Sources	India		Maharashtra	
	Potential (MW)	Cumulative achievement (MW) (up to 31.01.2013)	Potential (MW)	Cumulative achievement (MW) (up to 31.01.2013)
Wind power	48500	18635	5439	3005.6
Solar power	4-7 kWh/sq.m per day	1447	4-7 kWh/sq.m per day	39.5
Biomass	18000	1264	781	170
Bagasse Cogeneration	5000	2301	1250	1033.9
Small Hydro Power	15000	3552	732.63	278.6
Waste to Energy	2700	96	637	8.7
<b>Total in MW</b>	<b>89200</b>	<b>27295</b>	<b>8839.63</b>	<b>4536.3</b>

Though Maharashtra's potential for generating energy from RE sources is huge, the actual achievement is around 16% to the overall achievement in the country. The actual capacity added in the year 2012-13 is 198 MW (as on 31 August, 2012). The actual capacity added for various sources for last seven years is tabulated below:

Sr. No.	Type of Renewable Power	2004-05	2005-06	2006-07	2007-08	2008-09	2009-10	2010-11	2011-12	2012-13	Cumulative Upto 31.01.2013
1	Wind Power Projects	*456	545	485	268	178	139	239	407	288.6	3005.6
2	Biomass Power Projects (IPP)	8	0	10	16	61 (53+#8)	20	40	0	15	170
3	Bagasse Co-generation	**84.5	17.5	57.5	81.5	30	29	323.5	272.9	137.5	1033.9
4	Waste to Energy	0	0	0	0	0	0	4.7	0	4	8.7
5	Small Hydro Projects	*** 200	0	2	6	1.5	6	36.9	19.9	6.3	278.6
6	Solar Power	0	0	0	0	0	0	1	27.5	11	39.5
	<b>Grand Total</b>	<b>748.5</b>	<b>562.5</b>	<b>554.5</b>	<b>371.5</b>	<b>270.5</b>	<b>194</b>	<b>645.1</b>	<b>727.3</b>	<b>462.4</b>	<b>4536.3</b>

**Note:** Actual Capacity addition during FY 2004-05 was 74.25 MW only.

\*Capacity includes projects of 407 MW commissioned before 2004-05

\*\*Capacity includes projects of 67 MW commissioned before 2004-05

\*\*\*Capacity includes projects of 209 MW commissioned before 2004

It may be seen from the above table that the installed capacity from RE sources has grown in the State.

## 5. SALIENT ISSUES

### 5.1 Promotion of Renewable Energy

Promotion of renewable energy is one of the major objectives of Electricity Act, 2003 and National Action Plan on Climate Change (NAPCC). Section 86(1)(e) of EA 2003 empowers the State Electricity Regulatory Commissions to promote renewable energy by specifying the minimum percentage of Renewable Purchase Obligation (RPO) in the area of Distribution Licensees. Accordingly, the Commission has notified the MERC (Renewable Purchase Obligation, its Compliance and Implementation of REC Framework) Regulations, 2010 [MERC (RPO-REC) Regulations, 2010] on 7 June, 2010. Under the RPO Regulations, the Commission has specified RPO targets for Obligated Entities for FY 2010-11 to FY 2015-16. The RPO targets as specified in the Regulations are as given below:

Further, the Distribution Licensees are mandated to procure 0.1% per year of their non-solar (other RE) RPO obligation for FY 2010-11-FY 2012-13 and up to 0.2% for FY 2013-14-FY 2015-16 from mini and micro hydro power projects.

The Commission recognizes that for the effective implementation of MERC (RPO – REC) Regulations, 2010, a periodic review of RPO compliance by the Obligated Entities is important. Since FY 2010-11 and FY 2011-12 are already over, based on MEDA's RPO settlement report for all four Distribution Licensees, i.e., MSEDCL, BEST, RInfra-D and TPC-D, the Commission vide notices dated 20 September, 2012 intimated the RPO procurement details of each Distribution Licensee and provided them sufficient time to file their reply. The Commission has also initiated suo motu proceedings for verification and compliance of RPO targets by the State Distribution Licensees for FY 2010-11 and FY 2011-12 as specified under MERC RPO-REC Regulations, 2010.

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

The RPO settlement of distribution licensees for FY 2010-11 and FY 2011-12 is given below:

**For FY 2010-11**

Distribution Licensee	Gross energy consumption	Solar RPO			Non-Solar RPO			Total energy to be procured as per RPO @ 6%	Actually Procured (Solar + Non solar)	% achieved (against 6 %)	
		Solar RPO Target @ 0.25%	energy Actually procured against target	% Achievement	Non-Solar RPO Target @ 5.75 %	Energy actually procured against target					% of total Non-solar Achievement
	MUs	MUs	MUs	%	MUs	MUs		MUs	MUs	%	
						Non Solar REC	RE				
MSEDCL	85357.35	213.39	1.13	0.00	4908.05	0.00	4926.91	5.77	5121.44	4928.04	5.77
BEST	4844.23	12.11	0.00	0.00	278.54	0.15	218.92	4.52	290.65	219.07	4.52
TPC-D	4619.91	11.55	0.05	0.00	265.64	0.00	219.17	4.74	277.19	219.22	4.75
R-infra-D	8612.58	21.53	0.00	0.00	495.22	0.00	584.51	6.79	516.75	584.51	6.79

**For FY 2011-12**

Distribution Licensee	Gross energy consumption	Solar RPO			Non-Solar RPO			Total energy to be procured as per RPO @ 6%	Actually Procured (Solar + Non solar)	% achieved (against 6 %)	
		Solar RPO Target @ 0.25%	energy Actually procured against target	% Achievement	Non-Solar RPO Target @ 5.75 %	Energy actually procured against target					% of total Non-solar Achievement
	MUs	MUs	MUs	%	MUs	MUs		MUs	MUs	%	
						Non Solar REC	RE				
MSEDCL	94967.36	237.42	10.89	0.01	6410.29	0	6779.06	7.14	6647.71	6789.95	7.15
BEST	4849.05	12.12	0	0	327.31	1	219.74	4.55	339.43	220.74	4.55
TPC-D	6122.03	15.31	4.12	0.06	413.23	188.39	226.94		428.54	419.45	6.85
Rlnfra-D	7401.19	18.5	0.45	0	499.58	87.53	261.94	4.72	518.08	349.92	4.73

## 5.2 Demand Side Management

MERC notified two Regulations, namely, MERC (Demand Side Management Implementation Framework) Regulations, 2010 and MERC DSM (Cost Effectiveness Assessment) Regulations, 2010. MERC is the first Regulatory Commission in India to notify the Demand side Management (DSM) Regulations.

The thrust of these Regulations is to promote energy efficiency and energy conservation efforts. The Regulations mandate the licensees to make DSM a part of their day-to-day operations and allows the licensees to recover their DSM costs from their ARR while ensuring cost-effectiveness of the approved programmes.

A DSM Consultative Committee has been formed under the Regulations with Secretary, MERC as the Chairman, to assist the Commission in helping the utilities achieve their targets.

The MYT Regulations notified by the Commission also mandate the Distribution Licensees (under Regulation 7.3) to project their power purchase requirements only after considering the effect of the targets set for energy efficiency and DSM schemes.

### Progress of DSM Programmes during FY 2012-13

During FY 2012-13 MERC approved various incentive-based DSM programmes. Progress and status of these programmes is given below.

#### Five Star Rated Ceiling Fan Programme

- The Commission vide letter dated 1 April, 2012 accorded approval for the implementation of DSM programme for Retrofitting of old Ceiling fans with 5 Star rated energy efficient Ceiling fans at 33/11 KV Substations and Section offices of MSEDCL.
- Out of total 5000 nos. approved ceiling fan, 4762 nos. energy efficient fans have been installed.
- For M&V sample of 301 fans spread over 6 climatic zones. M&V is being carried out at identified substations & section offices/division offices on sample basis 524 fans.
- The hour-meters for M&V are installed at selected locations & readings are being noted down.

### Status of Installation of Fans and M&V Under DSM

Sr. No.	Zone	No. of Fans allotted	No. of Fans lifted	No. of Fans Installed	M&V carried out
1.	Bhandup	334	334	334	142
2.	Kokan	150	150	150	8
3.	Nashik	608	608	605	26
4.	Jalgaon	522	522	522	24
5.	Pune	208	208	208	14
6.	Kolhapur	322	320	320	16
7.	Baramati	486	486	486	9
8.	A'bad	329	329	301	37
9.	Nanded	399	399	399	24
10.	Latur	616	616	592	43
11.	Amravati	524	524	343	20
12.	Nagpur Urban	205	205	205	81
13.	Nagpur	297	297	297	35
		<b>5000</b>	<b>4998</b>	<b>4762</b>	<b>479</b>

#### T-5 FTL Programme

The T-5 florescent tube light programme was implemented by RInfra-D and TPC-D. RInfra-D has installed 3,939 T-5 FTLs against an approved target of 1,00,000. TPC-D replaced 4,353 installations against a target of 50,000.

#### Five Star Rating Ceiling Fan Programme

RInfra-D has successfully implemented this programme's first phase where they completed a replacement target of 5,000 ceiling fans. They are implementing the second phase target of 20,000 and have so far replaced 421 fans and TPC-D replaced 3,113 installations upto 31 March, 2013. The project work is still in progress.

#### Window AC Replacement Programme

RInfra-D has replaced 51 window ACs in the first phase against a target of 200 and discontinued the programme due to revision of star rating by BEE. TPC-D replaced 62 window ACs in the first phase against a target of 200 and discontinued the programme. Both utilities are relaunching the second phase of this programme as per the revised star rating of BEE.



## **Thermal Energy Storage Programme**

The TPC-D pilot thermal storage programme was approved with a budget of Rs. 59 lakh. TPC-D successfully implemented the programme and is able to shift 1600 KVA load during peak hours. TPC-D succeeded in achieving 1,50,000 units of energy shift per month.

## **Five Star Rated Refrigerator Programme**

The Five-Star rated refrigerator programme was approved for both RInfra-D and TPC-D and the RFP has been floated by both the licensees.

## **Demand Response (Manual) Programme**

TPC-D has successfully implemented the Demand Response pilot project showing 1,46,147 unit load-shift. It has carried out tests for 12 MW curtailable load capacity in this programme.

## **Auto Demand Response Programme**

MERC has constituted Demand Response sub-committee under the leadership of Prof. Suryanarayana Dolla, IIT, Mumbai to study the necessary framework for the auto Demand Response programme.

## **Agricultural Pump DSM**

Agricultural pump replacement is being carried out in the Solapur circle of MSEDCL as a part of the agricultural DSM measures initiated by MOP. MSEDCL has replaced 2,000 old and inefficient agricultural pump sets with energy efficient pump sets against the approved target of 3,000 pumps. The old pumps had an efficiency rate of 28 % whereas the efficiency rate of the new pumps sets is 48.9%. The project is designed to achieve 6.1 MU savings per annum.

## **Standard Offer Programme**

Observing that many industrial and commercial consumers invest in energy efficiency projects to save on electricity consumption, TPC-D introduced a scheme called Standard Offer to support energy saving initiatives of consumers.

Under the scheme, an incentive of Rs.1/kWh is given for proven energy savings achieved during 08:00-20:00 hrs except on Sundays and holidays. MERC approved the pilot project in January 2013 with a budget of Rs 42,50,000.

## **Way Forward**

MERC is in the process of drafting the DSM Measurement Protocol to streamline procedures for verification of DSM programme performance. The draft MERC (Evaluation, Measurement and Verification of DSM) Regulations 2012 is currently under preparation.

## **5.3 Roadmap for Cross Subsidy Reduction in Maharashtra**

The Government of Maharashtra (GoM) vide letter dated 28 August, 2009 issued directions under Section 108 of Electricity Act, 2003 to formulate a policy to progressively reduce cross-subsidies in retail tariff as required under Section 61(g) of the Act.

In response to the above mentioned letter, the Commission vide letter dated 23 September, 2009 informed GoM that it will formulate a roadmap for reduction of cross-subsidy in the State.

GoM vide letter dated 8 April, 2010 expressed its views that any intervention in the present cross-subsidy structure would have implications for macro-economic policies and impact the cost of living and cost of production in various classes and sectors of the economy. GoM informed the Commission that such aspects and implications must be finalised only after a comprehensive study and due consultation with the State Government, Government of India and other stakeholders.

The Commission initiated the process of "Preparation of Roadmap for Progressive Reduction of Cross-Subsidy in Maharashtra". A number of representations were received by the Commission from electricity consumers and Distribution Licensees in Maharashtra. The Commission also discussed the progress of the assignment in several State Advisory Committee (SAC) meetings.

The roadmap to reduce cross-subsidy has been developed for a period of five years from FY 2011-12 to FY 2015-16 for BEST, MSEDCL, RInfra-D and TPC-D. For preparation of the roadmap, projections regarding consumer number and sales were carried out for each licensee.

In the said report, the first option is that the Commission may adopt a roadmap to reduce cross-subsidy without giving a tariff shock to consumers, which may require a horizon of more than five years to achieve the targeted level of subsidy. Under the second option, the

Commission may adopt an accelerated roadmap of cross-subsidy reduction, where a few categories of consumers may experience a tariff shock. However, this option may be adopted without giving tariff shock to consumers, if some external monetary support is available for such consumers to mitigate the tariff shock.

The Commission may make such a roadmap co-terminus with the control period of MYT regulations to reduce the level of cross-subsidy in the State. The Commission vide letter dated 21 June, 2012 has submitted the draft report to the Government of Maharashtra for consultation on the options available before initiating the process of development of the roadmap for reduction of cross-subsidy on the respective licensee's projections of consumer numbers and sales.

## 5.4 Parallel Licensing

The Preamble to Electricity Act 2003 aims towards promoting competition in the electricity sector and therefore, the Act empowers Central and State Commissions to take necessary steps towards creating competitive environment in the electricity sector. The operationalisation of parallel Distribution License regime is one such step towards encouraging competition between various electricity Distribution Licensees. The provisions in section 14 and 42(3) of the Electricity Act, 2003 relate to parallel Distribution Licensees.

Presently three Distribution Licensees are supplying electricity in Mumbai, namely BEST, Tata Power-D and R-Infra-D.

MERC through order in Case No. 50 of 2009 approved an interim protocol under section 94(2) of the Act and provided the detailed procedure to be followed for changeover consumers. Many changeover consumers benefited from reduced electricity bills. The changeover protocol which has been implemented in the Mumbai suburban area for around two years gave rise to certain operational issues like meter-reading, cross-subsidy, cherry-picking of consumers, etc.

The Commission in Case No. 151 of 2011, to ensure a level playing field and protect the interest of low-end consumers in the common area of supply between TPC-D and RInfra-D, modified the interim order in Case No. 50 of 2009, under Section 94(2) of EA 2003. The Commission issued specific directions to TPC-D regarding the construction of its own network.

## 5.5 Transmission Planning

The State Transmission Utility formulates a five-year transmission plan for Maharashtra, taking into account the previous year's load growth and upcoming generating stations, new loads, including SEZs and malls.

### State Grid Code

MERC published the State Grid Code in 2006 which lays down the rules, guidelines and standards to be followed by the participants in the intra-state transmission system. This includes planning, development and maintenance of the intra-state transmission system as a part of the Western Regional Grid System in the most efficient, reliable and economic manner, while facilitating a healthy competition in the generation and supply of electricity.

The Grid Code also prescribes the planning criteria to be followed while planning the transmission system in the State. These criteria are to be based on the same security philosophy on which the ISTS (Inter State Transmission System) has been planned. The security philosophy is as per the Transmission Planning Criteria and other guidelines as published by the Central Electricity Authority (CEA), provided that Maharashtra STU should carry out appropriate system studies while developing the transmission system plan.

### Transmission system proposed by CEA for Maharashtra

Transmission System within Western Region (WR) with associated new Independent Power Producers (IPP) with new IPP projects in Chhattisgarh

- (i) Raipur Pooling station-Wardha 765 kV 2xD/C or 4xS/C
- (ii) Wardha-Aurangabad (PG) 765 kV 2xD/C or 4xS/C
- (iii) Aurangabad (PG)-Kudus (PG) 765 kV 1xD/C or 2xS/C
- (iv) Establishment of 765/400 kV 2x1500 MVA substations at Aurangabad and Kudus (GIS)
- (v) Aurangabad (PG)-Boisar 400 kV D/C (Quad)
- (vi) Kudus (PG)-Kudus (MSETCL) 400 kV D/C (Quad)
- (vii) Aurangabad-Dhule (IPTC) 765 kV D/C
- (viii) Dhule (IPTC)-Vadodara (PG) 765 kV D/C
- (ix) Establishment of 765/400 kV 2x1500 MVA substations at Dhule (IPTC)
- (x) Dhule (IPTC)-Dhule (MSETCL) 400 kV D/C (Quad)(Quad)

### **Transmission system associated with Krishnapatnam (5x800 MW) (WR Portion)**

- (i) Raichur-Solapur 765 kV S/C
- (ii) Solapur-Pune 765 kV S/C
- (iii) Establishment of new 765/400 kV substations at Solapur and Pune with 2x1500 MVA transformation capacity

### **Solapur STPP (2x660MW) transmission system**

- (i) Solapur STPP-Solapur (PG) 400kV D/C
- (ii) Solapur STPP-Pune (PG) (Pune S/s under Krishnapatnam UMPP) 400kV D/C (Quad)
- (iii) Augmentation of 400/220kV ICT by 1x315MVA transformer (No 3) at Solapur (PG)

### **Depending upon the southern region IPPs, PGCIL has planned the following Infrastructure:**

- (i) 765 kV Narendra (PG)-765 kV Kolhapur (PG) D/C
- (ii) 765 kV Padghe (PG)-765 kV Kolhapur (PG) S/C
- (iii) 765 kV Pune (PG)-765 kV Kolhapur (PG) S/C
- (iv) 765 kV Padghe (PG)-765 kV Pune (PG) S/C

## **5.6 Smart Grid Coordination Committee**

With a view to promoting and synergizing the energy efficiency measures taken by the utilities in the State and also implement Smart Grid initiatives in developing a Smart electricity network in the State, Shri Vijay L. Sonavane, Member, MERC initiated the Smart Grid Coordination Committee in May, 2012. The Committee is mandated to bring all stakeholders on the same platform to synergize their efforts. The Committee would identify a Smart Grid strategy for the State in order to define short term, mid term and long term objectives and develop an action plan for meeting these objectives. The Committee consists of representatives from the utilities, consumer organizations, academic institutes like IIT, Mumbai & VJTI, Mumbai, manufacturers, and consultants.

The Committee has been named as Maharashtra Smart Grid Coordination Committee (MAHA-SGCC) and is mentored by Shri Reji Kumar, President, India Smart Grid Forum and Shri Vijay L. Sonavane, Member, MERC.

The Terms of Reference of the Committee are:

To identify and guide the actions that MERC, utilities and other stakeholders need to take to facilitate the deployment of Smart Grid.

To identify the future challenges of the Maharashtra electricity systems, including technical and financial barriers for efficient deployment of Smart Grid and the

means to address them.

To facilitate the exchange of information and knowledge between key stakeholders.

To help all stakeholders better understand future developments in Smart Grids, which will help them to prepare for future challenges.

To track Smart Grid developments at the international and national levels and device key drivers for such developments.

To formulate draft Regulations for Smart Grid in the State.

In FY 2012-13, two meetings of MAHA-SGCC were held on 12 June, 2012 and 15 February, 2013, respectively. In the first meeting, Shri Reji Kumar, President, India Smart Grid Forum updated the members on the various initiatives taken by the Ministry of Power, GoI, for implementing Smart Grids in India. He shared the document titled "Smart Grid roadmap for State of New York" and expressed the need for formulation of a similar roadmap at the national and state levels in India. Shri Vijay L. Sonavane, Member, MERC expressed the need for small working groups at the working level, similar to ISGF, to expedite the process of formulation of vision document/ roadmap for development of Smart Grids in Maharashtra. The academic institutes presented their views and detailed conceptual model of Indian Smart Grid Architecture and future Indian power systems. The utilities shared their initiatives regarding Smart Grid implementation.

Meanwhile, the Ministry of Power has given clearance to a Smart Grid Pilot Project at Baramati town and hence, the responsibility of the members of MAHA-SGCC has widened.

In the second meeting held on 15 February, 2013, Shri Rajendra Ambekar, Director (Tariff) has been nominated as Secretary of MAHA-SGCC. At the working levels, the various working groups (WG) were formed to expedite the study in the matter. The working groups are:

WG1: State Energy Policy/ Smart Grid Roadmap

WG2: Advanced Metering Interface and Smart Metering

WG3: Communications for Smart Grid

WG4: Integrating RE sources, Micro Grids and Energy Storage Systems

WG 5: Peak Load Control & Demand Response

Chairman and Co-chairman have been appointed for the group assigning the ultimate responsibility for the working of the group. During the meeting, the internal processes for functioning of the working group have been decided. MAHA-SGCC meetings will be held quarterly.

## 6. TARIFF AND OTHER ORDERS

### 6.1 ARR and True-Up

#### **Petition filed by MSPGCL for final True up for FY 2010-11, approval of Aggregate Revenue Requirement and Tariff for FY 2011-12 and FY 2012-13 (Case No. 6 of 2012)**

MSPGCL submitted the Petition for final True up for FY 2010-11, approval of Aggregate Revenue Requirement and Tariff for FY 2011-12 and FY 2012-13 (Case No. 6 of 2012) The Commission approved True up for FY 2010-11, Aggregate Revenue Requirement and Tariff for FY 2011-12 and FY 2012-13 vide order dated 21 June, 2012

The salient features of this Order are as under:

The Commission directed that MSPGCL should take adequate steps to arrange good quality of coal and should ensure timely completion of planned outages and the overhauls of its stations.

For the purpose of ARR for FY 2011-12 and FY 2012-13 for new units, the Commission has approved Availability and PLF on the normative basis of 80% as per the MERC (Terms and Conditions of Tariff) Regulations, 2005.

Commission approved the tariff for the period in respect of two new units Paras U-4 and Parli U-7 which were commissioned during the year 2009-2010.

MSPGCL submitted that it has taken initiative to add capacity in near future with mix of thermal, solar and hydel Projects. MSPGCL also submitted that they have started works in Machhakata-Mahanadi and Chendipada-I &II Coal Blocks allotted by Ministry of Coal

#### **Review Petition:**

#### **Petition submitted by MSPGCL seeking review of Order dated June 21, 2012 in Case No. 6 of 2012 for final Truing up for FY 2010-11, approval of Aggregate Revenue Requirement and Tariff for FY 2011-12 and FY 2012-13 (Case no 77 of 2012)**

MSPGCL submitted review petition on 2 August, 2012 (Case No 77 of 2012) for review of the Commission's tariff orders Case No 6 of 2012 dated 21.06.2012, Petitioner had requested review of major issues like capital expenditure and relief provided in case of Chandrapur TPS due to water crisis. After hearing the petitioner and considering the documents placed before

it, the Commission passed order on 8 February, 2013 directing the MSPGCL to recover this additional amount of Rs 143.12 crore in three equal monthly instalments, starting from February 2013 to April 2013.

#### **MSETCL Petition for Truing-up of FY 2010-11 and Approval of Aggregate Revenue Requirement (ARR) for FY 2011-12 and FY 2012-13 (Case No. 169 of 2011)**

MSETCL submitted Petition for approval of True-up of FY 2010-11 and ARR for FY 2011-12 and FY 2012-13 on 29 November, 2011. The Petition is based on actual audited expenditure for FY 2010-11 and projected expenditure for FY 2011-12 and FY 2012-13.

The first Technical Validation Session (TVS) was held on 26 December, 2011. Based on the replies filed by MSETCL to the data-gaps raised before and during first TVS, second TVS was held on 16 January, 2012. After the second TVS, MSETCL corrected its Petition and submitted the revised Petition to the Commission on 8 February, 2012.

The Commission admitted the Petition on 9 February, 2012 and also directed MSETCL to publish its application in accordance with Section 64 of the EA 2003 as summarized below:

#### **Aggregate revenue requirement for FY 2011-12 & FY 2012-13**

Particulars	FY 2011-12		FY 2012-13	
	MSETCL Petition	Approved	MSETCL Petition	Approved
ARR from transmission Tariff (Rs.Cr)	2,980.73	2,485.58	3,105.49	2,793.25

Based on the approved ARR and revenue from transmission charges, the cumulative revenue gap till FY 2011-12 works out to Rs. 759.55 crore.

Based on the approved expenses and revenue, the consolidated ARR to be considered for determination of Tariff for FY 2012-13, after considering the cumulative gap till FY 2011-12 works out to Rs. 3552.80 crore.

#### **MSETCL Petition under Regulation 85 of the MERC (Conduct of Business) Regulations, 2004, seeking review of the Order dated 29 December, 2011 in Case No. 102 of 2011 in the matter of MSETCL's Truing up for FY 2009-10 and approval of Annual Performance Review (APR) for FY 2010-11 (Case No. 17 of 2012)**

Maharashtra State Electricity Transmission Co. Ltd. (MSETCL) submitted a Petition on 13 February, 2012 in accordance with the provisions of Regulation 85 of MERC (Conduct of Business) Regulations, 2004, seeking review of the Order dated 29 December, 2011 (Case No. 102 of 2011) in the matter of MSETCL's approval of Final True up for FY 2009-10, and Annual Performance Review (APR) for FY 2010-11.

The Petitioner has sought a review of the said Order dated 29 December, 2011 (Case No. 102 of 2011) for the following issues:

- a) A&G expenses approved for FY 2009-10;
- b) R&M expenses approved for FY 2009-10;
- c) Interest on long term loans approved for FY 2009-10;
- d) Sharing of gains and losses approved for FY 2009-10;
- e) Provisional True-up of employee expenses approved for FY 2010-11;
- f) Provisional True-up of A&G expenses approved for FY 2010-11; and
- g) Provisional True-up of interest on long term loans approved for FY 2010-11.

After analysing all the issues raised, the Commission has provided rulings on each of the issues raised by petitioner the Commission vide its Order dated 24 December, 2012 disposed off this petition summarising the financial impact of all the issues as per the following table:

S. No.	Particulars	Additional impact amount approved as per this Order
1	Additional A&G expenses after sharing of gains/ (losses) approved for FY 2009-10	1.87
2	Additional Interest on working capital after sharing of gains/ (losses) approved for FY 2009-10	1.79
3	Additional Interest on long term loans approved for FY 2009-10	152.98
4	Additional incentive on transmission availability approved for FY 2009-10	2.12
5	Additional A&G expenses approved for FY 2010-11	0.88
6	Total additional amount recoverable by MSETCL	159.64

The total additional amount recoverable by MSETCL as established above is to be recovered over and above the gap approved in Order dated 29 December, 2011 (Case No. 102 of 2011). The treatment for recovery of

this amount will be finalised in the next tariff determination exercise.

**MSETCL Petition under Regulation 85 of the MERC (Conduct of Business) Regulations, 2004, seeking review of the Order dated 18 May, 2012 in Case No. 169 of 2011 in the matter of MSETCL's Truing up for FY 2010-11 and approval of Aggregate Revenue Requirement (ARR) for FY 2011-12 and FY 2012-13 under provisions of MERC (Terms and Conditions of Tariff) Regulations, 2005 (Case No. 106 of 2012)**

Maharashtra State Electricity Transmission Company Ltd. (MSETCL) submitted a Petition on 27 June, 2012 in accordance with the provisions of Regulation 85 of MERC (Conduct of Business) Regulations, 2004, seeking review of the Order dated 18 May, 2012 in Case No. 169 of 2011 passed by the Commission in the matter of Petition filed by MSETCL for approval of final Truing up for FY 2010-11 and Aggregate Revenue Requirement (ARR) for FY 2011-12 and FY 2012-13 under the provisions of MERC (Terms and Conditions of Tariff) Regulations 2005.

The issues raised and the Commission's rulings thereon after hearing the Petitioner and considering the material placed on record are as follows:

**a) Advance Against Depreciation (AAD) approved for FY 2010-11**

The Petitioner submitted that in the impugned Order the Commission disallowed AAD of Rs. 364.98 crore for FY 2011-12 and Rs. 123.62 crore for FY 2012-13. The Petitioner prayed to the Commission to review the disallowed AAD for FY 2011-12 and FY 2012-13 in line with the submissions made by the Petitioner in the matter of disallowance of AAD for FY 2010-11. The Commission has arrived at the applicable depreciation rate by computing the actual depreciation amount as a percentage of the average of actual opening GFA and closing GFA as

per the audited accounts for FY 2010-11, which works out to 2.80% for FY 2010-11. Based on average of opening GFA and closing GFA and depreciation rate, depreciation for FY 2010-11 works out to Rs. 336.11 crore.

The Commission has considered repayment of Rs. 362.79 crore as submitted by the Petitioner. The difference between this repayment and depreciation amounting to Rs. 26.68 crore is considered for AAD computation. As per Regulation 48.3 of MERC (Terms and Conditions of Tariff) Regulations, 2005 the Commission has computed the difference between 1/10th of principal to be repaid in FY 2010-11 (which is Rs. 413.68 crore) and depreciation approved (which is Rs. 336.11 crore). This difference is Rs. 77.57 crore. Since, this difference amount is higher than AAD computed the Commission has approved an AAD of Rs. 26.68 crore.

### **b) Capitalisation approved for FY 2010-11**

As regards issue of Petitioner's claims of disallowance of capitalisation pertaining to life extension schemes and sub-station schemes. The Commission noted that the details submitted by the Petitioner pertained to MSEB period schemes and the same were submitted to the Commission for post facto approval.

The Commission has conducted prudence check on the submissions made by the Petitioner under this Review Petition. After Assessment of schemes the Commission approves Rs. 219.36 crore as additional capitalisation for FY 2010-11 as per the analysis presented in the above table. The additional capitalisation is approved over and above the approved capitalisation as per the Order in Case No. 169 of 2011.

In view of the change in approved capitalisation for FY 2010-11 the Commission has restated the Aggregate Revenue Requirement (ARR) for FY 2010-11, FY 2011-12 and FY 2012-13.

Based on the restated approved ARR and revenue from transmission charges the cumulative revenue gap till FY 2011-12 works out to Rs. 1259.17 crore.

Based on the approved expenses and revenue the consolidated ARR to be considered for determination of tariff for FY 2012-13, after considering the restated cumulative revenue gap till FY 2011-12, works out to Rs. 4214.80 crore.

The Commissions vide its Order dated 14 December, 2012 disposed off this petition.

### **MSEDCL's Petition for True up for FY 2010-11, approval of Annual Revenue Requirement (ARR) for FY 2011-12 and FY 2012-13, Tariff for FY 2012-13 and Revision of Schedule of Charges (Case No. 19 of 2012)**

The Commission vide Order dated 16 August, 2012,

determined the tariff for MSEDCL for FY 2012-13 applicable from 1 August, 2012 and determined the ARR for FY 2011-12 and FY 2012-13. The Public Hearings were held at all the six revenue headquarters of Maharashtra, namely, Amravati, Nagpur, Aurangabad, Nasik, Pune and Navi Mumbai in the month of July 2012.

The salient features of the Tariff Order are as under:

The Annual Revenue Requirement works out to Rs. 48,926 crore for FY 2012-13 and revenue gap of Rs. 6,921 crore.

The Commission has approved an overall increase in average tariff of 16.48%. This increase is notified Tariff schedule as modified by Interim Relief Order dated 31 October, 2011.

The effective average tariff increase for consumers works out to only 6.91%. This is after taking into account the impact of existing additional energy charges as well as the existing level of Fuel Adjustment Cost (FAC). The increase ensures that all prudent expenses of MSEDCL are recovered through the revised tariffs. The Average Cost of Supply approved by the Commission works out to Rs. 5.56 per unit.

The Commission has introduced the provision of allowing all LT Commercial and LT Industrial consumers consuming less than 300 units per month to avail tariff as per LT Residential category. This initiative of the Commission will ensure hassle free power supply at affordable rates for people carrying out professional or small commercial activities out of their residential premises and small commercial and industrial units. This provision will benefit about 3.5 lakhs consumers.

A new category called "Public Services" in both LT and HT has been formed. This new category shall be applicable for hospitals and educational institutes (irrespective of ownership), defense services establishments, police stations, post offices, fire service stations, public libraries and reading rooms, courts, airports, etc.

Sub-category in HT-VIII-Temporary Supply category for temporary connections required for religious purposes is introduced. The tariff for this sub-category is substantially lower than temporary connections.

The increase in tariff has been uniformly applied to all categories except special interventions in select categories for reducing the levels of cross-subsidy.

Consumers availing supply at EHV level will get a rebate of 3% on the energy charges. This initiative will incentivise consumers who can shift to EHV supply to do so, thus ensuring the reduction of overall distribution loss level in the system.

The off-peak rebate for night consumption for the categories in which ToD Tariff is applicable has been increased from 85 paise to 100 paise per unit as an initiative towards better demand side management and to increase the competitiveness of industries in Maharashtra.

The Commission has increased the fixed charges by 25% for all categories. The interest on consumer security deposit has been increased to 9.5%. The Commission has approved the distribution loss target of 15.77% for FY 2012-13. Further, in order to ascertain authenticity of the agriculture sales, the Commission has directed MSEDCL to conduct a third party audit of representative feeders supplying power to agriculture consumers.

The Commission has directed MSEDCL to initiate its Multi Year Tariff (MYT) filing through submission of MYT Business Plan

**Petition filed by Maharashtra State Electricity Distribution Co. Ltd. under Regulation 85 of the MERC (Conduct of Business) Regulations, 2004, seeking review of the Order of the Commission in respect of MSEDCL's Tariff Order dated 16 August, 2012 in Case No. 19 of 2012 (Case No. 107 of 2012)**

MSEDCL filed a Review Petition (Case No. 107 of 2012) seeking review of the decisions, directions and Order of the Commission in respect of Order dated 16 August, 2012 in Case No. 19 of 2012. The Commission, after considering all representations and issues raised by Petitioner, Consumer Representatives and Interveners, issued Order on 26 December, 2012 (Case No. 107 of 2012)

Increasing ToD rebate for night off-peak hours was one of the issue in above said Review Petition filed by MSEDCL. During the proceedings of the Case, Consumer Representatives and Interveners supported for increase in ToD rebate during night off-peak hours. The Commission has approved the increase in the ToD rebate for off-peak consumption (i.e, 2200 hours to 0600 hours) to all such Consumer categories for which ToD

rebate was approved in MSEDCL Tariff Order dated 16 August, 2012, from 100 paise/kWh to 250 paise/kWh, on a trial basis for 3 months starting from 1 January, 2013. This revised rebate shall come into force from 1 January 2013 and remain effective till 31 March, 2013. Accordingly, the revised ToD structure w.e.f. 1 January, 2013 will be as follows :

<b>ToD Tariff in additional to Energy Charges applicable to respective Tariff Category (Paise/kWh)</b>		
<b>ToD Time Slot</b>	<b>Existing</b>	<b>Revised w.e.f. 1 January, 2013</b>
2200 hrs to 0600 hrs	-100	-250
0600 hrs to 0900 hrs & 1200 hrs to 1800 hrs	0	0
0900 hrs to 1200 hrs	80	80
1800 hrs to 2200 hrs	110	110

Based on the experience gained during 3 months, MSEDCL is directed to approach the Commission for seeking extension of the increase in ToD rebate, with Cost-benefit analysis of the implementation of revised ToD rebate during night off-peak hours.

