

**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. 68 of 2012

Dated: 20 February, 2013 at 10:30 hrs.

CORAM: Shri V. P. Raja, Chairman

In the matter of:

Adani Power Maharashtra LimitedPetitioner

V/s

Maharashtra State Electricity Distribution Company LimitedRespondent

Advocates/Representatives of the Petitioner:

Shri Sanjay Sen (Advocate)

Shri.Jatin Jalundhwala, APML

Shri. Jinesh Langalia, APML

Ms. Rhia Marshall

Advocates/Representatives of the

Shri Chirag Balsara (Advocate)

Respondent:

Shri Kiran Gandhi (Advocate)

Shri.A.S.Chavan , CE(PP), MSEDCL

Daily Order

Subsequent to the hearing held in the matter on 13th February, 2013, vide letter dated 19 February, 2013 a request has been made to the Commission to allow the Petitioner to mention on 20 February, 2013 at 10.30 hours the Interim Application filed on 12 February, 2013 . The interim application filed by the Petitioner contains the following prayers:

“i) to direct the Respondent to procure the power at the mutually agreed tariff or such other tariff as this Hon’ble Commission may deem fit in the facts and circumstances of the present case till the time and subject to final disposal of the main petition;

ii) Any other or further relief(s) which the Hon’ble Commission may deem fit may be passed.”

Accordingly, on mentioning, the matter was taken up on an urgent basis in a Chamber hearing at 10.30 hrs., where both the parties were heard. The Petitioner informed that Unit No.2 has been synchronised on January 2013 to the Grid and Unit No. 3 is likely to get synchronised. Therefore, as an interim arrangement, without prejudice to its rights in Case No. 68 of 2012, the Petitioner stated that they are willing to supply power to MSEDCL at Levelised tariff of Rs.2.64/kWh based on the terms and conditions provided in the PPA.

In view of existing circumstances under which MSEDCL is in shortage of Power from approved sources i.e. Parli Power Plant (shut down due to shortage of water supply) and RGGPL & Uran Power Plant (lower power generation due to shortage of gas), the interim arrangement as proposed by the Petitioner, is justified and for the benefit of consumers. Further, under the interim arrangement, the Petitioner has agreed to supply the power at a levelled rate of Rs. 2.64/kWh as per PPA.

Therefore, the Commission approves the supply of power at Levelled Tariff of Rs. 2.64/kWh based on the terms and conditions provided in the PPA as an ad interim measure till the Interim Application dated 12 February, 2013 is heard by the Commission and subject to further orders.

This is without prejudice to the rights of both the parties in Case No. 68 of 2012.

Post the Interim Application dated 12 February 2013 filed by the Petitioner for hearing on 3 April 2013.

Sd/-
(V. P. Raja)
Chairman