

**Before the  
MAHARASHTRA ELECTRICITY REGULATORY COMMISSION  
World Trade Centre, Centre No.1, 13th Floor, Cuffe Parade, Mumbai 400005  
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**Case No. 111 of 2015**

**Dated: 23 February, 2016**

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

**In the matter of Petition for Review of the Order dated 26 June 2015 passed by the Hon'ble Commission in Case No. 121 of 2014 and in the matter of applicability of Tariff to Pre Cooling and Cold Storage ( Ice & Cold Storage) for manufacturing of Ice, chilling, processing, freezing and storage of frozen fish and fish products.**

**(Case No. 111 of 2015)**

M/s Alps Ice and cold Storage Pvt. Ltd.

.....Petitioner

V/s.

Maharashtra State Electricity Distribution Co. Ltd. (MSEDCL)

.....Respondent

Representatives for the Petitioner:

Shri H.B.Tripathi

Representative for the Respondent:

Adv. Ashish Singh

**Daily Order**

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

The Petitioner submitted that it is in the business of processing of marine products. Land allocated to the Petitioner's unit is for the purpose of setting up cold storage. Perishable

products are processed under cold environment; hence complete plant is treated as cold storage and accordingly being billed as cold storage since 2006. However, the Commission in its Order dated 26 June, 2015 has clubbed sea food processing units with fisheries. Fishery is different from integrated sea food processing units. MSEDCL has started denoting the Petitioner's unit as 'Fisheries' on the energy bills. MSEDCL should classify its activity as 'Cold Storage' under Industrial Category and not as 'Fishery'. It is submitted that the present Petition is for the correctness of Tariff categorization and not on financial aspect as the Tariff category i.e. Industrial remains the same at present.

MSEDCL submitted that it is implementing the Orders of the Commission. However, on the issue of 'Fisheries', number of litigations are going on. If the Commission decides to clarify the issue, it will help reduce such litigations. Further, MSEDCL mentioned that similar issue is pending before this Commission in Case No.48 of 2015 for Orders.

**The Case is reserved for Order.**

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

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