

Before the
MAHARASHTRA ELECTRICITY REGULATORY COMMISSION
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Case No.76 of 2016

Date: 10 November, 2016

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

Petition of M/s Bajaj Finserv Limited against Maharashtra State Electricity Distribution Co. Ltd. for Contravening MERC's Regulation/ruling No.2 (4) and 20 of Distribution Open Access Regulation (DOAR) 2016, related to Renewable Energy generation for captive use/third party sale under Open Access, setoff, banking, credit etc. Also contravening the Regulation 26.8 (2) of DOAR 2014 by not purchasing surplus Renewable Energy after adjustment in consumer's monthly bills during FY 2015-16 and deliberately making serious financial losses to the Renewable Energy Generator.

M/s. Bajaj Finserv LimitedPetitioner

V/s.

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

Appearance:

For the Petitioner: : Shri S.P.Shinde (Rep)

For the Respondent: : Shri. Ashish Singh , Adv.
Shri. A.W.Mahajan (Rep)

For Consumer Representative: : Dr. Ashok Pendse, TBIA

Daily Order

Heard the Advocate/ Representative of the Petitioner and Respondent.

1. The Petitioner raised two issues of contravention of the MERC Distribution Open Access (DOA) Regulations, 2014 and DOA Regulations, 2016 by MSEDCL and stated that:

- (i) Regulation 26.8 of DOA Regulations, 2014 stipulates that credit for energy injected should be provided on the basis of 15 minute time block basis and the surplus energy after set off with Open Access Consumer's consumption in the same 15 minutes time block shall be purchased by the Distribution Licensee at its approved Average Power Purchase Cost (APPC).Petitioner submitted that MSEDCL has neither purchased the surplus units at APPC nor submitted any replies to its letters dated 5 .5.2016 and 16.5.2016.
 - (ii) Regulation 20.8 of DOA Regulations, 2016 stipulates that Banking of energy shall be permitted during all twelve months of the year and the credit for energy banked in other months shall be as per the energy injected in the respective Time of Day (TOD) slots. However, MSEDCL has not adjusted the energy injected on TOD slots basis. As per DOA Regulations, 2016, the settlement of energy is as per the TOD slots and not as per 15 minutes time block.
2. MSEDCL submitted that:
 - (i) MSEDCL has modified its billing software since June, 2016 and all the prayers of the Petitioner are satisfied.
 - (ii) MSEDCL has issued an Internal Circular to its officials regarding adjustment of injected units.
3. The Commission notes that MSEDCL did not file its submission prior to the date of hearing and submitted it only during the hearing. Moreover, MSEDCL has not addressed the issues raised by the Petitioner in its Petition but only submitted that the Petition may be dismissed as the prayers in the Petition are satisfied. The Commission expressed its displeasure on this casual approach of MSEDCL.
4. The Commission directs MSEDCL to file its detailed submission regarding the steps followed in adjustment of wind energy and calculation of surplus/banked energy, within two weeks and Petitioner to file its Rejoinder within a week thereafter, with copy to each other.

The Case is reserved for Order.

Sd/-
(Deepak Lad)
Member

Sd/-
(Azeez M. Khan)
Member