

**Before the
MAHARASHTRA ELECTRICITY REGULATORY COMMISSION
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Case No. 182 of 2014

Dated: 30 July, 2015

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

**In the matter of
Petition of The Tata Power Company Ltd. for Approval of Revised Network Rollout
Plan in compliance to the direction of the Hon'ble Commission in Case No. 90 of 2014.**

The Tata Power Company Ltd.(TPC)Petitioner

V/s.

Reliance Infrastructure Ltd. (RInfra)Respondents
BEST undertaking

Representative for the Petitioner:	Shri. Amit Kapoor (Advocate) Shri. Ashok Sethi (Rep.) Shri. Bhaskar Sarkar (Rep.)
Representative for the Respondent (RInfra):	Shri. J. J. Bhat (Advocate)
Representative for the Respondent (BEST):	Shri. Harindar Toor (Advocate)
Consumer Representative:	Shri. Ashok Pendse, TBIA

Daily Order

Heard the representatives of the Petitioner, Respondents and Authorized Consumer Representative.

The Petitioner highlighted the background of the Petition and elaborated the directives provided in the ATE Judgment dated 28 November, 2014 issued in Appeal Nos. 229 of 2012 and 246 of 2014. TPC further suggested that parties to the present matter can discuss amongst themselves and minimize the differences of opinion on interpretation and implementation of ATE Judgment.

RInfra contended that the network rollout plan submitted by TPC is not adequate and does not cover important aspects such as improvement in the network reliability, physical constraints, high cost involved etc. RInfra further submitted that TPC needs to furnish additional details with area wise expansion and details of reliability in the existing network. RInfra also suggested that the other two Petitions filed by TPC (Case No. 40 of 2015 - Petition for approval of switchover protocol and Case No. 50 of 2015–Petition for approval of capitalizing of ongoing capital works) should also be heard alongwith the present Petition. RInfra also submitted that the Commission may take a view on the amendment of Distribution Licence conditions of TPC and, if required, initiate the process of amendment of License alongwith present proceedings.

BEST Undertaking submitted that network rollout plan submitted by TPC does not provide details of proposed network in BEST's area of supply, and also that it is not complying with principles set out in the APTEL's Judgment.

The Commission suggested that the parties should sit together for better information exchange and minimize the issues of contention. TPC and RInfra have agreed to share the information available in public domain.

Dr. Ashok Pendse from Thane Belapur Industries Association, Authorised Consumer Representative, raised the issue about inconsistency in the data projected in the present Petition as against the Petition for PPA approval (Case No. 65 of 2015).

The Commission observed that the APTEL in its Judgment dated 28 November, 2014 has prescribed the guiding principles for approval of network rollout plan and process of change over and switchover. These principles need to be taken into consideration while proceeding in the present matters.

The Commission observed that the present Petition which has been filed for approval of network rollout plan does not contain the geographical map indicating existing network and proposed network. The Commission also noticed other shortfalls such as no linkage in network rollout and capex phasing, no distinction between BEST's area and RInfra's area of supply, etc.

In view of the above the Commission directs TPC to submit the following:-

- i. Detailed geographical plan indicating existing and proposed network
- ii. Explain how its proposed network rollout plan satisfies the various principles provided in paragraph 58 to 61 of ATE Judgment and previous Orders of this Commission.
- iii. Provide distinction, wherever necessary, for the area served by RInfra and area served by BEST.
- iv. Reconcile the figures provided in year wise network rollout and year wise capex phasing.

- v. Clarify load projection of 1385 MW, potential load of 1065 MW and load booked of 744 MW considered in network rollout plan. Also separate out the details for RInfra and BEST's area of supply in this respect.
- vi. Update the Petition to reflect the new statistics.
- vii. Make necessary modifications in the Petition to address the concerns raised by the Commission in its Order dated 14 August, 2014 in Case No. 90 of 2014 as well as issues addressed in ATE Judgment.
- viii. Submit its response on the preliminary submissions filed by RInfra

The Commission directs TPC to file its submission by 5 August, 2015 with copy served on all the parties. RInfra and BEST is directed to file its submission by 10 August, 2015 with copy served on all the parties.

The decision on the issue of impleading MSEDCL in the present matter will be taken after submission of revised network rollout plan by TPC in compliance of above observations and directives.

Post the matter for further hearing on Wednesday, 12 August 2015 at 11.30 AM.

Sd/-
(Deepak Lad)
Member

Sd/-
(Azeez M. Khan)
Member

Sd/-
(Chandra Iyengar)
Chairperson