

**Before the  
MAHARASHTRA ELECTRICITY REGULATORY COMMISSION  
World Trade Centre, Centre No.1, 13th Floor, Cuffe Parade, Mumbai 400005.  
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**Case No. 151 of 2011**

**Dated: 27 June, 2012**

**CORAM: Shri V. P. Raja, Chairman  
Shri Vijay L. Sonavane, Member**

**In the matter of:**

Reliance Infrastructure Ltd ..... Petitioner (s)

V/s

Tata Power Company Ltd. .... Respondent(s)

Advocate/ Representative for the Petitioner (s): Shri J. J. Bhatt (Adv.)

Advocate/ Representative for the Respondent (s): Shri Sitesh Mukherjee (Adv.)  
Shri V.H. Wagle (Rep.)  
Shri M. Shenbagan (Rep)

Additional Consumer Representative (s): 1. Shri Rakshapal Abrol (in Person)  
2. Shri N. Ponrathnam (in Person)

**Daily Order**

Heard the Advocate of the Petitioner, Advocate and the Representative of the Respondent, and the Consumer Representatives in person, present in the Court.

It is directed as follows:

1. The Respondent, TPC-D to serve a copy of the presentation made during the hearing to the Petitioner, Interveners and the Consumer Representatives in this matter.
2. TPC-D to submit scheme-wise details of all capex schemes undertaken in the 'Common Area' of supply of TPC-D and RInfra-D, from September 2009 till date, along with the details of date of Commission's approval for the capex scheme. Details to be provided for both, DPR and non-DPR schemes.
3. TPC-D to clarify whether there is any Ward/area in the 'Common Area' of supply of TPC-D and RInfra-D, where the distribution network of TPC-D is fully/almost fully established, and supply using TPC-D's own network can be given to consumers on demand or within the time-line defined under the EA 2003 and MERC SOP Regulations?
4. TPC-D to identify the areas where duplicate/parallel network has already been established
5. TPC-D to segregate any capex schemes undertaken in the 'Common Area' of supply of TPC-D and RInfra-D, from September 2009 till date, that have not been approved by the Commission.

6. TPC-D and RInfra-D to submit the geographical mapping of change-over consumers, so that clusters, if any, where the population of changeover consumers is more concentrated, can be identified.
7. TPC-D to submit scheme-wise details of all capex schemes proposed to be undertaken in the 'Common Area' of supply of TPC-D and RInfra-D, from FY 2012-13 to FY 2015-16, along with details of date of Commission's approval for the capex scheme. (Separately for the period from April 1, 2012 to August 14, 2014 and onwards)
8. TPC-D to provide data on how many change-over applications rejected at the Application stage itself (out of the total Applications received), since, data on the same has not been submitted in the Audit Report submitted by TPC-D
  - a. Total Applications received
  - b. Applications rejected at Application stage itself, with reasons for rejection
  - c. Whether any Applications have been rejected in Wards/areas where TPC-D's distribution network is already well-established?
9. Audit Report submitted by TPC-D has confirmed that TPC-D has been insisting on mandatory submission of the following documents for processing change-over Applications:
  - a. PAN Card details
  - b. Cheque Details
  - c. Mobile number

The same issue was agitated during the Public Hearing on TPC-D's MYT Business Plan Petition also. At that time, TPC-D replied that these documents were not mandatory, and other documents could also be submitted. In this regard, TPC-D should justify asking for such documents on a mandatory basis, vis-a-vis the Supply Code Regulations.

10. The Petitioner, RInfra-D to submit details of net financial loss incurred by RInfra-D on account of changeover separately for FY 2009-10, FY 2010-11, and FY 2011-12, by considering inter-alia, the following heads:
  - a. Reduction in sales (in MU) due to change-over
  - b. Reduction in sales revenue (Rs. crore) due to change-over
  - c. Loss of cross-subsidy due to changeover
  - d. Increase in category-wise sales, with clear distinction between subsidised category and subsidising category, on account of normal growth in sales
  - e. Reduction in power purchase cost due to migration of consumers
  - f. Income received through Wheeling Charges
  - g. Income received through Cross-subsidy surcharge
  - h. Any other item, to be explained

**Post the matter for further hearing on Friday, 3 August, 2012 at 12.30 hrs.** All the aforesaid submissions are to be made before 20 July, 2012.

Sd/-  
**(Vijay L. Sonavane)**  
Member

Sd/-  
**(V. P. Raja)**  
Chairman