

Before the
MAHARASHTRA ELECTRICITY REGULATORY COMMISSION
World Trade Centre, Centre No.1, 13th Floor, Cuffe Parade, Mumbai 400005
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Date: 27 December 2022

CORAM: Sanjay Kumar, Chairperson
I. M. Bohari, Member
Mukesh Khullar, Member

Case No. 196 of 2022

Petition of Shah Promoters & Developers seeking appropriate reliefs against MSEDCL for reconnecting and re-installation of the jumpers of six wind turbine generators

M/s. Shah Promoters & Developers (SPD)

... Petitioner

M/s. Maharashtra State Electricity Distribution Co. Ltd. (MSEDCL)

M/s. Suzlon Global Services Limited (SGEL)

M/s. Maharashtra State Electricity Transmission Co. Ltd. (MSETCL)

M/s. Suzlon Energy Limited (SEL)

M/s. Suzlon Windfarm Services Private Limited (SWSPL)

M/s. Maharashtra Energy development Agency (MEDA)

... Respondents

Appearance:

For the Petitioner

: Ms. Deepali Sheth (Adv)

For the Respondent

: Mr. Deepa Chawan (Counsel)

Ms. Fereshte Sethna (Adv)

Mr. Pandurang Sude (Rep.)

Mr. Anand Raidurg (Rep.)

Daily Order

1. Heard the Advocate of Petitioner and Respondents.
2. Advocate of the Petitioner mentioned that ownership of 33 kV evacuation system up to pooling substation belongs to MSEDCL and Suzlon Group companies have illegally disconnected its wind turbine. Further, MSEDCL is billing wheeling charges for Open Access transaction.

3. Advocate of MSEDCL categorically stated that Suzlon Group of companies did not approach to MSEDCL for handing over of 33 kV evacuation system. Further, the assets under consideration has not been part of MSEDCL's GFA. MSEDCL is levying wheeling charges for utilization of its infrastructure at consumer end and not for wheeling up to Pooling Substation. Advocate of MSEDCL pointed out that asset under considerations caters 193 WTG in said area in collective mode.
4. Advocate appearing on behalf of Suzlon Group companies informed that assets are belonging to it and the disconnection has been done on account of contractual dispute. Further, a Civil Suit has been filed on the issue before Sangli District Court, which is pending for adjudication. She also requested to grant them time for submissions in this case.
5. MSETCL has submitted that issue is related to 33 kV level and is under purview of MSEDCL. Representative of MEDA submitted that evacuation asset should be transferred to MSEDCL.
6. Considering the arguments and material placed on record, the Commission directs the parties to file additional submission on whether a person can maintain and operate 33 kV overhead line and allied equipment without licence under the Electricity Act 2003 and whether arrangement for maintaining 33 kV evacuation system referred under present Petition is legally permissible? If not, what steps should be taken to correct such legal anomaly?

Contesting Parties can file their response in reply to additional submission within two (2) days thereafter.

7. **Next hearing in the matter is scheduled on 10.30 am on Tuesday, 10 January 2023.**

Sd/-
(Mukesh Khullar)
Member

Sd/-
(I. M. Bohari)
Member

Sd/-
(Sanjay Kumar)
Chairperson