**Petition filed by Reliance Infrastructure Limited for its generation business (RInfra-G) for approval of Aggregate Revenue Requirement (ARR) for FY 2011-12 (Case No.163 of 2011)**

Reliance Infrastructure Limited's generation business (RInfra-G) submitted its application for determination of Aggregate Revenue Requirement (ARR) for FY 2011-12 on 29 November, 2011. Thereafter, in response to the data gaps identified by the Commission, RInfra-G modified its Petition and submitted an amended Petition on 7 February, 2012.

The Commission, in exercise of the powers vested in it under Section 61 and Section 62 of the Electricity Act, 2003 (EA 2003) and all other powers enabling it in this behalf, and after taking into consideration all the submissions made by RInfra-G, all the objections and comments of the public, responses of RInfra-G, issues raised during the public hearing held on 22 March, 2012, and all other relevant material, approved Net Aggregate Revenue Requirement of Rs. 1023.23 crore for FY 2011-12 vide its Order dated 16 May, 2012. Annual fixed charges for RInfra-G for FY 2011-12 work out to Rs. 219.67 crore.

**Petition filed by Reliance Infrastructure Limited for its generation business (RInfra-G) for Truing up of FY 2010-11 and FY 2011-12 (Case No. 122 of 2012)**

Reliance Infrastructure Limited submitted a petition on 5 November, 2012 for its generation business (RInfra-G) for Truing up of Aggregate Revenue Requirement (ARR) for FY 2010-11 and FY 2011-12. The TVS in the matter held on 23 November, 2012. Based on the data gaps identified by the Commission RInfra-G submitted revised Petition on 11 January, 2013 which is admitted by the Commission on 15 January, 2013. Public hearing in the matter is held on 20th February, 2013. After carrying out the due regulatory process in the matter and prudence check of data submitted by RInfra-G, the Commission ruled as below:

RInfra-G submitted expenses related to past period for Rs. 12.40 crore. The Commission has trued up the expenses related to past period as Rs. 10.76 crore.

RInfra-G Submitted the ARR for FY 2010-11 as Rs. 1129.68 crore. The Commission trued up the ARR for FY 2010-11 as Rs. 1081.85 crore. after prudence check.

RInfra-G Submitted the ARR for FY 2011-12 as Rs. 1311.63 crore. The Commission trued up the ARR for FY 2011-12 as Rs. 1237.96 crore. after prudence check.

**As a result surplus/gap for the period upto FY 2011-12 is as per following table:**

Particulars	RInfra claim	Approved after Truing up
Adjustments related to past period	12.40	10.76
Revenue gap / (Surplus) for FY 2010-11	2.81	(45.02)
Revenue gap / (surplus) for FY 2011-12	15.67	(58.00)
<b>Total adjustment required</b>	<b>30.87</b>	<b>(92.26)</b>

Since FY 2011-12 is the last year of Tariff determination for RInfra-G under the provisions of Tariff Regulations, 2005, the Commission will consider the above surplus of Rs. 92.26 crore for determination of tariff under MYT Regulations, 2011.

However, the Commission has not trued up Income Tax since RInfra has not submitted required documents relevant to it.

More over based on the directions given by the Hon'ble Tribunal, regarding interest on working capital, the Commission has allowed interest on working capital as shown in above tables and the same shall be given effect in the next Tariff Order for RInfra-G. This will be subject to the outcome of the Civil Appeals filed by the Commission against these directions of the Hon'ble Tribunal before the Supreme Court.

**Petition for approval of Aggregate Revenue Requirement (ARR) for FY 2011-12 under the provisions of MERC (Terms and Conditions of Tariff) Regulations, 2005 (Case No. 167 of 2011)**

RInfra-T was granted a transmission licence in Maharashtra vide Commission's Order dated 11 August 2011 in Case No. 70 of 2011 and transmission License No. 1 of 2011.

RInfra-T submitted its Petition for approval of ARR for FY 2011-12 dated 21 November, 2011, in accordance with Regulations of MERC (Terms and Conditions of Tariff) Regulations, 2005.

Based on the analysis of above petition, the Aggregate Revenue Requirement of RInfra-T for FY 2011-12 as approved by the Commission vis-à-vis that claimed by RInfra-T in the Petition is given below.

**Aggregate Revenue Requirement for FY 2011-12 (In Rs crore)**

(In Rs crore)

Particulars	RInfra-T Petition	Approved
Aggregate Revenue Requirement from transmission tariff	141.57	119.34
Add: Revenue Gap from provisional Truing Up of FY 2010-11	17.17	3.58
Total Revenue to be recovered through transmission tariff	158.74	115.76



### Cumulative Gap for FY 2011-12 (In Rs crore)

Particulars	Approved
Total Revenue to be recovered through transmission tariff for FY 2011-12	115.76
Estimated revenue from transmission tariff for FY 2011-12	92.75
Cumulative gap until FY 2011-12	23.01

### Cumulative Revenue Gap until FY 2011-12 (Rs In crore)

Particulars	Approved
Cumulative gap until FY 2011-12	23.01
Add: Impact of Income Tax for FY 2009-10	3.89
Add: Impact of Income Tax for FY 2010-11	7.34
Cumulative Revenue Gap until FY 2011-12 to be recovered through Transmission tariff	34.24

#### **Petition seeking approval of Aggregate Revenue Requirement and determination of Tariff for its distribution business (RInfra-D) for FY 2011-12 (Case No. 180 of 2011)**

The Commission, vide Order dated 2 September, 2011 deferred the applicability of MERC (Multi Year Tariff) Regulations, 2011 for RInfra-D in the FY 2011-12. Accordingly, RInfra-D filed Petition for determination of tariff for FY 2011-12 under the Maharashtra Electricity Regulatory Commission (Terms and Conditions of Tariff) Regulations, 2005 (Case No. 180 of 2011), on December 3, 2011. A Public hearing was held at Mumbai on 27 March, 2012, where Consumer Representatives also participated. The Commission, vide Order dated 15 June, 2012 determined the revenue surplus for FY 2011-12 of Rs. 145.32 crore. The Commission also determined total revenue gap of Rs. 1795.37 crore comprising of Incremental Revenue Gap of FY 2008-09, Incremental Revenue Gap of FY 2009-10, Regulatory Assets, Impact of Hon'ble ATE Order, Impact of Adjustment of Consumer Contribution and Additional Capitalisation, Revenue Gap of FY 2010-11 and Revenue Gap of FY 2011-12.

#### **Brihan Mumbai Electric Supply and Transport Undertaking (BEST) for approval of Aggregate Revenue Requirement and Tariff for FY 2011-12 (Case No. 171 of 2011)**

The Commission vide Order dated 16 May, 2012 determined the Annual Revenue Requirement and Tariff for BEST for FY 2011-12 and revised tariffs applicable

from 1 June, 2012. A Public Hearing was held at Mumbai on 26 March, 2012 where Consumer Representatives also participated.

Prominent features of the Commission's Order are as follows:

The Annual Revenue Requirement works out to Rs. 3,685 crore for FY 2011-12.

As regards, the Transport Division deficit of Rs. 324 crore for FY 2011-12, sought to be recovered from the consumers of the Electricity Supply Division by BEST, the Hon'ble Supreme Court, in its Judgment dated February 8, 2011, ruled that *"In our opinion it would not be correct to hold that despite the third proviso to Section 51 of the Act, the distribution licensee must not only maintain separate accounts for each of its businesses but must also ensure that the electricity distribution business should not subsidize the other business undertakings"*.

The Commission has approved the cumulative revenue gap of Rs. 1,061 crore up to FY 2011-12 at existing tariffs, which mainly comprises of the Transport Division's losses of Rs. 659 crore for FY 2009-10, FY 2010-11 and FY 2011-12.

The Commission decided to defer the recovery of revenue gap equivalent to Rs. 300 crore, by creating a Regulatory Asset, which will be amortised over the next three years, along with associated carrying cost.

The average tariff increase works out to around 27.6%, and the Average Cost of Supply (ACOS) is Rs. 7.78 per kWh.

In order to sensitize the consumers of BEST to the impact of the Transport Division's losses being passed on through the Electricity Supply Division's tariffs, the Commission has created a new charge called "Transport Division Loss Recovery Charge", and this charge has been levied in proportion to the Energy Charges of the respective category/consumption slab.

Two new consumer categories LT IX and HT V are introduced to cater the hospitals and educational institutions, irrespective of ownership, and religious and charitable institutions.

The Commission has reduced the consumption slabs in LT II (a) and LT III categories as 0 to 500 units and above 500 units.

#### **Petition for approval of Truing up of the Aggregate Revenue Requirement for FY 2010-11 and approval of Aggregate Revenue Requirement for FY 2011-12 (Case No. 170 of 2011)**

Commission vide letter dated 4 November, 2011, directed JPTL to submit a Petition for approval of ARR for FY 2011-12, as per the MERC (Terms and Conditions of Tariff) Regulations, 2005. In compliance with this direction, JPTL submitted its Petition for approval of Truing up of ARR for FY 2010-11 and approval of ARR for FY 2011-12 on 28 November, 2011. Thereafter, JPTL submitted the revised ARR Petition on 17 January, 2012, the Commission admitted the ARR Petition of JPTL on 8 February, 2012.

JPTL in its Petition submitted that the 55 km 400 kV D/C (quad) Jaigad-New Koyna transmission line was commissioned on 7 July, 2010. (Circuit 2 and Circuit 1 of the 110 km 400kV D/C (quad) Jaigad-Karad transmission line were commissioned on 28 September, 2011 and 2 December, 2011).

JPTL submitted that as per Clause no. 4.5.2 of Transmission Development Agreement (TDA), JSWEL is required to pay transmission charges of Rs 4.62 crore (as per audited accounts of FY 2010-11) for the period from 07 July, 2010 to 31 August, 2010. The amount of Rs. 4.62 crore was to be computed based on estimated ARR of Rs 22.09 crore for FY 2010-11.

Based on the above submissions made by JPTL, the Commission considered for recovery of transmission ARR for FY 2010-11:

1. Clause 4.5.2 of the TDA clearly provides for recovery of transmission charges by JPTL from JSWEL for the period its transmission system has remained unutilised after date of Commissioning (COD).
2. There has been a delay of 56 days from 7 July, 2010 to 31 August, 2010 between commissioning of the Jaigad-Koyna transmission line of JPTL and commissioning of the first Unit of JSWEL generating plant and during which, the said transmission line had remained unutilized.
3. Owing to the delay in commissioning of first unit of generating plant beyond COD of the Jaigad-Koyna transmission line, JPTL has invoked Clause 4.5.2 of TDA and has received compensation of Rs 4.62 crore, calculated on proportionate period basis as per estimated ARR of Rs 22.09 crore for FY 2010-11.
4. The Commission has Trued up the ARR for FY 2010-11 at Rs 28.63 crore (excluding the carrying cost) , i.e., for a period of 268 days of operation of the JPTL transmission system in FY 2010-11, ever since it was commissioned on 7 July, 2010. According to the increase in per day transmission charges owing to increase in ARR for FY 2010-11 after the present Truing up process, the share of ARR/transmission charge to be borne by JSWEL now stands at Rs 0.107 crore per day or Rs 5.98 crore for the period over which JPTL is entitled for compensation.

In view of the above, the net approved ARR for FY 2010-11 and 2011-12 is Rs. 34.16 crore and Rs. 58.60 crore, respectively. The share to be recovered from TSUs and JSWEL is Rs. 86.78 crore and Rs. 5.98 crore.

#### **Multi Year Tariff Business Plan of Maharashtra State Power Generation Company Limited (MSPGCL) for the second Control Period from FY 2013-14 to FY 2015-16 (Case No 91 of 2012)**

MSPGCL has submitted a Petition for Approval of Business Plan for the period FY 2013-14 to 2015-16 in accordance with the Regulation 4.2 and Regulation 7.1 of the MERC (Multiyear Tariff) Regulations 2011.

Technical Validation Session held on 24 September, 2012 further MSPGCL submitted the Revised Business Plan on 8 November, 2012 and Subsequently Public Hearing was held on 20 December, 2012.

Taking in to consideration suggestion and comments raised by consumers in the public hearing as well as in the written submission, The Commission approved Business Plan for MSPGCL.

## Other Issue:

### Technical Minimum of Thermal Power Station:

During the hearing held on 5 December, 2011 in Case No. 109 of 2011, in the matters of MSPGCL's 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", the Commission directed as follows:

*"The Commission directed MSLDC to ensure that "Technical Minimum" for all Generating units in the State is declared by the respective Generating companies.*

*The office of the Commission is directed to place an Order on CPRI, for assessing "Technical Minimum" declared as above."*

CPRI was appointed for certifying the Technical Minimum for Thermal Generating unit.

### Certification of Technical Minimum

Accordingly, it was proposed to carry out the exercise of certification of the Technical Minimum of all the thermal units in 2 stages

Stage – I: Internal ascertainment by the Generating companies themselves

Stage – II: Certification by CPRI by ensuring and conducting Technical Minimum at each site.

The first stage includes a process of internal assessment and internal certification, where the generating company itself will conduct necessary tests/ checks and ascertain the Technical Minimum of its various units.

In the second stage, CPRI will go round to all the Intra State Generating Units, conduct necessary tests and certify the reports arrived at through internal tests as above. Detailed Terms of Reference (TOR) have been prepared to cover both the stages of the exercise. Prior to Technical Minimum CPRI had conducted Study on Improvement of performance parameters of MSPGCL thermal power station and submitted a consolidated report to the Commission briefly giving analysis of Short term, medium and long term measures for improvement of Station heat rate and PLF. The CPRI report is published on MERC website.

**Petition for Approval of Multi Year Tariff Business Plan of Maharashtra State Electricity Transmission Company Limited (MSETCL) for the Second Control Period from FY 2011-12 to FY 2015-16 (Case No. 137 of 2011)**

A Petition was filed by Maharashtra State Electricity Transmission Company Limited (MSETCL), for approval of the MYT business plan for the second control period from FY 2011-12 to FY 2015-16, under Sections 61 to Section 64 of the Electricity Act, 2003 read with Regulations 7 and 57 of the MERC (MYT) Regulations, 2011 on dated 21 September, 2011.

The Commission admitted the Petition of TPC-T on 15 October, 2012.

As per the Commission Order dated 11 January, 2013 the approved year-wise ARR of MSETCL is given below:

Particulars	FY 12	FY 13	FY 14	FY 15	FY 16
ARR (Rs. In Crore)	2770.55	2955.63	4275.51	4963.98	5652.39

**Petition filed by Tata Power Company Ltd.- Generation Business (TPC-G) for approval of Business Plan for second control period (FY 2011-12 to FY 2015-16) under MERC(Multi Year Tariff) Regulations, 2011 (Case No. 166 of 2011)**

Pursuant to notification of MERC (MYT) Regulations, 2011 the Commission directed all licensees and generating companies to submit their MYT Business Plan and MYT Petition for the second control period from FY 2011-12 to FY 2015-16. As per directives of Commission, TPC-G filed MYT Business Plan Petition on 7 March, 2012 for approval of the Commission under Section 61, Section 62 and Section 64 of the EA 2003 and Regulation 7 of MERC MYT Regulations. The Commission noted various submissions from TPC-G in respect of Capital Expenditure Plan, Operational Performance Plan, Fuel Procurement Plan, Financing Plan and also suggestions/objections of all stakeholders. Considering the difficulty in giving effect to the determination of Tariff with effect from 1 April, 2011 under MYT Regulations, 2011, Commission passed the Order for approval of MYT Business Plan for the period FY 2012-13 to 2015-16 on 9 August, 2012, with the direction to TPC-G for submission of ARR for FY 2011-12 under MERC (Terms and Conditions of Tariff) Regulations, 2005 as a separate section in its MYT Petition for 2012-13 to 2015-16. TPC-G, in its Petition had proposed a capitalization of Rs. 2603.59 crore and the Commission approved the capitalization of Rs. 617.78 crore considering approved DPRs and unplanned expenditures. Commission approved the operational parameters for various units of TPC-G except unit 6. The Commission also directed TPC-G to put in place secured funding arrangement for the Control Period to ensure timely availability of fund. TPC-G was also

directed to take necessary measures to tie up the balance un-tied fuel requirement and to optimize the cost of fuel transportation.

**TPC-T Petition for Approval of the Multi Year Tariff Business Plan of Tata Power Company Limited- Transmission Business for the Second Control Period from FY 2012-13 to FY 2015-16. (Case No. 168 of 2011)**

A Petition dated 9 August, 2011 was filed by The Tata Power Company Limited (TPC), for approval of the MYT Business Plan for its Transmission Business (TPC-T) for the second Control Period from FY 2011-12 to FY 2015-16, under Sections 61 to Section 64 of the Electricity Act, 2003 and Regulation 7 of the MERC MYT Regulations, 2011.

The Commission admitted the Petition of TPC-T on 5 March, 2012.

As per the Commission’s Order for the found control period dated 28 June,2012 the year wise its approved ARR of TPC-T for the second control period is given below:

Particulars	FY 13	FY 14	FY 15	FY 16
Net ARR (Rs. In Crore)	414.20	517.09	650.27	880.79

**Petition filed by The Tata Power Company Limited- Distribution Business (TPC-D) for approval of its Multi Year Tariff Business Plan for the second Control Period (FY 2011-12 to FY 2015-16) (Case No 165 of 2011)**

Upon directions from the Maharashtra Electricity Regulatory Commission (MERC), Tata Power Company Ltd (TPC-D) had submitted a Petition on 29th November, 2011 under affidavit before the Commission on 29/11/2011, under Sections 61 to 64 of Electricity Act 2003 seeking approval of the Business Plan for the Distribution Business of Tata Power Company Ltd for the Second Control Period (FY 2011-12 to FY 2015-16).

The Commission, after taking into consideration all the submissions made by TPC-D, issues raised during the Public Hearing, and all other relevant material, approved vide its Order dated 26th August, 2012 the MYT Business Plan for TPC-D for the second Control Period from FY 2012-13 to FY 2015-16.

The main features of this Order are as given below:

1. TPC-D shall submit its ARR for FY 2011-12 as per MERC (Terms and conditions of Tariff) Regulations, 2005, as a separate section, in its MYT Petition for FY 2012-13 to FY 2015-16.
2. TPC-D should modify its manpower requirement based on the capex and sales approved by the Commission in this Order as well as in accordance with the directions given by the Commission in its Order dated 22 August, 2012 in Case No. 151 of 2011, and ensure that the O&M expenses for the Control Period FY 2012-13 to FY 2015-16 are within the norms as specified in the MERC MYT Regulations, 2011.
3. TPC-D to put in place firm funding arrangement, during the Control Period, so as to ensure timely fund availability for achieving capitalisation planned during the Control Period.
4. In compliance with the Commission’s directive in the Order dated 15 February, 2012 in Case No. 104 of 2011, TPC-D should submit data related to the impact of year-wise replacement schemes,
5. As regards the assets that were de-capitalised in FY 2008-09, the Commission directs TPC-D to submit the rental income from FY 2008-09 onwards, in the ARR for FY 2011-12 along with the MYT Petition.
6. The Commission is of the view that the amounts collected under the erstwhile LMC are to be used to meet the DSM programme budget.
7. TPC-D to submit the audited allocation statement, showing the receivables for Wires Business and Supply Business for FY 2011-12, along with the MYT Petition to estimate the provision for bad and doubtful debts.

Apart from above in this Business Plan Order TPC-D has been directed as follows;

1. TPC -D should continue to procure power through Case I bidding.
2. TPC-D should expedite the process of RE Power Purchase tie-up for the MYT Control Period, thereby reducing its dependence on REC to meet the RPO target.

**Petition filed by Reliance Infrastructure Limited, (Generation) for seeking approval to MYT Business Plan for FY 2011-12 to FY 2015-16 (Case No. 156 of 2011)**

Reliance Infrastructure Limited's generation business (RInfra-G), submitted a Petition on 3 November, 2011 for approval of the Multi Year Tariff (MYT) Business Plan for the second control period from FY 2011-12 to FY 2015-16.

RInfra-G in its petition submitted Company profile, DTSPS organizational structure, business overview, vision and mission statement of DTSPS, action plan to fulfil vision and mission, plan for availability, generation and PLF, capital expenditure and Capitalisation plan, financing plan, human resource development plan market issues, challenges and outlook, business risk analysis and mitigation plan, environmental initiatives at DTSPS, corporate social responsibility initiatives and projections for the second control period.

The Commission, in exercise of the powers vested in it under Section 61 and Section 62 of the Electricity Act, 2003 (EA 2003) and all other powers enabling it in this behalf, and after taking into consideration all the submissions made by RInfra-G, issues raised during TVS and issues raised during the public hearing held on 9 August 2012, and all other relevant material, approved the MYT Business Plan for RInfra-G for the second control period from FY 2011-12 to FY 2015-16 on 25 October, 2012.

Commission in the Order had not undertaken the detailed scrutiny of the fuel prices and the calorific value to be considered for the second control period. The same shall be scrutinized and approved as a part of the Order on MYT Petition for the second control period.

**The Commission's directives:**

While submitting the MYT Petition, RInfra-G shall submit the description of assets proposed to be retired along with original cost of such assets to be retired over the second control period, as well as corresponding equity and loan component to be retired;

The Commission directed RInfra-G to submit the details on abnormal O&M expenses for FY 2007-08 to FY 2009-10, if any, in the MYT Petition for the second control period.

The Commission directed RInfra-G to submit the correct computation of depreciation for the period FY 2012-13 to FY 2015-16 in the MYT Petition for the second control period.

RInfra-G shall consider the current exchange rates for projections of the fuel prices while filing the MYT Petition for the second control period. And,

This approved MYT Business Plan of RInfra-G shall form the basis for filing the MYT Petition for the second control period. RInfra-G shall submit the MYT Petition within 60 days from the date of issuance of this Order.

**Petition for Approval of Multi Year Tariff Business Plan of Reliance Infrastructure Ltd.'s Transmission Business (RInfra-T) for the Second Control Period from FY 2011-12 to FY 2015-16 (Case No. 159 of 2011)**

A Petition has been filed by Reliance Infrastructure Ltd's transmission business (RInfra-T), for approval of the MYT business plan for the second control period from FY 2011-12 to FY 2015-16, under Sections 61 to Section 64 of the Electricity Act, 2003 and Regulation 7 and 57 of the MERC (MYT) Regulations, 2011 on dated 1 November, 2011.

The Commission admitted the Petition of TPC-T on 21 June, 2012.

As per Commission's Order dated 23 October, 2012 the approved year wise ARR of RInfra-T is given below:

Particulars	FY 12	FY 13	FY 14	FY 15	FY 16
Net ARR (Rs. In crore)	112.80	214.02	285.70	326.15	410.78

**Petition for the approval of MYT Business Plan for Second Control Period (Case No. 158 of 2011)**

Reliance Infrastructure Limited-Distribution filed a Petition on 16 November, 2011 for approval of the Multi Year Tariff. (MYT) Business Plan for its distribution business for the second Control Period from FY 2011-12 to FY 2015-16. The public hearing was held at Mumbai on 23 August, 2012. The Commission vide Order dated 23 November, 2012, in exercise of the powers vested under Section 61 and Section 62 of the Electricity Act, 2003 (EA 2003) and all other powers enabling it in this behalf and after taking into consideration all the submissions made by RInfra-D, and issues raised during the public hearing and all other relevant material, approved Reliance Infrastructure Ltd.'s Multi Year Tariff (MYT) business plan for its distribution business for the second Control Period from FY 2011-12 to FY 2015-

16. The Commission by taking note of the RInfra-D's submissions in this regard, vide Order dated 23 November, 2012 computed the Aggregate Revenue Requirement of Rs. 4,428.93 crore for FY 2012-13, Rs. 4,447.37 crore for FY 2013-14, Rs. 4,473.61 crore for FY 2014-15 and Rs. 4,656.63 crore. for FY 2015-16., based on the Realistic scenario provided by RInfra-D.

**Petition filed by the Brihan Mumbai Electric Supply & Transport Undertaking (BEST) for approval of its Multi Year Tariff Business Plan for the second Control Period (FY 2012-13 to FY 2015-16) (Case No.124 of 2011)**

Petition has been filed by the Brihanmumbai Electric Supply & Transport Undertaking (BEST), for approval of the MYT Business Plan for the second Control Period from FY 2012-13 to FY 2015-16, under Sections 61 and 64 of the Electricity Act, 2003 and Regulation 7 of the MERC MYT Regulations.

BEST has included this Transport Deficit for the period from FY 2004-05 to FY 2008-09 in the MYT Business Plan as well. BEST has estimated an impact of Rs. 1190.48 crore, which is proposed to be recovered in the second Control Period from FY 2012-13 to FY 2015-16.

BEST has estimated the expenses and revenue for the control period based on the actual data of FY2009-10 and FY 2010-11, and unaudited actual data of FY 2011-12, which is subject to change till the audited data, is available. However, the commission has considered the expenses approved in the ARR for FY 2011-12 as per order dated 16 May, 2012 in Case No.171 of 2011, as base for the control period from FY 2012-13 to FY 2015-16.

The significant particulars are mentioned below:

Sl.	Particulars	FY 2012-13	FY 2013-14	FY 2014-15	FY 2015-16
1	Power Purchase Cost(Rs. Crore)	2793.97	3182.25	3211.16	2847.22
2	O&M Expenses(Rs. Crore)	350.83	453.84	478.74	505.98
3	Total ARR(Rs. Crore)	3907.22	5183.07	5151.19	4502.23
4	Total Sales (MU)	4504.93	4758.72	5056.91	5400.38
5	Average Cost of Supply (Rs./kWh)	8.70	10.96	10.27	8.43

The Commission has also directed BEST regarding filing of the MYT Petition for the Second Control Period and other directions too. Some of the directions are mentioned below:

The Commission directs BEST to submit the DSM schemes for the Commission's approval and include the corresponding details in its MYT Petition along with the savings in MU due to implementation of these schemes.

The Commission directs BEST to consider the revised submission of TPC-G in its MYT Petition in Case No. 177 of 2011 or the cost approved by the Commission in TPC-G's MYT Order, in case the Order is issued in the meantime.

As regards impact of wage agreement, the Commission hereby directs BEST to submit the details of actual payment made to the employees under the basic, DA, H.R.A and medical allowance along with interim adjustments like interim relief, wage settlement, Interim DA, etc., with regards to the Wage Agreement, till FY 2011-12.

As regards delayed payment charges paid to TPC-G for the control period, the Commission directs BEST to resolve the issue of cash crunch and take appropriate measures to make timely payment to TPC-G and avail rebates from TPC-G as being done FY 2011-12.

BEST should project the rebate for prompt payment of power purchase bills in proportion to the projected power purchase cost.

BEST to put in place firm funding arrangement, either from financial institutions or from its internal accruals, to finance its funding requirements for the MYT Business Plan Control Period, so as to ensure timely fund availability for achieving capitalization planned during the control period.

While proposing the recovery of the impact due to ATE Judgment in its MYT Petition, BEST may reconsider the proposal to spread this amount over three years, since the amount is relatively smaller, and delaying the recovery adds to the carrying cost.

**Petitions filed by BEST for approval of MYT Business Plan from FY 2012-13 to FY 2015-16 under MERC (MYT) Regulations, 2011 (Case No. 124 of 2011) and for inclusion and allowance the deficit of Transport Business of BEST, in determination of Tariff from 2004-05 to FY 2008-09 (Case No. 80 of 2012)**

The issue of recovery of BEST's transport deficit from its electricity supply business had been before the Commission since FY 2004-05. On 15 July 2004, BEST had filed its Petition for approval of ARR for FY 2004-05 and FY 2005-06 including the impact of transport business deficit. This was the first time since ERC Act 1998 and EA 2003 that BEST had submitted a petition for approval of ARR and Tariff to the Commission. The Commission at that time had disallowed the inclusion of transport deficit in the ARR of electricity supply business in its Order dated 9 March, 2006 in Case No. 4 of 2004.

However, Aggrieved by this Order, BEST filed Appeal No. 61 of 2006 before the Hon'ble APTEL. The Hon'ble APTEL, in its Judgment dated 18 August, 2006, held that though BEST may continue its transport business, however, the electricity business can not subsidise the Transport Business or any other business carried out by BEST.

Thereafter, BEST filed an Appeal against the above Judgment of the Hon'ble APTEL before the Hon'ble Supreme Court. The Hon'ble Supreme Court, in its Judgment dated 8 February, 2011 in Civil Appeal No. 848 of 2007 between the Municipal Corporation of Greater Mumbai and MERC set aside the MERC and APTEL Orders, and ruled that as per the EA 2003, BEST's electric supply business can subsidise the transport division, since it is a Local Authority that has been engaged in the business of electricity distribution since before the commencement of the EA 2003.

In accordance with the Judgment of the Hon'ble Supreme Court, MERC has already allowed the inclusion of transport deficit in the ARR of the electricity supply business, after deducting the surplus already allowed to BEST in the form of ROE and ROIF for the period from FY 2009-10 to FY 2011-12 in Case No. 125 of 2011 and Case No. 171 of 2011, respectively.

MERC has allowed BEST to recover the same through the electricity tariffs, through a separate Charge called Transport Division Loss Recovery Charge applicable from 1 June, 2012 in its Order in Case No. 171 of 2011.

BEST filed a Petition for allowance of transport deficit for the period from FY 2004-05 to FY 2008-09, to be recovered prospectively through its electricity supply business through revision in electricity tariffs.

While including the transport business deficit, the Commission has followed the same methodology as applied by the Commission in its Order in Case No. 125 of 2011, and deducted the ROE and ROIF already allowed by the Commission for the electricity Distribution Business, which amounts to Rs. 1187.71 crore for the period from FY 2004-05 to FY 2008-09, as against Rs. 1190.48 crore submitted by BEST. This difference is on account of the fact that for FY 2008-09, BEST has considered ROE and ROIF allowed by the Commission in its Order in Case No. 95 of 2009, however, in view of the Hon'ble ATE's Judgment, the Commission has revised the ROE and ROIF allowed for FY 2008-09 in Case No. 62 of 2012 from Rs. 104.07 crore to Rs. 106.85 crore.

The Commission held that the total amount of transport deficit for the period from FY 2004-05 to FY 2008-09 allowed by the Commission to be recovered through the tariffs of the electricity distribution business amounts to Rs. 1187.71 crore. BEST may propose an appropriate recovery mechanism of the above amount in its MYT Petition for the control period from FY 2013-14 to FY 2015-16.

**Sinnar Power Transmission Company Limited Petition for Approval of the Multi Year Tariff Business Plan for the second Control Period from FY 2012-13 to FY 2015-16 (Case No. 136 of 2011)**

Sinnar Power Transmission Company Limited (SPTCL), submitted its application for approval of the Multi Year Tariff (MYT) business plan for the second control period from FY 2012-13 to FY 2015-16, under affidavit. The Commission, in exercise of the powers vested in it under Section 61 and Section 62 of the Electricity Act, 2003 (EA 2003) and all other powers enabling it in this behalf, and after taking into consideration all the submissions made by SPTCL, issues raised during the public hearing, and all other relevant material, approves the MYT Business Plan of SPTCL for the second control period from FY 2012-13 to FY 2015-16.

SPTCL was granted Transmission License No. 2 of 2010 by the Commission vide Order dated 28 December, 2010. In view of the directives issued by the Commission, SPTCL submitted the business plan Petition for its transmission business for the second control period for FY 2012-13 to FY 2015-16 as per Regulation 7 of the MERC MYT Regulations on 17 September, 2011.

The Commission vide Order dated 26 April, 2012 based on the analysis, has approved the ARR projections over the second Control Period for the years from FY 2012-13 to FY 2015-16.

for the second control period from FY 2012-13 to FY 2015-16.

APTCL has been granted Transmission Licence No. 3 of 2010 by the Commission vide Order dated December 30, 2010.

SI No	Particulars	FY13	FY14	FY15	FY16
1	Operation and maintenance Expenses	1.08	2.76	2.92	3.08
2	Depreciation	3.28	7.92	7.92	7.92
3	Interest on Long-term Loan Capital	5.67	12.96	11.91	10.86
4	Interest on Working Capital	0.43	0.67	0.65	0.64
5	Other Expenses	-	-	-	-
6	Income tax	0.72	1.75	1.75	1.75
7	Contribution to Contingency Reserves	0.16	0.38	0.38	0.38
8	Total Revenue Expenditure	11.33	26.42	25.52	24.62
9	Add: Return on Equity Capital	2.89	6.98	6.98	6.98
10	Aggregate Revenue Requirement	14.21	33.40	32.50	31.60
11	Less: Non tariff Income	0.00	0.01	0.03	0.06
12	Less: Income from other business	-	-	-	-
13	Net Aggregate Revenue Requirement	14.21	33.39	32.47	31.54

**Amravati Power Transmission Company Limited  
Petition for Approval of the Multi Year Tariff  
Business Plan for the second Control Period from  
FY 2012-13 to FY 2015-16 (Case No. 135 of 2011)**

Amravati Power Transmission Company Limited (APTCL), submitted its application for approval of the Multi Year Tariff (MYT) Business Plan for the second Control Period from FY 2012-13 to FY 2015-16, under affidavit. The Commission, in exercise of the powers vested in it under Section 61 and Section 62 of the Electricity Act, 2003 (EA 2003) and all other powers enabling it in this behalf, and after taking into consideration all the submissions made by APTCL, issues raised during the Public Hearing, and all other relevant material, approves the MYT business plan of APTCL

Pursuant to notification of MERC MYT Regulations on 4 February, 2011, the Commission vide letter dated 25 March, 2011 has directed all licensees and generating companies to submit their business plan and MYT Petition for the second control period from FY 2011-12 to FY 2015-16, latest by March 31, 2011. APTCL submitted its business plan and its tariff petition for the second control period under affidavit together on 17 September, 2011.

The Commission vide Order dated 26 April, 2012 based on the analysis, has approved the ARR projections over the second Control Period for the years from FY 2012-13 to FY 2015-16.

SI No	Particulars	FY13	FY14	FY15	FY16
1	Operation and maintenance Expenses	1.33	3.41	3.61	3.81
2	Depreciation	6.03	14.57	14.57	14.57
3	Interest on Long-term Loan Capital	10.42	23.83	21.90	19.97
4	Interest on Working Capital	1.21	1.18	1.15	1.11
5	Other Expenses	-	-	-	-
6	Income tax	1.33	3.21	3.21	3.21
7	Contribution to Contingency Reserves	0.29	0.69	0.69	0.69
8	Total Revenue Expenditure	20.60	46.88	45.13	43.36
9	Add: Return on Equity Capital	5.31	12.83	12.83	12.83
10	Aggregate Revenue Requirement	25.91	59.71	57.96	56.19
11	Less: Non tariff Income	0.00	0.01	0.05	0.10
12	Less: Income from other business	-	-	-	-
13	Net Aggregate Revenue Requirement	25.91	59.70	57.91	56.09



**APML-T Petition for approval of Aggregate Revenue Requirement (ARR) as per Multi Year Tariff (MYT) Principles for Second Control Period from FY 2012-13 to FY 2015-16 (Case No. 44 of 2012)**

A Petition was filed by Adani Power Maharashtra Limited’s transmission business (APML-T), for approval of Aggregate Revenue Requirement (ARR) as per Multi Year Tariff (MYT) principles for second control period from FY 2012-13 to FY 2015-16, under Sections 61 and 62 of the Electricity Act, 2003 and Regulation 16, 18 and Part G of the MERC MYT Regulations, 2011 on 3 May, 2012.

