



Global Energy
Private Limited

Date: 05/04/2016

To,
The Principal Secretary,
Maharashtra Electricity Regulatory Commission,
World Trade Center, Center No. 1, 13th Floor,
Cuffe Parade, Colaba, Mumbai 400 005.

Subject: - Affidavit for placing on record additional information.

Reference: -

- 1) Application under Sections 14, 15, 86(1)(d) and 86(k) of the Electricity Act, 2003 read with MERC (Trading License Conditions), Regulations, 2004 seeking grant of intra state trading license in State of Maharashtra. **(Case No.132 of 2015).**
- 2) Your e-mail dated 23/2/2016 of approved MOM.

Dear Sir,

This is with reference to the aforesaid subject. Please find enclosed herewith our submissions (1+6 copies) on Affidavit alongwith the necessary Annexures.

Thanking You,

(Abhijit Dhamdhere)

www.globalenergy.co.in



GLOBAL ENERGY PVT. LTD.
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Maker Chambers VI
Nariman Point, Mumbai - 400 021
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Near Kamat Towers, Potto Plaza,
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BRANCH OFFICES BRANGALORE PUNE HYDERABAD RAIPUR CHANDIGARH BHUSNESHWAR ITANAGAR BELGUNDI AIZAWAL
CIN : U40101GA1994PTC001663

BEFORE THE HON'BLE MAHARASHTRA ELECTRICITY REGULATORY
COMMISSION AT MUMBAI

CASE NO. 132 OF 2015

IN THE MATTER OF:

Application under Sections 14, 15, 86(1)(d) and 86(k) of the Electricity Act,
2003 read with MERC (Trading License Conditions), Regulations, 2004
seeking grant of intra state trading license in State of Maharashtra.)

M/s. Global Energy Private Limited

..... Petitioner/Applicant

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Place: - Mumbai

Date: - 5/4/2016



Petitioner/Applicant

**BEFORE THE HON'BLE MAHARASHTRA
ELECTRICITY REGULATORY
COMMISSION, MUMBAI**

FILING NO: _____

CASE NO. 132 OF 2015

IN THE MATTER OF

**Application under Sections 14, 15, 86(1)(d) and
86(k) of the Electricity Act, 2003, read with
the Maharashtra Electricity Regulatory
Commission (Trading Licence Conditions)
Regulation, 2004, seeking grant of Intra-State
Trading Licence in the State of Maharashtra**

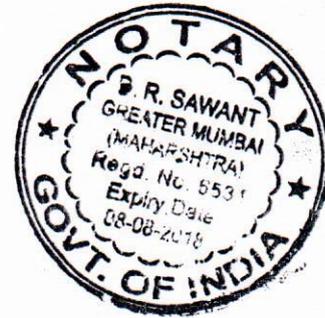
AND IN THE MATTER OF

M/s. Global Energy Private Limited

having its registered office at:
207, Gera Imperium II,
Patto Plaza, Panjim,
North Goa,
Goa - 403 001

And also at:

104, 10th Floor, Makers Chambers VI,
Nariman Point,
Mumbai - 400 021



..... **PETITIONER/APPLICANT**

**AFFIDAVIT FOR PLACING ON RECORD
ADDITIONAL INFORMATION ON BEHALF OF
THE PETITIONER AS SOUGHT BY THE
HON'BLE COMMISSION**

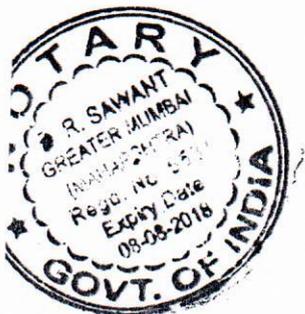
I, Abhijit Dhamdhere, S/o, Anant Dhamdhere, aged about 45 years, presently working as Senior Manager with the Petitioner, do solemnly affirm and say as follows:

1. I am the authorised representative of M/s. Global Energy Private Limited, the Petitioner in the present matter. I am fully aware of the facts and circumstances of the present matter, and such I am fully competent to swear this affidavit.
2. The Petitioner is filing the present affidavit in order to place before this Hon'ble Commission certain additional information, which were identified by this Hon'ble Commission in its "*Minutes of TVS for the Petition of M/s. Global Energy Pvt. Ltd. for grant of Trading Licence*" dated February 16, 2016, in Case No.132 of 2015 (hereinafter referred to as "**Minutes**"). A copy of the Minutes is annexed herewith and marked as **Annexure - A.**
3. That with regard to paragraph 7(i) of the Minutes, the Hon'ble Commission may please find annexed herewith, the details pertaining to the volume of electricity traded



by the Petitioner herein between months of September, 2007, to September, 2012, under the MERC Trading License No.1 issued to the Petitioner by this Hon'ble Commission on September 28, 2007, and marked **Annexure - B**.

