

Before the
MAHARASHTRA ELECTRICITY REGULATORY COMMISSION
World Trade Centre, Centre No.1, 13th Floor, Cuffe Parade, Mumbai 400005
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Case No. 80 of 2016

Date: 15 November, 2016

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

Petition of M/s 1) Arvind Cotsyn (India) Limited, 2) Arvind Dyeing & Bleaching Mills Pvt. Ltd. & 3) Arvind Finlease Pvt. Ltd. for non-compliance of the Commission's directions under DOA Regulations, 2016 for wind energy adjustment in consumer's bill as per in ToD and then adjustment of banked units for subsequent month after deducting 2% units against banking charges.

- 1) Arvind Cotsyn (India) Ltd.
- 2) Arvind Dyeing & Bleaching Mills Pvt. Ltd.
- 3) Arvind Finlease Pvt. Ltd.

.....Petitioners

V/s.

- 1) Maharashtra State Electricity Distribution Co. Ltd. (MSEDCL)
- 2) Chief Engineer (Commercial) MSEDCL.
- 3) Superintending Engineer, Kolhapur Circle, MSEDCL.
- 4) Superintending Engineer, Satara Circle, MSEDCL.

.....Respondents

Appearance:

For the Petitioners	: Shri S. C. Karandikar (Adv)
For the Respondents	: Shri. Ashish Singh (Adv) Shri. A.V. Bute (Rep)
Authorised Consumer Representative	: Dr. Ashok Pendse, TBIA

Daily Order

Heard the Advocates/ Representative of the Petitioners, Respondents and Authorised Consumer Representative.

1. Advocate of MSEDCL stated that the present matter is similar to Case No. 76 of 2016 in the matter of M/s Bajaj Finserv Limited which was heard by the Commission on 10 November, 2016. He further stated that MSEDCL is ready to resolve the issues raised by the Petitioner through mutual discussion regarding the credit for energy injected and the settlement of energy as per the TOD slots.
2. The Petitioner stated that there are additional issues such as:
 - (i) MSEDCL has levied Cross Subsidy Surcharge (CSS) to the Petitioner from June, 2016 for self use.
 - (ii) MSEDCL has not considered the Open Access power quantum while deciding Load Factor.
3. MSEDCL stated that :
 - (i) The billing methodology for Open Access was modified as per the DOA Regulations, 2016 in April, 2016 and corrected in June, 2016 after receipt of complaints from consumers.
 - (ii) MSEDCL has inadvertently levied CSS to the Petitioner while modifying the billing methodology. The CSS levied will be credited in the subsequent energy bill.
 - (iii) The incentives/ penalties are based on power supplied by MSEDCL and not on Open Access power.
4. Dr. Ashok Pendse stated that the issues raised in the matter of M/s Bajaj Finserv and the present Petition are similar in nature and hence MSEDCL should resolve all these issues and take a review across all the consumers, if any.
5. The Commission directs MSEDCL to resolve the issues raised by the Petitioner and take a review across all the consumers and submit its reply within two weeks. The Petitioner may file its Rejoinder within a week, thereafter, if any.

The Case is reserved for Order.

Sd/-
(Deepak Lad)
Member

Sd/-
(Azeez M. Khan)
Member