APML-T was granted Transmission License No. 2 of 2009 by the Commission vide Order dated 6 July, 2009 and subsequent amendment Order dated 30 March, 2011.

The Commission admitted the Petition of APML-T on 30 August, 2012.

APML-T in MYT Petition proposed the following targets for feeder and sub-station availability to be considered for new Transmission licensees.

Item Description	Feeder Availability	Sub-station Availability
Preliminary Stage-Initial 2 years from COD	95%	95%
Transition Stage-Next 3 years from end of preliminary stage	97%	97%
Final Stage-Subsequent to transition stage	98%	98%

As per the Commission’s Order dated 23 October, 2012 the year wise approved has issued ARR of APML -T is given below:

Aggregate Revenue Requirement approved by Commission (Rs crore)

Particulars	FY 13	FY 14	FY 15	FY 16
Net ARR (Rs. In Crore)	82.04	134.01	129.72	125.37

APML-T was directed to submit its Petition for midterm review of its performance during the third quarter of FY 2013-14, with detailed reasons for deviation in performance, latest by 30 November, 2013.

**Suo motu Determination of Transmission Tariff for Intra-State Transmission System (InSTS) for FY 2012-13 of the second MYT Control Period (Case No. 51 of 2012)**

In order to determine the Transmission Tariff for FY 2012-13, Total Transmission System Charge (TTSC) has to be computed based on the approved ARR for FY 2012-13 of the transmission licensees namely, MSETCL, TPC-T, RInfra-T and JP TL, forming the existing InSTS. In this context, the Commission is constrained to consider the ARR of the latest financial year as approved in the Orders already issued by the Commission for the respective transmission licensee for the purpose of determination of TTSC for FY 2012-13 and the Transmission Tariff thereof.

In accordance with Regulation 64.3 of MERC MYT Regulations, and based on approved TTSC and approved base transmission capacity utilization, the Commission determined the Transmission Tariff for use of InSTS for FY 2012-13 as given below:

Item Description	Units	FY 2012-13
TTSC	Rs Cr	4003.36
Average Coincident Peak Demand (CPD)	MW	15634
Transmission Tariff (long term/medium term)	Rs/kW/mth	213.39
Transmission Tariff (short term/collective/renewable energy)	Rs/kWh	0.29

The total transmission system cost has to be shared amongst the long-term transmission system users comprising Distribution Licensees namely MSEDCL, TPC-D, RInfra-D and BEST in accordance with their contribution to average of coincident peak demand and non-coincident peak demand as summarised in the following table:

TSU Distribution Licensees	Share of avg. of CPD and NCPD	% share of avg. of CPD and NCPD	Annual share of TTSC for FY 2012-13(Rs.)	Monthly* (Rs cr / month)
MSEDCL	12779	81.74%	3272.31	272.69
TPC-D	1013	6.48%	259.35	21.61
RInfra-D	1036	6.63%	265.39	22.12
BEST	806	5.15%	206.32	17.19
<b>TOTAL</b>	<b>15634</b>	<b>100.0%</b>	<b>4003.36</b>	<b>333.61</b>

(\*applicable from 1 June, 2012)

As per Regulation 64.1 of MYT,2011, the ARR of transmission licensees is pooled together to form TTSC for InSTS and each transmission licensee is entitled to recover its approved ARR from the transmission charges collected by STU from Transmission System Users (TSU).

The STU shall collect Transmission Tariff from TSUs on monthly basis at the end of each calendar month with first monthly period commencing from 1 June, 2012. Thus, each Transmission Licensee, in turn, shall be entitled to recover its approved ARR from Transmission Tariff collected by STU on a monthly basis at the end of each calendar month with the first monthly period commencing from 1 June, 2012, and should claim recovery of its ARR by way of raising a monthly bill on the STU covering its component of intra-state transmission charges in the following manner:

Transmission Licensees	Approved ARR (Rs Cr)	Monthly recovery of ARR (Rs. Cr/month)
MSETCL	3552.80	296.07
TPC-Transmission	236.79	19.73
RInfra-Transmission	126.99	10.58
JPTL	86.78	7.23
TTSC (InSTS)	4003.36	333.61

The intra-state transmission loss as recorded during the past 12 months as available from February 2011 to January 2012 was submitted by SLDC. Based on the data, the weighted average transmission loss for intra-state transmission system for the said period amounts to 4.24% for a total energy input of 1,17,277 MU and an energy output of 1,12,299 MU during the aforesaid period, which is approved by the Commission.

## 6.2 Fuel Adjustment Cost (FAC)

### Stipulation of Revised Ceiling for Levy of Fuel Adjustment Cost (FAC) by Distribution Licensees in the State of Maharashtra under Regulation 82 of the Maharashtra Electricity Regulatory Commission (Terms and Conditions of Tariff) Regulations, 2005 (Case No 63 of 2012)

Commission observed that over the last two to three years, the fluctuations in the fuel prices have led to significant increases in the actual fuel cost during the year, and coupled with new Tariff Regulations being made applicable for Central Sector Utilities like NTPC, it has resulted in a situation where the total FAC chargeable has been significantly higher than that allowed to be recovered from the consumers, on account of the 10% ceiling on levy of FAC, which has led to under-recovery of power purchase expenses by the Distribution Licensees during the year. Regulation 82.6 of the MERC Tariff Regulations, as amended in January 2011, specifies that the monthly FAC charges of a particular tariff category/sub-category/consumption slab shall not exceed 10% of the variable component of tariff of that tariff category/sub-category/consumption slab, or such other ceiling as may be stipulated by the Commission from time to time.

Accordingly, the Commission in due discharge of the mandate under Regulation 82.6 of the MERC Tariff Regulations, vide its public notice dated 6 July, 2012, issued a draft Order for the "Stipulation of Revised Ceiling for Levy of Fuel Adjustment Cost (FAC) by Distribution Licensees in the State of Maharashtra under Regulation 82 of the Maharashtra Electricity Regulatory Commission (Terms and Conditions of Tariff) Regulations, 2005" on suo-motu basis, and invited comments from stakeholders. The Commission received written suggestions and objections from various persons. A public hearing was held on Monday, 30 July, 2012.

The Commission vide its order dated 26 August, 2012 revised the average FAC Ceiling to 20% of Variable Tariff for all the Distribution Licensees in the State of Maharashtra. The revised FAC ceiling of 20% is the average ceiling for the Distribution Licensee as a whole, and the applicable ceiling will be different for different consumer categories/sub-categories/consumption slabs, equivalent to 20% of the variable tariff of that consumer category/sub-category/consumption slab. The revised

FAC Ceiling will come into effect for the FAC allowable (to be charged to consumers) from the month of September 2012 onwards

**Petition filed by MSEDCL for seeking review of the Commission's Order dated 30 April, 2012 in Case No. 12 of 2012 for the recovery of accumulated amount of FAC (Case No 43 of 2012)**

MSEDCL submitted a Review Petition on 8 May, 2012 under Section 94 (1) (f) of the Electricity Act 2003, seeking review of the Order of the Commission dated 30 April, 2012 in Case No. 12 of 2012 for the recovery of accumulated amount of fuel adjustment charges (FAC). The Petitioner submitted that in its previous Petition, in Case No. 12 of 2012, it had requested the Commission to permit the collection of the accumulated FAC which had at that time reached a figure of Rs. 753.71 crore. The Petitioner submitted that subsequently it filed a miscellaneous application for interim relief on 25 April, 2012 wherein it had submitted that the said accumulated amount had reached a figure Rs 1252 crore.

The Commission observed that the large amount of unrecovered FAC is causing very high burden on the distribution licensee, and consequentially on generating company. Tariff determination process for True up for FY 2010-11, ARR for FY 2011-12 & FY 2012-13 and Tariff determination for FY 2012-13 for the Petitioner is taking much longer time than envisaged and meanwhile, the Petitioner is burdened with excessive charges towards meeting its power procurement expenditures and carrying costs thereof. Therefore, the Commission allowed the Petitioner to recover an accumulated amount of around Rs. 1483 crore from its consumers through monthly energy bills in six equal installments, from June 2012 to November 2012.

### **6.3 Schedule of Charges**

**Reliance Infrastructure Limited-Distribution filed a Petition under affidavit on 23 July, 2012, for revision of Schedule of Charges (SoC) under Section 50 of the Electricity Act, 2003 and Regulation 18 of the MERC (Electricity Supply Code and Other Conditions of Supply) Regulations, 2005. -(Case No. 73 of 2012)**

The Commission, in exercise of the powers vested in it under the provisions of the MERC (Electricity Supply Code and Other Conditions of Supply) Regulations, 2005 and all other powers enabling it in this behalf, and after taking into consideration all the submissions made by RInfra-D, all the objections/comments of the public,

issues raised during the Public Hearing which was held on 29 November and responses of RInfra-D, 2012 vide Order dated 28 December, 2012, determined the Schedule of Charges for various services provided by RInfra-D. This Schedule of Charges approved by the Commission shall be applicable with effect from 1 January, 2013 and will continue to remain in force till further Orders.

The salient features of the Order are as under:

The application registration and processing charges are increased by 33% to 100% for various categories.

The service connection charges for LT supply is increased by 33% whereas for HT supply the increase varies by 33% to 70%.

Miscellaneous charges like meter testing at consumer's request are increased by 75% for three phase and 100% for single phase.

The Commission has not increased the charges for photocopying of regulatory orders, duplicate bills, and charges for dishonored cheques.

The Commission has specified charges for various activities for Open Access consumers and Changeover consumers.

**Petition of Tata Power Company Ltd. - Distribution Business for approval of Schedule of Charges as per Maharashtra Electricity Regulatory Commission (Electricity Supply Code and Other Conditions of Supply) Regulations, 2005 (Case No. 47 of 2012)**

TPC-D submitted a Petition under affidavit, for approval of Schedule of Charges (SoC) under Section 50 of the Electricity Act, 2003 (EA 2003) and Regulation 18 of the MERC Supply Code Regulations. The Commission, in exercise of the powers vested in it under the provisions of the MERC Supply Code Regulations and all other powers enabling it in this behalf, and after taking into consideration all the submissions made by TPC-D, all the objections/comments of the public, responses of TPC-D, issues raised during the Public Hearing, and all other relevant material, determined the Schedule of Charges for various services provided by TPC-D.

The Commission held Technical Validation Sessions (TVS) on July 5, 2012, 3 August, 2012 and August 22, 2012. The Commission directed Mumbai Utilities ie BEST, TPC.-D, Rinfra- D to sit together and arrive at similar charges for various services offered by them. After the completion of the exercise, TPC D submitted revised petition on 10 October, 2012.

The public hearing in this matter held on 29 November, 2012.

Rationalisation of the Schedules of charges had been performed each head wise. The entire Schedules of Charges approved by the Commission shall be applicable with effect from 1 January, 2013 and will continue to remain in force till further Orders.

**Petition of the Brihan-Mumbai Electric Supply and Transport Undertaking (BEST) for approval of Schedule of Charges as per Maharashtra Electricity Regulatory Commission (Electricity Supply Code and Other Conditions of Supply) Regulations, 2005 (Case No.90 of 2012)**

BEST submitted a Petition under affidavit, for approval of Schedule of Charges (SoC) under Section 50 of the Electricity Act, 2003 (EA 2003) and Regulation 18 of the MERC Supply Code Regulations. The Commission in exercise of the powers vested in it under the provisions of the MERC Supply Code Regulations and all other powers enabling it in this behalf, and after taking into consideration all the submissions made by BEST, all the objections/comments of the public, responses of BEST, issues raised during the Public Hearing, and all other relevant material, determined the Schedule of Charges for various services provided by BEST.

This mainly inclusive of :

- Application Registration and Processing Charges
- New connections/Reduction or addition of Load/ Shifting of service/Restoration of Supply/Temporary connection
- Change of name
- Service Connection Charges
- LT Supply
- H.T. Supply
- Fire Fighting Supply Service
- Temporary supply service
- Security Deposit
- Miscellaneous and General Charges
- Reconnection Charges
- Shifting charges
- Meter Testing Charges
- Call service charges
- Cheque bounce charges
- Duplicate bill
- Photocopy charges

**Petition of M/s. Reliance Infrastructure Ltd – Distribution Business for review of the Commission’s Order in Case No. 73 of 2012 for approval of Schedule of Charges (Case No. 18 of 2013)**

Reliance Infrastructure Limited – distribution business (RInfra-D) submitted a Petition for review of the Commission’s Order dated December 28, 2012 in Case No. 73 of 2012 in the matter of Petition filed by RInfra-D for approval of Schedule of Charges, under Regulation 85 (a) of the MERC (Conduct of Business) Regulations, 2004.

The Commission scheduled a hearing in the matter on 6 March, 2013. Representative of RInfra-D made a brief presentation on the issues raised in the Review Petition. Though notices were issued, no authorized Consumer Representatives were present for the hearing. After hearing the Petitioner and after considering the material placed on record, the Commission reviewed the Petition against the requirements laid down in Regulation 85(a) of the MERC (Conduct of Business) Regulations, 2004.

The Commission ruled that RInfra-D shall levy the actual costs involved for shifting of service at the request of the consumer, and amended Para 3.2.2 of the Order in Case No. 73 of 2012 to that extent. The Commission reviewed the Order dated December 28, 2012 in Case No. 73 of 2012 to the extent of levying of the actual costs involved for shifting of service and this amendment to the approved Schedule of Charges shall be applicable with effect from 1 January, 2013 and will continue to remain in force till further Orders.

## **6.4 Renewable Energy**

**Determination of Generic Tariff for the fourth 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 6 of 2013)**

The Commission in due discharge of the mandate under Regulations 8.1 of the MERC RE Tariff Regulations, the Commission, vide public notice dated 15 January 2013, issued a draft Order for the Determination of Generic Tariff for RE Technologies for the fourth year of the Control Period, i.e., FY 2013-14 on Suo-Motu basis, and invited comments/objections/suggestions from interested stakeholders. The Commission has received written suggestions and objections from various stakeholders.

A public hearing was held on 12 February 2013, at Mumbai. After considering the suggestions and objections received on the draft Order published by the Commission, in due discharge of the mandate under Regulation 8.1 of RE Tariff Regulations, the Commission determined the Generic Tariff of the RE projects for the fourth year of the control period (i.e., FY 2013-14) vide Order dated 22 March, 2013 in Case No. 6 of 2013 as detailed below.

The applicable Tariff for various RE Technologies for FY 2013-14 is as detailed below:

Parameter		Levelling Tariff (Rs/kWh)
		FY 2013-14
Wind	Wind Zone-1	5.81
	Wind Zone-2	5.05
	Wind Zone-3	4.31
	Wind Zone-4	3.88
Small Hydro Project	<=500kW	5.91
	>500kW, <=1MW	5.41
	<=5MW	4.92
	(5 MW to 25 MW)	4.21
Biomass New Projects	Fixed Cost	2.17
	Variable	3.70
	Total	5.87
Biomass Existing projects	Fixed Cost	1.70
	Variable	4.01
	Total	5.71
Non-fossil fuel based Cogeneration project (New)	Fixed Cost	2.38
	Variable	3.43
	Total	5.81
Non-fossil fuel based Cogeneration project ( Existing)	Fixed Cost	2.26
	Variable	3.43
	Total	5.67
Solar	PV	8.98
	Thermal	12.31
	Rooftop	9.48

**Petition filed by The Tata Power Company Ltd.- Generation Business (TPC-G) seeking clarification for the applicability of Temporary Tariff for energy drawn by its wind projects during start-up/restart-up (Case No. 78 of 2011)**

TPC-G filed a Petition on 2 August, 2012 under Regulation 92 of MERC (Conduct of Business) Regulations, 2004 for seeking clarification for the applicability of temporary tariff for energy drawn by its wind projects during start-up/restart-up. TPC-G submitted that its wind projects are not connected to MSEDCL network and it is not liable to pay any charges to MSEDCL. Further, TPC-G also suggested an alternate method for accounting the energy drawn by wind projects during start up/restart up. As per the suggested methodology, such energy may be netted out with the generation from other contracted sources with which the Discom has a contract.

The Commission by undertaking due regulatory process and based on material placed on record clarified that the contention made by TPC-G regarding their liability for payment towards MSEDCL did not have any merit. Also, Commission observed that since power generated by the Petitioner is being supplied to BEST and TPC-D, netting out with generation from other source to BEST and TPC-D will not result into appropriate compensation to MSEDCL for the power supplied by it to meet the start and restart up of the wind generating Stations. In view of the above, Petitioner requested the Commission for the withdrawal of the Petition and the Petition was disposed as withdrawn on 29 November, 2012.

**Verification and Compliance of Renewable Purchase Obligation targets by the Tata Power Company Limited – Distribution Business for FY 2010-11 and FY 2011-12 as specified under MERC (Renewable Purchase Obligation, its compliance and Implementation of REC framework) Regulations, 2010 (Case No. 99 of 2012)**

Pursuant to the Regulation 18.1, the Commission decided that the cumulative shortfall in procurement of renewable energy by TPC-D during FY 2010-11 and FY 2011-12 for fulfillment of RPO during these financial years shall be carried forward to FY 2012-13. The Commission relaxed / waived the provisions of Regulation 7 of the MERC (RPO-REC) Regulation 2010 for the year during FY 2010-11 and FY 2011-12. The Commission directed TPC-D to fulfill the shortfall in RPO targets for both solar and non-solar (including mini/micro hydro targets) for the years FY 2010-11, FY 2011-12 and RPO targets for FY 2012-13 cumulatively before 31 March, 2013.

The Commission also decided that no regulatory charges shall be applicable on TPC-D for non fulfillment of RPO targets during FY 2010-11 and FY 2011-12 provided that the same shall be fulfilled on a cumulative basis in addition to the RPO target for FY 2012-13 before 31 March, 2013.

**Verification and Compliance of Renewable Purchase Obligation targets by BEST Undertaking for FY 2010-11 and FY 2011-12 as specified under MERC (Renewable Purchase Obligation, its compliance and Implementation of REC framework) Regulations, 2010 (Case No. 100 of 2012)**

Pursuant to the Regulation 18.1, and the Commission's observations in the matter the Commission decides that the cumulative shortfall in procurement of renewable energy by BEST during FY 2010-11 and FY 2011-12 for fulfillment of RPO during these financial years shall be carried forward to FY 2012-13. The Commission relaxed/waived the solar RPO targets and non-solar RPO targets (including target for mini/micro hydro power) for BEST as stipulated under Regulation 7.1 of the MERC (RPO-REC) Regulation 2010 for FY 2010-11 and FY 2011-12. The Commission directed BEST to fulfill the shortfall in RPO targets for both solar and non-solar (including mini/micro hydro targets) for FY 2010-11 and FY 2011-12 and RPO targets for FY 2012-13 cumulatively before 31 March, 2013. Further, BEST may consider availability of non-solar RECs, as one of the options amongst various available options, for fulfillment of its cumulative shortfall in non-solar RPO targets for FY 2010-11 and FY 2011-12

The Commission also decided that no RPO regulatory charges shall be applicable on BEST for non fulfillment of RPO targets during FY 2010-11 and FY 2011-12 provided that the same shall be fulfilled on a cumulative basis in addition to the RPO target for FY 2012-13 before 31 March, 2013.

**Verification and Compliance of Renewable Purchase Obligation targets by Reliance Infrastructure Ltd – Distribution Business for FY 2010-11 and FY 2011-12 as specified under MERC (Renewable Purchase Obligation, its compliance and Implementation of REC framework) Regulations, 2010 (Case No. 101 of 2012)**

Pursuant to the Regulation 18.1 and the Commission's observations in the matter, the Commission decided that the cumulative shortfall in procurement of renewable energy by RInfra-D during FY 2010-11 and FY 2011-12

for fulfillment of RPO during these financial years shall be carried forward to FY 2012-13. The Commission relaxed/waived the provisions of Regulation 7 of the MERC (RPO-REC) Regulations, 2010 for the year during FY 2010-11 and FY 2011-12. The Commission directs RInfra-D to fulfill the shortfall in RPO targets for both solar and non-solar (including mini/micro hydro targets) for the years FY 2010-11, FY 2011-12 and RPO targets for FY 2012-13 cumulatively before 31 March, 2013.

The Commission also decided that no regulatory charges shall be applicable on RInfra-D for non-fulfillment of RPO targets during FY 2010-11 and FY 2011-12 provided that the same shall be fulfilled on a cumulative basis in addition to the RPO target for FY 2012-13 before 31 March, 2013.

**In the matter of Verification and Compliance of Renewable Purchase Obligation targets by Maharashtra State Electricity Distribution Co. Ltd. for FY 2010-11 and FY 2011-12 as specified under MERC (Renewable Purchase Obligation, its compliance and Implementation of REC framework) Regulations, 2010 (Case No. 102 of 2012)**

Pursuant to the Regulation 18.1 and in accordance with the Commission's ruling in Order dated 16 August, 2012 in Case No. 19 of 2012, the Commission decided that the cumulative shortfall in procurement of mini/micro hydro power by MSEDCL during FY 2010-11 (4.42 MU) and FY 2011-12 (5.80 MU) aggregating to 10.22 MU shall be carried forward to subsequent years and be cumulatively fulfilled by FY 2013-14. Similarly, the Commission decided that the cumulative shortfall in procurement of solar power by MSEDCL during FY 2010-11 (212.26 MU) and FY 2011-12 (226.53 MU) aggregating to 438.79 MU shall be carried forward to subsequent years and be cumulatively fulfilled by FY 2015-16. The Commission relaxed/waived the solar RPO targets and target for Mini/Micro Hydro power as stipulated under Regulation 7.1 of the MERC (RPO-REC) Regulation 2010 for MSEDCL for FY 2010-11 and FY 2011-12.

The Commission also decided that no RPO regulatory charges shall be applicable on MSEDCL for non-fulfillment of RPO targets during FY 2010-11 and FY 2011-12 provided that the same shall be fulfilled on a cumulative basis as specified in the relevant sections of this Order.

## 6.5 Grant of Licenses

The Government of India, Ministry of Commerce and Industry has issued a Notification being S.O. 528 (E) dated 03/03/2010, as under:

*“In exercise of powers conferred by clause (b) of sub-section (1) of section 49 of the Special Economic Zones Act, 2005 (28 of 2005), the Central Government hereby notifies that the provisions of clause (b) of Section 14 of the Electricity Act, 2003, (36 of 2003), shall apply to all Special Economic Zones notified under sub-section (1) of Section 4 of the Special Economic Zones Act, 2005, subject to the following modifications, namely:-*

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

*“Provided that the Developer of a Special Economic Zone notified under sub-section (1) of Section 4 of the Special Economic Zones Act, 2005, shall be deemed to be a licensee for the purpose of this clause, with effect from the date of notification of such Special Economic Zone”*

According to the above provision inserted in Section 14(b) of Electricity Act, 2003, the Developer of SEZ shall be a deemed distribution licensee.

### **Petition filed by Maharashtra Airport Development Company Ltd. for taking on record its Distribution Licensee status for Multi Product Special Economic Zone at Mihan, Nagpur (Case No. 16 of 2011)**

Maharashtra Airport Development Company Ltd. (“MADC”) filed a Petition under affidavit dated 2 February, 2011 under Section 16 and 181 of Electricity Act, 2003 and under MERC (General Conditions of Distribution Licensee) Regulations, 2006 for taking on record the Distribution Licensee status of the Petitioner, MADC Limited for Multi Product Special Economic Zone (SEZ) at Mihan, Nagpur.

The Commission noted that the Ministry of Commerce and Industry (Department of Commerce), Government of India under Section 4 (1) of the Special Economic Zone Act, 2005 (SEZ Act) has issued notifications dated May 29, 2007, January 24, 2008 and July 27, 2009 as under:

S. No.	GOI Notification reference No.	Date of Notification	Area (in Hectares)
1	S.O.845 (E)	29May, 2007	1511.51
2	S.O.144 (E)	24 January, 2008	66.90
3	S.O.1842 (E)	27 July, 2009	18.75
<b>Total</b>			<b>1597.16</b>

Hence, Petitioner being a developer of SEZ for notified 1597.16 hectares in Mihan, District Nagpur, State of Maharashtra vide notifications dated 29 May, 2007, 24 January, 2008 and 27 July, 2009 issued by the Ministry of Commerce and Industry (Department of Commerce), Government of India under Section 4 (1) of the Special Economic Zone Act, is a deemed Distribution Licensee under Section 14 of Electricity Act 2003 for the notified SEZ area.

The Commission also noted that the Petitioner has applied for de-notification of 323.57 hectares of Special Economic Zone, for which GOI notification is still awaited. Hence, as and when the changes in SEZ area gets notified, the deemed licensee status of the Petitioner will also get restricted to the area for which it is notified as SEZ Developer.

As regards, making specific conditions of Distribution Licence for the Petitioner under Section 16 of the 2003 Act, the same cannot be made under this Order as Section 16 of the 2003 Act requires specific conditions of licence to be notified by regulations under Section 181. The matter of making specific conditions of licence is however under consideration of the Commission for which a separate process may be initiated. The Commission directed its Secretariat to initiate the process of preparing draft specific conditions of licence Regulations for the Petitioner.

### **Petition of Serene Properties Private Ltd 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 (Case No. 157 of 2011)**

Serene Properties Private Ltd, filed a Petition under affidavit on 4 November 2011, under Section 14 of the Electricity Act, 2003 and MERC (General Conditions of Distribution Licence) Regulations, 2006, for taking

on record the Distribution Licensee status of the Petitioner, M/s. Serene Properties Private Limited for IT & ITES Special Economic Zone at Plot No. 3 Airoli, Kalwa TTC Industrial Area, MIDC, District Thane and for issuing the Specific Conditions of Distribution Licence applicable to the Petitioner.

The Commission noted that Ministry of Commerce and Industries, Govt. of India vide Gazette Notification dated 2 November, 2007 notified the area developed by the Petitioner at Kalwa Trans Thane Creek Industrial Area, MIDC, Dist Thane as SEZ for Information Technology and Information Technology enabled services. The Petitioner also has submitted a map showing boundaries of above said SEZ area (19.34 hectares) located Plot No. 3 (part), Kalwa, Trans Thane creek Industrial Area, MIDC, Dist. Thane certified by the Deputy Engineer, MIDC, Mahape. The details of notification is as under:

<b>GOI Notification reference No.</b>	<b>Date of Notification</b>	<b>Area (in Hectares)</b>
S.O. 1876 (E)	2.11.2007	19.34

In view of the above notification, the Commission noted that the Petitioner M/s Serene Properties Private Limited who is a developer of sector specific Special Economic Zone for IT/ITES sector to be setup at Plot No. 3 (part), Kalwa, Trans Thane creek Industrial Area, MIDC, Dist. Thane, is a deemed Distribution Licensee under Section 14 of the Electricity Act 2003 for that SEZ area.

Further, Specific conditions of licence as prayed by the Petitioner need to be specified under Section 16 of Electricity Act, 2003 by way of Regulations after following the process of previous publication. Hence, the Commission directs the Secretary of the Commission to initiate the process of preparing draft Regulations for specific conditions of licence of the Petitioner.

**Petition filed by M/s. Ixora Construction Pvt. Ltd., Mumbai for issuing Specific Conditions of Distribution Licence (Case No. 33 of 2011)**

M/s. Ixora Construction Pvt. Ltd. filed a Petition under affidavit on 3 March 2011, under Section 14 (b) of the Electricity Act, 2003 (EA 2003) for seeking Specific Conditions of Distribution Licence under Section 181 (2) (d) of EA, 2003 read with the proviso to Section 16 of EA, 2003.

The Commission vide Order dated 24 May, 2010 in Case No. 142 of 2008 has already recognized the Deemed Distribution Licensee status of Ixora Construction Pvt.

Ltd. The Commission noted that ICPL is the Deemed Distribution Licensee for the Panvel SEZ area, developed by M/S. Sony Vista Realtors Pvt. Ltd. as per the notification of the Ministry of Commerce, Government of India, dated 3 March 2010, read with the Section 14 (b) of the EA, 2003.

As regards, making specific conditions of Distribution Licence for the ICPL under Section 16 of the EA 2003, the same cannot be made under this Order as Section 16 of the EA 2003 requires specific conditions of license to be notified by regulations under Section 181. The matter of making specific conditions of licence is however under consideration of the Commission for which a separate process has been initiated. Hence, the Commission directed its Secretariat to initiate the process of previous publication of the aforesaid draft specific conditions of licence Regulations for the Petitioner.

**Petition filed by M/s Adani Power Maharashtra Ltd. seeking approval under section 17(3) of the EA 2003 read with Regulation 15.3 of MERC (Transmission License Conditions) Regulations 2004 for the assignment by way of security of the Transmission License in favour of the security trustee acting on behalf of project lenders (Case No. 3 of 2012)**

&

**Petition filed by M/s Maharashtra Eastern Grid Power Transmission Company Ltd. (MEGPTCL) seeking approval under section 17(3) of the EA 2003 read with Regulation 15.3 of MERC (Transmission License Condition) Regulation 2004 for the assignment by way of the Transmission License in favour of the Security Trustee acting on behalf of Project lenders-(Case No. 4 of 2012)**

The Petitioner M/s Adani Power Maharashtra Ltd. (APML) in Case No.3 of 2012 and M/s Maharashtra Eastern Grid Power Transmission Company Ltd (MEGPTCL) in Case No. 4 of 2012 filed a Petition under affidavit before the Commission under section 17(3) of the Electricity Act, 2003('EA 2003") read with Regulation 15.3 of MERC(Transmission License Condition) Regulation 2004 seeking approval for the assignment of Transmission License by way of security in favour of the Respondent ,M/s SBI Cap Trustees Co. Ltd (STCL) who are acting as the security trustee on behalf Project lenders.

Both the above petitioners are a project specific Transmission Licensee, has initiated the process of securing long term debt financing from lenders for



development of the project. Petitioner and lenders had appointed the Respondent, STCL as the Security Trustee for s holding the security as per the terms and condition of the loan agreements for the benefit of the lenders. The lenders had stipulated a condition that the granting of the loans shall be subject to the assignment of Transmission License as part of security. The assignment by way of security was exercisable by the lenders only on occurrence of an event of financial default by the Petitioner. The Commission sought additional data from the Petitioner and held the hearing to decide the matter.

Considering the need to secure the interest of lenders/ security trustee in case of any financial default, the Commission accorded its 'in-principle approval' allowing the Petitioner to create security in favour of the Security Trustee pursuant to Security Trustee Agreement. However, the Commission noted the importance of verifying the credentials and capabilities (financial, technical and past experience) of the nominated entity selected by the lenders for transfer of the transmission licensee and to take over the project. Accordingly, the Commission directed that transmission license granted by the Commission to the Petitioner can neither be assigned in favour of the nominee of the Security Trustee nor can the transmission project and the Utility therein be transferred by sale, lease, exchange or otherwise ,unless prior approval of the Commission has been obtained.

Commission further directed that in case of financial default by the licensee under the financing agreements, the Commission may, on application made to it, approve the assignment of the license to a Nominated Entity subject to the Petitioner ensuring and procuring that each project agreement contains provisions that entitle the Nominated Entity to step into such project agreement, in its discretion , in place and substitution of the Petitioner in the event of such Nominated Entity's assumption of the liabilities and obligation of the Petitioner.

## **6.6 Open Access**

**Petition filed by Ispat Industries Ltd seeking Open Access under the provisions of the Electricity Act, 2003, the MERC (Distribution Open Access) Regulations, 2005, MERC (Transmission Open Access) Regulations, 2005 and Procedure for Distribution Open Access (Case No 68 of 2010)**

M/s. Ispat Industries Ltd. submitted a Petition on 20 October, 2010 seeking Open Access under the provisions of the Electricity Act, 2003, MERC (Distribution Open

Access) Regulations, 2005, MERC (Transmission Open Access) Regulations, 2005, and the procedure for Distribution Open Access as stipulated by MSEDCL on its website.

The Commission vide Order dated 15 June, 2012 disposed off this Petition with following observations/directives: MSEDCL and MSLDC are directed to complete all formalities within a period of four weeks thereof to enable the Applicant to transact on power exchanges.

**Petition filed by MSETCL seeking a time frame for availing grid connectivity by Open Access applicants- (Case No 125 of 2012)**

Maharashtra State Electricity Transmission Company Limited (MSETCL) filed a Petition before the Commission under Section 94 (1)(f) of Electricity Act, 2003 (EA 2003) read with Regulation 22 of MERC (Transmission Open Access) Regulations, 2005 seeking a time frame for availing grid connectivity by open access applicants and for the approval of cancellation of grid connectivity granted to various open access.

The Commission vide Order dated 27 December, 2012 disposed off this Petition with following observations/directives:

This cannot be decided in these proceedings as the grant of connectivity and / or cancellation thereof, inter alia requires public consultation as the rights of transmission system users would be affected. Regulation 9.4 of the MERC (Transmission Open Access) Regulations, 2005 lays down when unutilized capacity would be deemed to have been surrendered to the Transmission Licensee. However, in these proceedings the grant of connectivity and / or cancellation thereof, have been raised on which there are no provisions currently in the MERC (Transmission Open Access) Regulations, 2005.

In these matters principles of natural justice would require that the parties which will get affected must be given a notice before their rights are varied by cancellation of grant of connectivity. Under Section 39(2), the STU is enjoined with crucial duties of planning and co-ordination with inter alia generating companies, Regional Power Committees, CEA, licensees. The Petitioner and STU should take a well calibrated approach.

**Suo Motu Proceedings on Issues in Open Access for solicitation of views and suggestions from the members of Public and all Stakeholders in the State of Maharashtra, regarding the action suggested vide Letter dated 30 November, 2011 of the Ministry of Power on operationalisation of**

**Open Access (1 MW and above consumers) in the Power Sector (Case No. 50 of 2012)**

The Ministry of Power, Government of India, vide letter dated 30 November, 2011 has inter alia requested all Electricity Regulatory Commissions that necessary steps for implementing the provisions relating to Open Access under the Electricity Act 2003 be initiated based on the opinion from M/o Law and Justice on operationalisation of Open Access in the power sector.

The Commission vide Order dated 2 January, 2013 disposed off this Petition with following observations/directives:

Bulk consumers (above 1MW) are not deemed to be Open Access consumers with effect from January 2009 in terms of the last proviso to sub-section (2) of Section 42.

As per the formula provided in at clause 8.5.1 of Tariff Policy, the surcharge cannot be determined if there is no Tariff determination for that consumer category. Since there has been no amendment in Section 61 of the Act, the Cross Subsidy Surcharge cannot be determined if the Tariff for the consumers of load in excess of 1 MW is not determined.

The Commission further noted that there are a number of technical and commercial constraints in implementing the MoP Letter. The Commission for this purpose directs the Secretary of the Commission to form an Open Access Committee comprising of representatives from Distribution Licensees and other experts, to look into the matter and submit its report within one year of its formation.

