

Before the
MAHARASHTRA ELECTRICITY REGULATORY COMMISSION
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Case No. 205 of 2014

In the matter of

Petition of M/s Bajaj Finserv Limited against MSEDCL for noncompliance of the Commission's Order dated 20 August, 2014 in Case No. 106 of 2014, Wind Power Tariff Order dated 24 November, 2003 and Order dated 3 January, 2013 in Case No. 59 of 2012.

M/s Bajaj Finserv Limited

.....Petitioner

V/s

Maharashtra State Distribution Company Limited

.....Respondent

Dated: 24 February, 2015

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

Appearance

For the Petitioner : Shri S. P. Shinde

For the Respondent : Ms. Deepa Chawan, Counsel

Daily Order

Heard the Representative of the Petitioner and Respondent.

The Petitioner submitted that it has applied to MSEDCL for grant of open access on 30 January, 2014 in respect of 7 projects alongwith consumer consent with effect from 1 April, 2014. In response MSEDCL has replied on 27 May, 2014 granting approval of open access for only 2 projects for supplying energy to consumer M/s Mukand Ltd where Special Energy Meters (SEMs) were already installed. Approvals for 5 projects were held up for want of replacement of consumers existing meters by SEMs even though undertaking was given to MSEDCL that SEMs installations was in progress since the replacement of metering come under purview of MSEDCL. It is further submitted by

Petitioner that during pendency of the Petition filed by him in Case No. 106 of 2014 of which the Order is passed by the Commission on 20 August, 2014, MSEDCL issued open access permission for remaining 5 projects prospectively from 1 June, 2014. Hence, Petitioner suffered the loss on account of generation of 72, 70,092 units from the 5 projects had the permission been granted from 1st April, 2014.

The Petitioner contended that installation of SEMs falls under the purview of MSEDCL and it has to take steps for replacement of these meters. The Petitioner prayed that MSEDCL may be directed to account for loss of generation for the months of April and May 2014.

The Respondent (MSEDCL) submitted that as per Regulation 7 of MERC (Distribution Open Access) Regulations, 2005 it is mandatory for OA consumers to install SEMs at generation end as well as at consumption end. The same is confirmed by Commission in its Order dated 3 January, 2013. Therefore, there is no violation or contravention of the MERC Orders whatsoever on the part of the Respondent.

In view of above, the Commission has directed MSEDCL to submit the chronology of steps taken on the application of consumers for installation of SEMs, on affidavit, by Tuesday, 3 March, 2015. Petitioner is directed to file its rejoinder by Friday, 6 March, 2015, if any.

Case is reserved for Order.

Sd/-

**(Deepak Lad)
Member**

Sd/-

**(Azeez M. Khan)
Member**

Sd/-

**(Chandra Iyengar)
Chairperson**