

**Before the**  
**MAHARASHTRA ELECTRICITY REGULATORY COMMISSION**  
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**Case No. 220 of 2014**

**Date: 3 September, 2015**

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

**Addendum Petition of M/s Lloyds Metal & Energy Ltd. with revised prayers to the Petition filed in Case No. 56 of 2011, under Section 62 (1) (a) and 86 (1) (e) of the Electricity Act 2003 for determination of tariff for supply of electricity from Industrial waste heat recovery co-generation Power plant of 30 MW capacity at Ghugus, Dist Chandrapur of Maharashtra to the Distribution licensee in Maharashtra and fixation of purchase obligation for electricity produced from waste heat recovery based Co-generation plants.**

M/s. Lloyds Metals & Energy Ltd. (LMEL) .....Petitioner

Maharashtra State Electricity Distribution Company Ltd. (MSEDCL) ....Respondent No. 1

Reliance Infrastructure- Distribution- (R-Infra-D) ....Respondent No. 2

The Tata Power Company Ltd –Distribution (TPC-D) ....Respondent No. 3

BEST undertaking (BEST) ....Respondent No. 4

**Present During the hearing**

For the Petitioner : Smt. Deepa Chawan, Counsel, LMEL

For the Respondents : 1. Shri Ashish Singh, (Adv), MSEDCL  
2. Smt. Swati Mehendale, (Rep.), TPC-D  
3. Shri Bilal Shaikh, (Rep.) BEST

For the Consumers : Shri Ashok Pendse, (Rep), TBIA

**Daily Order**

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

The Petitioner reiterated the submissions in the Petition and requested to admit the Petition.

The Petitioner submitted that as per Para. 33 of the ATE Judgment dated 2 December, 2013 in Appeal No. 53 of 2012, ATE had held that State Commission could promote the fossil fuel based Co-generation by any other measures such as facilitate sale of electricity from such sources, grid

connectivity etc. The Petitioner further submitted that the scope of the directives of above said ATE Judgement is wide and the Commission may look beyond the prayers of the Petitioner for promotion of Co-generation.

The Commission asked the Petitioner as to why the instant Petition is treated as addendum to the Petition in earlier Case No. 56 of 2011 since the prayers are entirely different. In reply, the Petitioner mentioned that the earlier Petition in Case No. 56 of 2011 would be withdrawn.

The Respondent, MSEDCL, opposed the admission of the Petition limited to the extent of prayers made by the Petitioner regarding concessional CSS and wheeling charges. MSEDCL, further submitted that there could be a policy for promotion of Co-generation.

In view of the above, the Commission directed the Petitioner, to submit its amended Petition with revised prayers in light of Para. 33 of the ATE Judgment dated 2 December, 2013 in Appeal No. 53 of 2012.

Petitioner shall submit its amended Petition with revised prayers along with submission on the issue of admission of the Petition within 10 days with copy to all Respondents. Respondents shall submit their replies within a week's time thereafter.

**Based on above submissions the issue of admissibility of the Petition will be decided. Subsequently, the Secretariat of the Commission will communicate next date of hearing in the matter.**

Sd/-  
**(Deepak Lad)**  
**Member**

Sd/-  
**(Azeez M. Khan)**  
**Member**

Sd/-  
**(Chandra Iyengar)**  
**Chairperson**