**Petition filed by IWPA (Case No. 8 of 2012) , Tata Motors Limited(Case No. 18 of 2012), Enercon (India) Ltd(Case No. 20 of 2012) and Ushdev International Ltd. & Others(Case No. 33 of 2012)**

**under Section 42 (3) of the Electricity Act, 2003 and Regulations 3 & 18 (2) of MERC (Distribution Open Access) Regulations 2005 and Regulations 92-94 of MERC (Conduct of Business) Regulations, 2004 seeking adjudication of dispute regarding provisions of non-discriminatory Open Access and seeking setting aside/ quashing of limited portion of Commercial Circular No. 155 issued by the MSEDCL (Case No. 8, 18, 20 and 33 of 2012)**

Indian Wind Power Association, TATA Motors Limited, Enercon (India) Limited and Ushdev International Ltd. & Others filed their Petitions on 25 November, 2011, 22 February, 2012, 23 February, 2012 and 13 April, 2012, respectively, under Section 42 (3) of the Electricity Act, 2003 and Regulations 3 & 18 (2) of MERC (Distribution Open Access) Regulations 2005 and Regulations 92-94 of MERC (Conduct of Business) Regulations, 2004 seeking adjudication of dispute regarding provisions of non-discriminatory Open Access and seeking setting aside/ quashing of limited portion of Commercial Circular No. 155 dated 23 January, 2012 issued by the MSEDCL.

Having heard the Parties in the various hearing held in the matter and after considering the relevant materials placed on record, Commission identified various issues namely authority of MSEDCL to issue a circular, obligation to supply on request by the consumer, banking of energy, reduction in contract demand, energy accounting, scheduling and settlement, installation of special energy meters, incentives and penalties, issuance of credit notes and related to processing fee. Commission ruled on these issues in accordance with statutory provisions and regulations.

The Commission also received the following Petitions requesting relief on similar issues as listed below:

**The Commission also received the following Petitions requesting relief on similar issues as listed below.**

Case No.	Petitioner	In the Matter
59 Of 2012	MSEDCL	Petition for seeking review of a Daily Order dated 27 April 2012 (Case No. 8, 18, 20, 33 of 2012) of the Commission in the matter of Open Access transactions regarding non-conventional energy, i.e., wind.
85 of 2012	Bajaj Auto Ltd	Petition under Section 142 and 146 of the EA, 2003 for unilaterally revoking supply contract and reducing contract demand of the Petitioner by ignoring the stay Order dated 27 April, 2012, of the Commission in Case No. 8, 18, 20 and 33 of 2012.
86 of 2012	Bajaj Finserv Ltd	Petition under Sections 142 and 146 of the EA, 2003 inter alia for revoking supply contract of OA consumers of Bajaj Finserv and ignoring the Commission's Stay Order dated 27 April, 2012.

Case No.	Petitioner	In the Matter
103 of 2012	M/S Arivind Cotsyn (India) Ltd	Petition of M/s. Arvind Cotsyn (India) Ltd for breach of Commission's Order dated 27 April 2012 in Case Nos. 8, 18, 20 & 33 of 2012
108 of 2012	Serum Institute of India Limited	Petition of M/s. Serum Institute of India Ltd for breach of Commission's Order dated 27 April, 2012 in Case No. 8, 18, 20 & 33 of 2012
Interim Application in Case No 18 of 2012	Tata Motors Limited	Petition filed by Tata Motors Limited to set aside Commercial Circular No. 155 dated 23 January 2012 issued by the MSEDCL providing for Tariff terms and conditions without the approval of the Hon'ble Commission.
Misc. App. 1 and 4 of 2012 in Case No. 8 of 2012	IWPA	Miscellaneous Application No 1& 4 in Case No. 8 of 2012

Commission also directed the MSEDCL to ensure compliance of the Orders of the Commission and all consequential actions which came out of reduction in contract demand must be undone. Commission mentioned that as is evident from Order dated 3 January, 2013, Petition filed by IWPA (Case No. 8 of 2012), Petition filed by Tata Motors Ltd. (Case No. 18 of 2012), Petition filed by Enercon (India) Ltd. (Case No. 20 of 2012) and Petition filed by Ushdev International Ltd. & Others (Case No. 33 of 2012), the issues of reduction in contract demand as well as incentives required interpretation and deliberation.

MSEDCL in above cases was directed to apply terms and conditions for open access covered in Commercial Circular based on the Commission rulings in this Order dated 3 January, 2013 and this has to be applied from the date of coming into force of the impugned Commercial Circulars 147 dated 30 September, 2011 and 155 dated 23 January, 2012.

**Petition of Indian Wind Energy Association (InWEA) and others seeking adjudication of dispute regarding provisions of non-discriminatory Open Access (Case No. 19 of 2011)**

Indian Wind Energy Association (InWEA) along with 13 others, has jointly submitted a Petition under Section 42 (3) of the Electricity Act, 2003 and Regulations 3 & 18 (2) of MERC (Distribution Open Access) Regulations 2005 and Regulations 92-94 of MERC (Conduct of Business) Regulations, 2004 seeking adjudication of dispute regarding provisions of non-discriminatory Open Access.

The Commission vide Order dated 3 January, 2013 disposed off this Petition with following observations/directives:

Open Access has to be granted and cannot be denied as it has been mandated in the Electricity Act, 2003.

A need was felt to streamline issue of wind energy credits on a generic / uniform basis rather than on a case to case basis and hence the need to have in place a Citizen Charter indicating the timelines for each activity undertaken during wind energy transactions and contact details of the officers responsible for completing all these activities. MSEDCL vide letter dated 20 January, 2012 informed that a Citizen's Charter for NCE / CPP decisions has been formulated and uploaded on MSEDCL's website.

**Petition filed by Renewable Energy Developers Association of Maharashtra along with BF Utilities Ltd. and Savita Oil Technologies Ltd. for adjudication of dispute regarding provisions of non-discriminatory Open Access (Case No. 10 of 2011)**

M/s. Renewable Energy Developers Association of Maharashtra (REDAM) along with M/s BF Utilities Ltd. and M/s Savita Oil Technologies Ltd., submitted a Petition under Section 42(3) of the Electricity Act 2003, Regulations 3 and 18(2) of MERC (Distribution Open Access) Regulations, 2005 and Regulations 92-94 of the MERC (Conduct of Business) Regulations, 2004 seeking adjudication of dispute with Maharashtra State Electricity Distribution Company Limited (MSEDCL) regarding provision of non-discriminatory Open Access. M/s BF Utilities Ltd. and M/s Savita Oil Technologies Ltd., are members of REDAM.

The Commission vide Order dated 10 January, 2013 disposed off this Petition with following observations/directives:

MSEDCL to continue to provide credit upon adjustment of applicable wheeling charges and wheeling losses in respect of such captive wheeling transactions. The licensees will have to continue to provide energy credit in respect of such wheeling transactions upon adjustment of applicable wheeling charges and wheeling losses in respect of such open access wheeling transactions. MSEDCL should continue to provide energy credit in case of open access wheeling (whether captive or third party) transactions upon adjusting for applicable wheeling charge and wheeling loss.

MSEDCL to modify the provisions related to 'No Banking Facility' specified in Para 6.5.5 of the Commercial Circular 155. The Commission directs MSEDCL to develop a pilot case for issuance of credit note on 15 minutes time block basis based on the already installed or to be installed SEMs both at generation and consumption end and submit its findings to the Commission within six(6) months from the date of issuance of this Order.

MSEDCL to carry out a detailed study based on the historical actual generation, actual power purchase cost, incremental power purchase cost, banking, any other relevant parameters, banking provisions provided in other States, etc., and submit a report to the Commission within six (6) months from the date of issuance of this Order.

**Petition filed by MSEDCL under Regulation 13 of the MERC (Distribution Open Access) Regulations, 2005, seeking determination of Cross Subsidy Surcharge to be levied on Open Access consumers (Case No.138 of 2012)**

Maharashtra State Electricity Distribution Company Limited (MSEDCL) filed a Petition seeking determination of Cross Subsidy Surcharge for Open Access consumers under the provisions of Regulation 13 of MERC (Distribution Open Access) Regulations, 2005.

The Commission vide Order dated 2 January, 2013 disposed off this Petition with following observations/directives:

Since the Commission has proceeded with the computation of CSS for MSEDCL based on the Tariff Order dated 16 August, 2012 in Case No. 19 of 2012. And also the roadmap to reduce cross subsidy in Maharashtra is the key consideration for determination of CSS. Therefore, the Commission directed MSEDCL to submit a roadmap to reduce cross subsidy and to reduce cross subsidy surcharge along with its MYT Petition.

**Petitions filed by M/s Jindal Saw Ltd. (Case No 61 of 2012) and Rajrani Steel Casting Private Ltd. (Case No 84 of 2012), M/s Videocon Industries Ltd.(Case No 4 of 2013) and Jindal Poly Films Ltd.(Case No 15 of 2013) against MSEDCL for not giving permission for availing Open Access through power exchange (IEX) (Case No 61 of 2012, Case No 84 of 2012 , Case No 4 of 2013 and Case No. 15 of 2013)**

All four Petitioners submitted, separately, Petitions before the Commission against Maharashtra State Electricity Distribution Company Ltd. (MSEDCL) for not sanctioning Open Access for availing power through the power exchange (IEX) although there is a provision of non-discriminatory Open Access under subsection (47) of Section 2 read with subsections (2), (3) and (4) of Section 42 of Electricity Act, 2003 and Regulations made there under.

The Commission vide Order dated 21 November, 2012 for two cases, dated 20 February, 2013 and dated 22 March 2013, disposed of these Petitions respectively with following observations/directives:

The Commission directed MSEDCL to issue a speaking Order on the Open Access application made by the Petitioner.

Open Access permission has been granted by MSEDCL and the Petitioner has agreed to resolve the minor issues related to Open Access after discussion with MSEDCL.

## **6.7 Parellel Licenses**

**Petition of M/s. Reliance Infrastructure –D seeking relief on account of certain issues affecting RInfra-D and its financial viability (Case No. 151 of 2011)**

RInfra-D had submitted a Petition under affidavit on 21 October, 2011 in Case No. 151 of 2011, before the Commission and sought relief on account of certain operational issues affecting RInfra-D and its financial viability due to loss in revenue. The Commission passed an Order dated 22 August, 2012 in Case No. 151 of 2011 wherein in order to ensure a level playing field and also to protect the interests of low-end consumers being supplied electricity in the Common Area of supply between RInfra-D and TPC-D, the Commission modified the interim Order in Case No. 50 of 2009, under Section 94(2) of the EA 2003.

The salient points are as follows:

Prospectively, from the date of this Order, consumer changeover will be allowed from RInfra-D to TPC-D only for the residential category of consumers and that too only for the consumers who consume electricity upto 300 units a month.

This restriction of changeover being restricted to residential consumers with average electricity consumption of upto 300 units a month, shall be in force for a period of one year from the date of this Order, and the Commission will review the status of changeover and switchover and new connections added in the identified areas during this period, before deciding on the forward path for the period beyond one year.

The above restriction shall not apply to pending applications for changeover (as on date of this (as on date of this Order), irrespective of consumer category and consumption slab, which will be processed as per the earlier protocol approved in the interim Order dated October 15, 2009, and changeover for eligible consumers shall be done in a smooth manner.

It may be noted that apart from the above modifications, all other aspects of the Protocol will remain the same as approved by the Commission in the interim Order dated October 15, 2009 in Case No. 50 of 2009.

The Commission will also monitor the progress of consumer addition by TPC-D (changeover, switchover, new connections and reverse migration, if any) on quarterly basis (June, September, December, March), and both RInfra-D and TPC-D will be required to submit the desired information for every quarter, by the end of the first month after the end of the respective quarter. The Commission also issued specific directions to TPC-D regarding the network roll out plan and capital expenditure to be undertaken over the next one year from the date of this Order. The specific direction under Para 98 of Order dated 22 August, 2012 is reproduced below:

*“ a) TPC-D will have to focus all its energies and capital expenditure and ensure that by the end of one year from the date of this Order, TPC-D has rolled out its entire distribution network in the 11 Clusters identified above (to be redrawn into a Municipal Ward-wise Plan by TPC-D) in such a manner that it is in a position to provide supply through its own distribution network to existing and prospective consumers located anywhere within these Clusters, within the minimum time period of one month specified under the MERC SOP Regulations.” (Emphasis added)*

Further the Commission directed both the parties viz, RInfra-D and TPC-D, to resolve the operational issues through mutual discussions in a constructive manner in the larger consumer interest and also directed that neither party should take any unilateral decision in this matter, in such a manner that it adversely affects the changeover process and disadvantages the other Licensee and the consumers.

In view of above development in the matter it may be noted that the Multiple Distribution Licensee scenario in the common operational area of Suburban Mumbai is being modified partially with the specific directions of the Commission issued to the Distribution Licensees for the period of one year from the date of the Order in Case No. 151 of 2011 dated 22 August, 2012.

Post to issuance of Order dated 22 August, 2012 RInfra-D and TPC-D has submitted the Quarterly Reports regarding status of Consumer addition during the period 23rd August, 2012 to 30th September, 2012. It was observed that more than 5000 consumers migrated during the above mentioned period.

**Following Appeals were filed by different Appellants (including TPC-D) in APTEL as against common Order passed by MERC on 29 July, 2011 in case no 72 of 2010 giving in principle approval to Cross Subsidy Surcharge from changeover consumers from RInfra-D to TPC-D**

**Appeal No. 132 of 2011, Tata Power Company Limited**

**Appeal No. 133 of 2011, Mumbai International Airport Limited**

**Appeal No. 139 of 2011, Mumbai International Airport Limited**

**Appeal No. 144 of 2011, Indian Hotel & Restaurant Association**

**Appeal No. 164 of 2011, Tata Power Company Limited**

Hon'ble APTEL in judgment in above appeals vide order dated 21 December 2012 dismissed the appeals as devoid of merits and justified the findings and directions of MERC in the order in case No.72 of 2010 on 29 July, 2011.

### **Findings of Hon'ble APTEL:**

Hon'ble Supreme Court in its judgment in Civil Appeal No. 2898 of 2006 dated 8 July, 2008 had categorically held that the concept of wheeling has been introduced in the 2003 Act to enable distribution licensees who are

yet to install their distribution line to supply electricity directly to retail consumers, subject to the payment of surcharge in addition to the charges for wheeling as the State Commission may determine.

Acting upon this judgment of Hon'ble Supreme Court, the Appellant TPC had filed petition before the State Commission under MERC (Distribution Open Access) Regulations, 2005 and consequently, the State Commission permitted changing over of consumer from RInfra to TPC to get supply by using the network of RInfra. Having availed of the same, the Appellant TPC cannot now be permitted to contend that the observations of the Hon'ble Supreme Court relating to surcharge were 'fleeting' observations and not the findings.

Various provisions of the 2003 Act as well as 1910 Act required a distribution licensee to lay down its own distribution network for meeting the universal service obligation to consumers. TPC, the distribution licensee who had been granted license in the year 1907 and who failed to lay its own distribution network cannot now claim right over the distribution network of other licensee to meet its universal service obligations.

The only method to use the network of the Distribution Licensee namely RInfra, by another Distribution Licensee, namely, TPC, is only through open access under Section 42 of the Act. Section 42(3) envisages the existence of parallel distribution licensee and it is equally applicable in this case where a consumer connected to the network of one distribution licensee, i.e. , RInfra, takes power from other distribution licensee, i.e. , TPC in the same area of supply.

The State Commission is required to look after not only the interest of the consumers but also the interest of licensees. Therefore, the State Commission, while deciding that the change over consumers are liable to pay cross subsidy surcharge to RInfra-D for using their network has in fact taken into consideration the interest of the consumers as well as the interest of the licensees. Therefore, findings and directions given in the impugned order by the State Commission which would promote healthy competition are perfectly justified.

## **6.8 Power Purchase Agreement**

**Petition of MSEDCL for approval of PPA for additional quantum between Indiabulls Realtech Ltd. (Nashik) and Adani Power Maharashtra Ltd. based on Competitive Bidding Process (Case No. 53 of 2012)**

MSEDCL submitted a Petition under the Sections 86 (1) (b) & 63 of EA, 2003, for approval of PPA for additional quantum between Indiabulls Realtech Ltd. (Nashik) and Adani Power Maharashtra Ltd. based on Competitive Bidding Process. The Commission in its Order dated 27 December, 2012 in Case No. 53 of 2012 has approved the demand-supply gap of 1090 MW for MSEDCL at this stage. The Commission also approved the 1090 MW quantum of power procurement for MSEDCL from IBRL & APML (650 MW from IBRL-Nashik and 440 MW from APML) and adopted the following levelled Tariff at Rs. 3.42 per kWh and Rs. 3.28 per kWh respectively.

**Implementation of the Judgement dated 17th February, 2012 of the Hon'ble Appellate Tribunal for Electricity in Appeal No. 106 of 2011 filed by Vidarbha Industries Power Limited (VIPL) challenging the Commission's order dated 31.05.2011 passed in Case No. 12 of 2011 (Case No. 23 of 2012)**

The Commission approved the adoption of tariff for procurement of power by RInfra from VIPL for supply of 134 MW at a levelled Tariff of Rs.4.80/kWh discovered through the transparent bidding process and as per the PPA dated 16 June, 2010.

As per the Appellate Tribunal's order the State Commission while dealing with the Petition under Section 63 of the Act, 2003 could pass any one of the following orders (a) Either reject the petition if it finds that the bidding was not as per the statutory framework Or (b) Adopt the Tariff if it is discovered by a transparent process conducted as per govt. of India guidelines. Thus, the scope of Section 63 is limited for adoption of Tariff.

**Petition of Ixora Constructions (P) Ltd. [ICPL] Petition for approval of deviations taken in Bidding Document issued by Ministry of Power (MoP), for medium-term procurement of power through tariff based Competitive Bidding Process (Case I) (Case No. 35 of 2012)**

Ixora Constructions (P) Ltd. submitted a Petition under Regulation 23 & 24 of MERC (MYT) Regulations, 2011, for approval of deviations taken in Bidding Document issued by Ministry of Power (MoP), for medium-term procurement of power through tariff based Competitive Bidding Process (Case 1). The Commission directed ICPL to amend the Bidding Documents by complying with the directions and issue the Bidding Documents to Bidders. The Commission also directed that after the completion of the process envisaged in CBG, ICPL should approach the Commission under Section 63 for adoption of Tariff.

**Approval of Power Purchase Agreement between Vidarbha Industries Power Limited and Reliance Infrastructure Limited - Mumbai Distribution for purchase of 600 MW from Vidarbha Industries Power Limited and Determination of Provisional Tariff of the Vidarbha Industries Power Limited (Case No. 2 of 2013 dated 20 February, 2013)**

RInfra-D submitted a Petition for approval of Power Purchase Agreement between Reliance Infrastructure (RInfra-D) Mumbai and Vidarbha Industries Power Ltd (VIPL) with determination of provisional Tariff for VIPL's Butibori Plant. The Commission accorded its in-principle approval to the Power Purchase Agreement (PPA) between RInfra-D and VIPL for procurement of 300 MW power on long-term basis from Unit 2 (IPP) of VIPL's Power Station with modifications to be made in the PPA as per the directions given by the Commission in the Order. The Commission also directed the Petitioners to submit the final PPA executed between RInfra-D and VIPL for procurement of 300 MW power on long-term basis from Unit 2 of VIPL's Power Station after incorporating the modifications, as compliance of Order within one month.

**Petition of Maharashtra State Electricity Distribution Company Limited for approval of medium-term power procurement from M/s Adani (475 MW) and M/s JSW (300 MW) for a period of one year under competitive bidding (Case No. 104 of 2012)**

Maharashtra State Electricity Distribution Company Limited (MSEDCL) submitted a Petition under affidavit on 17 September, 2012 under Section 63 of the Electricity Act, 2003 seeking approval of the Commission for procurement of power under medium-term. MSEDCL has sought the approval of the Commission to procure (a) 475 MW from M/s Adani Power Maharashtra Limited from 13 November, 2012 for a period of one year and (b) 300 MW from M/s JSW Energy Limited from 1 December, 2012 for a period of one year.

The Commission vide Order dated 24 December, 2012 disposed off this Petition with following observation / directives:

For estimating the requirement for additional power procurement for short-term, the Commission directed MSEDCL to carry out an analysis for demand and supply considering the following factors:

- 1) Reduction in generation expected from gas based power plants due to unavailability of gas for RGPPL and Uran power project.

- 2) Uncertainties in synchronizing and further commissioning of new units of MSPGCL.
- 3) Likely increase in demand for agricultural pumping based on analysis of the current monsoon and the water levels in all irrigation reservoirs in the State of Maharashtra.

The Petition of MSEDCL was for approval of power procurement for duration of one year. As per the Competitive Bidding Guidelines issued by Ministry of Power, medium-term power procurement has been defined as power proposed to be contracted for more than one year and up to seven years. Accordingly, the proposed power procurement will qualify under short-term and not medium-term as submitted by MSEDCL.

The Commission observed that while approving the power purchase quantum and cost for FY 2012-13, the Commission had considered the procurement of 10,675 MUs of short-term power at a Tariff of Rs. 4.50 per kWh. MSEDCL may approach the Commission for adoption of Tariff or approval of quantum, if required as per the Guidelines of MoP for procurement of short-term power.

**Petition for approval of Power Purchase Quantum (MW) by Tata Power Co Ltd-Distribution (TPC-D), under Case 1 bidding (Case No. 140 of 2012)**

Tata Power- Distribution submitted a Petition for approval for power purchase Quantum (For 150 MW for FY 13 and 200 MW for FY 14 & FY15) Medium term power procurement through Competitive Bidding Process under Case 1 bidding and for the approval of deviations in the Minimum Offtake clause of the Standard Bidding Document. The Commission directed TPC-D to explore cheaper generation source and in most economical manner in the view of consumer interest.

The Commission analyzed the demand projected by TPC-D and as per Draft 18th Electric Power Survey (EPS) of CEA as submitted by TPC-D for the period from FY 2013-2014, 2015-2016. The Commission accorded approval to the bid document as per the terms and conditions in Order in Case No. 20 of 2011 dated 9 May, 2011.

The Commission approved the deviation as requested by TPC-D in accordance with that provided under Case-1 bidding process with respect to the minimum off take guarantee of 65% of the aggregate contracted capacity for the procurer during a contract year for peak load during the time when the availability of the station is greater than the minimum off take guarantee.

## 6.9 Load Shedding

### **Suo moto hearing in the matter of revision and violation of Principles and Protocols of Load Shedding with respect to Circular No. 43 and 44 of Maharashtra State Electricity Distribution Company Ltd. (MSEDCL) (Case No. 41 of 2012)**

Prayas Energy Group and Maharashtra Veej Grahak Sanghatana vide letter dated 27 April, 2012 and letter dated 1 May, 2012 respectively raised objections against the Load Shedding Circulars No. 43 and 44 issued by MSEDCL.

Key issues in the present matter before the Commission and views of Commission expressed in said order are as follows

#### **A. Violation of Load Shedding Protocol by MSEDCL**

MSEDCL has implemented these Circulars with a positive intent though in violation of approved PPLS. Therefore, this instance of violation by MSEDCL is condoned by the Commission, while reiterating that any future violation in this matter may lead to penalties.

#### **B. Revision of Load Shedding Protocol by MSEDCL**

##### **1.1. Change in Distribution and Collection Loss (DCL) weightage**

There is need in improvement in both the parameters, i.e., reduction of distribution loss and improvement in LT collection efficiency. Therefore, the Commission revised the weightage of LT distribution loss and LT collection efficiency and approves equal weightages to these parameters for the computation of DCL, as proposed by MSEDCL.

##### **1.2 Implementation of scenario V-A and withdrawal of Load Shedding in A, B and C groups**

When load shedding is being withdrawn for Groups A to F sequentially, the benefit of increased availability of power should be available to industrial consumers also. The Commission vide Order 28 November, 2008 in Case No. 77 and 78 of 2008 has already exempted load shedding for industries connected on express feeders under load shedding scenario I to V. The Commission agrees with MSEDCL's proposal to exempt industrial consumers of MIDC and equivalent from load shedding on staggering day when load shedding is being withdrawn for Groups A to F sequentially.

##### **1.3 Formation of three new groups G1, G2 and G3**

The Commission agrees with MSEDCL's view that at present, group F has a wide band of DCL because of which it is not possible to distinguish the better performance areas in this large band. Further, in most of the divisions of group F, high DCL would be due to only some specific high loss feeders. Therefore, it is necessary to segregate such high loss feeders from divisions under group F and implement lesser hours of load shedding for remaining part of divisions on the basis of applicable group. This will help in incentivizing the paying consumers of MSEDCL.

The additional load shedding groups G1, G2 and G3 approved above pertains to the load shedding scenario V only and not for rest of the scenarios. The Commission directed MSEDCL that, in future, if MSEDCL requires to switch to different load shedding scenario due to change of demand-supply gap, it shall approach the Commission for approval, before making any changes to approved PPLS.

##### **1.4 Load Shedding in Religious, Tourist and Heritage Places**

The benefit of increased availability of supply should be passed on to the religious, tourist and heritage places, where the efficiency parameters are better. Therefore, the Commission approves the proposal of MSEDCL to withdraw the load shedding for municipal limits of referred 12 numbers of religious, tourist and heritage places, when their municipal limits are having DCL less than 15%.

##### **1.5 Mean collection efficiency**

Considering the weighted average collection efficiency with sales as weightage, gives correct results to capture collection from all individual categories. Therefore, the Commission directed MSEDCL to use weighted average collection efficiency in computation of DCL.

##### **1.6 Treatment of arrears in collection efficiency**

Commission analysed MSEDCL's treatment for recovery of arrears in DCL computation and observed that for a particular division when arrears are recovered, the overall collection efficiency is increased due to addition of 30% of arrears recovered to the current collection. Also, when there is an increase in arrears due to payment defaulters, the overall collection efficiency is decreased by means of deduction of 30% of increase in arrears from current collection. This has resulted in lesser load shedding hours for paying consumers and higher load shedding hours for payment defaulter consumers. The Commission approves the treatment adopted by MSEDCL with regard to recovery of arrears.



### 1.7. Implementation of feeder wise load shedding

The Commission approved the MSEDCL's proposal to implement load shedding at feeder level instead of division level. The Commission further directs MSEDCL to expedite the implementation of feeder wise load shedding for remaining feeders.

#### 1.8. Regrouping of groups D, E and F into smaller groups

With regard to MSEDCL's operational concern about implementation of load shedding, the Commission is of the view that MSEDCL may approach the Commission for regrouping of existing load shedding groups, other than the revised group F. In such case, MSEDCL shall submit the group wise shedable load for all groups, when feeder wise load shedding implementation is complete for all feeders.

#### 1.9 Consumer awareness and their participation

The Commission directed MSEDCL to publish all relevant information such as division/ sub-division/ feeder wise collection efficiency, distribution loss, DCL, load shedding implementation status etc. on their website. MSEDCL can also use other communication channels to create mass awareness like displaying such information at its local offices, distributing the published copies to the consumers, etc. Further, such details should be updated by MSEDCL on regular intervals.

## 6.10 Other Orders

### **Petition filed by Water Resources Department, Government of Maharashtra (GoMWRD) and Maharashtra State Power Generation Company Limited (MSPGCL) for approval of Lease Rent for Ghatghar Pumped Storage Hydro Power Station operated and maintained by MSPGCL and owned by GoMWRD (Case No. 2 of 2012)**

Petition of MSPGCL in Case 2 of 2012 dated 27 December, 2012 for approval of lease rental for Ghatghar power project for next 25 years. The Commission has accordingly determined the lease rent for Ghatghar PSS. Further, the Commission has amortized the under-recovery of lease rent (including carrying cost) from COD to second quarter of FY 2012-13 over the remaining lease rent period from third quarter of FY 2012-13 to 15 September, 2043. In view of the above, the Commission directs MSPGCL to pay the approved yearly lease rent to GoMWRD, quarterly on a pro-rata basis, starting December, 2012.

### **Petition filed by Tata Power Company Ltd.- Generation Business (TPC-G) for Approval of additional norm for Unit 6 under Section 99**

### **(Power to amend) and Section 100 (Power to remove difficulties) of the MERC (MYT) Regulations 2011(Case No. 40 of 2012)**

The Tata Power Company Ltd (TPC-G) submitted a petition, under Regulation 99 (Power to amend) and Regulation 100 (Power to remove difficulties) of the MERC MYT Regulations 2011, for approval of additional norms for Unit 6 Heat rate (2725 kcal/kwh) as well as aux power consumption of 5.5% corresponding to 50% PLF and using 80:20 gas:oil fuel mix. TPC-G submitted in the Petition that due to high cost of generation and due to the position of Trombay Unit 6 being high on the Merit Order stack, the said Unit 6 has often been backed down in the last 2-3 years resulting into low PLF operation.

The Commission observed that Central Power Research Institute (CPRI) had conducted the tests on Trombay Unit 6 in the year 2009 and Commission had accepted the report. The Commission issued Order in Case No. 96 of 2009 of 8 September, 2010 based on findings of this report. The Commission scrutinized the reports of the tests conducted by CPRI in April 2012 and observed that the pattern of change in Heat Rate with change in gas:oil mix is similar to that observed in the tests carried out by CPRI in year 2009. Also, there is no provision in the Regulations for lowering the specified norms of operational performance for operation of plant at low PLF.

The Commission therefore observed that there was no merit in TPC's Petition for amendment in the performance parameters specified in the MERC (MYT) Regulations, 2011 for Trombay Unit 6. Commission further ruled that regarding change in fuel mix ratio, a view will be taken during the True-up exercise.

### **Petition filed by The Tata Power Company Ltd.- Generation Business (TPC-G) for issuing specific directions to BEST and R-Infra for recovering the past under recovery pertaining to TPC-G (Case No. 55 of 2012)**

TPC-G filed a Petition under the Regulation 92 of MERC (Conduct of Business) Regulations, 2004 praying for specific directions to be given to BEST Undertaking and R-Infra-D for recovering the past under recoveries pertaining to the TPC-G. While carrying out the trueing up for FY10 and FY11, vide Order dated 15 February, 2012 in Case No. 105 of 2011, Commission had approved the past recoveries of around Rs. 278 crore. for TPG. However, no specific directions were given to the distribution utilities for payment of such recovery. TPC-G, vide Petition, prayed for specific directions to be given to Distribution Utilities for payment of these under-recoveries.

Taking the cognizance of sub-section (4) of Section 61 of the Electricity Act, 2003 which provides that no Tariff or part of any Tariff may ordinarily be amended, more frequently than once in a financial year, except in respect of any changes expressly permitted under FAC, the Commission vide Order dated 16 October, 2012 ruled that TPC-G should incorporate this issue, while submitting the Petition for revised Multi Year Tariff for second control period from FY 2012-13 to FY 2015-16, as a separate section including prayers for specific directions to be given to BEST Undertaking and R-Infra-D for recovering the past under recoveries. Accordingly, the Petition was disposed off.

**Suo motu Petition for the implementation of the Judgment dated 22 March, 2012 given by the Hon'ble ATE in Appeal No. 8 of 2011 filed by BEST Undertaking (Case No.62 of 2012)**

In view of the Judgment of the Hon'ble Appellate Tribunal for Electricity (ATE) dated 22 March, 2012 in Appeal No. 8 of 2011 filed by BEST and subsequent to the Commission's Notice initiating the suo-motu hearing in the matter, BEST submitted a Petition under affidavit before the Commission on 17 May, 2012, for implementation of the above said Judgment with the following prayer:

"In the circumstances and for reason aforesaid, BEST humbly submits that the above issues be decided and disposed of by MERC, in favor of BEST. Hon'ble Commission may appropriately allow the expenditure figures for FY 2008-09, FY 2009-10 and FY 2010-11."

The Commission directed that the amount of Rs. 64.99 crore may be claimed by BEST in its subsequent Tariff Petition.

**Adani Power Maharashtra Limited's Transmission Business (APML-T) Petitions seeking rectification /clarification in respect of Order dated March 27, 2012 in Case No. 60 of 2011 under Section 94 (1) (f) of Electricity Act, read with Regulations 92, 93, 94 and 95 of the MERC (Conduct of Business) Regulations, 2004 (Case No. 42 of 2012)**

M/s Adani Power Maharashtra Limited's Transmission Business (APML-T), filed a Petition under Affidavit before the Commission on 2 May, 2012 seeking clarification in respect of the Commission's Order dated 27 March, 2012 in Case No. 60 of 2011 regarding approval of Multi Year Tariff (MYT) business plan for FY 2012-13 to FY 2015-16 under Regulations 7 and 57 of the MERC (Multi Year Tariff) Regulations, 2011.

The Commission scheduled an admissibility hearing in the above matter on 15 June, 2012.

The Commission vide Order dated 5 July, 2012 disposed off this petition with following observations/directives. Based on the written and oral submissions of the Petitioner during the hearing, the Commission admitted the Petition to the extent it is limited to prayers (b) and (c). As regards prayers (d) and (e) are concerned, as stated in the MYT business plan Order in Case No. 60 of 2011, the Commission is of the view that no further clarification is required in this regard as the Commission has only identified the existing risks. Furthermore, there is no adverse impact on the ARR of the Petitioner on this account. More importantly, there is no error apparent on the face of the record.

As regards the methodology for computation of the interest on long term loan for the FY 2012-13 the Commission is of the view that the computation of interest on long term loan under the MYT business plan Order in Case No. 60 of 2011 has been done strictly in accordance with the MERC (Multi Year Tariff) Regulations, 2011. It was observed that FY 2012-13 being the first year of operation of the transmission system for APML-T, it shall be prudent to compute interest on long term loan on a pro-rata basis, in line with the COD of the transmission system and number of operational days of such transmission system in the particular financial year.

As regards the Commission's direction on submission of completed capital cost along with MYT Petition, the Commission is of the view that the directions were issued during the proceedings in the matter of approval of business plan based on assurances given by the Petitioner regarding the probable date of achieving COD. The Petitioner has already submitted its MYT Petition and the regulatory process connected therewith is underway. No purpose will be achieved by revisiting the direction given earlier by the Commission in the Order approving the business plan.

The Petitioner will need to make its case in the regulatory process which is underway for approval of the MYT Petition, as to the adequacy and reliability of the data and documents pertaining to the Capital Cost as completed at the time of filing of the MYT Petition.

**Determination of compensation/charges payable pursuant to Hon'ble APTEL Judgment dated 16 December, 2011 in Appeal No. 39 of 2011 (Case No. 24 of 2012)**

By an Order dated 27 January, 2011 in Case No. 85 and 87 of 2010, the Commission has inter alia amended the

Distribution License of MSEDCL to include the existing area of supply of MPECS and directed the MPECS to vest the undertaking of distribution to the new Licensee, i.e., MSEDCL.

Aggrieved by this Order, the MPECS filed an Appeal No. 39 of 2011, before the Hon'ble Appellate Tribunal for Electricity (ATE). The ATE vide its Judgment dated 16 December, 2011 set aside the Commission's Order and remanded the matter back to the Commission, with a direction to consider the application of license of the MPECS and dispose of on merits, in accordance with the provisions of the Act and the Regulations. The ATE further directed the Commission to consider grant of license to both MSEDCL and MPECS, by allowing them to operate in the same area. The ATE directed that the above process is to be completed within three months from the date of the Judgment. In the meantime the existing arrangement has been directed to be continued, subject to payment of charges to MPECS to be decided by the Commission. Accordingly, MPECS filed a petition for determination of charges on 7 March, 2011. The Commission after hearing all the parties concerned, passed an Interim Order on 15 October, 2012.

