

Before the
MAHARASHTRA ELECTRICITY REGULATORY COMMISSION
World Trade Centre, Centre No.1, 13th Floor, Cuffe Parade, Mumbai 400005.
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Case No. 68 of 2012

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Misc Application No 04 of 2013 in Case No. 68 of 2012

Dated: 31 May, 2013

CORAM: **Shri V. P. Raja, Chairman**
 Smt. Chandra Iyengar, Member

In the matter of:

Adani Power Maharashtra Limited

.....Petitioner

V/s

Maharashtra State Electricity Distribution
Co. limited

.....Respondent

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|---|---|---|
| Advocates / Representative for the Petitioner (s) | : | Shri Sanjay Sen. (Adv) |
| Advocates / Representative for the Respondent (s) | : | Shri. Chirag Balsara (Adv) Shri Kiran Gandhi (Adv) |
| Consumer Representative (s) | : | Shri Srihari Dukkipati (Prayas Energy Group) Shri. Ashok Pendse (Thane Belapur Industries Association) |

Daily Order

Heard the Advocates for the Petitioner, the Respondents and the Consumer representatives.

APML to continue supplying power at Levellised Tariff of Rs. 2.64/kWh based on the terms and conditions provided in the PPA as an ad interim measure (as directed in Daily Order dated 20 February, 2013) till the final disposal of the present matter.

The Petitioner is directed to submit the following;

1. Note on the phasing and fuel planning of Tiroda Thermal power plant at the conceptualisation stage and whether coal block was initially allotted for 1000 MW Capacity. What was the unit configuration proposed at the conceptualisation stage?
2. The chart indicating Unit-wise coal allocation and off-take for all the five (5) Units and their supporting documents.
3. Whether the Petitioner has followed all the procedure specified in the relevant Clauses of PPA regarding termination of PPA as claimed by the Petitioner.
4. Whether additional Performance Bank Guarantee is provided for meeting condition subsequent in the PPA
5. Documents establishing that the procedures under Article 12.5 of PPA have been complied.
6. Whether Ministry of Environment & Forest put any conditions while recommending to MoC regarding the allocation of alternate coal block.
7. Any response from MoC not accepting the request for allocation of alternate coal block.

MSEDCL is directed to submit that whether all procedures specified in the PPA are followed by the Petitioner and Respondent for alleged termination of PPA. The Respondent (MSEDCL) to file written arguments along with the opinion of Advocate General, within a week.

Post the matter for further hearing on 10 & 11 June, 2013 at 11:00 Hrs.

Sd/-
(Chandra Iyengar)
Member

Sd/-
(V. P. Raja)
Chairman