

Before the
MAHARASHTRA ELECTRICITY REGULATORY COMMISSION
World Trade Centre, Centre No.1, 13th Floor, Cuffe Parade, Mumbai 400005
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Email: mercindia@merc.gov.in
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Date: 26 September 2023

**CORAM: Sanjay Kumar, Chairperson
Anand M. Limaye, Member
Surendra J. Biyani, Member**

IA No. 57 of 2023 in Case No. 187 of 2023

Interlocutory Application of M/s Saarloha Advanced Materials Pvt. Ltd. and Renew Bhanu Shakti Pvt. Ltd. seeking urgent listing of Petition and interim directions in Case No. 187 of 2023 regarding levy of wheeling charges on the Petitioner's Captive Open Access

And

IA No. 58 of 2023 in Case No. 186 of 2023

Interlocutory Application of Ultra Tech Cement Ltd. and ReNew Surya Spark Pvt. Ltd. seeking urgent listing of Petition and interim directions in Case No. 186 of 2023 regarding levy of wheeling charges on the Petitioner's Captive Open Access

M/s Saarloha Advanced Materials Pvt. Ltd.

Renew Bhanu Shakti Pvt. Ltd. : **Petitioners in IA No.57 of 2023 in Case No. 187 of 2023**

Ultra Tech Cement Ltd.

ReNew Surya Spark Pvt. Ltd. : **Petitioners in IA No.58 of 2023 in Case No. 186 of 2023**

V/s

Maharashtra State Electricity Distribution Co. Ltd. (MSEDCL) : **Respondent**

Appearance:

For Applicants / Petitioners in both IAs

: Mr. Vishrov Mukerjee(Adv.)

For MSEDCL

: Mr. Rahul Sinha (Adv.)

Daily Order

1. Heard the Advocates for the Applicant/ Petitioner and Respondent.
2. Advocate for Petitioners sought urgent listing of the Main Petition in Case Nos. 187 of 2023 and 186 of 2023. Till the disposal of these Main Petitions, the Petitioners also sought the interim relief as granted in Case No. 177 of 2023 on the ground that no distribution system is involved in the open access transactions and hence no wheeling charges should be levied in their bills.
3. Advocate for the MSEDCL stated that as it has complied with the directives in Case No. 151 of 2023 by filing its Reply in the matter, therefore interim relief may not be granted to Petitioners in these matters.
4. The Petitioners stated that MSEDCL has delayed filing its reply in Case No. 151 of 2023 and therefore interim relief may be extended in these matters also. Further, Advocate of the Petitioner stated that there are total 5 Cases on similar issue and these Cases are to be listed together.
5. In view of the above, the Commission has allowed to list all similar 5 Cases (Case Nos. 151 of 2023, 177 of 2023, 186 of 2023 and 187 of 2023 alongwith New Petition to be filed) urgently on 17th October 2023 and hence not allowed Interim Relief for not levy of wheeling charges by MSEDCL in IA 57 of 2023 in Case No. 187 of 2023 and 58 of 2023 in Case No. 186 of 2023.
6. The Commission further directs MSEDCL to file its Reply to all similar Petitions within 10 days' time. The Petitioner to file its Rejoinder, if any in all these cases thereafter within one week's time.

The Commission decided to list the Main Petition in all the five similar cases along with respective IAs for hearing on Tuesday, 17 October 2023.

Sd/-
(Surendra J. Biyani)
Member

Sd/-
(Anand M. Limaye)
Member

Sd/-
(Sanjay Kumar)
Chairperson