

Before the
MAHARASHTRA ELECTRICITY REGULATORY COMMISSION
World Trade Centre, Centre No.1, 13th Floor, Cuffe Parade, Mumbai 400005
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Case No. 144 of 2014

Dated- 10 February, 2015

CORAM: Smt. Chandra Iyengar, Chairperson
Shri. Azeez M. Khan, Member
Shri. Deepak Lad, Member

In the matter of: Petition under Section 86(1)(f) of Electricity Act, 2003 seeking extension of Scheduled Commercial Operation Date for actual delay or 11 months, and further seeking refund of the Liquidated Damages, wrongfully deducted from the March 2014 Monthly Invoice, by the Respondent.

Adani Power Maharashtra Limited (APML)Petitioner

Maharashtra State Electricity Distribution Co. Ltd. (MSEDCL)Respondent

Advocate / Representative for the Petitioner: Shri. Kandarp Patel (Adv.)

Advocate / Representative for the Respondent Smt. Deepa Chawan (Adv.)

Daily Order

Heard the Advocates of Petitioner and Respondent.

The Petitioner is directed to submit the methodology adopted by APML to overcome the problem of visa to Chinese labour pursuant to Ministry of External Affairs, GoI circular and details of activities for which EPC contractor is replaced, along with date of contract and start date of respective project activity. APML should also submit supporting documents in this regard. APML should also reply to the MSEDCL submission dated 9 February, 2015.

Both parties are further directed to submit the justification and break-up of month-wise delay allowed for following events:

- a) Chinese visa problem for period from August 2009 to December 2009 as per MEA Notification dated July 31, 2009 and CERC judgment in this regard.
- b) Actual Chinese labour at site and award of contract to Indian EPC contractors from January, 2010 to June, 2010 as per MEA Notification dated December 22, 2009
- c) Offer of alternate power supply arrangement from Unit 1, Tiroda, APML and reason for rejection of offer.

The Case is reserved for Order.

Sd/-
(Deepak Lad)
Member

Sd/-
(Azeez M. Khan)
Member

Sd/-
(Chandra Iyengar)
Chairperson