

**Before the
MAHARASHTRA ELECTRICITY REGULATORY COMMISSION
World Trade Centre, Centre No.1, 13th Floor, Cuffe Parade, Mumbai 400005
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Case No. 78 of 2016

Dated: 15 November, 2016

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

**In the matter of
Petition of M/s Paul Strips and Tubes Pvt. Ltd. under Section 142 of the Electricity Act,
2003 for violating Order dated 5 September, 2013**

Paul Strips and Tubes Pvt. Ltd.Petitioner

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

Representative for the Petitioner: Shri. Siddhartha Katyal (Rep.)

Representative for the Respondent: Shri. Ashish Singh (Adv.)
Shri. K. V. Kalumali (Rep.)

Daily Order

1. Heard the representatives of the Petitioner and Respondent.
2. Petitioner stated that the Petition has been filed for non-compliance of Commission's Order dated 26 June, 2015 regarding levy of Additional Energy Charge (AEC). In that Order, the Commission has directed MSEDCL to take a review of the refunds made by it on account of premature billing of AEC and to make any remaining refund to consumers in the next billing cycle. AEC was recoverable from September, 2013, but MSEDCL has levied it to the Petitioner from August, 2013. Subsequent to Commission's Order dated 26 June, 2015, Petitioner has written twice to MSEDCL for refund, but there has been no reply from MSEDCL.

3. Advocate of MSEDCL stated that the copy of the Petition has been received only last week, and hence requested additional time for submitting its reply. MSEDCL confirmed that the AEC billed to the Petitioner for August, 2013 has not been refunded or adjusted in subsequent billing.
4. Petitioner stated that the Petition was served to MSEDCL through post, and its receipt was also confirmed telephonically from the MSEDCL Office. The premature billing comprises a) premature billing for the month of August, 2013 and b) premature billing for the period from 1 to 12 September, 2013, since the MSEDCL's Circular in pursuance of the Order dated 5 September, 2013 in Case No. 95 of 2013 allowing AEC recovery was uploaded on 12 September, 2013.
5. The Commission asked MSEDCL to clarify the status of compliance of its direction in Order dated 26 June, 2015, i.e. to take a review of the refunds made on account of premature billing and to make refund to any remaining consumers in the next billing cycle. MSEDCL requested additional time for submission of these details. The Commission directed MSEDCL to submit its Reply, along with details of the AEC levied to the Petitioner in the month of August, 2013 and up to 12 September, 2013, and the refund/adjustment, if any, made on account of premature billing, with dates.

The above information should be submitted within a week with copy to the Petitioner. Thereafter the Petitioner may file its Rejoinder, if any, within a week with copy to MSEDCL.

6. The Commission also directed MSEDCL to submit details as follows:
 - i. Total number of consumers from whom AEC is recovered for August, 2013 and the relevant period in September, 2013.
 - ii. Out of 'i)' above how many of them have been refunded the amount that was prematurely recovered.
 - iii. Reasons for not refunding to balance consumers, if any.

The above information should be submitted to the Commission within three weeks and will not form part of present proceeding.

The Case is reserved for Order.

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

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