4. That with regard to paragraph 7(ii) of the Minutes, the Hon'ble Commission may please find annexed herewith, the proposed five year trading plan quantified in MUs, and marked as **Annexure - C**.
5. That with regard to paragraph 7(iii) of the Minutes, it is respectfully clarified that the present organizational set up of the Petitioner is sufficient to carry out trading operations in multiple States.
6. That with regard to paragraph 7(iv) of the Minutes, it is respectfully clarified that the manpower indicated in the presentation made before the Hon'ble Commission during the technical validation session on February 16, 2016, in Case No. 132 of 2015, would primarily deal with the trading business of the Petitioner in the State of Maharashtra.
7. That with regard to paragraph 7(v) of the Minutes, it would be pertinent to note here that the procedure for granting of open access implemented by the Maharashtra State Load Despatch Centre as prescribed by this Hon'ble Commission in terms of points 14(e) and (f) of Format - STI, forming part of



the Maharashtra Electricity Regulatory Commission (Transmission Open Access) Regulations, 2014, distinguishes between intra-State and inter-State transactions which in our humble submission fully addresses the concern of this Hon'ble Commission. The Hon'ble Commission may please find annexed herewith Format - STI forming part of the Maharashtra Electricity Regulatory Commission (Transmission Open Access) Regulations, 2014, and marked as **Annexure - D.**

8. Further, the Petitioner takes leave of this Hon'ble Commission to humbly submit that pursuant to grant of the intra-State trading license to the Petitioner by this Hon'ble Commission, the intra-State trading transactions carried out by the Petitioner shall exclusively be governed by this Hon'ble Commission.

9. In view of the above it is humbly submitted that the concern of this Hon'ble Commission, that intra-State trading transactions carried out under intra-State licence and intra-State trading transactions carried out under inter-State licence would have different implications, is *non-est*.

10. The Petitioner states that the present affidavit is bonafide and in the interest of justice, and therefore, the same may be taken on record. The Petitioner further



craves leave to file any other affidavit / pleadings in the interest of justice.

[Signature]

DEPONENT

VERIFICATION

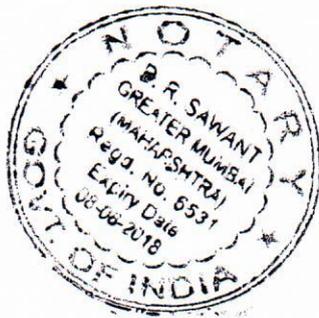
5 APR 2016

Solemnly affirmed at Mumbai on this 05 day of April, 2016, that the contents of the above affidavit are true to my knowledge (as derived from records), based on information believed to be true and no part of it is false and nothing material has been concealed therefrom.

[Signature]

DEPONENT

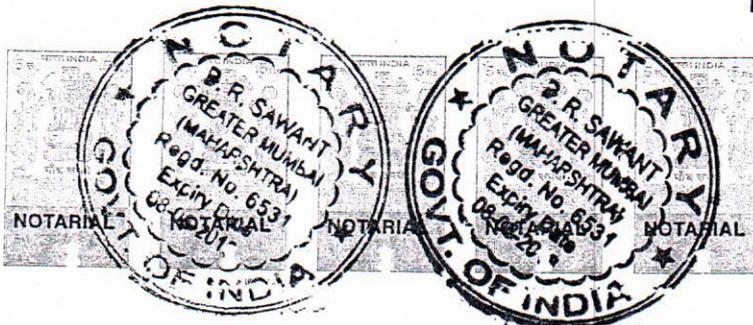
Jeerud Redkar in and I know deponent personally



BEFORE ME
[Signature]
B. R. SAWANT 5/04/2016
M.COM.LLB
ADVOCATE HIGH COURT
NOTARY GOVT. OF INDIA
4, SHREEJI, SHIRIN APT. BLDG. NO 2,
OPP GANGA JAMUNA CINEMA,
TARDEO MUMBAI 400007

Notary No 73
This document is noted at
Sr. No. 289/16 in the
Notarial Register

5 APR 2016



ANNEXURE - A

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Minutes of Meeting – TVS for Trading Licence Petition of GEPL

Minutes of TVS for the Petition of M/s. Global Energy Pvt. Ltd. for grant of Trading Licence

Subject : Petition of M/s. Global Energy Pvt. Ltd. for grant of Trading Licence for Intra-State Trading within the State of Maharashtra