The ruling of the Commission is as follows:

MSEDCL to carry out valuation of distribution assets of MPECS before 30 November, 2012.

An interim amount of Rs. 1 crore per month, i.e., Rs 12 crore per annum to be paid by MSEDCL to MPECS, on adhoc basis as charges for continuation of the existing arrangement.

The Commission will pass an order revisiting the charges aforesaid once valuation of the distribution network is available. There shall be adjustment to the charges as determined in this order on interim basis once the Commission issues a further order determining the charges after taking into account valuation of the distribution network of MPECS.

The MSEDCL has filed a Petition before the Commission on 1 November, 2012, seeking review of the aforesaid Interim Order. This Petition is currently sub-judiced before the Commission.

**Infrastructure and other development activities in the erstwhile Mula Pravara Area (Case No. 9 of 2012)**

Applicant requested the Commission to interfere in the matter and give directions / orders to MSEDCL for completion of the pending development works as well as new electricity connections and avoid inconvenience

to nearly 1.6 lakh consumers in the territorial jurisdiction of MPECS.

Commission pointed out that the Hon'ble ATE vide Judgment dated 16 December, has clearly indicated that the existing arrangement may be continued till the time the matter relating to grant of license to MSEDCL and / or MPECS is finally decided by this Commission. The proceedings in that respect are pending. To continue the existing arrangement, not only would MSEDCL require to use the already existing distribution network but may also need to build a network in order to continue to supply electricity in the area. Hence, the existing arrangement cannot be discontinued by MSEDCL. Once, the final decision on grant of licence to MSEDCL and / or MPECS is taken, MSEDCL may file, if required, an appropriate application to decide the monetary implication of the investments made for creating infrastructure / network to continue the existing arrangement,.

**Petition of Mumbai International Airport Pvt Ltd for implementation of the Judgment dated 31st 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 (Case No. 82 of 2011)**

&

**Petition of Mumbai International Airport Pvt. Ltd for 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 RInfra's Tariff Petition for FY 2009-10 (Case No. 101 of 2011)**

M/s Mumbai International Airport Pvt Ltd. filed a Petition seeking re-classification of its Tariff category and re-determination of Tariff for FY 2008-09 and FY 2009-10, in view of the ATE Judgment dated 31 May, 2011 in Appeal No. 195 of 2009 and ATE Judgment dated 18 July, 2011 in Appeal No.144 of 2009. The Commission decided that it would be more appropriate to consider the share of aeronautical and non-aeronautical/commercial consumption as per OMDA, rather than as per the AERA Act, since the Airport Economic Regulatory Authority (AERA) came into existence only in FY 2009-10, whereas the majority of the period under consideration in this Order is in FY 2008-09 and also includes some months of FY 2009-10. Moreover, as highlighted by RInfra, the AERA has not determined tariffs based on aeronautical and non-aeronautical charges recovered by MIAL for the period under consideration. The Commission has ruled that it will create a separate category for MIAL and determine

the composite tariff for this separate category, by considering the share of aeronautical and nonaeronautical/commercial consumption. The Commission determined the composite tariff for FY 2008-09 (May 2008 to May 2009) and FY 2009-10 (June 2009 to Oct 2009). The Commission also ruled that the legality of supply at Single Point with sub-distribution along with a mark up/service charge is currently subjudice before the Hon'ble Supreme Court in Civil Appeal No. 8415 of 2011 in the matter of Maharashtra Chamber of Commerce Vs. MERC and Anr. Since, the Commission, in its Order dated 3 October, 2006 in Case No. 25 of 2005 and Case No. 53 of 2005 has held that there is no legality in supply at Single Point with sub-distribution along with a mark up / service charge without either the end user taking supply directly from the distribution licensee or the Bulk consumer converting itself as a franchisee of the distribution licensee, this Commission will be bound by the same while dealing with the case of MIAL. In the view of the Commission, MIAL should implead itself in the aforesaid pending proceedings before Hon'ble Supreme Court and in the meanwhile not charge any electricity Tariff from its concessionaires, at a rate higher than that determined by the Commission.

**Petition filed by Vidarbha Chamber of Commerce and Industry, under Sections 42, 142 and 149 of E. A. 2003 and Regulations 4.1, 4.2, 25, 26 and 27 of MERC (CGRF & EO), Regulations, 2006, seeking immediate appointment of Chairperson at CGRF, Amravati Zone of MSEDCL, and for issuing practice directions to MSEDCL providing clarification for the functioning of the Member/Secretary of the CGRF as Chairperson during the vacancy of the post of Chairperson at any of the CGRF (Case No. 141 of 2011)**

Vidarbha Chamber of Commerce and Industry, Akola, has filed the present Petition, on 27 September, 2011, under Sections 42, 142 and 149 of E.A. 2003 and Regulations 4.1, 4.2, 25, 26 and 27 of the MERC (CGRF & EO), Regulations, 2006, submitting that the post of Chairperson of the said CGRF Amravati Zone has been lying vacant for past three and half months (i.e since 6 June 2011, the date of retirement of incumbent Chairperson). The Petitioner submitted that this delay in appointment of a Chairperson at the CGRF Amravati Zone, has resulted in great hardship to members of the Petitioner as well as to other electricity consumers of the Respondent located at Amravati Zone.

The Commission directed that in line with the direction given by Hon'ble APTEL in its Order of 29 July, 2011, the Distribution Licensee shall initiate necessary steps to fill up the vacancy at the CGRF six months prior to

the vacancy that is expected to arise at a CGRF. This involves taking a decision whether an incumbent member of CGRF has to be given extension, in line with Regulation 4.3. The Distribution Licensee is expected to give wide publicity for filling up the post, which should enable the eligible persons who may be interested even from outside the area of the CGRF, to apply for the post of the Chairperson. As regards the contention that some consumers may have been aggrieved during the period when the Chairperson of CGRF was not appointed by the Respondent, no specific reference has been received or noted by the Commission of any case that was kept pending due to such vacancy.

**Petition filed by Poultry Breeders Welfare Association (PBWA) seeking proper Tariff Categorization of the Hatchery Units, which are the integral part of the Poultry Units, in LT/ HT Agricultural Category, in order to stop improper Commercial Tariff Application by MSEDCL, and with reference to the Tariff philosophy of the Hon'ble Commission and concerned Orders of the Hon'ble High Court, Mumbai (Case No. 22 of 2012)**

Poultry Breeders Welfare Association submitted a Petition under Sections 50, 62 (3), 62 (6) and 86 (1)(a) of EA, 2003 and Regulation 13 of the MERC (Electricity Supply Code and Other Conditions of Supply) Regulations, 2005 for proper tariff categorization of the hatchery units, which are the integral part of the poultry units, in LT/ HT Agricultural Category, in order to stop improper commercial tariff application.

The Commission vide Order dated 20 December, 2012 disposed off this Petition with following observation / directives:

The Commission vide Tariff Order dated 16 August, 2012 in Case No. 19 of 2012 made agriculture category Tariff applicable for the hatchery units.

The Commission observed that several Writ Petitions i.e., WP No. 3786 of 2012, 3787 of 2012, 3790 of 2012 to 3793 of 2012 and 3795 of 2012 to 3797 of 2012, filed by M/s Venkateshwara Hatcheries Pvt Ltd, Venkateshwara Research and Breeding Farm Pvt. Ltd. and M/s Venky's(India) Limited are pending for final disposal before the Honorable High Court, Bombay. The Honorable High Court, Bombay granted an interim relief by directing MSEDCL to charge the Petitioners as per HT-V(Agriculture) or in the alternative HT-I N (Industrial) Tariff and to be heard with the WP No. 7884/2010, 6702/2009 and 5086/2010.

The Commission cannot adjudicate on any issues raised

in the present Petition as these are pending before the Honorable High Court, Bombay.

**Petition filed by MSETCL for approval of MSLDC Budget for FY 2013-14 (Case No. 133 of 2012)**

In accordance with the first proviso to Section 31(2) of the Electricity Act, 2003 (EA 2003), the Maharashtra State Electricity Transmission Company Limited (MSETCL), which is the State Transmission Utility (STU) in the State of Maharashtra, operates the Maharashtra State Load Despatch Centre (MSLDC). MSETCL, in its capacity under the first proviso to section 31(2), filed a Petition on 30 November, 2012 seeking the Commission’s approval for the budget for the operational costs of MSLDC for FY 2013-14 as required under Regulation 18.1 of the MERC (Transmission Open Access) Regulations, 2005.

The Commission highlighted the fact that the MERC (Terms and Condition of Tariff) Regulations, 2005 (Tariff Regulations) have been repealed by the MERC (Multi Year Tariff) Regulations, 2011 (MYT Regulations). Further, extensions granted to MSETCL by the Commission for postponement of the second control period have also expired and the Tariff determination process for the FY 2013-14 onwards will be governed by the MERC MYT Regulations, 2011. Accordingly, MSLDC was directed to adopt the MYT Regulation, 2011 for projection of the expenses in FY 2013-14 and submit a revised Petition for consideration of the Commission.

The Commission, in its Order for approval of MSLDC budget for FY 2006-07 in Case No. 30 of 2005, has outlined the modalities for approval of SLDC budget as well as the principles for recovery of MSLDC fees and charges. Accordingly, MSLDC revenue budget comprises of two parts, viz.,

Part -A: MSLDC Operating Cost Budget

Part -B: MSLDC Capital Charge Budget

Further, as elaborated earlier, the approval of the budget for FY 2013-14 will be guided by the provisions of the MERC (Multi Year Tariff) Regulations, 2011 and for FY

2011-12 and FY 2012-13 by the provisions of the MERC (Terms and Conditions of Tariff) Regulation, 2005, to the extent applicable.

The Commission approved the MSLDC Budget for FY 2013-14 as Rs. 3408.47 lakh. While truing up for FY 2010-11 and Provisional True up of FY 2011-12, the MSLDC has surplus to the extent of Rs. 845.33 lakh. Further, the total True-up adjustment of Rs. 845.33 lakh has been adjusted in proportion to operating cost budget and capital charge budget to determine annual SLDC operating charges and annual SLDC fees for FY 2013-14. Accordingly, the Commission approved recovery of Rs. 2563.15 lakh. from SLDC fees and charges in FY 2013-14.

The approved revenue from operating charges corresponding to Operating Cost Budget and SLDC fees corresponding to Capital Charge Budget for FY 2013-14 is presented in the following table:

(Rs. Lakh)

Sr. No.	Particulars	FY 2013-14		
		Approved SLDC Budget	True-up Adjustment	Approved Revenue
1	Operating Cost Budget	2,485.14	(616.33)	1,868.80
2	Capital Charge Budget	923.34	(229.00)	694.34
3	Total SLDC Budget	3,408.47	(845.33)	2,563.15

**Approved recovery of SLDC Fees & Charges** (Rs. Lakh)

Particular	Monthly Operating charges ( Rs. Lakh/ month)	Semi-Annual MSLDC Fees (Rs. Lakh/ Half Year)
MSEDCL	127.54	284.32
TPC - D	10.49	23.39
Rinfra - D	9.97	22.23
BEST	7.73	17.23
<b>Total</b>	<b>155.73</b>	<b>347.17</b>

## 7. CONSUMER GRIEVANCE REDRESSAL MECHANISM

As prescribed under Sections 42(5) and 42(6) of the Electricity Act, 2003 Consumer Grievance Redressal Forums (CGRF), 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 electricity consumers to seek redressal for their grievances without having to go to a court of law.

### 7.1 Consumer Grievance Redressal Forums (CGRF):

At present, 14 CGRFs are functioning in the State, out of which 11 are constituted by Maharashtra State Electricity Distribution Company Limited (MSEDCL) and the remaining by other Distribution Licensees, viz., R-Infra D, TPC-D and BEST.

Each CGRF comprises of one Chairperson and two Members. In compliance with the MERC (Consumer Grievance Redressal and Electricity Ombudsman)

Regulations, 2006, as amended in 2007, the posts of Chairperson/Members of the CGRFs are filled up whenever any Chairperson's/Member's term expires. One Member of the CGRF represents the consumers and is appointed by the Distribution Licensee on the recommendation of the Commission. The applicant's name is recommended after ascertaining that the applicant meets the eligibility criteria. During FY 2012-13 the tenure of Member (Consumer Representative) of CGRF of BEST, R Infra-D and seven zones of MSEDCL expired and they were either replaced by new appointees or reappointed depending upon the suitability of applications received. In the same period the tenure of Chairperson of MSEDCL Nagpur (Rural) Zone and R Infra-D expired and they were either replaced by new appointees or reappointed depending upon the suitability of the applications received.

The Distribution Licensee wise number of grievances dealt with the by CGRFs during the FY 2012-13 is enclosed in Table A and B. The category-wise number of grievances received is summarized in Table C and D.

**Table A**

**LIST OF GRIEVANCES RECEIVED BY MSEDCL IN 2012-13**

Sr. No.	Name of the CGRF (Zone)	Total No. of grievances received in 2012-13	No. of grievances not admitted or withdrawn	Total No. of actionable grievances in 2012-13	No. of grievances redressed		Total No. of grievances redressed during 2012-13	Total No. of grievances pending at the end of 2012-13	No. of decisions in favour of consumer	No. of decisions in favour of Licensee
					within 60 days	Beyond 60 days				
1	Amravati	54	0	54	18	23	41	13	26	15
2	Aurangabad	57	5	52	25	18	43	9	12	31
3	Bhandup	76	7	69	30	31	61	8	33	28
4	Kalyan	158	7	151	90	39	129	22	79	50
5	Kolhapur	217	1	216	151	52	203	13	183	20
6	Konkan	40	0	40	18	16	34	6	20	14
7	Latur	27	0	27	13	5	18	9	10	8
8	Nagpur ( R )	192	11	181	59	109	168	13	129	39
9	Nagpur ( U )	158	2	156	131	3	134	22	46	88
10	Nashik	93	0	93	86	0	86	7	36	50
11	Pune	39	0	39	29	4	33	6	23	10
	<b>Total</b>	<b>1111</b>	<b>33</b>	<b>1078</b>	<b>650</b>	<b>300</b>	<b>950</b>	<b>128</b>	<b>597</b>	<b>353</b>

**Table B****LIST OF GRIEVANCES RECEIVED BY OTHER LICENSEES IN 2012-13**

Sr. No.	Name of the CGRF (Zone)	Total No. of grievances received in 2012-13	No. of grievances not admitted or withdrawn	Total No. of actionable grievances in 2012-13	No. of grievances redressed		Total No. of grievances redressed during 2012-13	Total No. of grievances pending at the end of 2012-13	No. of decisions in favour of consumer	No. of decisions in favour of Licensee
					within 60 days	Beyond 60 days				
1	R-INFRA D	17	0	17	4	13	17	0	4	13
2	TPC-D	16	2	14	9	0	9	5	1	8
3	BEST	50	1	49	32	8	40	9	29	11

**Table-C****Analysis of Grievances Redressed during 2012-13 based on Type/Category**

(In Nos.)

Type/Category of Grievance	MSEDCL	Rinfra D	TPC	BEST	Total
Residential	234	8	6	12	260
Commercial	91	6	2	23	122
Agricultural	337	0	0	0	337
Industrial	159	2	1	3	165
Others	129	1	0	2	132
<b>Total</b>	<b>950</b>	<b>17</b>	<b>9</b>	<b>40</b>	<b>1016</b>

**Table-D****Analysis of Grievances Redressed during 2012-13 based on Type/Category**

(In Nos.)

Type/Category of Grievance	MSEDCL	Rinfra D	TPC	BEST	Total
Billing Related	373	6	8	30	417
Meter Fault	47	0	0	0	47
Technical	18	0	1	0	19
New Connection	256	2	0	4	262
Quality of Supply	6	0	0	0	6
Service Related	80	1	0	0	81
Others	170	8	0	6	184
<b>Total</b>	<b>950</b>	<b>17</b>	<b>9</b>	<b>40</b>	<b>1016</b>

## 7.2 Ombudsman

In exercise of the powers conferred by the Electricity Act, 2003 and Maharashtra Electricity Regulatory Commission (Consumer Grievance Redressal Forum and Electricity Ombudsman) Regulations, 2006, the office of the Electricity Ombudsman was constituted on 27 December, 2004, under Section 42(6) of the Electricity Act, 2003 and was made functional immediately.

Regulations provide that the territorial jurisdiction of the Electricity Ombudsman shall extend to the whole or part of the State of Maharashtra and the Commission may appoint or designate more than one Electricity Ombudsman with defined territorial jurisdiction. Considering the provisions in the Regulations and taking into consideration the convenience of electricity consumers in the Vidarbha Region, the office of the Electricity Ombudsman, Nagpur was constituted on 28 February, 2011.

Electricity consumers who are aggrieved by non-redressal of grievances by the CGRF, under section 42(5) of the Act, have been making representations to the Electricity Ombudsman at Mumbai/Nagpur.

### Electricity Ombudsman (Mumbai)

Dr. Suresh Joshi, IAS (Retd.), has been functioning as Electricity Ombudsman, Mumbai from 20 January, 2011.

The Mumbai office covers the Districts of Mumbai, Mumbai-Suburbs, Thane, Raigad, Ratnagiri, Sindhudurg, Kolhapur, Solapur, Sangli, Satara, Pune, Nasik, Dhule, Jalgaon, Ahmednagar and Nandurbar. The list and type of representations/grievances dealt with by Electricity Ombudsman, Mumbai during the FY 2012-13 are enclosed at Table E.

### Electricity Ombudsman (Nagpur)

Justice Shri K. J. Rohee has been functioning as Electricity Ombudsman, Nagpur from 1 July, 2011.

The Nagpur office covers the Districts of Amravati, Akola, Buldhana, Yavatmal, Washim, Nagpur, Wardha, Bhandara, Gadchiroli, Chandrapur, Gondia, Latur, Beed, Nanded, Osmanabad, Aurangabad, Jalna, Parbhani and Hingoli.

The list and type of representations/grievances dealt with by Electricity Ombudsman, Nagpur during the FY 2012-13 are enclosed at Table E.

**Table E**

#### No. of Grievances dealt with by Electricity Ombudsman during the January 2012 to December 2013

Sr. No.	EO	Total No. of grievances received in 2012-13	No. of grievances not admitted or withdrawn	Total No. of actionable grievances in 2012-13	No. of grievances redressed		Total No. of grievances redressed during 2012-13	Total No. of grievances pending at the end of 2012-13	No. of decisions in favour of consumer	No. of decisions in favour of Licensee
					within 60 days	Beyond 60 days				
1	Mumbai	131	0	131	99	2	101	30	50	51
2	Nagpur	154	1	153	17	82	99	54	74	25
	<b>Total</b>	<b>285</b>	<b>1</b>	<b>284</b>	<b>116</b>	<b>84</b>	<b>200</b>	<b>84</b>	<b>124</b>	<b>76</b>



### 7.3 MERC (Authorised Consumer Representatives) Regulations, 2012

As a part of its initiatives on consumer advocacy and to ensure more consumer participation in the proceedings of the Commission from all regions of the State, MERC has notified the MERC (Authorised Consumer Representatives) Regulations, 2012 on 8 June, 2012.

The salient features of Regulations are as under:

This Regulation defines two types of Consumer Representatives (CR) viz., Institutional CR and Individual CR.

The Regulation has laid down the criteria for selection and process for authorization of Institutional and Individual CRs, their functions and duties, tenure and review of performance of the CRs.

The Regulation has laid down the tenure of an Institutional/Individual CR. An Institutional CR shall be authorized for a maximum period of six years from the date of its authorisation. An Individual CR shall be authorized for a maximum period of three years from the date of his/her authorisation.

As per Regulation 7.1, there shall be a total of six Institutional Consumer Representatives who will represent consumers belonging to the following regions of Maharashtra:

Konkan Region

Northern Maharashtra Region

Western Maharashtra Region

Marathwada Region

Vidarbha Region

Area of Municipal Corporation of Greater Mumbai

As per Regulation 7.2, there shall be a “Panel of Individual Consumer Representatives” comprising of a maximum of 15 Individual Consumer Representatives.

As per Regulation 8.5 the Commission has declared the following organizations as deemed CRs:

Thane Belapur Industries Association - Konkan Region  
Prayas Energy Group - Western Maharashtra Region  
Vidarbha Industries Association - Vidarbha Region  
Mumbai Grahak Panchayat - Mumbai

The Commission published an advertisement in the leading newspapers on 6 July, 2012 calling for applications for empanelment as Institutional CRs for Northern Maharashtra and Marathwada Region and applications for empanelment as Individual CRs for the entire Maharashtra State.

For the purpose of selecting CRs, the Commission constituted a Selection Committee comprising of one chairperson and four members. The Secretary to the Commission was designated as the ex-officio Secretary to the Selection Committee. The Commission also notified the internal governance and procedural rules to be adopted by the Selection Committee.

On the recommendations of the Selection Committee, the Commission approved the name of Maharashtra Chamber of Commerce, Industry & Agriculture as Institutional CR for Northern Maharashtra region and constituted a panel of 15 individual Consumer Representative as mentioned below:

Sl	Name of the Consumer Representative	Sl	Name of the Consumer Representative
1	Mr. Venkatesh M. Nirmal C/O: N. P. Kadam, Krishna Niwas, Near Hanuman Temple, Deep Nagar, Purna Road, Nanded -431 605	2	Shri Banait Sharadchandra Prakashchandra 20, Sahas Colony, Pratap Nagar, Behind Durga Mandir, Nagpur -440 022
3	Mrs. Ostwal Anita Indra C/o: Ostwal Hospital, Doctors Colony, Near Bus Stand, Parbhani – 431401	4	Shri Jagdish /Kiran Vishnupant Paturkar 'KIRAN' Topenagar, Pavanaskar Layout, Amravati – 444602
5	Adv. Siddharth Balkrishna Varma Flat No. 3, Patwardhan Aptt., Near Poddar House, Patil Lane, 3, College Road, Nashik-05.	6	Shri Shridhar Vasant Vyawahare 1, Shiram Apartment, Mahatma Nagar, Trimbak Road, Nashik -422007.
7	Shri Ashish Subhash Chandarana 21, Shrikrupa Colony, Akola Road, Akot, Dist: Akola – 444101	8	Shri Hemant Arunchandra Kapadia 25, Shantiniketan Colony Nr. Shani Mandir, Aurangabad – 431001

SI	Name of the Consumer Representative	SI	Name of the Consumer Representative
9	Shri Avinash Vinayak Prabhune 113, Suvarnavedh, Pandurang Gawande Layout, Ranapratap Nagar, Nagpur-440022	10	Shri Sham Dashrath Patil 26, Ashoknagar, Jamunagiri Road, Dhule- 424001
11	Shri Suhas R.Khandekar Shreedham, Rahate Colony, Jail Road, Nagpur- 440 022	12	Dr.Ramakant D.Patel S.No.474/1, Plot No.1, Pratap Nagar, Near Mahavir Society, Malegaon, Dhule- 424 001
13	Dr. Barhate Gorakh Haribhau Opp. Dr. Bhalgat Hospital, Dist. Bank Colony, Ward No. 7, Shrirampur, Dist: Ahmednagar-413709	14	Shri Sunil David Sonawane 1326, Mary Cottage, Shrirampur, Dist: Ahmednagar - 413 709
15	Shri N. Ponrathnam 80, Sindhi Society, Chembur, Mumbai-400071		

## 8. MARKET MONITORING CELL

MERC has set up a Market Monitoring Cell to monitor the developments in the electricity markets as mandated by the Electricity Act, 2003. The cell focuses on acquiring, collating and analyzing data on various subjects of interest to the Commission. Its primary function is to keep in touch with the pulse of the electricity trades involving the State of Maharashtra.

Till now the cell has been collating short term market data. It has recently begun to collate medium term and long term price data for both State level transactions and all India transactions for benchmarking.

### All India Trends:

CERC has reported that the annual volume of short term electricity transactions has increased from 65 BUs in 2009-10 to 94.51 BUs in 2011-12. The total volume of electricity traded in the short term to the total volume generated has increased from 9% to 11% in the same period. CERC's analysis also shows a steady increase in the volume of short term trades through licensed traders and exchanges to approximately 54%, while the weighted average price of electricity transacted through

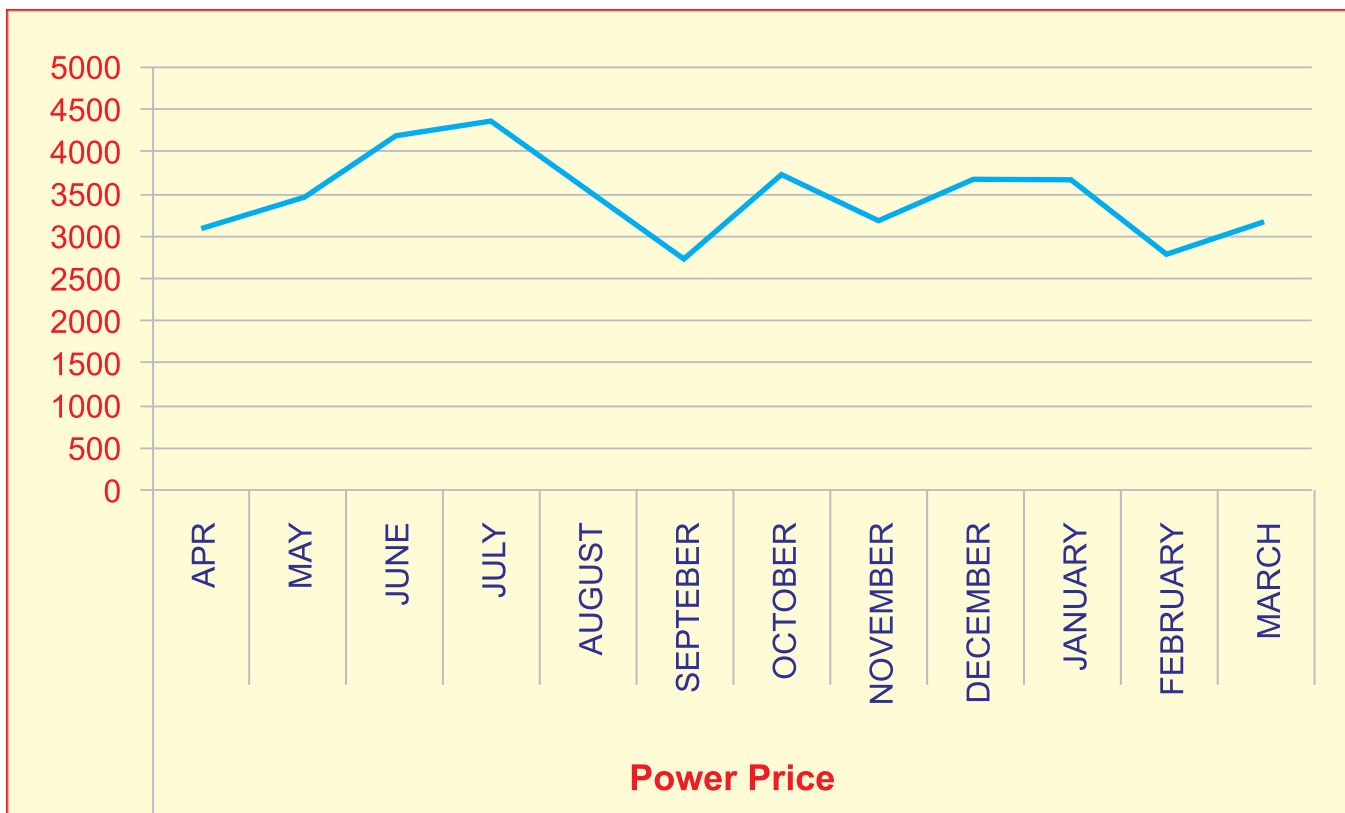
trading licensees and the exchanges declined from Rs 7.29 and Rs 7.49 per unit, respectively in 2009-10 to Rs 4.18 and Rs 3.57 a unit, respectively in 2011-12.

### Maharashtra Trends:

In the current fiscal, Maharashtra has bought 5044.54 MUs till February 2013 on the power exchanges and through traders and direct purchases. The figure below shows the year-to-date price movements for FY 2012-13.

The average UI rates were around Rs 1.8 per unit, while the average price on IEX was at Rs 2.87 per unit with the frequency of the grid at 49.99 MHz. The State although a member of PXIL, traded only marginally on that exchange, buying only 7.6 MUs there versus 908.94 MUs at IEX. It, however, continued to meet most of its short term power purchase needs through direct purchases and traders, 1688.89 MUs and 1331.13 MUs, respectively. The State also drew heavily from the grid in the summer months through the UI mechanism and from end-August as the UI rates through most of the year remained lower than the exchange rates.

**Average Monthly Prices (Rs/MWL) on IEX During FY 2012-13**



## 9. CAPACITY BUILDING INITIATIVE IN POWER SECTOR

MERC has continued its initiatives towards capacity building in electricity regulation and worked towards developing human resources in key domains of the power sector through collaborative learning.

Initiatives undertaken by MERC are briefly recapitulated below:

### In-house training:

A Training Need Analysis was conducted for MERC Officers and Staff and on that basis a Mentoring and Behavioral Training Programme was conducted during the year 2012-13.



Internal 3-day legal workshop for officials of MERC on “Quasi Judicial Functions – an overview with Reference to Powers and Functions of MERC” was held.

MERC has also deputed its officers as members of technical committee to CEA.

### External Training:

A six-month course ‘Post Graduate Diploma in Electricity Regulation’ in collaboration with World Trade Institute at Mumbai. In the sixth batch of this course 15 officers were nominated and all the officers passed the examination. The following officers have topped the examination:

1. Kishor Chavan, Deputy Director (Tech) – 2nd rank
2. Siddharth Rokade, Deputy Director (Tech) – 2nd rank
3. Pravin Ganvir, Assistant Director (Tech) – 4th rank
4. Arun Shenoy, Director (A&F) – 5th rank

MERC deputed its officers and staff for attending various training programmes such as programmes on power markets, legal literacy for power sector professionals,

tariff philosophy and practices, renewable purchase obligation regulations, open access, power trading and tariffs, annual revenue requirements and annual performance review and so on during 2012-13 to ensure constant updation of knowledge.

It also deputed officers for international training programme, i.e., SAFIR Core Course at Sri Lanka in March 2013.

Deputed its officers to attend conferences during the year 2012-13.

### Proposed Programmes:

Setting up a dedicated Institute of Chartered Regulatory Analysts - Project report submitted to Forum of Regulators

Training of Trainers to develop in-house resource persons for electricity regulation.

Induction course for new entrants.

Advanced English Conversation course for MERC employees.

Departmental examination for regular employees.

## 10. OTHER PROGRAMMES

### Marathi Raj Bhasha Gaurav Divas

MERC observed Marathi Raj Bhasha Gaurav Divas on 27 February, 2013 at Centrum Hall-1, WTC in the presence of Shri Vijay L Sonavane, Hon'ble Member and Chairman-in-Charge, Shri K. N. Khawarey, Secretary, Directors and all MERC employees.

Every year on 27 February, Maharashtra celebrates this day as Marathi Language Day to honour Marathi language as well as to pay tribute to renowned Marathi poet and writer Shri Vi Va Shirwadkar, popularly known as Kusumagraj, on his birth anniversary.

The day's programme started with a rendition of Pasaydan followed by a welcome address by Shri Rajendra Ambekar, Director (Tariff), MERC. The employees of the Commission presented various cultural programmes. Shri K.N. KHawarey Secretary, MERC threw light on Kusumagraj's contribution to Marathi sahitya.

Hon'ble Chairman, MERC briefed the importance of Marathi language and suggested the use of Marathi language in day-to-day work.

Shri Prafulla Varhade, Director (Electrical Engineering) and Shri Arun Shenoy, Director (A&F) proposed the vote of thanks. Shri Amit Chilwe anchored the event.

### International Women's Day

On the occasion of International Women's Day on 8 March, 2013, MERC staff organized a cultural programme under the guidance of Shri V L Sonvane Hon'ble Member and Chairman-in-Charge and Secretary Shri K N Khawarey. The programme was held at Centrum Hall, 1st floor, WTC.

The programme began with lighting the lamp. The chief guests of the programme were welcomed by offering Tulsi plants and floral bouquets, followed by a Ganesh Stuti classical dance by Ms Sangeeta Kotian (PA to Chairman). Ms Sulbha Lingayat (PA to Member) and Ms Anna Marie Pillai (PA to Secretary) distributed flowers to the staff on this occasion. Smt. Namrata Sawant (Librarian), Ms Priti Kurkure (SRA), Ms Ashiwini Chougule (clerk) and Ms Vishakha Bhosale (SRA) portrayed the various shades of womanhood through posters and rangolis on the premises of MERC. Ms. Vishakha Bhosale highlighted the history of

International Women's Day while Ms. Sangeeta Kotian gave a brief speech on how women have created a place for themselves in public life in the past several decades. Ms. R u j u t h a S h r u n g a r p u r e (SRA) made a power point presentation on women's empowerment.

Ms. Nanda Sathe (Receptionist) and Smt Rucha Patwardhan sang songs in Marathi. Smt. Harshada (Translator) gave a short speech on the role of women in day-to-day life. Smt Namrata Sawant (Librarian), Ms.





Charge, Shri K N Khawarey Secretary, Directors and all MERC employees.

National Science day is celebrated every year on 28 February as the day when what came to be known as the Raman Effect was discovered by Prof C. V. Raman at the Indian Institute of Science (IISc), Bangalore in 1928. For this discovery, Raman was awarded the Nobel Prize for Physics in 1930. In 1986, the National Council for Science and Technology Communication (NCSTC) asked the Government of India to designate the day as the National Science Day and is now celebrated all over the country in

Priti Kurkure (SRA) highlighted some darker aspects of women's life such as domestic violence followed by a song on the current status of women through Charolya.

A song on women was sung by Shri Siddharth Rokade (Deputy Director Tech.) while Shri L N Ambekar (RE) and group sang a song and read a poem on women. Shri Popat Khandare and Shri Anant Sant (Deputy Director Tech.) made speeches on the occasion. The ladies also conducted a game organized by Ms Sulbha Kadam (SRA) and Snehal Shinde (SRA).

There were also speeches by Shri Vivek Sonavane (WTC), Shri Arun Shenoy (Director A&F), Shri Rajendra Ambekar (Director-T), Secretary and Member and Hon'ble Chairman-in-Charge. Vote of thanks was proposed by Ms. Sarita Thakur (Deputy Director A&F). Ms Sangeeta Kotian anchored the event.

## National Science Day

MERC celebrated National Science Day on 28 February, 2013 at Centrum Hall-1, WTC in the presence of Shri Vijay L. Sonawane Hon'ble Member and Chairman-in-

schools, colleges, universities, scientific, technical, medical and research institutions.

The day's programme started with a prayer followed by a short film on Prof. C. V. Raman and a welcome address by Shri Prafulla Varade, Director (Electrical Engineering), MERC. Various presentations were made by MERC staff members on topics such as supercritical generation, energy conservation tips, 1200 KV transmission systems, nature cure science, coal price pooling concept and energy saving. A quiz competition was also organized on the occasion.

Shri K N Khawarey Secretary, recalled the historical milestones and presented an overview of National Science Day.

Shri Vijay L Sonavane Hon'ble Member and Chairman-in-Charge spoke on the importance of National Science Day and (Golden Rules for Success in Life).

