

Before the
MAHARASHTRA ELECTRICITY REGULATORY COMMISSION
World Trade Centre, Centre No.1, 13th Floor, Cuffe Parade, Mumbai 400005.
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Case No. 105 of 2012

Dated: 02 July 2013

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

In the matter of:

M/s. Lanco Teesta Hydro Power Pvt. Ltd. ... Petitioner

V/S

MSEDCL ...Respondent

Advocate/ Representative for the Petitioner: Shri. Ramanuj Kumar,(Adv)
Shri. Gyan Bhadra Kumar

Advocate/ Representative for the Respondent: Ms. Deepa Chavan, (Adv).

Daily Order

Heard Advocates / Representatives of Petitioner and Respondent.

MSEDCL stated that they are keen to procure 500 MW power from the Teesta Hydro Project at Sikkim and Lanco stated that they are keen to sell the Hydro Power to MSEDCL. The dispute as per the Petitioner is that the Tariff as fixed earlier has become unworkable in view of the time and cost overruns. Both parties have been directed to look into following:

1. What were the Circumstances under which, MSEDCL filed a Petition way back in 2006 for fixation of Tariff under section 62 of Electricity Act 2003? (Normally it is the Generation Company which files a Petition U/s 62 of EA, 2003)
2. Para 6 in the Petition needs elaboration and more clarification.
3. How was the allocation of risk to be handled during negotiations between the parties in 2006?

4. In view of tragic disaster that took place at Uttarakhand, is there any necessity to have a second look on issues related to Himalayan Geology? Will that have an impact on Cost of this Project?
5. Petitioner may want to have a rework at the Petition he has filed and consider if any amendment / fresh Petition is needed?
6. Petitioner and Respondent are directed to prepare the Chronology of event from the signing of PPA.

Post the matter for further hearing on Tuesday, 30 July 2013 at 12.30 PM

Sd/-
(Vijay L. Sonavane)
Member

Sd/-
(V. P. Raja)
Chairman