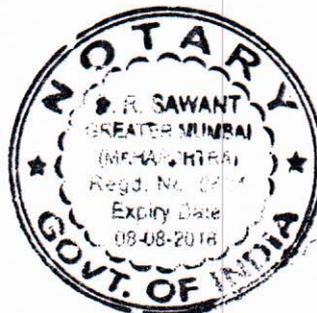
Case No. : 132 of 2015

Date of Technical Validation Session : 16 February, 2016, 11.30 Hrs

Minutes of Technical Validation Session

1. Representative of M/s. Global Energy Pvt. Ltd. (GEPL) made a presentation elaborating the Company Profile, Statutory provisions for grant of Trading Licence, five year Trading plan, details of Infrastructure, manpower support, financial adequacy and other details. GEPL stated that it also holds an inter-State Trading Licence granted by CERC. Apart from above, it has been granted Intra-State Trading Licences in other States such as Uttar Pradesh, Andhra Pradesh, Gujarat, Odisha and Telangana. GEPL prayed that a Trading Licence may be granted to it for Intra-State Trading within the State of Maharashtra as it fulfills the necessary eligibility requirements.
2. To a query from the Commission, GEPL submitted that it has filed additional submission on 15 February 2016 addressing the data gaps raised by the Commission vide E-Mail dated 27 January, 2016. GEPL submitted that it has duly replied to the Query No. 2, 3, and 4 of the data gaps.
3. GEPL submitted that Query No. 1 requires GEPL to submit an undertaking in accordance with the Amendment in MERC (Trading Licence Conditions) Regulations, 2004, inter alia, for disclosure of pending legal proceedings, if any. In this context, GEPL highlighted the Judgment passed by the Supreme Court in Civil Appeal No. 3457-3458 of 2009 on a similar requirement by CERC and argued that "pending legal proceedings" cannot be an objective criterion for denial of a Trading Licence and stated that non-submission of the Undertaking should not lead to rejection of the Trading Licence Application.

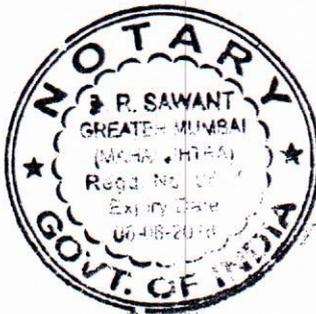
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Minutes of Meeting – TVS for Trading Licence Petition of GEPL

4. GEPL further submitted that, vide Query No. 5, the details of present agreements entered into by GEPL, have been sought and Query No.6 requires GEPL to clarify whether the quarterly data as required in Schedule 3 and Schedule 4 of MERC (Trading Licence Conditions) Regulations, 2004 has been submitted by GEPL, in respect of the earlier Intra-State Licence granted by the Commission and requires to resubmit the same, if not submitted in past.
5. GEPL stated that above details are not relevant to present Application as it is applying for a fresh Trading Licence, and these details are beyond the eligibility requirement provided in Section 52 of the Electricity Act, 2003.
6. The Commission was not convinced with the arguments of GEPL and opined that while issuing a fresh Licence, past performance of GEPL under earlier Intra-State Trading Licence may also require consideration. The Commission emphasised on the quarterly reports submission as per Regulations and stated that non-submission of the same may lead to a conclusion that no trading transactions have been undertaken by GEPL under its previous Intra-State Trading Licence.
7. The Commission directed GEPL to provide following additional information:-
 - i. The volume of electricity traded under various Intra-State Licences and also under the Inter-State Licence.
 - ii. Five year trading plan with quantum of electricity mentioned in MU instead of in MW.
 - iii. To clarify whether the present organization setup is sufficient to carry out Trading operations in multiple states.
 - iv. To clarify whether manpower indicated in presentation would deal with the Trading business exclusively within Maharashtra.
 - v. To clarify as to how GEPL would differentiate between Intra-State Trading transactions carried out under Intra-State Licence and those carried out under Inter-State Licence, considering the fact that both would have different financial implications. Would the agreement with the parties specify the applicable Licence?
8. After receipt of satisfactory responses on the above issues and further necessary prudence check, Petition of GEPL shall be processed for admission and subsequent regulatory process. List of persons present at the TVS is enclosed as Annexure-1.

