Before the

MAHARASHTRA ELECTRICITY REGULATORY COMMISSION

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Case No. 31 of 2017

Date: 23 February, 2017

Coram: Shri. Azeez M. Khan, Member

Shri. Deepak Lad, Member

Petition of Maharashtra Airport Development Co. Ltd. for approval of Power Purchase Agreement and adoption of Tariff for 3-7 MW short-term power purchase from March to August, 2017.

Maharashtra Airport Development Co. Ltd. (MADC) ...Petitioner

V/s.

Maharashtra State Electricity Distribution Co. Ltd. (MSEDCL) Respondent 1
Abhijeet MADC Nagpur Energy Pvt. Ltd. (AMNEPL) Respondent 2
Maharashtra State Electricity Transmission Co. Ltd. (MSETCL) ... Respondent 3
Maharashtra State Load Despatch Centre (MSLDC) ... Respondent 4

Appearance

Representative for the Petitioner: Shri. A. S. Chavan (Rep.)

Representative for Respondent No. 1: None

Representative for Respondent No. 2: Shri. Niraj Jayswal (Rep.)

Representative for Respondent No. 3: None

Representative for Respondent No. 4: Shri. E.T. Dhengle (Rep)

Authorised Consumer Representative: Dr. Ashok Pendse, TBIA

DAILY ORDER

At the start of the hearing held on 23 February, 2017, the Representative of MADC submitted the signed copy of the PPA, which had not been provided with the Petition.

The Representative of MADC stated that the signed PPA is as per the RFP and that there is no deviation. To a query of the Commission, he stated that MSEDCL had not yet provided

the Contract Performance Guarantee (CPG) as required, but that MADC is in the process of obtaining it.

The Commission observed that, while compliance with some provisions had been indicated, the Petition did not set out the detailed Clause-wise compliance of the Procurement Guidelines of Ministry of Power, Govt. of India (GoI) as directed in the Commission's Order dated 27 December, 2016 in Case No. 175 of 2016.

The Representative of AMNEPL stated that it had filed its Reply dated 22 February, 2017, and that it had no objection to the Petition. The MSLDC Representative stated that it had nothing to say in the matter.

Dr. Pendse of Thane-Belapur Industries Association (TBIA, an authorized Consumer Representative) stated that Section 63 of the Electricity Act, 2003 provides that the Commission shall adopt the Tariff if discovered through a competitive bidding process which is in accordance with the GoI Guidelines. Hence, MADC has to show that it has complied with all the stipulations of the Guidelines before the Commission can adopt the Tariff.

The Commission directed MADC to submit its Clause-wise compliance of the GoI 'Guidelines for short-term (i.e. for a period of more than one day to one year) Procurement of Power by Distribution Licensees through Tariff based bidding process' dated 30 March, 2016, along with supporting documents. The Representative of MADC stated that it has complied with the Guidelines, and would submit the Clause-wise compliance details by 27 February, 2017.

Subject to filing of the Clause-wise compliance details and confirmation that the CPG has been received from MSEDCL, the Case is reserved for Order.

Sd/-(Deepak Lad) Member Sd/-(Azeez M. Khan) Member