

**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: www.mercindia.org.in / www. merc.gov.in**

Case No. 124 of 2015

Dated: 12 January, 2016

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

**In the matter of
Petition of M/s. NESCO Ltd seeking directions against Distribution Licensee under
Section 23 read with 163 of the Electricity Act, 2003 and allied provisions of the MERC
(Electricity Supply Code and Other Conditions of Supply) Regulations, 2005 and the
MERC (Standards of Performance of Distribution Licensees, Period for Giving Supply
and Determination of Compensation) Regulations, 2013.**

M/s. NESCO Ltd.

.....Petitioner

V/s.

Reliance Infrastructure Ltd. (R Infra-D)

.....Respondent(s)

The Tata Power Company Ltd. (TPC-D)

Representative for the Petitioner:

Adv. Ravi Prakash

Representative for the Respondent No.1:

Shri. Ghanashyam Thakkar

Representative for the Respondent No.2:

Smt. Swati Mehandale

Daily Order

Heard the Advocate of the Petitioner and representatives of the Respondents. Advocate of the Petitioner reiterated its submission in the Petition and sought directives for removal of all electrical equipment which were installed by R Infra-D for temporary power supply to its premises. In June 2015, the Petitioner obtained permanent connection from TPC and as such it does not require power supply from R Infra-D. A disconnection request had also been served, but R Infra-D has not yet disconnected the supply and continued to issue bills towards line and transformer losses.

Representative of R Infra-D made submission on maintainability of the Petition. He submitted that the Petitioner is a Consumer of R Infra-D. Proceeding under Section 135, 138 and 140 of EA, 2003 is pending before appropriate Court against the Petitioner. The present case is a dispute between consumer and Distribution Licensee; hence the appropriate forum for adjudication is IGRC/CGRF. Its network in Petitioner's premises is live and catering to three other consumers apart from the Petitioner.

The Commission enquired about details of Consumers fed by R Infra-D in Petitioner's premises along with complete network configuration. On query from the Commission about billing of line and transformer losses to the Petitioner, R Infra-D submitted that as metering is on HT side of the transformer, therefore such bills are issued.

The Commission directs Petitioner and R Infra-D to coordinate a joint visit of the installation and prepare actual supply network configuration including that of TPC-D. The said documents should be jointly signed by both the parties. The Commission further directs R Infra-D to file a detailed submission on merits of the Case by 20 January, 2016. Petitioner may file Rejoinder within a week thereafter, if any.

The Case is reserved for Order.

Sd/-
(Deepak Lad)
Member

Sd/-
(Azeez M. Khan)
Member