Before the MAHARASHTRA ELECTRICITY REGULATORY COMMISSION World Trade Centre, Centre No.1, 13th Floor, Cuffe Parade, Mumbai 400005 Tel. 022 22163964/65/69 Fax 22163976 Email: mercindia@merc.gov.in Website: <u>www.mercindia.org.in/ www.merc.gov.in</u>

Case No. 24 of 2012

Date: 20 October, 2015

<u>CORAM:</u> Shri Azeez M. Khan, Member Shri. Deepak Lad, Member

In the matter of

Implementation of the ATE Judgment dated 13 March, 2015 in Appeal No. 221 of 2014 filed by Mula Pravara challenging the Commission's Order dated 18 June, 2014 in Case No. 24 of 2012 regarding determination of charges payable pursuant to ATE Judgment dated 16 December, 2011 in Case No. 39 of 2011.

The Mula Pravara Electric Co-Operative Society Ltd. (MPECS) Petitioner		
Maharashtra State Electricity Distribution Co. Ltd. (MSEDCL)Respondent		
Present during the hearing		
Advocate/Representative for the Petitioner	:	Shri. Bhavesh V. Panjuani (Advocate) Shri. J.G. Karpe (Rep.)
Advocate/Representative for the Respondent	:	Smt. Deepa Chawan (Advocate) Shri. P.S. Rahangale (Rep.)

Daily Order

The parties were informed of the Commission's decision to constitute a two Member Bench to hear and decide this Case.

Advocate for the MSEDCL submitted that as the matter has been remanded back by ATE, the Case needs to begin afresh.

Advocate of MPECS submitted that:-

a. As a fallout of Apex Court's Order, they would like to know the exact amount deposited by MSEDCL with the Commission along with details of the interest component thereon.

Further, they would like to be informed in future the amount that would be deposited by MSEDCL.

- b. They have already submitted the asset register and ASCI report on MPECS' asset valuation to the Commission. They further submitted that ASCI is an independent agency which was once appointed by the Commission in their Case and would not like to share the valuation report of ASCI with MSEDCL.
- c. They would also like to know the name of the third party agency, if any, appointed by the Commission so that they may offer their views on it, if necessary.

Advocate of MSEDCL submitted that the copy of the asset register and the ASCI valuation report of MPECS should be provided to them. It was further submitted that any submission by MPECS before the Commission may kindly be shared with them.

The Commission opined that in order to maintain high degree of transparency, it is necessary to have seamless exchange of data between the parties and therefore directed MPECS to provide the copy of asset register and ASCI report to MSEDCL.

The Commission has appointed M/s. Alia Consulting Solutions Pvt. Ltd. as an external agency in pursuance of ATE Judgment for asset valuation of MPECS. The Commission directed both the parties to identify a Nodal Officer who will be one point contact for support and co-ordination with the agency appointed by the Commission. The details such as name, designation, Mobile No. and E-Mail ID shall be shared between the parties and also with the Commission.

The Commission further directs MSEDCL:-

- i. to ascertain and submit list of MPECS' assets being used and not used by it.
- ii. to provide MPECS the details of amount deposited by it with the Commission. Further, the amount that would be deposited by it with the Commission shall also be intimated to MPECS from time to time.

Further, both the parties are directed to suggest methodology for asset valuation with the necessary justification.

The Commission granted request of MPECS for two weeks time to furnish the details sought by the office of the Commission vide E-Mail dated 14 October, 2015.

The parties are directed to make their submissions within two weeks with copies served on all the parties.

Next date of hearing will be communicated by the Secretariat of the Commission.

Sd/-(Deepak Lad) Member Sd/-(Azeez M. Khan) Member