

**Before the
MAHARASHTRA ELECTRICITY REGULATORY COMMISSION
World Trade Centre, Centre No.1, 13th Floor, Cuffe Parade, Mumbai 400005
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Case No. 14 of 2015

Dated: 11 August, 2015

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

In the matter of

Petition of M/s 1) Arvind Cotsyn (India) Limited, 2) Arvind Dyeing & Bleaching Mills Pvt. Ltd. & 3) Arvind Finlease Pvt. Ltd. (Through Udhistir Varma – Authorised Representative for all the Petitioners) under affidavit on 08.01.2015, under Sections 42, 142 and 146 of the Electricity Act, 2003, for improper reduction of Period of Open Access & regarding purchase of Surplus Units & for Re – Assessment of Credit of Units given by MSEDCL.

1. Arvind Cotsyn (India) Limited.
2. Arvind Dyeing & Bleaching Mills Pvt. Ltd.
3. Arvind Finlease Pvt. Ltd. ... Petitioners

V/s

1. Maharashtra State Electricity Distribution Company Limited (MSEDCL) ... Respondent

For the Petitioner : 1. S.C Karandikar (Petitioners Advocate)
2. Y.R Varma (Petitioner)

For the Respondent : 1. Deepa Chawan (Counsel)
2. Shri. D.H.Kulkarni (Rep.), MSEDCL

Daily Order

Heard the Representative of Petitioners and Respondent.

Petitioners submitted that Respondent vide letter dated 06 August, 2013 had informed that, it is mandatory to install Special Energy Meter (SEM) at injection & drawal point as per Order dated 03 January, 2013 so as to avail Open Access. In response, Petitioner vide letter dated 16 August, 2013 requested respondent to install SEM at Petitioner's Cost. It is further submitted that Respondent installed SEM's at WTG injection point in August 2013 whereas the same is not installed at the consumer end. Petitioners also submitted that no payment has been received towards 10% of surplus energy injected in the grid during FY 2011-12 to 2013-14.

Respondent submitted that as per Regulation 7 of MERC (Distribution Open Access) Regulations, 2005 it is mandatory for Open Access 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. Respondent also submitted that it had purchased 500 SEM's in FY 2010-11 and installed these meters before January 2013. Hence the SEM's could not be installed at drawal point of the Petitioner on his request in August, 2013.

In response to the issue related to payment toward 10% of surplus energy, Respondent submitted that earlier Commission's Order was challenged before ATE vide Appeal No. 59 of 2013. The ATE vide its Order dated 01 August 2014 upheld the Commission's Order of providing the banking facility to wind generators. Respondent further submitted that it will soon release the payment toward 10% of surplus energy.

In view of above, the Commission has directed Respondent to submit the following information within two weeks on affidavit;

- 1) To submit the chronology of steps taken for installation of SEMs.
- 2) To submit the reasons for delay in response to the Petitioner's Open Access application.
- 3) To submit circular regarding SEM installation related issues, if any.
- 4) To submit time frame for installation of SEM after receipt of request from Open Access Consumer.
- 5) To submit reasons for delay in issuing clarification regarding availability of SEM meters.
- 6) To submit reply and action taken on issue raised by Petitioners for providing laptop with software by the Consumers for installation of SEM.

Petitioner is directed to file its rejoinder within a week after the reply is submitted by Respondent.

Date of further Hearing will be communicated to the parties by the Secretariat of the Commission.

Sd/-
(Deepak Lad)
Member

Sd/-
(Azeez M. Khan)
Member

Sd/-
(Chandra Iyengar)
Chairperson