

BEFORE THE MAHARASHTRA ELECTRICITY REGULATORY COMMISSION

World Trade Centre, Centre No.1, 13th Floor, Cuffe Parade, Mumbai - 400005

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NOTICE

In

Case No. 192/AD/2022

In the matter of:

Avaada Sunce Energy Private Limited

..... Petitioner(s)

Versus

MSEDCL

..... Respondent(s)

Subject: - Petition of Avaada Sunce Energy Private Limited under Section 86(1)(f) of the EA, 2003 and Article 9 of the PPA dated 26.06.2019 seeking declaration that the imposition of Safeguard Duty on import of Solar Cells/ modules on account of promulgation of Ministry of Finance Notification dated 29.07.2020 bearing No. 02/2020-Customs (SG) and enhancement of GST Rates on Solar Energy Devices and Parts on account of promulgation of Ministry of Finance Notification dated 30.09.2021 bearing No. 8/2021-Central Tax (Rate) are 'Change in Law' events under Article 9.1 of the said PPA and to further direct the Respondent to pay compensation along with carrying cost to the Petitioner as the relief under Article 9.2.1 of the said PPA as to offset the financial impact of the said Change in Law events and to ensure that the Petitioner is placed in the same financial position as it would have been had it not been for the occurrence of the said Change in Law events.

1. I am directed to communicate that e-Hearing in this matter is scheduled on, **Tuesday, 13 December, 2022 at 10.30 am.** Kindly refer the Practice Directions dated 14 November, 2022 available on MERC website (www.merc.gov.in) for the Operational Procedure and Protocol to be followed for e-Hearing before the Commission.
2. Petitioner(s) and Respondent(s) shall communicate the name(s), email ID(s), and contact number(s), of their Representative(s) (maximum 3 persons) who will be attending e-Hearing, well in advance at least two days before the e-Hearing. MERC – IT Team will communicate the credentials for login into e-Hearing Application and will also provide assistance for using this Application.

3. In case of technical constraint of Video-Conferencing platform, credential for login will be given to one or two persons only. All others can attend the e-Hearing through live streaming link provided on website of the Commission.
4. Documents to be referred during the e-Hearing shall be uploaded on 'Petition E-filing Portal' only, at least two days before the scheduled e-Hearing for reference of the Commission and all concerned parties. During the e-Hearing, parties shall refer these uploaded documents only.
5. All communication related to e-Hearing shall be made on 'ehearing@merc.gov.in' mentioning MERC Case number.
6. NOTICE is hereby given to you to attend e-Hearing through video conferencing through an authorized functionary or duly authorized advocate before this Commission on said date and time.
7. TAKE FURTHER NOTICE that if you fail to appear on the said date and time, the matter will be heard in your absence on the said date or any subsequent date to which the matter may be posted, as directed by the Commission, without any further notice. Failure of the Parties to appear before the Commission on the date of e-Hearing, the Parties shall be a sole responsible for its cause and consequences.
8. Issued in Mumbai under my hand and as directed by the Commission on **Thursday, the 24th day of November, 2022.**

Sd/-
(Anilkumar Ukey)
Director Legal, (I/c.)

Avaada Sunce Energy Private Limited
C-11, Sector-65, Gautam Buddha Nagar,
Noida, Uttar Pradesh - 201301
E-mail:- vaidehi.naik@neetiniyaman.co / ashish.bhardwaj@avaada.com

Petitioner

The Chief Engineer
Maharashtra State Electricity Distribution Co. Ltd. (MSEDCL)
Prakashgad, Plot No. G-9, Prof. Anant Kanekar
Marg, Bandra (East), Mumbai – 400 051
E-mail:- setrcmsedcl@gmail.com / ceremsedcl@gmail.com

Respondent