

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**