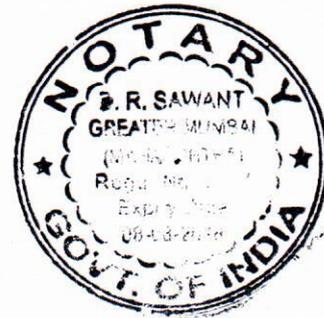


Minutes of Meeting – TVS for Trading Licence Petition of GEPL

Annexure-1

List of persons who attended the TVS held on 16 February, 2016 at 11.30 AM

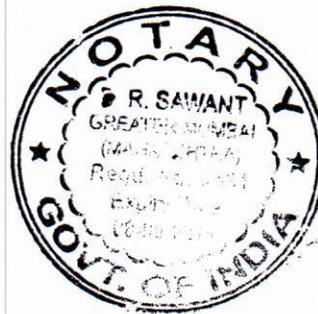
Sr. No.	Name	Company / Institution
1	Shri Amol Bavare	GEPL
2	Shri Sumanta Ghosh	GEPL
3	Miss Rutuja Shringarpure	GEPL
4	Shri Kiran Kumar	GEPL
5	Shri V.P. Nikhil	GEPL
6	Smt Deepika Sehgal	GEPL



ANNEXURE - B

Volume of electricity traded by the Petitioner herein between months of September, 2007, to September, 2012, under the MERC Trading License No.1 issued to the Petitioner on September 28, 2007

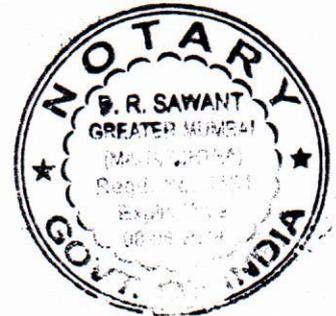
Sr. No	Financial Year	Yearly Quantum (In MUs)
1.	2007 - 08	0
2.	2008 - 09	12.960
3.	2009 - 10	77.348
4.	2010 - 11	95.911
5.	2011 - 12	124.06
6.	2012 - 13	105.838



ANNEXURE - C

Proposed five year trading plan with quantum of electricity
proposed to be traded in million units

Sr. No	Year	Quantum proposed to be traded (In MUs)
1.	1 st Year	50.02
2.	2 nd Year	55.02
3.	3 rd Year	60.48
4.	4 th Year	66.53
5.	5 th Year	73.18

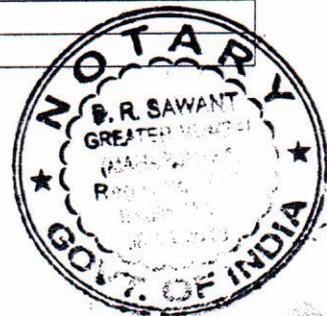


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महाराष्ट्र शासन राजपत्र असाधारण भाग चार-क, जून, २५, २०१४/आषाढ ४, शके १९३६

Annexure-I
Format for Short-term
Format -STI

Application for Grant of Short Term Open Access (To be submitted by Short Term Open Access Applicant to SLDC)							
1	Customer Application No.:					Date:	
2	Name of the Applicant						
3	Consumer No.:					Existing Supplier (if any):	
4	Meter No.:					Connection Type:	
5	Address for Correspondence:						
	Phone no:	(off.)	(Res.):	(Fax):			
	E-mail id:				Mobile no.		
6	Contract details (Agreement / MoU details)						
	Applicant type	Buyer / Seller / Trader / Captive Generator / Renewable Energy Generator					
	With	No.	Date	Valid up to	Capacity in the Contract (MW)	Capacity if contracted to other source (MW)	No. of days Open Access Applied
	Buyer						
	Seller						
	Power Exchange						
7	Coordinator details						
	Name and Designation:						
	Phone no:	(off.)	(Fax):	Mobile			
	Email id:						
8	Capacity applied						
	Period		Time period			Capacity (MW)	
	From (Date)	To (date)	From (hrs.)	To (hrs.)			
9	Details of PPA / PSA / MoU		Date of PPA / PSA / MoU		Validity period		Capacity (MW)
	Name & Address of Parties				Commencement	Expiry	
	Seller	Buyer					
10	Injecting utility details						
	Name :						
	Point of Injection :						
	Name of the concerned Discom / Licensee :						
	Details (path to the nearest sub-station) :						
	Meter No.:						



11	Drawing utility details
	Name:
	Point of Drawl:
	Name of the concerned Discom / Licensee:
	Details (path to the nearest sub-station):
	Meter No.:
12	Name of the trader, if any:
13	Details of application fee payment:

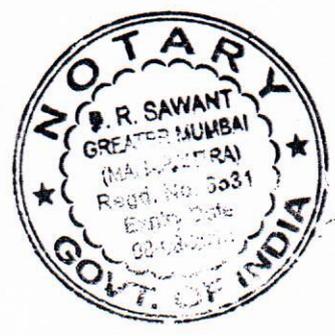
14. It is hereby, certified that:

