

**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. 197 of 2014**

**Date: 15 October, 2015**

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

**In the matter of  
Petition filed by M/s Sun N Sand Hotels Private Limited for seeking relief under clauses  
21(Power to remove difficulties), 22 (Savings) of the Distribution Open Access  
Regulations 2005 and 44.4 of the Distribution Open Access Regulations 2014.**

M/s. Sun N Sand Hotels Private Limited ... Petitioner

V/s

1. Reliance Infrastructure Limited (R-Infra)  
2. Maharashtra State Electricity Distribution Company Limited (MSEDCL)  
3. Maharashtra State Load Dispatch Centre (MSLDC) ... Respondents

**Present during the hearing**

For the Petitioner : Shri N.M.Kumar (Rep.)

For the Respondents : 1. Shri Ghanshyam Thakkar (Rep.), R-Infra  
2. Shri D.H.Kulkarni (Rep.), MSEDCL  
3. Shri A.P.Rewagad (Rep.), SLDC

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. The Parties gave their consent for proceeding further in the matter as being in continuation of earlier proceedings.

Heard the Representatives of the Petitioner, Respondents and Consumer Representative.

Petitioner accepted the submission of R-Infra and submitted that they have no any further grievance with respect to R-Infra and SLDC.

R-Infra submitted that it will give credit for April and May, 2014, in the subsequent month's bill, as and when Petitioner will submit GCN.

The Commission inquired with MSEDCL about the procedure for Open Access transaction involving multiple Distribution Licensees.

MSEDCL submitted that the Open Access in such cases has been granted only prospectively and not retrospectively. Since the Petitioner had applied for Open Access vide letter dated 21 May, 2014, the permission was granted from 1 June, 2014 to 31 March, 2015. MSEDCL further submitted that generally the consumer submits application for Open Access prior to the effective month of Open Access issuance.

**The Case is reserved for Order.**

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

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