

**Before the
MAHARASHTRA ELECTRICITY REGULATORY COMMISSION
World Trade Centre, Centre No.1, 13th Floor, Cuffe Parade, Mumbai 400005
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Email: mercindia@merc.gov.in
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Case No. 182 of 2014

Dated: 8 September, 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.)
Shri. Chintamani Chitnis (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 and Respondents.

TPC made a presentation highlighting different scenarios of releasing the connections to new and existing consumers based on availability and reliability of the distribution network of parallel licensees. TPC further presented the comparative study of reliability and loading of TPC's and RInfra's network. As the presentation requires some modification/ clarification, TPC assured that they will submit the modified presentation within a week.

TPC has clarified that proposed network roll out plan is prepared based on the projected consumer demand and reliability aspect is yet to be factored in. The Commission directed TPC to submit its plan for improving reliability of distribution network.

TPC submitted that it has tendered its proposal to BEST for utilizing BEST's network on payment of charges for supplying power to their consumers. However, it has not received any response from BEST. The Commission directed BEST to submit its say on TPC's proposal of sharing of network before next hearing with copies served on all the parties

Both TPC and RInfra presented their views on the interpretation of ATE Judgment in Appeal No. 246 of 2012. RInfra, inter alia, contended that as per ATE Judgment, choice of supply is available to the existing consumers, however option of choosing the network is not available. TPC stated that such interpretation would be against competition and consumer's choice.

The Commission directs TPC to file its further submission within one week with copies served on all the parties. RInfra is directed to file its rejoinder within one week after receipt of TPC's submission with copies served on all the parties.

Post the matter for further hearing on Tuesday, 22 September, 2015 at 11.30 AM.

Sd/-
(Deepak Lad)
Member

Sd/-
(Azeez M. Khan)
Member

Sd/-
(Chandra Iyengar)
Chairperson