

**Before the
MAHARASHTRA ELECTRICITY REGULATORY COMMISSION
World Trade Centre, Centre No.1, 13th Floor, Cuffe Parade, Mumbai 400005
Tel. 022 22163964/65/69
Email: mercindia@merc.gov.in
Website: www. merc.gov.in**

Date: 22 March 2024

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

IA 19 of 2024 in Case No. 41 of 2024

**Interlocutory Application of Tata Power Company Ltd.-Generation for urgent listing of
Case No. 41 of 2024**

Tata Power Company Ltd.- Generation (TPC-G)Petitioner

Maharashtra State Load Despatch Centre (MSLDC) Respondent No. 1

Tata Power Company Ltd.-Distribution (TPC-D) Respondent No. 2

BEST Undertaking (BEST) Respondent No. 3

Western Regional Load Despatch Centre (WRLDC) Respondent No. 4

Appearance:

For the Petitioner : Shri Anand Shrivastava (Adv.)

For MSLDC : Shri. Umesh Bhagat (Rep.)

For TPC-D : Smt. Hawwa Inamdar (Rep.)

For BEST : Dr. R.D. Patsute (Rep.)

For WRLDC : None

Daily Order

1. Heard the Advocate for the Petitioner and Respondents.
2. The Advocate for the Petitioner stated that:
 - i. The present Petition relates to the sale of un-requisitioned power by the Petitioner's imported coal-based Thermal Generating Plant in terms of the direction issued by the Ministry of Power (MoP), Government of India, vide its letter dated 20 February 2023 to the imported coal-based generating companies under Section 11 of the Electricity


Act, 2003 with effect from 16 March 2023 to 15 June 2023 as well as the Electricity (Late Payment Surcharge and Related Matters) (Amendment) Rules, 2024 (**LPS Amendment Rules**) notified by MoP vide Notification dated 28 February 2024.

- ii. These LPS Amendment Rules have prescribed a provision regarding non-payment of fixed charges by beneficiaries for the un-requisitioned power for non-offering of such power in the power exchange. Such non-payment of fixed charges by beneficiaries will affect the viability of the generating plant of the Petitioner. Hence, the Commission is requested to list the matter of Case No. 41 of 2024 for an early hearing.
3. The Commission accepts the Petitioner's request and directs the Secretariat of the Commission to list the matter at the earliest possible date as per the schedule.
4. **With the above, IA No. 19 of 2024 in Case No. 41 of 2024 for urgent listing stands disposed of.**

Sd/-
(Surendra J. Biyani)
Member

Sd/-
(Anand M. Limaye)
Member

Sd/-
(Sanjay Kumar)
Chairperson


(Dr. Rajendra G. Ambekar)
Secretary