Shri Sukhchain Singh (RO) and Smt Rucha Patwardhan (SRA) anchored the event and Shri Arun Shenoy, Director (A&F) proposed the vote of thanks.

## 11. ANNUAL ACCOUNTS AT A GLANCE

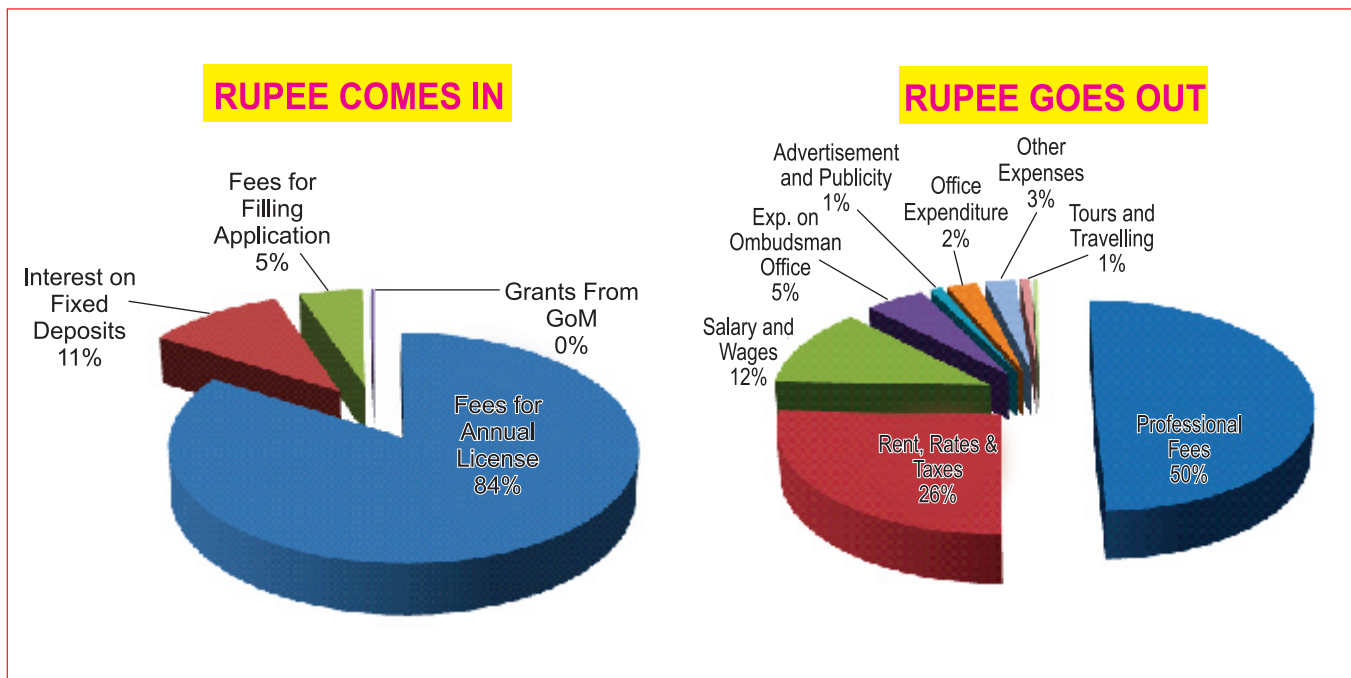
MERC is a quasi-judicial authority constituted to regulate the power sector within the State of Maharashtra. It receives a token grant of Rs. One lakh from the Government of Maharashtra. Expenses on activities of the Commission are incurred from the Commission's receipts derived mainly from the Annual License Fees, Fees for Petitions as per the MERC (Fees and Charges) Regulations 2004 and interest on the Fixed Deposits maintained with the nationalized banks.

The provisional receipts and payments account for the Financial Year 2012-13 is as per Annexure-III.

The Annual License Fees constituted the largest percentage of the total receipts is 84 per cent in FY 2012-13 as compared to 72 per cent in FY 2011-12. The second largest component being interest on Fixed Deposits which constituted 11 per cent in FY 2012-13 as compared to 14 per cent in FY 2011-12. Surplus funds generated after meeting the expenditure on salary, professional fees, rent, housekeeping and training were invested in Fixed Deposits in nationalized banks. The largest component of the expenditure constituting 50 per cent (47 per cent in FY 2011-12) was professional

fees paid to technical, legal and financial consultants engaged for assisting the Commission in its regulatory functions. The second largest component was rent, rates and taxes, predominantly paid to World Trade Centre for office space, i.e., space occupied by the Commission for its office accommodation which comprised 26 per cent (no change from FY 2011-12) of the total expenses. The third largest component was salary and wages which constituted 12 per cent (8 per cent in FY 2011-12) of the total expenditure. The Commission also provided grants-in-aid to two Ombudsmen offices located at Mumbai and Nagpur towards their salary and other office expenses. This constituted 5 per cent (8 per cent in FY 2011-12) of the total expenditure.

The total surplus fund parked in nationalized banks as Fixed Deposits as on 31 March, 2013 was Rs. 68.86 crore. During FY 2012-13, total receipts was Rs. 39.80 crore against the total payment of Rs. 25.49 crore generating a net surplus of Rs. 14.31 crore, which was invested in Fixed Deposits with nationalized banks. Given below are two pie diagrams illustrating the percentage breakup of receipts and payments during FY 2012-13.



## ANNEXURE - I

### LIST OF CASES FILED BEFORE THE COMMISSION DURING 2012-13

NO.	APPLICANT	RESPONDENT	DATE OF PETITION	CASE NO	SUBJECT
1	M/s. Aayudh Tools, Aurangabad.	MSEDCL	30.3.2012	30 of 2012	Petition for non-compliance of order dated 23.01.2012 passed by the Electricity Ombudsman, Nagpur
2	Birla Perucchini Ltd.	MSEDCL	2.4.2012	31 of 2012	Petition for non-compliance of order dated 18.02.2011 passed by the CGRF, Aurangabad.
3	JSW Energy Limited, Mumbai	MSEDCL	12.4.2012	32 of 2012	Application for seeking clarification in Petition No. 67 of 2011.
4	Ushdev International Ltd.	MSEDCL	13.4.2012	33 of 2012	Petition seeking setting aside/ quashing of limited portion of Commercial Circular No. 155 issued by the Maharashtra State Electricity Distribution Company Limited purporting to provide for additional tariff terms and conditions for granting Open Access
5	Shri. Vijay Yadavrao Wawu,	BEST	13.4.2012	34 of 2012	Violation of the Order dated 03rd May, 2007 passed by Electricity Inspector, Mumbai and Articles 14 & 16 of the Indian Constitution and Regulation 7 of the MERC (SoP) Regulations, 2005.
6	Ixora Constructions (P) Ltd. [ICPL]	N A	19.4.2012	35 of 2012	Petition for approval of deviations taken in Bidding Document issued by Ministry of Power (MoP), for medium-term procurement of power through tariff based Competitive Bidding Process (Case I).
7	Shri. Haribhau D. Khapre.	MSEDCL	19.4.2012	36 of 2012	Violation of the directions given by the Commission in its Order dated 05 January, 2012 in Case No. 148 of 2011.
8	NESCO Ltd., Mumbai.	Reliance Infrastructure Ltd. And TATA	16.4.2012	37 of 2012	Petition against the non-compliance of order dated 15.10.2009 passed by this Hon'ble Commission in Case No. 50 of 2009 by the Respondent No. 1.
9	Wardha Power Company Ltd.	Reliance Infrastructure Ltd	23.4.2012	38 of 2012	Petition regarding deliberate and willful failure of the distribution licensee to make payments in terms of the Power Purchase Agreement dated 04.06.2010,
10	Wardha Power Company Ltd.	Reliance Infrastructure Ltd	23.4.2012	39 of 2012	Petition regarding deliberate and willful failure of the distribution licensee to make payments, on account of Change in Law, as per the terms of the Power Purchase Agreement dated 04.06.2010
11	Tata Power Co. Ltd	N A	25.4.2012	40 of 2012	Petition for approval of additional norm for Unit 6 Heat Rate and Auxiliary consumption for the Second MYT Control Period from FY 2011-12 to FY 2015-16.
12	Suo-Moto	N A	2.5.2012	41 of 2012	Suo Motu hearing in the matter of Load Shedding Circulars No. 43 and 44 (with corrigendum) issued by Maharashtra State Electricity Distribution Co. Ltd



NO.	APPLICANT	RESPONDENT	DATE OF PETITION	CASE NO	SUBJECT
13	Adani Power Maharashtra Ltd.	N A	7.5.2012	42 of 2012	Petition for rectifications/ clarifications of the Commission's order dated March 27, 2012 in Case No. 60 of 2011 filed for approval of MYT Business plan of Adani Power Maharashtra Ltd.
14	MSEDCL	N A	8.5.2012	43 of 2012	Petition for review of Order dt 30th April, 2012 of the Commission in Case No. 12 of 2012, regarding the recovery of accumulated amount of FAC.
15	Adani Power Maharashtra Ltd.	N A	7.5.2012	44 of 2012	Petition for approval of Aggregate Revenue Requirement and determination of Multi Year Tariff for the Second Control period from FY 2012-13 to FY 2015-16 for Transmission Business of Adani Power Maharashtra Ltd (APML-T).
16	Maharashtra Biomass Energy Developers Association.	N A	11.5.2012	45 of 2012	Petition for review of MERC's Suo Moto order dated March 30, 2012 in Case No. 10 of 2012, on determination of Generic Tariff for the third year of the first Control Period under Regulation 8 of the MERC (Terms and Conditions for Determination of Renewable Energy Tariff) Regulations, 2010.
17	Maha Co-Gen Green Power Producers Association	N A	11.5.2012	46 of 2012	Petition for review of MERC's Suo Moto order dated March 30, 2012 in Case No. 10 of 2012, on determination of Generic Tariff for the third year of the first Control Period under Regulation 8 of the MERC (Terms and Conditions for Determination of Renewable Energy Tariff) Regulations, 2010.
18	TPC-D	N A	4.5.2012	47 of 2012	Petition for approval of sceduled charges as per Maharashtra Electricity Regulatory Commission (Electricity Supply Code and Other Conditions of Supply) Regulations, 2005
19	BEST	N A	18.5.2012	48 of 2012	Implementation of the Judgment dated 22nd March, 2012 given by the ATE, in Appeal No. 8 of 2011 filed by the BEST Undertaking challenging the Commission's Order dated 12th September, 2010, in Case No. 95 of 2009.
20	Maharashtra Rajaya Sakhari Sakhar Karkhana Sangh Ltd.	N A	9.5.2012	49 of 2012	Petition for review of MERC's Suo Moto order dated March 30, 2012 in Case No. 10 of 2012, on determination of Generic Tariff for the third year of the first Control Period under Regulation 8 of the MERC (Terms and Conditions for Determination of Renewable Energy Tariff) Regulations, 2010.
21	Suo-Moto	N A	18.5.2012	50 of 2012	Suo Motu Proceedings on the 'Issues on Open Access' for solicitation of views and suggestions from the members of Public and all Stakeholders in the State of Maharashtra, regarding the action suggested vide Letter dated 30 November, 2011 of the Ministry of Power on operationalisation of Open Access (1 MW and above consumers) in Power Sector

NO.	APPLICANT	RESPONDENT	DATE OF PETITION	CASE NO	SUBJECT
22	Suo-Moto	N A	27.6.2012	51 of 2012	In the matter of Suo motu Determination of Transmission Tariff for Intra-State Transmission System (InSTS) for FY 2012-13 of the second MYT Control Period.
23	Ramakant Suryavanshi	MSEDCL	21.5.2012	52 of 2012	Complaint under Section 142 and 146 of E A ,2003 for Non compliance of the CGRF, Nasik, Order dated 12th March, 2010 in Case No. 4/ 2010.
24	MSEDCL	N A	23.5.2012	53 of 2012	Approval of PPA for additional quantum bet Indiabulls and Adani
25	Sun Sphoorthi Maart Private Ltd.	MSEDCL & MEDA	28.5.2012	54 of 2012	Petition for determination of tariff for procurement of power by Distribution Company/licensee from Biomass Gasifier Power Plant linked with supply of Biomass from Energy Plantation dedicated especially for the Project.
26	TATA-G	N A	29.5.2012	55 of 2012	Petition regarding past recovery of TPC- G
27	MSLDC	N A	29.5.2012	56 of 2012	Petition for removal of difficulties sought by MSLDC, in the matter of operation and implementation of the Intra-state ABT order in Case No.42 of 2006 dated 17th May 2011.
28	Jaigad Power Transco Ltd.	N A	7.5.2012	57 of 2012	Petition for approval of Business Plan for second control peroid
29	Shri. Shivaji Vitthal Saste	MSETCL	7.6.2012	58 of 2012	The Petition under Section 67(4) of EA, 2003 challenging the unlawful acts of the Respondent MSETCL which had laid down and placed extra-high voltage double circuit 400 KV electric power lines and erected Tower No. 32 on the Petitioner's land without issuing notice to the Petitioner and paying any compensation to him.
30	MSEDCL	N A	11.6.2012	59 of 2012	Petition for seeking Clarification of the Commission's Daily Order dated 27 April, 2012 in Case No. 8, 18, 20 and 33 of 2012
31	Tata (D)	Rinfra (D)	4.6.2012	60 of 2012	Petition for adjudication of dispute u/s 86(1) of the EA,2003 arising out of breach by the Respondent of the order dated 15.10.2009 passed by the Hon'ble Commission in Case No. 50 of 2009 and contravention by the Respondent of the provisions of the EA,200
32	Jindal Saw Limited	MSEDCL	23.6.2012	61 of 2012	Petition filed for not providing permission by MSEDCL for availing open access through power exchange (IEX) although there is provision of non-discriminatory open access under sub section(47) of Section 2 with sub-section (2), (3) & (4) of Section 42 of the EA,2003 and Regulations made there under.
33	Suo-moto	N A	3.7.2012	62 of 2012	Suo-moto Pwetition for Implementation of Judgment dated 22nd March,2012 given by the ATE in Appeal No.8 of 2011, filed by the BEST

NO.	APPLICANT	RESPONDENT	DATE OF PETITION	CASE NO	SUBJECT
					undertaking, challenging the Commission's order dated 12th September,2010 in Case No. 95 of 2009.
34	Suo-Moto	N A	6.7.2012	63 of 2012	Hearing on draft suo-motu Order on stipulation of revised ceiling for levy of Fuel Adjustment Cost (FAC) by Distribution Licensees under Regulation 82 of MERC (Terms and Conditions of Tariff) Regulations, 2005.
35	MSEDCL	N A	6.7.2012	64 of 2012	Petition for approval of change in unit configuration of IBPL Amravati plant.
36	MADC	N A	16.7.2012	65 of 2012	Petition for adoption of Tariff u/s 63 of EA,2003 and approval for the modification in the Concession Agreement dated 07th November,2007 between MADC and.AMNEPL.
37	Co-generation Association of India	N A	12.7.2012	66 of 2012	Petition for Review of the Tariff Rate and Tariff Structure for non Fossil Fuel based Cogen Power Plants in the State of Maharashtra.
38	N.T. Malore, Mumbai.	TPC–D	23.7.2012	67 of 2012	Petition for refusal by Tata Power Company Ltd to accept application forms for supply of electricity and for violating/ curtailing the fundamental right of Petitioner to avail electricity supply and to take appropriate action against TPC Ltd for contravention of the
39	Adani Power Maharashtra Ltd.	MSEDCL	16.7.2012	68 of 2012	Petition for Adjudication of Dispute u/s 86 of the Electricity Act, 2003 and for Return of performance guarantee pursuant to the termination dated 16.02.2011.
40	Shri. Haribhau D. Khapre.	Member Secretary Kolhapur	4.6.2012	69 of 2012	Petition under Regulation 25 of MERC (CGRF & EO) Regulations, 2006, against the Order dated 28.03.2012 passed by the CGRF, Kolhapur.
41	Shri. Ajit Vithal Dake.	MSEDCL	4.6.2012	70 of 2012	Petition for non-compliance of Order dated 30.08.2011 passed by the CGRF, Kolhapur.
42	Smt. Kasrueben Lalji Gudhka.	MSEDCL	16.7.2012	71 of 2012	Petition for non-refund of the deposit, approved by CGRF at Bhandup in the Order dated 20th October, 2011.
43	Smt. Kasrueben Lalji Gudhka.	MSEDCL	18.7.2012	72 of 2012	Petition for non-compliance of the Orrder dated 18th October, 2011,passed by CGRF at Bhandup
44	Rinfra - D	N A	23.7.2012	73 of 2012	Petition for Revision of Schedule of Charges for Reliance Infrastructure- Distribution Business as per Section 50 of EA, 2003 and Regulation 18 of MERC (Electricity Supply Code and Other Conditions of Supply) Regulations 2005.
45	Nashik Ispat Pvt. Ltd.	MSEDCL	23.7.2012	74 of 2012	Petition for Non-implementation of CGRF at Nashik Zone, Order dated 22.05.2012

NO.	APPLICANT	RESPONDENT	DATE OF PETITION	CASE NO	SUBJECT
46	Gateway Terminals India Pvt. Ltd.	N A	27.7.2012	75 of 2012	Application for reclassification of tariff category and re-determination of tariff filed on behalf of Gateway Terminal India Pvt. Ltd. Against petition filed by MSEDCL for final True up for FY 2010-11, ARR for FY 2011-12 & FY2012-13 and Tariff determination for FY 2012-13.
47	MSEDCL	N A	27.7.2012	76 of 2012	Review Petition in Case No. 19 of 2010, imposition of Reactive Charges penalty (rKVAli) to M/s. SGEL for its biomass plant located at Village Chanaka, Tal. Wani, Dist. Yavatmatal during the period Jan-08 to Feb-10.
48	MSPGCL	N A	8.8.2012	77 of 2012	Review Petition on Order dated 21st June 2012 in Case No. 6 of 2012 (MSPGCL truing up petition)
49	TPC-G	N A	2.8.2012	78 of 2012	Petition for clarification on applicability of temporary tariff as decided in Case No. 78 of 2011.
50	Kayegaon Paper Mills Ltd.	MSEDCL	8.8.2012	79 of 2012	Petition for seeking action under Section 142 and 149 of EA, 2003, for violation of the MERC's Order dated 8th September, 2006 in Case No. 70 of 2005 and violation of pending Writ Petition 20340 of 2007, pending before the Supreme Court of India.
51	BEST	N A	9.8.2012	80 of 2012	Petition for appropriate order, directives or permission by MERC for inclusion and allowance in favour of BEST the deficit of the Transport business of BEST, in the determination of ARR and Tariff for FY 2004-05 to FY 2008-09 and the Carrying Cost.
52	Tarak Oza	Rinfra	9.8.2012	81 of 2012	Petition for review of Order dated 15.06.2012 in case no 180 of 2011
53	Ganesh Khankar	Rinfra	9.8.2012	82 of 2012	Petition for review of Order dated 15.06.2012 in case no 180 of 2011
54	Crompton Greaves Ltd.	MSEDCL	17.8.2012	83 of 2012	Request for Proposal for appointment of distribution franchisee for Jalgaon Urban Cum Rural division under the Jalgaon Circle
55	Rajrani Steel Casting Pvt Ltd.	MSEDCL	17.8.2012	84 of 2012	Non providing permission by MSEDCL for availing open access through power Exchange (IEX). Although there is provision of non-discriminatory open access under sub-section (47) of 2 read with sub section (2), (3) and (4) of Section 42 of EA 2003 and Regulations made thereunder
56	Bajaj Auto Ltd	1)MSEDCL 2)MEDA	17.8.2012	85 of 2012	Petition under Section 142 and 146 of the EA, 2003 for unilaterally revoking supply contract and reducing contract demand of the Petitioner by

NO.	APPLICANT	RESPONDENT	DATE OF PETITION	CASE NO	SUBJECT
					ignoring the Stay Order dated 27th April, 2012, of the Commission in Case No. 8, 18, 20 and 33 of 2012
57	Bajaj Finserv Ltd.	1) MSEDCL 2) MEDA	17.8.2012	86 of 2012	Petition under Sections 142 and 146 of the EA, 2003 inter alia for revoking supply contract of OA, consumers of Bajaj Finserv and ignoring the Commission's Stay Order dated 27th April, 2012.
58	BEST	N A	24.8.2012	87 of 2012	Petition for amendment in MERC (Electricity Supply Code and Other Conditions of Supply) Regulations, 2005.
59	Kalika steel	MSEDCL	14.8.2012	88 of 2012	Petition for seeking clarification in respect of levy of electricity additional charges for HT-1 Expenses feeder
60	M/s. Urjankur Shree Datta Power Company Ltd	MSEDCL	29.8.2012	89 of 2012	Petition regarding dispute between a generating company and a distribution licensee under section 86 (1)(f) of Electricity Act, 2003.
61	BEST	N A	29.8.2012	90 of 2012	Petition for revision of Schedule of Charges of BEST Undertaking under MERC (Electricity Supply Code and Other Conditions of Supply) Regulations, 2005.
62	MSPGCL	N A	3.9.2012	91 of 2012	Petition for Approval of Business Plan for the period FY 2013-14 to 2015-16 for MSPGCL.
63	Suo Moto	N A	12.9.2012	92 of 2012	Sou-motu proceedings on the policy review in the matter related to Wind Power in Maharashtra
64	Dinkar Pathak	MEGPTC	8.8.2012	93 of 2012	Petition for Review of Order dated 18.06.2012 passed in the matter of M.R.C. 81-Kothari/No.04/2012, passed by District Collector of Akola .
65	Dattatray Yevale & Ors.	MSETCL	12.9.2012	94 of 2012	Petition challenging the Order passed by the District Collector Aurangabad being aggrieved by the insufficient amount of compensation under Rule 13(2) of the Works of Licensees Rules, 2012.
66	Hiralal Gusinghe & Ors	MSETCL	12.9.2012	95 of 2012	Petition challenging the Order passed by the District Collector Aurangabad being aggrieved by the insufficient amount of compensation under Rule 13(2) of the Works of Licensees Rules, 2012.
67	Kalyan Wagh	MSETCL	12.9.2012	96 of 2012	Petition challenging the Order passed by the District Collector Aurangabad being aggrieved by the insufficient amount of compensation under Rule 13(2) of the Works of Licensees Rules, 2012.
68	Harishchand Mahar and Ors	MSETCL	12.9.2012	97 of 2012	Petition challenging the Order passed by the District Collector Aurangabad being aggrieved by the insufficient amount of compensation under

NO.	APPLICANT	RESPONDENT	DATE OF PETITION	CASE NO	SUBJECT
					Rule 13(2) of the Works of Licensees Rules, 2012.
69	Jayashree Dhumali	MSEDCL	6.8.2012	98 of 2012	Petition for non compliance of Order dated 15.02.2012 passed by Electricity Ombudsman, Mumbai.
70	Suo Moto		17.9.2012	99 of 2012	Verification and Compliance of Renewable Purchase Obligations target for F.Y 2010-11 and F.Y. 2011-12 as specified under MERC (Renewable Purchase Obligation, its compliance and Implementation of REC framework) Regulations, 2010, for TPC-D.
71	Suo Moto		17.9.2012	100 of 2012	: Verification and Compliance of Renewable Purchase Obligation targets for FY 2010-11 and FY 2011-12 as specified under MERC (Renewable Purchase Obligation, its compliance and Implementation of REC framework) Regulations, 2010 for BEST
72	Suo Moto		17.9.2012	101 of 2012	Verification and Compliance of Renewable Purchase Obligation targets for FY 2010-11 and FY 2011-12 as specified under MERC (Renewable Purchase Obligation, its compliance and Implementation of REC framework) Regulations, 2010 Reliance
73	Suo Moto		20.9.2012	102 of 2012	Verification and Compliance of Renewable Purchase Obligation targets for FY 2010-11 and FY 2011-12 as specified under MERC (Renewable Purchase Obligation, its compliance and Implementation of REC framework) Regulations, 2010 MSEDCL
74	Arvind Cotsyn (India) Ltd.	MSEDCL	27.4.2012	103 of 2012	Petition for breach of Commission's Order dated 27.04.2012 in Case Nos. 8,18,20&33 of 2012.
75	MSEDCL	N A	17.9.2012	104 of 2012	Petition of MSEDCL Medium- Term power purchase from Adani
76	Lanco teesta Hydro Power Ltd	MSDECL	24.9.2012	105 of 2012	Petition for dispute between Lanco and MSEDCL regarding Rate per unite.
77	MSETCL	N A	28.9.2012	106 of 2012	Petition for review of Commission's Order in case no. 169 of 2011
78	MSEDCL	N A	28.9.2012	107 of 2012	Petition for review of the Commissions Order in case no.19 of 2012
79	Serum Institute	MSEDCL&MEDA	1.10.2012	108 of 2012	Petition to set aside the commercial circular and internal circular
80	Rinfra - D	NA	1.10.2012	109 of 2012	Petition for Clarification on Renewable Purchase Obligation (RPO) as per the MERC (Renewable Purchase Obligation), its compliance and REC Framework Implementation) Regulations, 2010.

NO.	APPLICANT	RESPONDENT	DATE OF PETITION	CASE NO	SUBJECT
81	Sahara City Home	MSEDCL	3.10.2012	110 of 2012	Complaint regarding non compliance of EO Order dated 05.07.2012
82	Manoj Hariya	MSEDCL	3.10.2012	111 of 2012	Complaint regarding non-compliance of Order dated 23-11-2011 of CGRF, Bhandup
83	M/s Orange City Alloys Pvt Ltd.	MSEDCL	11.10.2012	112 of 2012	Petition for contravening the provisions of MERC (CGRF & EO) Regulations 2006 by not implementing the order of Ombudsman within the stipulated time.
84	M/s. Orange City Steel Industries Pvt Ltd.	MSEDCL	11.10.2012	113 of 2012	Petition for contravening the provisions of MERC (CGRF & EO) Regulations 2006 by not implementing the order of Ombudsman within the stipulated time.
85	M/s. Shiva Steel Industries (Nagpur) Ltd.	MSEDCL	11.10.2012	114 of 2012	Petition for contravening the provisions of MERC (CGRF & EO) Regulations 2006 by not implementing the order of Ombudsman within the stipulated time.
86	M/s. Divyansh Steel Pvt. Ltd.	MSEDCL	11.10.2012	115 of 2012	Petition for contravening the provisions of MERC (CGRF & EO) Regulations 2006 by not implementing the order of Ombudsman within the stipulated time.
87	Dodson	MSEDCL	16.10.2012	116 of 2012	Petition for directions to the Respondent for compliance of the decision and directions of the Commission in its order dated 21.05.2012 passed in Case No. 142 of 2011.
88	Wardha Power Company Ltd.	MSEDCLMSETCL	17.10.2012	117 of 2012	Petition against wrongful imposition of Cross Subsidy Surcharges (CSS) by the MSEDCL on the captive consumers of Wardha Power Company Ltd availing Open Access
89	Maharashtra Veej Grahak Sanghatana	MSEDCL	17.10.2012	118 of 2012	Petition for action under Sections 142 & 146 of EA 2003, against the Officers of Mahavitaran (MSEDCL) for non-compliance of the Commission's directions in regards to the Electricity Consumers who consumes the electricity less than 300 Units per Month.
90	Mayuresh Engineering Pvt Ltd.	MSEDCL	19.10.2012	119 of 2012	Petition for non-compliance of Order dated 23.08.2012 in Case No. 51/2012 passed by Hon'ble Electricity Ombudsman, Mumbai.
91	Tata Power Company Limited	N A	19.10.2012	120 of 2012	Petition for requirement of Transmission Outlets by Tata Power-D from Rlnfra Transmission System.
92	MSEDCL	N A	1.11.2012	121 of 2012	Review Petition of Commission's Order dated 15th October, 2012 in Case No. 24 of 2012, filed by Mula Pravara Cooperative Society Ltd., for claiming compensation/ charges for use of assets by MSEDCL.

NO.	APPLICANT	RESPONDENT	DATE OF PETITION	CASE NO	SUBJECT
93	Rinfra - G	NA	5.11.2012	122 of 2012	Petition for Final Truing up for FY 2010-11 and FY 2011-12.
94	Rinfra - T	NA	5.11.2012	123 of 2012	Petition for Final Truing up for FY 2010-11 and FY 2011-12.
95	Rinfra - D	NA	9.11.2012	124 of 2012	Petition for Final Truing up for FY 2010-11 and FY 2011-12.
96	MSETCL	NA	7.11.2012	125 of 2012	Petition for seeking a time frame for availing the Grid Connectivity by the Open Access Applicants and approval of "Cancellation of Grid Connectivity" granted to various Open Access (OA) Applicants against failure to establish/ implement the same within the time frame
97	Tata Power Co. Ltd	NA	20.11.2012	126 of 2012	Petition for approval of 40 MW Lodhivali Station as Stand by Support for Tata Power-D.
98	M/s. Gomtesh Cold Storage	MSEDCL	22.11.2012	127 of 2012	Petition for non-compliance of the CGRF Kolhapur's Ordeer dated 4th June, 2012.
99	M/s. Bafna Cold Storage Pvt. Ltd.	MSEDCL	22.11.2012	128 of 2012	Petition for non-compliance of the CGRF Kolhapur's Order dated 4th June, 2012.
100	M/s. Varad Cold Storage Pvt. Ltd.	MSEDCL	22.11.2012	129 of 2012	Petition for non-compliance of the CGRF Kolhapur's Order dated 4th June, 2012.
101	M/s. Guruganga Cold Storage Pvt. Ltd.	MSEDCL	22.11.2012	130 of 2012	Petition for non-compliance of the CGRF Kolhapur's Order dated 4th June, 2012
102	M/s. Vardhman Cold Storage .	MSEDCL	22.11.2012	131 of 2012	Petition for non-compliance of the CGRF Kolhapur's Order dated 4th June, 2012.
103	Shekhar Kishor Mehata	MSEDCL	8.11.2012	132 of 2012	Petition for non-compliance of the directions of the CGRF Fourm, Ratanagari Zone, in the Petitioner's Complaint No. 111 of 2011 dt. 07/12/ 2012 for not permanently disconnecting electricity connection
104	Maharashtra State Load Dispatch Center.	NA	30.11.2012	133 of 2012	Petition for approval of Budget of MSLDC for FY 2013-14.
105	MSEDCL	NA	30.11.2012	134 of 2012	Petition for approval Business Plan for FY 2013-14 to FY 2015-16.
106	M/s. Excel Industries.	MSEDCL	10.11.2012	135 of 2012	Petition for non-compliance of the Order dt. 31.10.12 passed by Electricity Ombudsman, Mumbai.
107	Suo moto	NA	24.12.2012	136 of 2012	Implementation of Judgment dated 19th December, 2012 given by the ATE, in Appeal Nos. 225, 226, 230 & 264 of 2012 filed by Nava Sheva International Container Terminal Pvt. Ltd. and Ors. challenging the Commission's Order dated 16.08.2012, passed in Case No. 19 of 2012.
108	M/s. Tiwari Enterprises.	MSEDCL	17.12.2012	137 of 2012	Petition for non-compliance of the Order dated 22.10.12 passed by CGRF, Kalyan Zone.



NO.	APPLICANT	RESPONDENT	DATE OF PETITION	CASE NO	SUBJECT
109	MSEDCL	N A	17.12.2012	138 of 2012	Petition for determination of cross subsidy surcharge
110	Ajanta International Vivasana Samitee.	MSEDCL	26.12.2012	139 of 2012	Petition for non-compliance of MERC Regulations and seeking directions against inaction of MSEDCL and seeking change of name.
111	Tata power co. Ltd.	N A	12.12.2012	140 of 2012	Petition for approval of Power Purchase Quantum (MW) by Tata Power-D under Case 1 bidding.
112	Rinfra -T	N A	26.12.2012	141 of 2012	Multi Year Tariff Petition for the Control Period FY 2012-13 to FY 2015-16.
113	Rinfra-G	N A	31.12.2012	1 of 2013	Multi Year Tariff Petition for the second Control Period FY 2012-13 to FY 2015-16.
114	Rinfra-D	N A	31.12.2012	2 of 2013	Power Purchase Aggrement Vidharba Industries Butibori and provisional Tariff
115	RInfra- Distribution	N A	08.01.2013	3 of 2013	Petition of RInfra- Distribution for determination of Cross Subsidy Surcharge.
116	Videocon Industries Ltd	MSEDCL	08.01.2013	4 of 2013	Petition for not providing permission by MSEDCL for availing open access through power Exchange (IEX).-
117	Suo Motu	NA	07.01.2013	5 of 2013	Written representations from various members of the public related with Tata Power Company Ltd.–Distribution. (TPC-D)
118	Suo Motu	NA	15.01.2013	6 of 2013	Petition of the matter of Suo motu Determination of Transmission Tariff for Intra-State Transmission System (InSTS) for FY 2012-13 of the second MYT Control Period.
119	Suo Motu	NA	29.1.2013	7 of 2013	Petition of Non Compliance of CGRF order dated 04.08.2012 in Case No. 17 of 2012 in respect of M/S Vijay Oil Industries, Akola.
120	RInfra	Wardha Power Co. Ltd.	28.01.2013	8 of 2013	Petition of adjudication of dispute u/s 86(1)(f) of the EA 2003 arising out of issues pertaining to obligation of seller to supply contracted capacity under provisions of Article 5 (sub Article 5.1.1) of PPA dated 4th June 2010 entered between RInfra & Wardha Power Co. Ltd.
121	RInfra-D	N A	29.01.2013.	9 of 2013	Petition for MYT Petition for Second Control Period of FY 2012-13 to FY 2015-16.
122	BOC India Ltd.	MSEDCL	28.01.2013.	10 of 2013	Petition for Not providing permission by MSEDCL for availing open access on bi-lateral basis from coal based generator.
123	Shri. Vinay Thorat	Mr. Vishwas Joshi, Dy. E.E. of MSEDCL, Pune & Ors.	29.01.2013	11 of 2013	Willful disobeying the order of the Electricity Inspector passed in Appeal No. 11/2010-11 on 11.02.2011.

