

**Before the**  
**MAHARASHTRA ELECTRICITY REGULATORY COMMISSION**  
**World Trade Centre, Centre No.1, 13th Floor, Cuffe Parade, Mumbai**  
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**Date: 2 May, 2023**

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

**Case No. 54 of 2023**

**Case of M/s. Gajkesari Steels & Alloys Private Limited under Section 142 and 146 of the EA 2003 seeking appropriate orders as regards laying of EHT Lines and necessary infrastructure for supply of power at EHV Levels in accordance with Section 40, 43 and 46 of the EA 2003 and directions pertaining to the applicable wheeling charges as recorded in the Clarificatory Order dated 30 April 2020 read with Order dated 30 March 2020 in Case No 322 of 2019.**

M/s. Gajkesari Steels & Alloys Private Limited.	: Petitioner
1. Maharashtra State Electricity Transmission Co. Ltd.	: Respondent 1
2. Maharashtra State Electricity Distribution Co. Ltd.	: Respondent 2

**Appearance**

For the Petitioner:	Adv. Anil D'souza
For the Respondent 1:	Adv. Ushajee Peri
For the Respondent 2:	Adv. Ravi Prakash

**Daily Order**

1. Heard the Advocates of the Petitioner and Respondents on 2 May, 2023
2. Advocate of the Petitioner stated that through the present Petition, it has prayed for seeking direction:
  - a. to MSETCL for compliance of the MERC Supply Code Regulations by laying the necessary infrastructure to supply the power to the Petitioners at EHV Levels / EHT Lines and
  - b. to MSEDCL for levying the wheeling charges to the Petitioners as per the Clarificatory Order dated 30 April 2020 read with MYT Order dated 30 March 2020

in Case No 322 of 2019.

3. He further stated that on the first issue, the Commission vide Order dated 2 September, 2022 in Case Nos. 62, 63 and 64 of 2022 has ruled that the development of EHV infrastructure for providing connection to consumers is the responsibility of MSETCL. However, the said Order is challenged by the MSETCL before the APTEL and is presently sub-judice. On the other issue, the Commission vide Daily Order dated 10 January, 2023 in Case No. 194 and 195 of 2023 (similar matters) has directed MSEDCL to provide the necessary reliefs to the Petitioners as per the Commissions Tariff Order and the Clarificatory Order on wheeling charges.
4. Advocate of MSEDCL indicated that larger issue of levying EHV line was sub judice before the Hon'ble APTEL.
5. The Commission notes that vide Order dated 30 April 2020 it has clarified the twin conditions for availing benefit of lower wheeling charges of higher voltages are non-availability of requisite voltage level in that area (certified by MSEDCL) and consumer maintaining billing demand as per requisite voltage level for at least 9 months in a year or 75% bills issued during financial year, if actual billing is less than a year. In recent MTR Order dated 31 March 2023, the Commission has continued above dispensation for future period. This is a generic dispensation in tariff Order and is applicable for all eligible consumers fulfilling such conditions. Consumers need not approach the Commission on case-to-case basis for making such dispensation applicable to it. The Commission directs MSEDCL to comply with above dispensation and provide relief to all eligible consumers including the petitioner.
6. Advocate of Respondent, MSETCL stated that it could not submit the reply to the Petition, as received the copy of Petition on 28 April, 2023, only and therefore, requested for adjournment of the hearing in the present matter.
7. The Commission accepts the request of MSETCL and allows 15 days' time for submission of reply to the Petition. Rest of the parties may file their Rejoinders on the replies of MSETCL, if any within a week, thereafter.

**After receipt of the submissions, the next date of hearing will be communicated by the Secretariat of the Commission.**

**Sd/-  
(Mukesh Khullar)  
Member**

**Sd/-  
(I. M. Bohari)  
Member**

**Sd/-  
(Sanjay Kumar)  
Chairperson**