

**Before the
MAHARASHTRA ELECTRICITY REGULATORY COMMISSION**
World Trade Centre, Centre No.1, 13th Floor, Cuffe Parade, Mumbai 400005
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Case No. 90 of 2016

Date: 22 July, 2016

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

Petition of JSW Energy Limited under Section 86 (1) (f) of the EA, 2003 against MSEDCL

JSW Energy Limited (JSWEL)Petitioner

Maharashtra State Electricity Distribution Company Limited (MSEDCL)Respondent

Representative for the Petitioner: Shri. Vishwathan (Adv.)

Representative for the Respondent: Shri. A.N. Kalekar

Daily Order

Advocate for the Petitioner set out the chronology of the Case in brief and also the earlier Order passed by the Commission with regard to incentive to the Petitioner while approving the PPA. Adv. requested an ad-interim relief, to not deduct any amount regarding incentive in its Energy Bills, till the matter is heard in detail and decided by the Commission on merits. The issue of incentive has been raised for the first time by MSEDCL around 3 years after it was paid.

Representative of the Respondent stated that excess incentive is paid to Petitioner, therefore amount needs to be deducted from Energy Bills of JSW Energy Ltd.. As per the PPA, Petitioner is entitled for the incentive only for the month of September 2010 as Scheduled Commercial Operation Date (SCOD) in the PPA is 1 October, 2010.

The Commission hereby directs MSEDCL not to deduct any amount regards to incentive in the Energy Bills of JSW Energy Ltd., till the Commission decides the Case on merits.

The Secretariat of the Commission will communicate next date of hearing in the matter.

Sd/-
(Deepak Lad)
Member

Sd/-
(Azeez M. Khan)
Member