NO.	APPLICANT	RESPONDENT	DATE OF PETITION	CASE NO	SUBJECT
124	Gol, Department of Atomic Energy, Heavy Water Board.	MSEDCL	28.01.2013	12 of 2013	Petition for Permission by MSEDCL for long Term Open Access through ISTS instead of Short Term Open Access and consent to wheel the 17 MW Power from KAPS to Heavy Water Plant, Thal for Captive use with banking provisions.
125	Adarsh Hatchery & Farm	Chief Engineer of MSEDCL, Kalyan Zone & Ors.	1.2.2013	13 of 2013	Petition for Non compliance of CGRF Kalyan Order dt. 19.03.2012
126	Ideal Hatchery & Farm	Chief Engineer of MSEDCL, Kalyan Zone & Ors	1.2.2013	14 of 2013	Petition for Non compliance of CGRF Kalyan Order dt.19.03.2012.
127	Jindal Poly Films Ltd	Executive Director (Com) of MSDCL & Ors	04.02.2013.	15 of 2013	Not providing permission by MSEDCL for availing open access through Indian Energy Exchange (IEX).
128	Kulkarni Power Tools Ltd.	MSEDCL	8.2.2013	16 of 2013	Petition for Petition of Kulkarni Power Tools Ltd.for Grant of Open Access for self-use by amending relaxing clause 3.1 of MERC (Distribution Open Access) Regulations, 2005.
129	MSEDCL	N A	12.2.2013	17 of 2013	Passing on the cost of Renewable Energy Purchase to the Industries responsible for pollution and climate change.
130	Reliance Infrastructure Ltd	N A	12.2.2013	18 of 2013	Review of MERC Order dated 28.12.2012 in the matter of Petition of Reliance Infrastructure Limited (Distribution) for revision of Schedule of Charges (Case No. 73 of 2012)
131	Asahi India Glass Ltd.	MSEDCL	12.2.2013	19 of 2013	Petition for Not providing permission by MSEDCL for availing open access through power Exchange (IEX).
132	Shri. Balkrishna Shetty.	BEST	13.2.2013	20 of 2013	Petition for Review of MERC Order dated 26.12.2012 in Case No. 80 of 2012, in the matter of BEST's Petition for inclusion and allowance in favour of BEST the deficit of Transport Business of BEST, in the determination of ARR and Tariff for FY 2004-05 to FY 2008-09.
133	Shri. Dayanand Shetty.	BEST	28.2.2013	21 of 2013	Petition for Review of MERC Order dated 26.12.2012 in Case No. 80 of 2012, in the matter of BEST's Petition for inclusion and allowance in favour of BEST the deficit of Transport Business of BEST, in the determination of ARR and Tariff for FY 2004-05 to FY 2008-09.
134	BEST	N A	14.2.2013	22 of 2013	Petition for Review of the Order dated 28.12.2012 in Case No. 90 of 2012, in the matter of approval of BEST Undertaking's "Schedule of Charges" pertaining to charges for "Service disconnection on the request of consumer" and "Service shifting on the request of consumer" in the category of "Miscellaneous and General Charges"

NO.	APPLICANT	RESPONDENT	DATE OF PETITION	CASE NO	SUBJECT
135	Abhijeet MADC Nagpur Energy Pvt Ltd.	NA	1.2.2013	23 of 2013	Petition for Approval of Capital Expenditure and Determination of Tariff for Sale of Firm Power Plant of Abhijeet MADC Nagpur Energy Pvt. Ltd.
136	MSEDCL	NA	17.10.2008	24 of 2013	Petition for Submission of the Power Purchase Agreements (PPA) for the adoption of Tariff along with other Certificate and documents with reference to the Order dated 14th Aug 2008 in Case No. 54 of 2008
137	MSEDCL	Aurangabad Municipal Corporation, through its Commissioner, Aurangabad & Ors.	23/1/2013	25 of 2013	Petition for Recovery of amount equivalent to local Body Tax paid /that would be paid to Aurangabad Municipal Corporation from the consumers situated within the geographical limits of Aurangabad Municipal Corporation
138	BEST Undertaking	NA	14.02.2013	26 of 2013	Petition for approval of final Truing Up of accounts for FY 2010-11 & FY 2011-12 and approval of ARR for MYT period FY 2012-12 to FY 2015-16
139	Jaigad Power Transco Ltd.	NA	18.02.2013	27 of 2013	Petition for approval of True up of Annual Revenue Requirement for FY 2011-12 and approval of Annual Revenue Requirement for MYT control period from FY 2012-13 to FY 2015-16.
140	Suo Moto	NA	1.03.2013	28 of 2013	Implementation of Judgment dated 30th January, 2013 given by the ATE, in Appeal Nos. 34 of 2012 filed by Maharashtra State Power Generation Company Limited challenging the Commission's Order dated 22.12.2011, passed in Case No. 69 of 2011
141	Gharda Chemicals	MSEDCL	25.02.2013	29 of 2013	Petition for non-compliance of the order dated 15/12/12 passed by CGRF, Kalyan
142	BEST Undertaking	NA	25.02.2013	30 of 2013	Petition for allowing cumulative fulfillment of non solar RPO by FY 2013-14 and Solar RPO by FY 2015-16
143	Shri. S. KumarSundaram.	R-INFRA	25.02.2013	31 of 2013	Petition for non compliance and violation of Act, Rules, Regulations and Commission's as well as IGR's directives.
144	MSEDCL	NA	01.03.2013	32 of 2013	Additional amount payable to MSPGCL and in the matter of Order dt 8.02.2013 in Case No. 77 of 2012, Petition filed by MSPGCL seeking review of Order dt 21.06.2012 in Case No. 6 of 2012.
145	MSEDCL	NA	01.03.2013	33 of 2013	Petition for post-facto approval to withdrawal of load shedding during period 18.30 to 22.00 hrs during HSC/SSC examinations from dated 21.02.2013 to 28.03.2013.
146	MSEDCL	MSETCL, STU & EMCO Energy Ltd	07.03.2013	34 of 2013	Petition for directing MSETCL (STU) to grant Grid Connectivity to 200 MW power evacuation from Warora Project of EMCO Energy Ltd. directly through STU only.

NO.	APPLICANT	RESPONDENT	DATE OF PETITION	CASE NO	SUBJECT
147	Bajaj Finserv Ltd.	MSLDC, MSEDCL & MEDA	07.03.2013	35 of 2013	Clarification of MERC's RPO-REC Regulations, 2010 and CERC's REC Regulations 2010, in the matter of reduced recommendation of quantum of Renewable Energy (RE) to Central Agency-Delhi by MSLDC, for issuing Renewable Energy Certificate (REC) to accredited entity, Bajaj Finserv Ltd than their actual injected RE in Discom's system.
148	Smt. Jyoti Divekar	MSETCL, Dist. Collector Jalna	13.03.2013	36 of 2013	Challenging the Order passed by the Dist Collector Aurangabad denying of the Jurisdiction for removal of proposed transmission tower through the field of Petitioner.
149	Smt. Tarabai Dahake	MSEDCL, Murtijapur	14.03.2013	37 of 2013	Petition for action against the respondent for not providing agricultural connection.
150	Quadron Business Park Ltd.	MSEDCL, Murtijapur	15.03.2013	38 of 2013	Quadron Business Park Ltd formerly DLF Ackruti info Parks (Pune) Ltd for taking on record deemed distribution licensee status.
151	MSETCL		18.03.2013	39 of 2013	Petition for approval of True up of FY 2011-12, provisional True up of FY 2012-13 and MYT determination from FY 2013-14 to FY 2015-16
152	Flavex Aromats India Limited	MSEDCL (Pune)	19.03.2013	40 of 2013	Petition for action under Sections 55(3) & 142 of EA 2003, against (MSEDCL) for non-compliance of the Commission's Tariff Orders and regulations in regards to the Electricity Consumers.
153	Nagreeka exports Ltd.	MSEDCL	21.03.2013	41 of 2013	Not providing permission by MSEDCL for availing open access through Indian Energy Exchange (IEX).
154	MSEDCL		22.03.2013	42 of 2013	Application for extending the applicability of TOD rebate beyond March 2013.
155	MSPGCL	N.A.	08.02.2013	43 of 2013	Review Petition for review of order dated 08.02.2013, in Case No. 77 of 2012 passed by MERC, in the matter of petition filed by MSPGCL for review of order dated 21.06.2012, passed by MERC in case No.6 of 2012.
156	MSPGCL	N.A.	25.03.2013	44 of 2013	Petition for Capital Cost and Tariff determination of Khaperkheda Unit-5 for the year 2012-13 of MSPGCL
157	Callus Biotech Pvt. and Seema Biotech	MSEDCL	21.03.2013	45 of 2013	Non compliance of directions of CGRF Non compliance of directions of CGRF Kolhapur in complaint Nos. 161&162 of 2012-13 by MSEDCL and for non compliance of the directions given by Hon'ble Commission and complaints for offences by companies and to add biotechnology (tissue culture) companies in load shading free category.
158	ISMT Ltd.	MSEDCL	28.03.2013	46 of 2013	To direct the MSEDCL to comply with the order dated 08.09.2004 passed by the Hon'ble Commission, to fulfil the obligation arising from energy banking agreement dated 07.05.2010 and to set aside commercial Circular No. 170 dated 13.06.2012 issued by the MSEDCL.

## ANNEXURE - II

### LIST OF ORDERS ISSUED BY THE COMMISSION DURING 2012-13

SR. NO.	CASE NO.	DATE OF SUBMISSION	DATE OF HEARING	DATE OF ORDER	IN THE MATTER OF
1	164 of 2011	18.10.2011	02.01.2012 08.02.2012	11.04.2012	Petition of Hindustan Antibiotics Ltd. to provide electricity at concessional rates to the Petitioner and such other consumers manufacturing bulk life saving drugs
2	157 of 2011	11.11.2011	29.11.2011 23.02.2012	11.04.2012	Petition of Serene Properties Ltd for taking on record the Distribution Licensee status of the Petitioner, M/s. Serene Properties Private Limited 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.
3	97 of 2011	01.07.2011	24.11.2011	11.04.2012	Petition of M/s. Surya Bio Fuel, Sangli for Non Compliance of CGRF, Kolapur Zone, Order dated 04/05/2011
4	03 of 2012	10.01.2012	13.02.2012	11.04.2012	Petition of Adani Power 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.
5	04 of 2012	10.01.2012	13.02.2012	11.04.2012	Petition of Maharashtra Eastern Grid Power Transmission Company Limited the assignment of Transmission License No. 1 of 2010, granted to Maharashtra Eastern Grid Power Transmission Company Limited, to the lenders by way of security in respect of its 765kV Intra-State Transmission system.
6	27 of 2009	14.05.2009	07.07.2009 05.03.2010 13.12.2010 31.01.2011 09.03.2011 04.05.2011 11.05.2011 23.08.2011 05.01.2012 28.02.2012	11.04.2012	Petition of Meena Tunaya regarding Non Compliance of CGRF, Order
7	160 of 2011	14.10.2011	12.01.2012 19.01.2012	26.04.2012	Petition of Shopping Center Association of Shopping Center India (SCAI) regarding Single point supply to commercial building/Industrial Complexes for mixed load.
8	135 of 2011	17.09.2011	02.03.2012	26.04.2012	Petition of Amravati Power Transmission Company Limited for Approval of Business Plan for Second Control Period from FY 2010-11 to FY 2015- 16.
9	136 of 2011	16.09.2011	02.03.2012	26.04.2012	Petition of Sinnar Power Transmission Company Limited (SPTCL) for Approval of Business Plan for Second Control Period from FY 2010-11 to FY 2015- 16.
10	13 of 2012	10.2.2012	21.03.2012	26.04.2012	Petition of MSEDCL for approval of Short Term Power Procurement for the period from Aril 2011 to March 2012 under Removal of Difficulties.
11	05 of 2012	16.12.2011	13.02.2012	27.04.2012	Petition of the Government of Maharashtra, Water Resources Department as regards to review of calculations in respect of arithmetical errors notices in the Order dated 27th October, 2008 for Hydro Power Station lease rent, Case No. 17 of 2007.

SR. NO.	CASE NO.	DATE OF SUBMISSION	DATE OF HEARING	DATE OF ORDER	IN THE MATTER OF
12	12 of 2012	07.2.2012	21.03.2012	30.04.2012	Petition of MSEDCL In the matter of Increasing the existing ceiling of 10% (of the variable component of tariff) on levy & recovery of Fuel Adjustment Charge (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.
13	14 of 2011	07.01.2011	24.02.2011 18.03.2011 11.07.2011 04.08.2011 12.08.2011 23.08.2011 07.09.2011 11.11.2011 18.01.2012	30.04.2012	Petition of Wardha Power Company Limited under Section 86 (1) (f) of the Electricity Act, 2003 (read with Section 63 and 86 (1) (b)) seeking recovery of unpaid dues/ tariff for supply of electricity in terms of Power Purchase Agreement dated 13.05.2009.
14	26 of 2012	06.03.2012	02.04.2012	16.05.2012	Petition of Sau. Dipali S. Ahir, Sangli for non-compliance of order dated 26.08.2012 passed by the CGRF, Kolhapur
15	163 of 2011	29.11.2011	22.03.2012	16.05.2012	Petition of Rinfra (G` ) 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.
16	170 of 2011	13.01.2011	04.04.2012	16.05.2012	Petition of Jaigad Power Transco for approval of true up of Annual Revenue Requirement for 2010-11 and Approval of Annual Revenue Requirement for FY 2011-12
17	171 of 2011	30.11.2011	26.03.2012	16.05.2012	Petition of BEST for approval of Aggregate Revenue Requirement and Tariff for FY 2011-12 as per MERC (Terms and Conciliations of Tariff) Regulations 2005
18	167 of 2011	30.11.2011	22.03.2012	17.05.2012	Petition of Reliance Infrastructure for approval of Annual Revenue Requirement for FY 2011-12 of Reliance Infrastructure Limited-Transmission Business under Section 61 & 62 of the Electricity Act, 2003 and Part-C of MERC (Terms and Conciliations of Tariff) Regulations 2005.
19	29 of 2012	26.03.2012	11.04.2012	17.05.2012	Petition of Tata Power Co. Ltd (D) for approval to levy an additional FAC for nine months in FY 2012-13
20	169 of 2011	29.11.2011	04.04.2012	18.05.2012	Petition of Maharashtra State Electricity Transmission Company Ltds (MSETCL) for Truing-up of FY 2010-11 and Approval of Aggregate Revenue Requirement for FY 2011-12 and FY 2012-13.
21	142 of 2011	19.09.2011	30.11.2011 30.01.2011 27.02.2012 02.04.2012	21.05.2012	Petition of M/s. Dodson Lindblom Hydro Power Private Limited. 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
22	51 of 2012	09.05.2012 Suo-motu	NA	21.05.2012	In the matter of Suo motu Determination of Transmission Tariff for Intra-State Transmission System (InSTS) for FY 2012-13 of the second MYT Control Period.
23	64 of 2011	08.04.2011	19.05.2011 28.07.2011	21.05.2012	Petition of MSEDCL for extension of deadline of 5.1.2011 for Procurement of Power through MoU Route.

SR. NO.	CASE NO.	DATE OF SUBMISSION	DATE OF HEARING	DATE OF ORDER	IN THE MATTER OF
			20.09.2011 03.11.2011 25.11.2011 12.01.2012 13.02.2012 01.03.2012		
24	23 of 2012	09.04.2012 Suo-motu	18.05.2012	21.05.2012	Petition of MSEDCL for the implementation of the Judgment dated 3rd January, 2012 given by the ATE, in Appeal No. 124 of 2010 filed by the Maharashtra State Electricity Distribution Co. Ltd. challenging the Commission's order dated 17.08.2009, passed in Case No. 116 of 2008.
25	173 of 2011	20.10.2011	02.01.2012 08.02.2012 29.03.2012	15.06.2012	Petition of M/s. Tata Power Renewable Energy Ltd. seeking grant of connectivity of 500 kWp Rooftop Solar Power Plant in Tata Motor's & premises in Pimpri unit to electrical system within the premises of Tata the Motors.
26	180 of 2011	9.12.2011	27.03.2012	15.06.2012	Petition of Rinfra (D) for approval of Annual Revenue Requirement (ARR) and determination of Tariff & Charges for FY 2011-12 of Reliance Infrastructure Limited-Distribution (RInfra-D)
27	10 of 2007	25.05.2007	25.05.2007 21.08.2007 22.07.2008 29.12.2009 28.01.2010 02.03.2010 15.03.2010 30.03.2010 12.04.2010 22.06.2010 20.07.2010 22.10.2010 29.11.2010 30.11.2010 01.12.2010 14.12.2010 03.03.2011	15.06.2012	Petition of MSEDCL for initiating enquiry in respect of revocation / suspension of licence of MPECS
28	19 of 2010	28.04.10	03.08.2010 23.08.2010 03.10.2011 18.11.2011 21.12.2011 25.01.2012	15.06.2012	Petition filed by M/s. Shalivahana Green Energy Ltd. seeking termination of Biomass Energy Agreement dated June 7, 2006 executed between Shalivahana Green Energy Ltd. (formerly Shalivahana Projects Ltd.) and MSEDCL in respect of power generated at 10 MW plant at village Chanaka, TalukaWani, District Yavatmal, and claim of Deemed Generation Charges in accordance with article 12.5 of the BEPA dated June 7, 2006
29	09 of 2012	19.01.2012 (Letters received)	31.01.2012 24.02.2012 02.03.2012	15.06.2012	Letters of MSEDCL and Jagran Manch for Infrastructure and other Development activities in the erstwhile Mula Pravara Area
30	34 of 2012	13.04.2012	18.05.2012	15.06.2012	Petition of Shri. Vijay regarding vadavrao for violation of the Order dated 03rd May, 2007 passed by Electricity Inspector, Mumbai, Articles 14 & 16 of the Indian Constitution and Regulation 7 of the MERC (SoP) Regulations.
31	43 of 2012	07.05.2012	22.05.2012	15.06.2012	Petition of MSEDCL for review of Order of the Commission in respect of the order dt 30th April, 2012 in Case No. 12 of 2012.

<b>SR. NO.</b>	<b>CASE NO.</b>	<b>DATE OF SUBMISSION</b>	<b>DATE OF HEARING</b>	<b>DATE OF ORDER</b>	<b>IN THE MATTER OF</b>
32	30 of 2012	27.03.2012	26.4.2012	15.06.2012	Petition of M/s. Aayudh Tools, Aurangabad. for non-compliance of order dated 23.01.2012 passed by the Electricity Ombudsman, Nagpur
33	31 of 2012	16.03.2012	02.05.2012	15.06.2012	Petition of Birla Perucchini Ltd.for non-compliance of order dated 18.02.2011 passed by the CGRF, Aurangabad
34	68 of 2010	20.10.2010	15.11.2010 14.12.2010 24.02.2011 01.03.2011	15.06.2012	Petition of M/s. Ispat Industries Ltd. seeking Open Access under the provisions of the Electricity Act, 2003, the MERC (Distribution Open Access) Regulations, 2005, MERC (Transmission Open Access) Regulations, 2005 and Procedure for Distribution Open Access
35	21 of 2012	10.02.2012	12.4.2012	15.06.2012	Petition of MSEDCL seeking review of the order of the Hon'ble Commission in respect of the Order dated 30th December, 2011in 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.
36	91 of 2010	06.12.2010	05.01.2011 19.01.2011 12.08.2011 09.02.2011 16.09.2011 28.09.2011	15.06.2012	Petition of the Tata Power Trading Company Ltd. for adjudication of disputes between The Tata Power Trading Company Ltd. and Maharashtra State Electricity Distribution Company Ltd.
37	27 of 2012	21.02.2012	27.04.2012	20.06.2012	Petition of Steel Authority of India (SAIL) 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 (RPO).
38	06 of 2012	13.12.2011	12.04.2012	21.06.2012	Petition of MSPGCL regarding 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.
39	109 of 2011	18.07.2011	07.09.2011 11.11.2011 05.12.2011 25.01.2012 15.02.2012 02.03.2012 03.04.2012	27.06.2012	Petition of MSPGCL 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.
40	168 of 2011	24.01.2011	11.04.2012	28.06.2012	Petition of Tata Power Company Limited (T) for a Approval of business plan of its Transmission Business for the control period (FY 2011-12 to FY 2015-16)
41	144 of 2011	11.10.2011	14.10.2011 09.11.2011 24.11.2011 17.05.2012	05.07.2012	Petition of Vidut Dar vad Virodhi Sangharsh Samiti, 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 the territorial jurisdiction of suicidal area of Western Vidarbha.
42	42 of 2012	17.05.2012	15.06.2012	05.07.2012	Petition of Adani Power Maharashtra Ltd for rectifications/ clarifications of the Commission's order dated March 27, 2012 in Case No. 60 of 2011 filed for approval of MYT Business plan of Adani Power Maharashtra Ltd.



SR. NO.	CASE NO.	DATE OF SUBMISSION	DATE OF HEARING	DATE OF ORDER	IN THE MATTER OF
43	14 of 2012	13.02.2012	13.04.2012 03.5.2012 06.7.2012	09.07.2012	Petition of The Vice President of Shetkari Sanghatna, Maharashtra State. 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
44	22 of 2011	15.02.2012	06.04.2011 26.08.2011	18.07.2012	Petition of The Tata Power Company Limited and 33 (4) of the Electricity Act, 2003 read with Regulations 35 of the Maharashtra Electricity Regulatory Commission (State Grid Code) Regulation, 2006 assailing the legality and propriety of letter dated 29th January, 2011 issued by the Respondent No. 1 Maharashtra State Load Dispatch Centre refusing to schedule 200 MW power in accordance with the request of the Petitioner.
45	182 of 2011	14.12.2011	07.03.2012 11.04.2012	30.07.2012	Petition of M/s Areeb Rolling Mills Pvt. Ltd. for Non compliance of CGRF Kalyan Order
46	32 of 2012	05.03.2012	17.05.2012 04.07.2012	30.07.2012	Petition of JSW Energy Limited, Mumbai seeking clarification in Petition No. 67 of 2011.
47	25 of 2012	29.02.2012	02.04.2012 02.05.2012 04.07.2012	31.07.2012	Petition of Shri. Ganpat K. Farande under Section 67 of EA, 2003 & Article 300-A of the Constitution of India and Challenging the Judgment and order dated 31.12.2011 passed by the Ld. Divisional Magistrate, Wai, in Misc. Application No. 13 of 2011.
48	28 of 2012	06.03.2012	02.04.2012 02.05.2012 04.07.2012	31.07.2012	Petition of Shri. Ramchandra P Farande & Ors.. under Section 67 of EA, 2003 & Article 300-A of the Constitution of India and 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.
49	138 of 2011	21.09.2011	16.01.2012	03.08.2012	Petition of M/s Lloyds Steel Industries Ltd. In the matter of Regulation 85 of Maharashtra Electricity Regulatory Commission (Conduct Of Business) Regulation 2004
50	16 of 2011	02.02.2011	04.03.2011 27.07.2011 31.10.2011 09.07.2012	03.08.2012	Petition of Maharashtra Airport Development Company Ltd for taking on record the Distribution Licensee status of the Petitioner, Maharashtra Airport Development Company Ltd., for the Multi Product Special Economics Zone at Mihan, Nagpur.
51	82 of 2011	17.06.2012	20.07.2011 23.08.2011 21.07.2011 08.11.2011 25.11.2011 15.12.2011 02.01.2012 18.01.2012 10.02.2012 21.03.2012	05.08.2012	Petition of Mumbai International Airport Pvt Ltd for implementation of the Judgment dated 31st 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
52	101 of 2011	11.07.2011	20.07.2011 23.08.2011 21.07.2011 08.11.2011 25.11.2011 15.12.2011 02.01.2012 18.01.2012 10.02.2012 21.03.2012	05.08.2012	Petition of Mumbai International Airport Pvt. Ltd for 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 Rinfra's Tariff Petition for FY 2009-10.

SR. NO.	CASE NO.	DATE OF SUBMISSION	DATE OF HEARING	DATE OF ORDER	IN THE MATTER OF
53	166 of 2011	07.03.2011	26.04.2012	09.08.2012	Petition of Tata Power Company Ltd. (TPC-G) for approval of its Business Plan for the Second Control Period (FY 2011-12 to FY 2015-16)
54	52 of 2012	21.05.2012	06.07.2012	09.08.2012	Petition of Ramakant Suryavanshi Non compliance of the CGRF Order
55	19 of 2012	24.02.2012	23.07.2012	16.08.2012	Petition of MSEDCL Approval of final true up for FY 2010-11, ARR for FY 2011-12 & FY 2012-13 and Tariff determination for FY 2012-13
56	151 of 2011	21.10.2011	05.12.2011 17.01.2012 09.02.2012 14.03.2012 26.03.2012 13.04.2012 06.06.2012 27.06.2012 03.08.2012	22.08.2012	Petition of Rinfra (D) seeking relief on account of certain critical issues affecting Reliance Infrastructure Ltd (Distribution) and its financial viability.
57	42 of 2012	07.05.2012	15.06.2012	22.08.2012	Petition of Co-generation Association for reviewing the tariff order & tariff structure for non-qualifying / incidental type bagasse based grid connected Cogeneration Projects in Maharashtra.
58	35 of 2012	19.04.2012	21.05.2012 27.06.2012	26.08.2012	Petition of Ixora Constructions (P) Ltd. for approval of deviations taken in Bidding Document issued by Ministry of Power (MoP), for medium-term procurement of power through tariff based on Competitive Bidding Process (Case I).
59	33 of 2011	03.03.2011	15.04.2011 21.05.2012 27.06.2012	26.08.2012	Petition of Ixora Constructions Pvt. Ltd. for issuing specific conditions of License.
60	62 of 2012	17.05.2012	17.05.2012 08.08.2012	26.08.2012	Petition for implementation of Judgment dated 22nd March,2012 given by the ATE in Appeal No.8 of 2011, filed by the BEST undertaking, challenging the Commission's order dated 12th September,2010 in Case No. 95 of 2009.
61	183 of 2011	13.12.2011	06.01.2012 08.02.2012 16.03.2012	26.08.2012	Petition by Chamber of Marathwada Industries and Agriculture for issuing appropriate directions to Maharashtra Electricity Distribution Company Ltd. to withdraw their commercial Circular dated 18-8-2011 and to refund the collected additional amount along with interest to the consumers.
62	70 of 2012	04.06.2012	17.08.2012	26.08.2012	Petition of Shri. Ajit Vithal Dake for non-compliance of the Order dated 30.08.2011 passed by the CGRF, Kolhapur.
63	120 of 2011	12.08.2011	15.09.2011 29.09.2011 03.05.2012	26.08.2012	Petition of Anjaya Rajam Anparthi under Section 61(b), 62(5) and 86 (1) (a) of the Electricity Act,2003 challenging the power Distribution Franchisee Agreement signed between Maharashtra State Electricity and M/s Spanco Ltd. On 23-2-2011
64	121 of 2011	12.08.2011	15.09.2011 29.09.2011 03.05.2012	26.08.2012	Petition of Maharashtra Veej Grahak Sanghatna for checking contracts as per the various provisions of Electricity Act.2003 entered between MSEDCL and Distribution Franchisees to look out the extract working of the Distribution Franchisee and setting standards and rule as per the Law.

SR. NO.	CASE NO.	DATE OF SUBMISSION	DATE OF HEARING	DATE OF ORDER	IN THE MATTER OF
65	165 of 2011	29.11.2011	19.05.2012	26.08.2012	Petition of Tata Power Company Ltd. (TPC-D) for approval of its Business Plan for the Second Control Period (FY 2011-12 to FY 2015-16)
66	63 of 2012	06.07.2012 Suo-Moto	30.07.2012	26.08.2012	Petition of Suo-Moto hearing on draft suo-motu Order on stipulation of revised ceiling for levy of Fuel Adjustment Cost (FAC) by Distribution Licensees under Regulation 82 of MERC (Terms and Conditions of Tariff) Regulations, 2005.
67	141 of 2011	27.09.2011	25.11.2011	07.10.2012	Petition of Vidharbh Chamber of Commerce and Industry Petition seeking immediate appointment of Chairman at CGRF, Amaraoti Zone, Akola and for issuing practice directions during the vacant post of chairman at any CGRF.
68	16 of 2012	14.02.2012	12.03.2012 02.05.2012 04.07.2012	15.10.2012	Petition of M/s. Geeta Pumps Pvt. Ltd. for non-compliance of the directions of the CGRF Fourm, Kolhapur Zone, Kolhapur, 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.
69	24 of 2012	26.12.2011	22.03.2012 03.05.2012 16.05.2012 15.06.2012 09.08.2012 03.10.2012	15.10.2012	<b>Interim Order</b> Petition in the matter of determination of compensation/charges payable pursuant to Hon'ble APTEL Judgment dated 16th December, 2011 in Appeal No. 39 of 2011
70	55 of 2012	29.05.2012	06.07.2012	16.10.2012	Petition of TATA -G regarding past recovery of tata G
71	159 of 2011	03.11.2011	09.08.2012	23.10.2012	Petition of Rinfra (T) for approval of its Business plan for the Period FY 2011-12 to FY 2015- 16.
72	156 of 2011	03.11.2011	09.8.2012	25.10.2012	Petition of Rinfra(G) for approval of its Business plan for the Period FY 2011-12 to FY 2015- 16
73	74 of 2012	23.07.2012	30.08.2012 11.09.2012 01.10.2012 11.10.2012	01.11.2012	Petition of Nashik Ispat Pvt. Ltd. for Non-implementation of CGRF at Nashik Zone, Order dated 22.05.2012
74	40 of 2012	25.04.2012	05.06.2012	01.11.2012	Petition of Tata Power Co. Ltd for approval of additional norm for Unit 6 Heat Rate and Auxiliary consumption for the Second MYT Control Period from FY 2011-12 to FY 2015-16.
75	61 of 2012	26.06.2012	02.08.2012 13.08.2012 11.09.2012 22.10.2012	21.11.2012	Petition of Jindal Saw Limited for .not providing permission by MSEDCL for availing open access through power exchange (IEX) although there is provision of non-discriminatory open access under sub section(47) of Section 2 with sub-section (2), (3) & (4) of Section 42 of the EA,2003 & Regulation specified there under.
76	84 of 2012	14.08.2012	11.10.2012 18.10.2012 25.10.2012 26.11.2012	21.11.2012	Petition of Rajrani Steel Casting Pvt Ltd. for not providing permission by MSEDCL for availing open access through power Exchange (IEX). Although there is provision of non-discriminatory open access under sub-section (47) of 2 read with sub section (2), (3) and (4) of Section 42 of EA 2003 and regulations specified thereunder.
77	71 of 2012	16.07.2012	22.08.2012	21.11.2012	Petition of Smt. Kasrueben Lalji Gudhka. for non-refund of the deposit, approved by CGRF at Bhandup on 20th October, 2011.

SR. NO.	CASE NO.	DATE OF SUBMISSION	DATE OF HEARING	DATE OF ORDER	IN THE MATTER OF
78	72 of 2012	18.07.2012	22.08.2012	21.11.2012	Petition Smt. Kasrueben Lalji Gudhka. Petition for non-refund of the deposit, approved by CGRF at Bhandup on 8th October, 2011.
79	158 of 2011	16.11.2011	23.08.2012	23.11.2012	Petition of Rinfra (D) Petition for approval of its Business plan for the Period FY 2011-12 to FY 2015- 16
80	81 of 2012	09.08.2012	04.09.2012	23.11.2012	Petition of Tarak Oza for review of Order dated 15.06.2012 in case no 180 of 2011
81	82 of 2012	09.08.2012	01.10.2012	23.11.2012	Petition of Ganesh Khankar for review of Order dated 15.06.2012 in case no 180 of 2011
82	64 of 2012	06.07.2012	22.08.2012	23.11.2012	Petition of MSEDCL for approval of change in unit configuration of IBPL Amravati plant.
83	36 of 2012	19.04.2012	18.05.2012 05.07.2012 03.08.2012 06.09.2012	23.11.2012	Petition of Shri. Haribhau D. Khapre. for violation of the directions given by the Commission in its Order dated 05 January, 2012 in Case No. 148 of 2011.
84	69 of 2012	04.06.2012	17.08.2012	23.11.2012	Petition of Shri. Haribhau D. Khapre. under Regulation 25 of MERC (CGRF & EO) Regulations, 2006, against the Order dated 28.03.2012 passed by the CGRF, Kolhapur.
85	41 of 2012	Suo Motu 02.05.2012	11.07.2012 13.07.2012 19.07.2012 23.07.2012 25.07.2012 27.07.2012	26.11.2012	Suo Motu Petition of hearing in the matter of Load Shedding Circulars No. 43 and 44 (with corrigendum) issued by Maharashtra State Electricity Distribution Co. Ltd
86	87 of 2012	22.08.2012	16.10.2012	27.11.2012	Petition of BEST for amendment to MERC (Electricity Supply Code and Other Conditions of Supply) Regulations, 2005.
87	60 of 2012	04.06.2012	30.07.2012 17.08.2012	27.11.2012	Petition of Tata (D) for adjudication of dispute u/s 86(1) of the EA, 2003 arising out of breach by the Respondent of the order dated 15.10.2009 passed by the Hon'ble Commission in Case No. 50 of 2009 and contravention by the Respondent of the provisions of the EA, 2003
88	67 of 2012	23.07.2012	17.08.2012	23.11.2012	Petition of N.T. Malore, Mumbai for refusal by Tata Power Company Ltd to accept application forms for supply of electricity and for violating/ curtailing the fundamental right of Petitioner to avail electricity supply and to take appropriate action against TPC Ltd for contravention of the provision of Section 43 of EA, 2003.
89	37 of 2012	16.04.2012	06.06.2012 27.06.2012 30.07.2012 17.08.2012	29.11.2012	Petition of NESCO Ltd., Mumbai, regarding non-compliance of order dated 15.10.2009 passed by this Hon'ble Commission in Case No. 50 of 2009 by the Respondent No. 1.
90	45 of 2012	11.05.2012	22.06.2012 28.06.2012 10.10.2012	29.11.2012	Petition of Maharashtra Biomass Energy Developers Association. for review of MERC's Suo Moto order dated March 30, 2012 in Case No. 10 of 2012, on determination of Generic Tariff for the third year of the first Control Period under Regulation 8 of the MERC (Terms and Conditions for Determination of Renewable Energy Tariff) Regulations, 2010.

SR. NO.	CASE NO.	DATE OF SUBMISSION	DATE OF HEARING	DATE OF ORDER	IN THE MATTER OF
91	78 of 2012	02.08.2012	25.10.2012	29.11.2012	Petition of TPC-G for clarification on applicability of temporary tariff as decided in Case No. 78 of 2011.
92	116 of 2012	16.10.2012	1.11.2012	30.11.2012	Petition of Dodson Lindblom Hydro Power Private Ltd. for directions to the MSEDCL, Respondent for compliance of the decision and directions of the Commission in its order dated 21.05.2012 passed in Case No. 142 of 2011.
93	101 of 2009	21.01.2010	23.10.2012	30.11.2012	Petition In the matter of Approval of bid documents prepared by the Brihan-Mumbai Electric Supply & Transport Undertaking (BEST) for Long Term Power Procurement from Renewable Sources.
94	101 of 2012	07.09.2012 Suo Moto	23.10.2012	05.12.12	Suo Moto Petition for verification and compliance of Renewable Purchase Obligation targets by R-infra-D for FY 2010-11 and FY 2011-12 as specified under MERC (Renewable Purchase Obligation, its compliance and Implementation of REC framework) Regulations, 2010
95	99 of 2012	07.09.2012 Suo Moto	23.10.2012	05.12.12	Suo Moto Petition for verification and compliance of Renewable Purchase Obligations target by TPC-D for F.Y 2010-11 and F.Y. 2011-12 as specified under MERC (Renewable Purchase Obligation, its compliance and Implementation of REC framework) Regulations, 2010,
96	65 of 2012	16.07.2012	17.08.2012 22.10.2012	05.12.12	Petition of MADC for adoption of Tariff u/s 63 of EA,2003 and approval for the modification in the Concession Agreement dated 7th November,2007 between MADC and AMNEPL.
97	76 of 2012	27.07.2012	03.10.2012	10.12.2012	Petition of MSEDCL for review in Case No. 19 of 2010, imposition of Reactive Charges penalty (rKVAli) to M/s. SGEL for its biomass plant located at Village Chanaka, Tal. Wani, Dist. Yavatmatal during the period Jan-08 to Feb-10.
98	175 of 2011	03.11.2011	02.08.2012 01.11.2012	10.12.2012	Petition of M/s Hi-Tech Carbon (A unit of Aditya BirlaNuvo Ltd. ) 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.
99	106 of 2011	25.07.2011	16.10.2012 02.11.2012	14.12.2012	Petition of Tata Power Company for truing up for FY 2009-10 and Annual Performance Review of FY 2010-11 for its Transmission business.
100	01 of 2012	26.12.2011	15.02.2012	20.12.2012	Petition of Finolex Industries Ltd, Pune., for 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.
101	22 of 2012	27.02.2012	29.03.2012	20.12.2012	Petition of Polutry Breeders Welfare Association (PBWA) for proper Tariff categorisation of the Hatchery Units, which are the integral part of the Poultry Units, in LT/ HT Agricultural Category, in order to stop improper Commercial Tariff Application by MSEDCL, and with reference to the Tariff philosophy of the Hon'ble Commission and concerned Orders of the Hon'ble High Court, Mumbai.
102	93 of 2012	08.08.2012	10.10.2012	20.12.2012	Petition of Dinkar Pathak for review of Order dated 18.06.2012 passed in the matter of M.R.C. 81-Kothari/No.04/2012, passed by District Collector of Akola.

