

**Before the
MAHARASHTRA ELECTRICITY REGULATORY COMMISSION
World Trade Centre, Centre No.1, 13th Floor, Cuffe Parade, Mumbai 400005
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Case No. 44 of 2015

Dated: 12 January, 2016

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

In the matter of

Petition of M/s. Awade Industries Private Limited under Sections 42, 142 & 146 of the Electricity Act, 2003 & Regulations 92 & 94 of the MERC (Conduct of Business) Regulations, 2004 for seeking relief on account of breach of the Commission's Orders dated 24 November, 2003 , 03 January, 2013 , provisions of Citizen Charter & provisions of MERC (Distribution Open Access Regulations) 2014.

M/s. Awade Industries Private LimitedPetitioner

V/s

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

Appearance

For the Petitioner: Shri S.C Karandikar (Advocate)

For the Respondent: Shri Ashish Singh (Advocate)
Shri R.K Chougule
Add. Executive Engineer, MSEDCL.

Daily Order

Heard the Advocates of the Petitioner and Respondent.

1. The Petitioner reiterated the issues raised in the Petition. Petitioner stated that it applied to avail Open Access on 11 February, 2014 for the period from 1 April, 2014 to 31March, 2015. MSEDCL has granted Open Access on 29 December, 2014 for the period from 20 November, 2014 to 31March, 2015 instead of from 1 April, 2014.
2. Advocate of MSEDCL stated that at the time of Application the Petitioner was not eligible to avail Open Access because of:

- i) Non installation of SEM at Consumer end which is mandatory as per Regulation 7 , read with Regulation 2(n) of MERC(Distribution Open Access)Regulations,2005;
 - ii) Non maintaining contract demand as per specified norms.
3. MSEDCL had communicated above deficiencies to the Petitioner vide letter dated 29 March, 2014.
 4. Further, MSEDCL stated that an issue raised by the Petitioner is the nature of billing dispute and jurisdiction lies with the Consumer Grievance Redressal Forum (CGRF).
 5. Petitioner submitted that it has asked MSEDCL to install SEM at the consumer's cost, but it was not done nor was there any response.

The Case is reserved for Order.

Sd/-
(Deepak Lad)
Member

Sd/-
(Azeez M. Khan)
Member