

**Before the  
MAHARASHTRA ELECTRICITY REGULATORY COMMISSION  
World Trade Centre, Centre No.1, 13th Floor, Cuffe Parade, Mumbai 400005  
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**Case No. 23 of 2015**

**In the matter of**

**Petition of M/s. Classic Citi Investments Pvt. Ltd. for directing MSEDCL to issue Open Access approval in accordance with MERC (Distribution Open Access) Regulations, 2005 as amended and modified for Renewable Energy from time to time & directives vide Order dated 24 November, 2003 and various Orders of the Commission from time to time on wind energy and Open Access.**

**Dated: 15 October, 2015**

**CORAM**

**Shri Azeez M. Khan, Member  
Shri Deepak Lad, Member**

M/s. Classic Citi Investments Pvt. Ltd. ...Petitioner

V/s

Maharashtra State Electricity Distribution Co. Ltd. (MSEDCL) ...Respondent

Appearance

For the Petitioner : Shri N. M. Kumar, Representative

For the Respondent : Shri Harinder Toor, Advocate

Consumer Representative : Dr. Ashok Pendse, TBIA

**Daily Order**

The parties were informed of the Commission's decision to constitute a two member bench to hear and decide this case. Representative of the Petitioner and Advocate of the Respondent gave their consent to further hearing of the matter being in continuance of the earlier proceedings.

Heard the Representative of the Petitioner and Advocate of the Respondent.

Representative of the Petitioner contended that MSEDCL has not replied to applications filed on 12 March, 2014 for Open Access (OA) permission despite repeated follow ups. MSEDCL

does not have clear policies regarding installation of SEM for OA consumers. The letters filed on 5 December, 2014 by the Petitioner were reminders to the earlier applications filed on 12 March, 2014 and not the new applications as interpreted by MSEDCL.

Petitioner had availed OA for its Unit-II for past four years on the same terms and conditions, but MSEDCL cancelled the OA permission on grounds that it has Multi Party Agreement.

Advocate of MSEDCL submitted that, apart from disputed OA applications dated 12 March, 2014, Petitioner has applied separately for OA for its Units II and III to supply power from other Wind Generators which were granted by MSEDCL after installation of SEM. However, these facts are not disclosed by the Petitioner before the Commission. Petitioner was not eligible to avail OA for its Units till 5 December, 2014. The discrepancies in the applications were pointed out by MSEDCL from time to time to the Petitioner.

Petitioner had submitted OA applications again on 5 December 2014 after compliance of mandatory requirement of SEMs installation, and complied with discrepancies in applications on 16 February, 2015. Hence applications could have been considered for OA permission for March, 2015 only.

Advocate of MSEDCL stated that MSEDCL will issue a circular to resolve the difficulties in installation of SEM to the OA consumers.

**The case is reserved for Order.**

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

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