SR. NO.	CASE NO.	DATE OF SUBMISSION	DATE OF HEARING	DATE OF ORDER	IN THE MATTER OF
103	94 of 2012	12.09.2012	17.10.2012	20.12.2012	Petition of Shri Dattatray Yevale and Others challenging the Order passed by the District Collector Aurangabad being aggrieved by the insufficient amount of compensation under Rule 13(2) of the Works of Licensees Rules, 2012.
104	95 of 2012	12.09.2012	17.10.2012	20.12.2012	Petition of Hiralal Gusinghe & Ors challenging the Order passed by the District Collector Aurangabad being aggrieved by the insufficient amount of compensation under Rule 13(2) of the Works of Licensees Rules, 2012.
105	96 of 2012	12.09.2012	17.10.2012	20.12.2012	Petition of Kalyan Appa Wagh challenging the Order passed by the District Collector Aurangabad being aggrieved by the insufficient amount of compensation under Rule 13(2) of the Works of Licensees Rules, 2012.
106	97 of 2012	12.09.2012	17.10.2012	20.12.2012	Petition of Harishchand Mahars and Ors challenging the Order passed by the District Collector Aurangabad being aggrieved by the insufficient amount of compensation under Rule 13(2) of the Works of Licensees Rules, 2012.
107	57 of 2012	07.06.2012	01.11.2012	20.12.2012	Petition of Jaigad Power Transco Ltd. for approval of Buisness Plan for second control period
108	102 of 2012	Suo Moto (18.09.2012)	25.10.2012 13.12.2012	24.12.2012	Suo Moto petition for verification and compliance of Renewable Purchase Obligation targets by MSEDCL for FY 2010-11 and FY 2011-12 as specified under MERC (Renewable Purchase Obligation, its compliance and Implementation of REC framework) Regulations, 2010
109	104 of 2012	17.09.2012	11.10.2012	24.12.2012	Petition in the matter of Maharashtra State Electricity Distribution Company Limited for approval of medium-term power procurement from M/s Adani (475 MW) and M/s JSW (300 MW) for a period of one year under competitive bidding
110	115 of 2012	11.10.2012	1.11.2012	24.12.2012	Complaint filed by M/s. Divyansh Steel Pvt. Ltd., Bagadganj, Nagpur, against MSEDCL under Sections 142 & 146 of the EA, 2003, alleging non-compliance of the Order dated 18.04.2012, passed by the Electricity Ombudsman, Mumbai.
111	112 of 2012	11.10.2012	1.11.2012	24.12.2012	Petition of M/s Orange City Alloy Pvt Ltd. for contravening the provisions of MERC (CGRF & EO) Regulations 2006 by not implementing the order of Ombudsman within the stipulated time.
112	113 of 2012	11.10.2012	01.11.2012 27.11.2012	24.12.2012	Petition of M/s. Orange City Steel Industries Pvt Ltd. for contravening the provisions of MERC (CGRF & EO) Regulations 2006 by not implementing the order of Ombudsman within the stipulated time.
113	114 of 2012	11.10.2012	1.11.2012	24.12.2012	Petition of M/s. Shiva Steel Industries (Nagpur) Ltd for contravening the provisions of MERC (CGRF & EO) Regulations 2006 by not implementing the order of Ombudsman within the stipulated time.
114	17 of 2012	13.02.2012	14.03.2012 17.05.2012 25.10.2012	24.12.2012	Petition of MSETCL for review of Order dated December 29, 2011 passed by the Hon'ble Commission in Case No. 102 of 2011 in the matter of Petition of Maharashtra State Electricity Transmission Company Ltd. 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.
115	34 of 2011	11.03.2011	01.11.2012	24.12.2012	Petition of Maharashtra State Electricity Distribution Co. Ltd for amendment in SOP Regulations related to Harmonics limits, in respect of Maharashtra Electricity Regulatory Commission (Standards of

SR. NO.	CASE NO.	DATE OF SUBMISSION	DATE OF HEARING	DATE OF ORDER	IN THE MATTER OF
					Performance of Distribution Licensees, Period for Giving Supply and Determination of Compensation) Regulations, 2005 and Regulation 14 (regarding power to add, vary, alter, modify or amend) of Maharashtra Electricity Regulatory Commission (Standards of Performance of Distribution Licensees, Period for Giving Supply and Determination of Compensation) Regulations, 2005.
116	107 of 2012	28.09.2012	09.11.2012 19.12.2012	26.12.2012	Petition of MSEDCL for review of the commissions order in case no.19 of 2012
117	80 of 2012	09.08.2012	15.10.2012 29.11.2012	26.12.2012	Petition of BEST for appropriate order, directives or permission by MERC for inclusion and allowance in favour of BEST the deficit of the Transport business of BEST, in the determination of ARR and Tariff for FY 2004-05 to FY 2008-09 and the Carrying Cost.
118	98 of 2012	06.08.2012	15.10.2012 02.11.2012 10.12.2012	26.12.2012	Petition of Jayashree Dhumali for non compliance of Order dated 15.02.2012 passed by Electricity Ombudsman, Mumbai.
119	154 of 2011	18.10.2011	24.11.2011 03.05.2012 20.12.2012	26.12.2012	Petition of Maharashtra Nav Nirman Sena for providing electricity to the farmer day and night
120	100 of 2012 Suo Moto	07.09.2012	23.10.2012	26.12.2012	Suo Moto Petition for verification and compliance of Renewable Purchase Obligation targets by BEST for FY 2010-11 and FY 2011-12 as specified under MERC (Renewable Purchase Obligation, its compliance and Implementation of REC framework) Regulations, 2010
121	54 of 2012	28.05.2012	06.07.2012 04.10.2012	26.12.2012	Petition of Sun Sphoorthi Mart Private Ltd. For determination of tariff for procurement of power plant linked with supply of biomass from energy plantation dedicated especially for the project.
122	111 of 2012	03.10.2012	1.11.2012	26.12.2012	Petition of Manoj Hariya for non-compliance of the direction of CGRF
123	53 of 2012	15.05.2012	09.07.2012 24.12.2012	27.12.2012	Petition of MSEDCL for approval of PPA for additional quantum between Indiabulls and Adani
124	02 of 2012	06.01.2012	13.02.2012 21.03.2012	27.12.2012	Petition of MSPGCL for determination of Lease Rent for Ghatghar Pumped Storage Hydro Power Station as per MERC (Terms and Conditions of Tariff) Regulations, 2005.
125	104 of 2010	16.12.2010	06.04.2011 26.08.2011 22.06.2012 08.08.2012 02.11.2012	27.12.2012	Petition of Ankur Scientific Energy Technologies Pvt. Ltd for determination of tariff for Procurement of Power by Distribution Company/ Licenses from Biomass based power Generating Company in the State of Maharashtra using the Gasification route (Otto Cycle) and Exemption from the zoning/overlapping policy for Power Plants of upto 2- MWe size.
126	125 of 2012	07.11.2012	13.12.2012	27.12.2012	Petition of MSETCL seeking a time frame for availing the Grid Connectivity by the Open Access Applicants and approval of "Cancellation of Grid Connectivity" granted to various Open Access (OA) Applicants against failure to establish/implement the same within the time frame for availing the grid connectivity and determination of compensation thereof to be payable by such Open Access Applicant
127	47 of 2012	04.05.2012	29.11.2012	28.12.2012	Petition of Tata Power for approval of schedule of charges
128	90 of 2012	28.08.2012	29.11.2012	28.12.2012	Petition of BEST for revision of Schedule of Charges under MERC (Electricity Supply Code and Other Conditions of Supply) Regulations, 2005.

<b>SR. NO.</b>	<b>CASE NO.</b>	<b>DATE OF SUBMISSION</b>	<b>DATE OF HEARING</b>	<b>DATE OF ORDER</b>	<b>IN THE MATTER OF</b>
129	73 of 2012	23.07.2012	29.11.2012	28.12.2012	Petition of Rinfra – D Petition for revision of Schedule of Charges as per Section 50 of EA, 2003 and Regulation 18 of MERC (Electricity Supply Code and Other Conditions of Supply) Regulations 2005.
130	109 of 2012	1.10.2012	23.10.2012 13.12.2012	02.01.2013	Petition filed by RInfra-D seeking clarification on Renewable Purchase Obligation (RPO) as per the MERC (Renewable Purchase Obligation, its compliance and Implementation of REC framework) Regulations, 2010.
131	50 of 2012	18.05.2012	12.10.2012	02.01.2013	Suo Motu Proceedings on the 'Issues on Open Access' for solicitation of views and suggestions from the members of Public and all Stakeholders in the State of Maharashtra, regarding the action suggested vide Letter dated 30 November , 2011 of the Ministry of Power on operationalisation of Open Access (1 MW and above consumers) in Power Sector.
132	59 of 2012	11.06.2012	02.08.2012 01.10.2012 17.10.2012	03.01.2013	Petition of Maharashtra State Electricity Distribution Company Limited seeking Clarification of the Commission's Daily Order dated 27 April, 2012 in Case No. 8, 18, 20 and 33 of 2012.
133	8 of 2012	25.11.2011	23.02.2012 01.03.2012 28.03.2012 27.04.2012	03.01.2013	Petition of Indian Wind Power Association for directing Maharashtra Electricity Distribution Company Ltd. to issue Open Access approval in accordance with MERC (Distribution Open Access) Regulations, 2005.
134	18 of 2012	22.02.2012	23.02.2012 01.03.2012 28.03.2012 27.04.2012	03.01.2013	Petition of TATA Motors Ltd. to set aside Commercial Circular No. 155 dated January 23, 2012 issued by the Maharashtra State Electricity Distribution Company Limited.
135	20 of 2012	24.02.2012	01.03.2012 28.03.2012 27.04.2012	03.01.2013	Petition of Enercon (India) Ltd. for quashing Circular No. 155 dated January 23, 2012 by the Maharashtra State Electricity Distribution Company Limited.
136	33 of 2012	13.04.2012	27.04.2012	03.01.2013	Petition of Ushdev International Ltd. & Others seeking setting aside of limited portion of Commercial Circular No. 155 issued by the MSEDCL.
137	MA No.1 of 2012 MA No. 4 of 2012 ( in case no 8 of 2012)	20.06.2012 27.09.2012	02.08.2012 01.10.2012 17.10.2012	03.01.2013	Petition of Miscellaneous Application No. 1 & 4 of 2012 in Case No. 8 of 2012 & Interim Application in Case No. 18 of 2012.
138	86of 2012	17.08.2012	01.10.2012 17.10.2012	03.01.2013	Petition of Bajaj Finserv Ltd. for revoking supply contract of Open Access Consumers of the Petitioner by ignoring the Stay Order dated 27 April, 2012 of the Commission in Case No. 8, 18, 20 and 33 of 2012.
139	85 of 2012	17.08.2012	01.10.2012 17.10.2012	03.01.2013	Petition of Bajaj Auto Ltd. for unilaterally revoking supply contract and reducing Contract Demand of the Petitioner by ignoring the Stay Order dated 27 April, 2012 of the Commission in Case No. 8, 18, 20 and 33 of 2012.
140	103 of 2012	17.09.2012	01.10.2012 17.10.2012	03.01.2013	Petition of M/s. Arvind Cotsyn (India) Ltd. for breach of Commission's Order dated April 27, 2012 in Case No. 8, 18, 20 and 33 of 2012
141	108 of 2012	01.10.2012	17.10.2012	03.01.2013	Petition of Serum Institute of India Ltd. to set aside Commercial Circular No. 155 dated 23 January, 2012 and 'Internal instructions' dated 13 September, 2012 issued by MSEDCL providing terms and conditions without the approval of the Commission.
142	19 of 2011	25.01.2011	01.04.2011 24.08.2011 21.09.2011 02.11.2011	03.01.2013	Petition of Indian Wind Energy Association (InWEA) and others seeking adjudication of dispute regarding provisions of non-discriminatory Open Access.



SR. NO.	CASE NO.	DATE OF SUBMISSION	DATE OF HEARING	DATE OF ORDER	IN THE MATTER OF
143	10 of 2011	24.11.2010	01.03.2011	10.01.2013	Petition filed by Renewable Energy Developers Association of Maharashtra along with BF Utilities Ltd. and Savita Oil Technologies Ltd. for adjudication of dispute regarding provisions of non-discriminatory Open Access.
144	44 of 2012	07.05.2012	15.10.2012	10.01.2013	Petition filed by Adani Power Maharashtra Limited's (APML) Transmission Business for approval of Aggregate Revenue Requirement (ARR) as per Multi Year Tariff (MYT) Principles for Second Control Period from FY 2012-13 to FY 2015-16.
145	137 of 2011	23.09.2011	09.11.2012	11.01.2013	Petition for approval of Multi Year Tariff Business Plan of Maharashtra State Electricity Transmission Company Limited (MSETCL) for the Second Control Period from FY 2011-12 to FY 2015-16
146	124 of 2011	25.08.2011	29.11.2012	15.01.2013	Petition filed by the Brihanmumbai Electric Supply & Transport Undertaking (BEST) for approval of its Multi Year Tariff Business Plan for the Second Control Period (FY 2012-13 to FY 2015-16)
147	110 of 2012	03.10.2012	01.11.2012 27.11.2012 20.12.2012 24.01.2013	08.02.2013	A Complaint filed by M/s Sahara City Homes, against MSEDCL under Section 142 of the EA, 2003, alleging non-compliance of the Order dated 05 July, 2012, passed by the Electricity Ombudsman (Nagpur).
148	77 of 2012	08.08.2012	10.10.2012	08.02.2013	Petition filed by Maharashtra State Power Generation Company Limited (MSPGCL) seeking review of Order dated June 21, 2012 in Case No. 6 of 2012 for final True up for FY 2010-11, approval of Aggregate Revenue Requirement and Tariff for FY 2011-12 and FY 2012-13.
149	132 of 2012	08.11.2012	24.12.2012	08.02.2013	A Complaint filed by Shri. Shekhar Keshav Mehta under Section 142, 146 and Section 149 of Electricity Act, 2003 against MSEDCL for non-compliance of the Order passed by the CGRF, Ratnagiri Case No. 111 of 2011 on 4 January, 2012
150	91 of 2012	03.09.2012	20.12.2012	12.02.2013	Application filed by MSPGCL Approval of Multi Year Tariff Business Plan of Maharashtra State Power Generation Company Limited (MSPGCL) for the second Control Period from FY 2013-14 to FY 2015-16
151	139 of 2012	26.12.2012	14.01.2013	18.02.2013	A Complaint of M/s Ajanta International Vipasana Samitee under Sections 142 & 146 of EA 2003 for non compliance of MERC Supply Code Regulations and MERC Standards of performance Regulations and seeking directions against inaction of MSEDCL.
152	4 of 2013	08.01.2013	29.01.2013 07.02.2013	20.02.2013	Petition of M/s Videocon Industries Ltd. for availing Open Access through power.
153	91 of 2011	23.06.2011	24.08.2011	20.02.2013	Petition of M/s Essar Power Ltd. for grant of Distribution Licence for power distribution in Mumbai suburban area.
154	2 of 2013	31.12.2012	22.01.2013 11.02.2013	20.02.2013	Petition filed by RInfra for approval of Power Purchase Agreement between Vidarbha Industries Power Limited and Reliance Infrastructure Limited - Mumbai Distribution for purchase of 600 MW from Vidarbha Industries Power Limited and Determination of Provisional Tariff of the Vidarbha Industries Power Limited
155	138 of 2012	17.12.2012	15.01.2013 08.02.2013	21.02.2013	Petition filed by Maharashtra State Electricity Distribution Company Ltd. (MSEDCL) under Regulation 13 of the MERC (Distribution Open Access) Regulations, 2005, seeking determination of cross subsidy surcharge to be levied on Open Access consumers.
156	140 of 2012	12.12.2012	15.01.2013 01.02.2013	21.02.2013	Petition filed by Tata Power Co Ltd-Distribution (TPC-D), for approval of Power Purchase Quantum (MW) by Tata Power Co Ltd Distribution (TPC-D), under Case 1 bidding

SR. NO.	CASE NO.	DATE OF SUBMISSION	DATE OF HEARING	DATE OF ORDER	IN THE MATTER OF
157	137 of 2012	17.12.2012	02.01.2013 22.01.2013	21.02.2013	A Complaint filed by M/s. Tiwari Enterprises under Section 142 of the EA, 2003, against MSEDCL for non-compliance of the order dated 22nd October, 2012 passed by CGRF, Kalyan Zone.
158	127 of 2012	22.11.2012	19.12.2012 28.01.2013	21.02.2013	The Complaints filed by M/s. Gomtesh Cold Storage for non-compliance of the directions of CGRF, Kolhapur by MSEDCL in complaint Nos.2 to 6 of 2012-13 dated 4th June,2012 for refund of excess Tariff charges recovered, through future bills.
159	128 of 2012	22.11.2012	19.12.2012 28.01.2013	21.02.2013	The Complaints filed by M/s. Bafna Cold Storage Pvt. Ltd., for non-compliance of the directions of CGRF, Kolhapur by MSEDCL in complaint Nos.2 to 6 of 2012-13 dated 4th June,2012 for refund of excess Tariff charges recovered, through future bills.
160	129 of 2012	22.11.2012	19.12.2012 28.01.2013	21.02.2013	The Complaints filed by M/s. Varad Cold Storage Pvt. Ltd. for non-compliance of the directions of CGRF, Kolhapur by MSEDCL in complaint Nos.2 to 6 of 2012-13 dated 4th June,2012 for refund of excess Tariff charges recovered, through future bills.
161	130 of 2012	22.11.2012	19.12.2012 28.01.2013	21.02.2013	The Complaints filed by M/s. Guruganga Cold Storage Pvt. Ltd. for non-compliance of the directions of CGRF, Kolhapur by MSEDCL in complaint Nos.2 to 6 of 2012-13 dated 4th June,2012 for refund of excess Tariff charges recovered, through future bills.
162	131 of 2012	22.11.2012	19.12.2012 28.01.2013	21.02.2013	The Complaints filed by M/s. Vardhman Cold Storage Pvt. Ltd for non-compliance of the directions of CGRF, Kolhapur by MSEDCL in complaint Nos.2 to 6 of 2012-13 dated 4th June,2012 for refund of excess Tariff charges recovered, through future bills.
163	15 of 2013	4.2.2013	12.2.2013 20.2.2013	22.3.2013	Petition of M/s Jindal Poly Films Ltd. for not providing permission by MSEDCL for not providing permission by MSEDCL for availing OA through IEX
164	18 of 2013	12.2.2013	6.3.2013	21.3.2013	Petition of M/s Reliance Infrastructure Ltd (Distribution) for review of the Commission Order in Case No. 73 of 2011 for Approval of Schedule of Charges.
165	122 of 2012	5.11.2012	20.2.2013	22.3.2013	Petition of M/s Reliance Infrastructure Ltd. (Generation) for Final Truing up for FY 2010-11 and FY 2011-12.
166	133 of 2012	30.11.2012	11.2.2013	22.3.2013	Petition of MSLDC for Approval of SLDC Budget for FY 2013/14.
167	6 of 2013	23.11.2012	22.2.2013	22.3.2013	Hearing – Suo motu Draft Order on Renewable Energy for FY 2013-14.
168	26 of 2011	11.02.2011	25.4.2011 8.6.2011 22.7.2011 31.10.2011	22.3.2013	Variation, alteration, modification or amendment as well as review of the provisions of the MERC (Renewable Purchase Obligation, its Compliance and Implementation of REC framework Regulations, 2010).
169	33 of 2013	01.03.2013	18.03.2013	22.3.2013	Petition filed by MSEDCL for post-facto approval to withdrawal of load shedding during period 18.30 to 22.00 hrs during HSC/SSC examinations, in accordance to the directions given by the Commission in its Order dated 26.11.2012 in Case No. 41 of 2012.
170	178 of 2011	30.11.2011	14.12.2012	30.3.2013	Petition filed by Tata Power-Transmission under Sections 61, 62 & 64 of E. A. 2003, for the 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 (Tata Power-T).

**ANNEXURE - III**  
**MAHARASHTRA ELECTRICITY REGULATORY COMMISSION**

**PROVISIONAL RECEIPTS & PAYMENTS ACCOUNT FOR THE YEAR ENDED ON 31ST MARCH 2013**

RECEIPTS	Current Year 2012-13	Previous Year 2011-12	PAYMENTS	Current Year 2012-13	Previous Year 2011-12
<b>(1) OPENING BALANCE</b>	<b>572,638,758.00</b>	<b>651,663,950.29</b>	<b>(1) EXPENSES</b>		
(a) Cash on Hand	29,690.00	3,246.00	(a) Establishments Expenses	35,333,114.00	17,253,971.00
(b) Bank Balances (SBI)			(i) Pay & Allowances of Chairman & Members & Secretary of Commission	2,732,039.00	2,519,793.00
(i) In Current A/C		-	(ii) Pay & Allowances of Officers & Staff	25,876,201.00	9,919,072.00
(ii) in Deposit A/C	570,426,370.00	624,000,000.00	(iii) Bonus & Honorarium		
(iii) Savings A/C	2,182,698.00	27,660,704.29	(iv) Overtime Allowances	420,999.00	267,426.00
<b>(2) GRANTS RECEIVED</b>			(v) Medical & Health Care facilities	423,779.00	311,546.00
(a) Grants from GoM		100,000.00	(vi) Tuition Fees / Stipend	2,236,946.00	2,671,444.00
(b) From Other Sources (Details)		-	(vii) Any Other		
Grants for Capital Expenditure		-	Resident Rent for Member	102,500.00	
Grants for Revenue expenditure		-	Leave Travel Concession	54,262.00	33,847.00
<b>(3) INCMOE ON INVESTMENTS FROM</b>			Peon Allowances	703,770.00	192,000.00
(a) Earmarked / Endow. Funds			(viii) Contribution to P F	1,883,702.00	937,466.00
(b) Own Funds (Other Investments)			(ix) Contribution to any other Fund		
<b>(4) TO RECEIPTS OF THE COMMISSION</b>	<b>393,783,705.00</b>	<b>127,666,143.00</b>	(x) Staff Welfare	454,812.00	323,077.00
(a) Fees charged by the Commission	353,928,745.00	96,290,002.00	(xi) Expenses on Employees retirement & terminal benefits		
(i) Fees for initial License		2,000,000.00	(xii) Other Allowances	429,104.00	72,800.00
(ii) Fees for Annual Licenses	334,319,000.00	62,331,000.00	(xiii) Incentives	15,000.00	5,500.00
(iii) Fees for Trading Licenses			<b>(b) OTHER ADMINISTRATIVE EXPENSES</b>	<b>209,403,648.00</b>	<b>156,037,797.00</b>
(iv) Fees for Suspension of Licenses			(i) Purchases		
(v) Fees for Documents	13,841.00	7,172.00	(ii) Cartages & Carriage Inwards		
(vi) Fees for APR			(iii) Electricity & Power	889,814.00	702,576.00
(vii) Fees for Annual Tariff Review		30,661,000.00	(iv) Repairs & Maintenances	946,012.00	731,439.00
(viii) Fees for Filing Application	19,594,250.00	1,289,338.00	(v) Rent Rates & Taxes	66,137,569.00	48,674,558.00
(ix) Fees for Inspection		200.00	(vi) Vehicles Running & Maintenances	398,071.00	348,480.00
(x) Fees for RTI	1,654.00	1,292.00	(vii) Postage Telephone & Communication	495,227.00	514,357.00
(b) Interest Received	39,786,845.00	30,475,024.78	(viii) Printing & Stationery	908,951.00	845,470.00
(i) On Bank deposits	39,786,845.00	30,475,024.78	(ix) Travelling & Conveyance		
(ii) On Loans , advances to employees etc.			Foreign Travel	770,987.00	221,412.00
(c) Other Income	68,115.00	901,116.00	Domestic Travel	1,194,744.00	866,278.00
(i) Miscellaneous Receipts	25,780.00	123,851.00	Conveyance	101,984.00	462,324.00
(ii) Fees for Recruitment Applications	42,335.00	777,265.00	(x) Expenses on Seminar	18,296.00	1,347,047.00
(d) Investments			(xi) Workshops / Training	3,447,716.00	1,325,568.00
(i) to face value of investments encashed			(xii) Subscription expenses	733,000.00	
(ii) Interest on investments			(xiii) Expenses on Fees		
<b>(5) RECOVERY OF ADVANCES FROM STAFF</b>	<b>1,476,991.00</b>	<b>496,313.00</b>	(xiv) Auditors remuneration	306,273.00	
(i) House building advances	37,969.00	12,768.00	(xv) Hospitality Expenses		
(ii) Motor Car/ Personal computer advance/Scooter / Motor cycle advances	94,450.00	40,880.00	(xvi) Professional Charges	123,967,632.00	85,909,490.00
(iii) Other Advances			(xvii) News papers / Periodicals	47,608.00	601,329.00
Loan Instalment		14,450.00	(xviii) Irrevocable balances written off		
Advances for Expenses	1,344,572.00	428,215.00	(xix) Advertisement & Publicity	2,602,141.00	8,368,998.00
Advances against Salary			(xx) Others		
			Bank Charges	52,658.00	12,381.00
			Office Expenses	1,877,038.00	1,080,889.00
			Canteen Expenses		
			Rental for Equipment	346,124.00	307,879.00
			Consumable Office Equipment		
			Vehicle Lease Rental	767,556.00	1,373,209.00
			Public Hearing Expenses	1,785,049.00	1,140,550.00
			Meeting Expenses	845,574.00	601,085.00
			Internet Expenses	549,424.00	484,569.00
			Web Site Expenses	57,089.00	4,370.00
			Computer Expenses	157,111.00	113,539.00
<b>BALANCE C/F</b>	<b>967,899,454.00</b>	<b>779,926,406.07</b>	<b>BALANCE C/F</b>	<b>244,736,762.00</b>	<b>173,291,768.00</b>

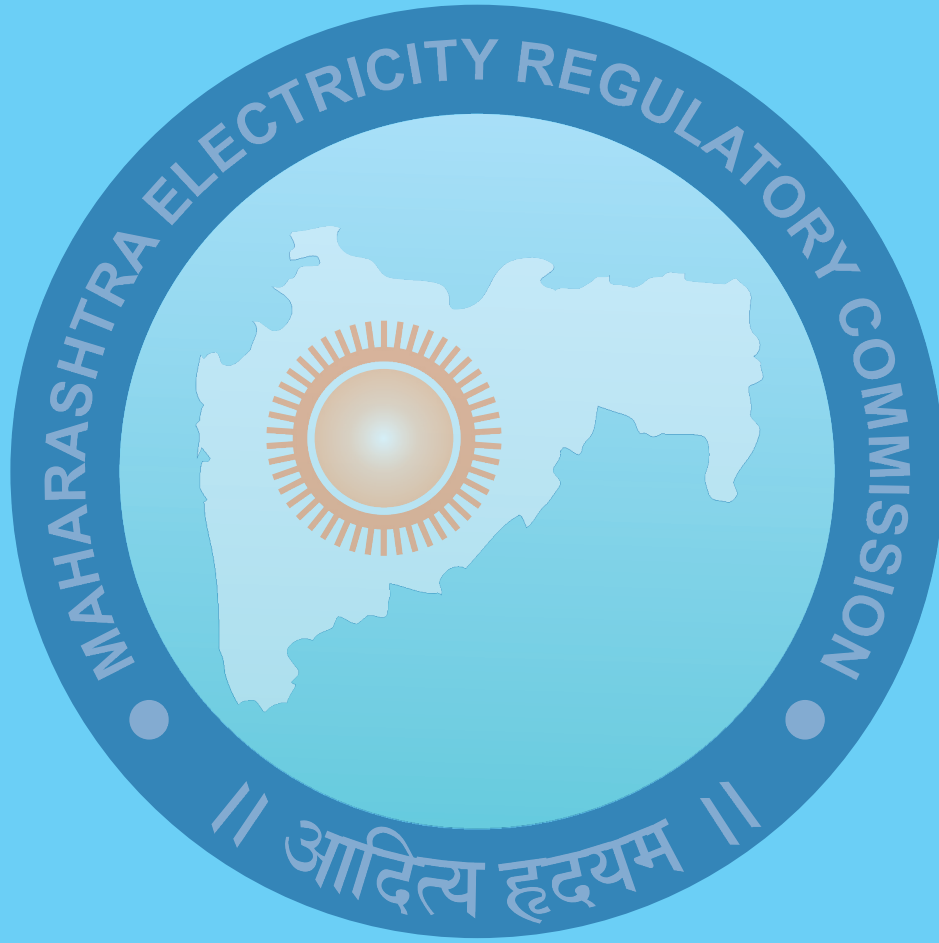
RECEIPTS		Current Year	Previous Year	PAYMENTS		Current Year	Previous Year
		2012-13	2011-12			2012-13	2011-12
<b>BALANCE B/F</b>		<b>967,899,454.00</b>	<b>779,926,406.07</b>	<b>BALANCE B/F</b>		<b>244,736,762.00</b>	<b>173,291,768.00</b>
<b>(6) RECOVERY OF CONTIGENT ADVANCES</b>	<b>105,112.00</b>		-	<b>(2) INVESTMENTS &amp; DEPOSITS MADE</b>		<b>7,408,535.00</b>	<b>1,150,000.00</b>
(i) Advance To PWD				(a) Investments			
(ii) Advance to Suppliers				(i) Out of Earmarked / Endown Funds			
(iii) Other Advance	105,112.00			(ii) Out Of Own fund			
<b>(7) TO OTHER DEPOSITS</b>	<b>450,000.00</b>	<b>1,689,394.00</b>		(b) Deposits			
(a) Security Deposit	250,000.00	119,394.00		(i) Security Deposits	6,358,535.00	10,000.00	
(b) Earnest Money Deposit	200,000.00	1,570,000.00		(ii) Earnest Money Deposits	1,050,000.00	1,140,000.00	
(c) Any other Deposit				<b>(3) ADVANCE TO STAFF</b>	<b>1,335,842.00</b>	<b>719,690.00</b>	
Telephone Deposit				(i) House Building Advances	22,910.00		
Other Deposits				(ii) Motor Car / Personal Computer	75,200.00	14,300.00	
<b>(8) TO REMITANCES RECEIPTS</b>	<b>23,231,795.00</b>	<b>16,465,554.00</b>		Advance/Scooter / Motor Cycle Advances			
(a) Recovery from Deputationists				(iii) Other Advances			
(b) License Fees	39,764.00	33,278.00		Festival Advance	5,000.00		
(c) Income Tax (TDS)	20,741,428.00	15,172,867.00		Advance for Expenses	1232732.00	705,390.00	
(d) Surcharge				Advance against Salary			
(e) Sales Tax				<b>(4) RECOVERY OF CONTIGENT ADVANCES</b>	<b>741,584.00</b>	<b>6,614,935.00</b>	
(f) Central Government Health Scheme				(i) Advance To PWD		6,614,935.00	
(g) Postal life insurance				(ii) Advance to Supplies			
(i) Any other				Other Advance	741,584.00		
General Provident Fund	265,894.00	147,000.00		Refund Of Fees			
Group Insurance Scheme	15,000.00	2,280.00		<b>(5) OTHER REMITTANCES</b>	<b>21,453,440.00</b>	<b>17,702,249.00</b>	
Profession Tax	107,700.00	64,075.00		(a) GPF/CPF etc. recoverd from deputationists			
MERC Employees CPF Share	1,793,309.00	792,360.00		(b) License Fees	46,660.00	26,520.00	
HRA Recovered	182,913.00	253,694.00		(c) Income Tax (TDS)	18,943,908.00	16,269,065.00	
CPF Employees Share	85,787.00			(d) Central Government Health Scheme			
PPF MERC Employees Share				(e) Postal Life Insurance			
<b>(9) RECEIPTS AGAINST SALE OF ASSETS</b>				(f) CGEGIS /CEEIS	13,200.00	3,120.00	
(i) Mobile Handset				(g) Any Other Recoveries			
(ii) Vehicles				General Provident Fund	210,894.00	174,000.00	
(iii) Telephone EPBX				Loan Recovery Payment			
				Profession Tax	97,400.00	71,575.00	
				MERC Employees P F Contributions	1,598,547.00	850,065.00	
				H.R.A. Recovered	469,536.00	273,405.00	
				MEDA	73,295.00	34,499.00	
				PPF Contribution Employees			
				<b>(6) CONTRIBUTIONS</b>	<b>12,735,209.00</b>	<b>14,549,248.00</b>	
				(a) Pension & Gratuity Fund	154,138.00	12,181.00	
				(b) Leave Salary & pension Contribution	48,071.00	232,067.00	
				(c) Other Contribution			
				Grants To Ombudsman	12,533,000.00	14,305,000.00	
				<b>(7) EXPENDITURE ON FIXED ASSETS</b>	<b>4,733,318.00</b>	<b>4,280,824.00</b>	
				(a) Land			
				(b) Building			
				(c) Furniture & Fixtures	32,562.00	234,629.00	
				(d) Machinery & Equipments			
				(e) Motor Vehicles			
				(f) Books & Periodicals	464,991.00	233,276.00	
				(g) Any Other			
				Office Equipment	120,809.00	12,599.00	
				Interior Renovation	2,618,484.00	1,813,152.00	
				Computers	1,066,972.00	1,939,388.00	
				Telephone Instruments	429,500.00	47,780.00	
				(h) Purchase Of License for RIMS Project			
				<b>(8) CLOSING BALANCE</b>	<b>698,541,671.00</b>	<b>579,772,640.07</b>	
				(a) Cash on Hand	52,515.00	29,690.00	
				(b) Bank Balances (SBI)			
				(i) In Current A/C	-	-	
				(ii) in Deposit A/C	688,596,604.00	565,000,000.00	
				(iii) Savings A/C	9,892,552.00	14,742,950.07	
<b>TOTAL (Rs)</b>		<b>991,686,361.00</b>	<b>798,081,354.07</b>	<b>TOTAL (Rs)</b>		<b>991,686,361.00</b>	<b>798,081,354.07</b>

FOR **MAHARASHTRA ELECTRICITY REGULATORY COMMISSION**

SECRETARY

MEMBER

CHAIRMAN



**MERC**



**MERC**

## **Maharashtra Electricity Regulatory Commission**

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# Maharashtra Electricity Regulatory Commission (MERC)

## ORGANISATIONAL CHART

