

Before the
MAHARASHTRA ELECTRICITY REGULATORY COMMISSION
World Trade Centre, Centre No.1, 13th Floor, Cuffe Parade, Mumbai 400005
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Case No. 44 of 2014

Dated: 27 August, 2015

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

In the matter of:

Petition of M/s Green Energy Association for seeking direction against MSEDCL to comply with provisions of the Electricity Act, 2003 and MERC (Distribution Open Access) Regulations, 2005 and issue Open Access permissions to the members of the Petitioner.

Petitioner	: M/s Green Energy Association
Respondents	: MSEDCL -----Respondent No. 1 MEDA -----Respondent No. 2
Representatives for the Petitioner	: Ms. Dipali Sheth, (Adv.)
Representatives for the Respondents	: Ms. Deepa Chawan, Counsel for MSEDCL Shri S.R. Patil, MEDA (Rep.)

Daily Order

Heard the Advocates and Representatives of Petitioner and Respondents.

Petitioner has submitted that the ATE, in its Judgment dated 22 April, 2015, directed the Commission to pass consequential Order regarding adjustment of energy injected by the members of Petitioner till the notification of MERC (Distribution Open Access) Regulations, 2014.

Petitioner informed the Commission that ATE, vide Order dated 20 August, 2015 extended the time to issue consequential order till 30th September, 2015. Petitioner further submitted that, till

date MSEDCL has not given credit adjustment of energy injected by members of Petitioner during FY 2013-14.

The Advocate of MSEDCL submitted that it has challenged the Judgment of the ATE dated 22 April, 2015 in Appeal No. 169 of 2014 before the Supreme Court in Civil Appeal No. 5708 of 2015. Supreme Court vide Order dated 3 August, 2015 directed to issue Notice. MSEDCL has also filed Interim Application before Supreme Court to stay the Judgment of the ATE, however no stay has been granted by the Supreme Court.

In view of the above, the Commission has directed MSEDCL, without prejudice to the Judgment of Supreme Court, to adjust energy injected by the members of the petitioner within seven (7) days and submit the report to the Commission within five working days subsequently.

The Case is reserved for Order.

Sd/-
(Deepak Lad)
Member

Sd/-
(Azeez M. Khan)
Member

Sd/-
(Chandra Iyengar)
Chairperson