

BEFORE THE MAHARASHTRA ELECTRICITY REGULATORY COMMISSION
World Trade Centre, Centre No.1, 13th Floor, Cuffe Parade, Mumbai - 400005
Tel. 022 22163964/65/69 Fax 22163976
Email: mercindia@merc.gov.in
Website: www.merc.gov.in

NOTICE

In

Case No. 99/AD/2024

In the matter of:

Avaada MH Sustainable Private Limited

.... **Petitioner(s)**

V/s.

**Maharashtra State Electricity Distribution Company Limited
(MSEDCL)**

.... **Respondent(s)**

Subject: - Petition of Avaada MH Sustainable Private Limited under Section 86 of Electricity Act, 2003 read with Article 9 of the Power Purchase Agreement dated 10.08.2021 between Avaada MH Sustainable Pvt. Ltd. and Maharashtra State Electricity Distribution Company Limited seeking declaration that change in Goods and Services Tax from 5% to 12% and 13.8%, respectively w.e.f. 01.10.2021 by way of GST Amendment Notifications dated 30.09.2021 and 14.10.2021, qualifies as a 'Change in Law' event under Article 9 of the PPA and consequently, directions to MSEDCL to compensate the Petitioner towards additional expenditure incurred on account of the 'Change in Law' event along with carrying cost.

1. I am directed to communicate that e-Hearing in this matter is scheduled on, **Friday, 25th October, 2024 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 **Tuesday, the 6th day of August, 2024.**

Sd/-
(R. S. Sonawane)
Dy. Director (Legal)

Avaada MH Sustainable Private Limited,
406, Hubtown Solaris,
N.S. Phadke Marg,
Andheri (East) Mumbai - 400069.
E-mail: - ashish.bhardwaj@avaada.com / disha.purwar@avaada.com
Shubham.mudgil@trilegal.com / Abhishek.kumar@trilegal.com

Petitioner

The Chief Engineer,
Maharashtra State Electricity Distribution Company Ltd (MSEDCL)
Plot No. G-9, Prakashgad, 5th Floor, Station Road,
Bandra (East), Mumbai – 400051
E-mail: - setrcmsedcl@gmail.com / cecommho@gmail.com /
ceppmsedcl@gmail.com / ceremsedcl@gmail.com