

Before the
MAHARASHTRA ELECTRICITY REGULATORY COMMISSION
World Trade Centre, Centre No.1, 13th Floor, Cuffe Parade, Mumbai 400005
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Case No. 132 of 2016

Date: 16 February, 2017

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

Petition of M/s. Arvind Cotsyn (India) Ltd. seeking action against Maharashtra State Electricity Distribution Co. Ltd. for non-compliance of the Commission's Order dated 21.04.2016 in Case No. 14 of 2015.

M/s. Arvind Cotsyn (India) Ltd.Petitioner

V/s.

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

Appearance:

For the Petitioner : Shri S. C. Karandikar (Adv)
: Shri Y. R. Verma (Rep)

For the Respondent : Ms. Deepa Chawan (Counsel)
: Shri. R.M. Jinde (Rep)
: Shri. S. S. Koltey (Rep)

Authorised Consumer Representative : Dr. Ashok Pendse, TBIA

Daily Order

Heard the Advocates/ Representatives of the Petitioner, Respondent and Authorised Consumer Representative.

1. Advocate / Representative of the Petitioner stated that:

- (i) The Petition is filed for compliance of the Commission's Order dated 21.04.2016 in Case No. 14 of 2015. Para 10 of the Order regarding providing laptop and relevant software has been resolved and he has no complaint in this regard.

(ii) Similarly, para 11 of the Order regarding reconciliation of energy units for last three years has also been resolved.

(iii) The Commission had ruled that the surplus energy at the end of the financial year, limited to 10% of the net energy delivered into the grid during that year, shall be purchased by the Licensee at the lowest slab of the HT TOD tariff applicable as on 31st March of that financial year. However, MSEDCL has considered the following per unit rates for the surplus energy:

a) FY 2011-12

Group II: Rs. 2.52

Group III & IV: Rs. 3.27

b) FY 2012-13

Group II, III & IV: Rs. 2.23

c) FY 2013-14

Group II: Rs. 2.52

Group III & IV: Rs. 2.97

It is not understood how the rates are derived by MSEDCL. Besides, MSEDCL has not given the applicable interest on the amount for the delayed payment.

2. MSEDCL stated that it has considered the lowest slab of the HT TOD tariff as per the applicable Tariff Order which happens to be of HT Public Water Works (PWW) category for the purchase of the 10% surplus energy based on the Group of the Wind Generators.
3. The Commission asked MSEDCL to submit the information regarding the practice followed in past on this issue. The Commission further clarified that interest is applicable for non-payment of the amount due on account of purchase of 10 % surplus energy.
4. Counsel of MSEDCL sought to withdraw its present Reply and sought two weeks' time for submission of a fresh Reply covering all the issues raised in the Petition and during the hearing.
5. The Commission directs MSEDCL to submit its revised Reply within two weeks with copy to other parties. 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**