- (a) All utilities (including buyer, seller and trader) to the transaction shall abide by the provisions of the MERC (Transmission Open Access) Regulations, 2014 and/or MERC (Distribution Open Access) Regulations, 2014 as the case may be and its amendment from time to time.
- (b) I hereby authorise SLDC to process said application, in case open access capacity allotted, for day-ahead scheduling in accordance with the provisions of Intra-state ABT.
- (c) The applicant hereby agrees to keep SLDC, _____ (name of the Distribution Licensee, in case of a consumer of Distribution licensee) indemnified at all times and undertakes to indemnify, defend and save SLDC and _____ (name of the Distribution Licensee, in case of a consumer of Distribution licensee) from any damages, losses, claims and actions relating all transactions under this approval.
- (d) The applicant hereby agrees to ensure that total bid in the Power Exchange and with Traders does not exceed the granted quantity.
- (e) (Insert in case of Intra-state Trader) M/s _____ has a valid license (ref. no _____ issued by _____ and valid up to _____) for Intra-state Trading and will abide by MERC (Trading Licence Conditions) Regulations, 2004 and its amendment from time to time
- (f) (Insert in case of Inter-state Trader) M/s _____ has a valid license (ref. no _____ issued by _____ and valid up to _____) for Inter-state Trading and will abide by CERC (Procedure, Terms and Conditions for grant of trading licence and other related matters) Regulations, 2009 and its amendment from time to time

15. The provisions of the 'Procedure for reservation of transmission capacity to Short-term Open Access users' issued by SLDC are hereby agreed

Place :
Date:

Signature :
Name and Designation:



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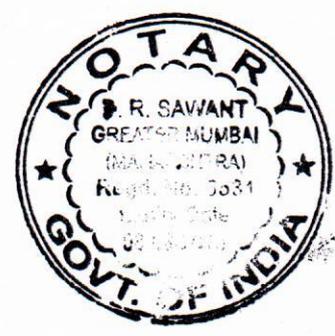
महाराष्ट्र शासन राजपत्र असाधारण भाग चार-क, जून, २५, २०१४/आषाढ ४, शके १९३६

Enclosure:

- (i) Non refundable application fee in the form of _____
- (ii) Self certified copy of PPA / PSA / MoU entered between parties (buyer and seller) of transaction stating contracted power, period of transaction, drawal patter, point (s) of injection and drawal etc.

For use of SLDC (with Reference to Enrolment of application)	
SLDC Reference ID No.:	Date:
SLDC Approval / Refusal no.	
Remarks (Reasons for Refusal to be provided)	

(SLDC may also enclose supporting documents for the reasons of refusal duly signed on each page)



FORMATS for Short-Term

ACKNOWLEDGEMENT

(for office use only)

APPLICATION FOR GRANT OF SHORT-TERM OPEN ACCESS

(A) < to be filled by the customer >

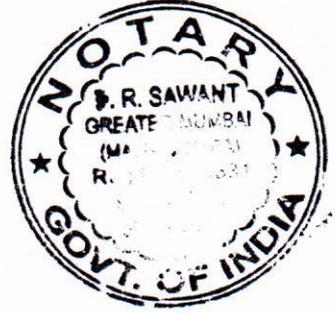
1	Customer Application No.	< self generated by customer >	Date	
2	Period of Transaction			
3	Nature of Customer*	< seller/buyer/captive user/trader (on behalf of seller/buyer/captive user) >		
<small><* In terms of power transfer></small>				
4	Customer Name			
5	Registration Code		Valid up to	
<small>< Registration code shall be as provided by SLDC ></small>				

(B) < to be filled by SLDC >

Date and Time of Receipt of Application	
---	--

Place
Date

Signature (with stamp)
Name & Designation



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महाराष्ट्र शासन राजपत्र असाधारण भाग चार-क, जून, २५, २०१४/आषाढ ४, शके १९३६

ACKNOWLEDGEMENT

(to be issued by SLDC to the customer immediately on receipt of application duly filled in)
APPLICATION FOR GRANT OF SHORT-TERM OPEN ACCESS

(A) < to be filled by the customer >

1	Customer Application No.	
2	Period of Transaction	Date
3	Nature of Customer*	< seller/buyer/captive user/trader (on behalf of seller/buyer/captive user) >
<i><* In terms of power transfer></i>		
4	Customer Name	
5	Registration Code	Valid up to
<i>< Registration code shall be as provided by SLDC ></i>		

(B) < to be filled by SLDC >

Date and Time of Receipt of Application	
---	--

Place
Date

Signature (with stamp)
Name & Designation

N.B.: This counterfoil may be scored out and issued to the customer.

