

**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@mercindia.org.in
Website: www.mercindia.org.in**

Case No. 24 of 2012

Dated: August 09, 2012

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

**In the matter of:
Case 24 of 2012**

The Mula Pravara Electric Co-Operative Society Ltd., (MPECS)
Shrirampur,
Dist. Ahmednagar Petitioner

Maharashtra State Electricity Distribution Co. Ltd. (MSEDCL)
Prakashgad, Bandra (East),
Mumbai 400 051.Respondent

Advocate/ Representative for MPECS: Shri. Shaunak J. Thacker (Advocate)
 Shri. Bhavesh V. Panjuani (Advocate)
 Shri. Gunjan Jaikar (Advocate)
 Shri. Rakesh Mandark (Advocate)
 Ms. Hetal Bhatt (Advocate)

Advocate/ Representative for MSEDCL: Shri. Kiran Gandhi (Advocate)
 Shri. C.A. Gadre, G.M. (Comm) (Representative)

Daily Order

Heard the Advocates of the Petitioner and the Respondent.

At the outset, it was enquired from both the parties whether they have the agreed Minutes of the Meeting (Revised) held on April 4, 2012 at Vidhan Bhavan, Mumbai, chaired by Hon'ble Deputy Chief Minister of the State of Maharashtra and attended by top officials from State Government, MSEDCL and MPECS.

It was also enquired from MPECS about their views in the matter of licence application in view of the Minutes of Meeting (Revised) held on April 4, 2012. The Advocate of MPECS requested to fix the charges to be paid by MSEDCL to MPECS in Case No. 24 of 2012 first. MPECS would decide whether to continue with the licence application or not after these charges are decided by the Commission.

The Advocate for MSEDCL raised issues on maintainability and that the charges should be decided by the Commission after offsetting MSEDCL's claim on MPECS.

Both the parties are directed to make an Affidavit mentioning whether the Proceedings in Case No. 85 of 2010 and 87 of 2010 should be kept in abeyance until any decision is taken in Case No. 24 of 2012.

It was suggested that MPECS should decide on the matter of licence application upfront as the Commission is bound by the time limit given by Hon'ble Appellate Tribunal of Electricity.

MSEDCL is directed to file an Affidavit submitting their correspondence with various consultants on the valuation of assets along with the replies received. In case there are no replies received by MSEDCL, the same should be mentioned. MSEDCL should also file a revised affidavit indicating their position subsequent to the meeting taken by Hon'ble chief Minister.

MPECS is directed to submit their Audited Annual Accounts for the last three years and submit in writing that why and how their methodology of valuation and determining wheeling charges can be accepted.

All written submissions should be completed by both the parties latest by August 23, 2012.

Rejoinders on these submissions should be filed latest by August 30, 2012 by both the parties.

Post the matter for further hearing on September 05, 2012 at 1100 Hrs

Sd/-
(Vijay L. Sonavane)
Member

Sd/-
(V. P. Raja)
Chairman