

**Before the**  
**MAHARASHTRA ELECTRICITY REGULATORY COMMISSION**  
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**Case No. 131 of 2016**

**Date:** 27 July, 2017

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

**Petition of M/s. Cosmo Films Limited under Section 42 of the Electricity Act, 2003 read with Regulations 32 & 35 of the MERC (Distribution Open Access) Regulations, 2016**

M/s. Cosmo Films Limited (Cosmo) .....Petitioner

V/s.

Maharashtra State Electricity Distribution Co. Ltd. (MSEDCL)  
Maharashtra State Load Despatch Centre. (MSLDC)

.....Respondents

**Appearance:**

For the Petitioner : Shri. T. N. Agarwal (Rep)  
Shri. Satish S. Shah (Rep)

For the Respondents : Ms. Ashish Singh (Advocate), MSEDCL  
: Shri. Anil Mahajan (Rep), MSEDCL

**Daily Order**

Heard the Representatives of Petitioner and Advocate of Respondent, MSEDCL.

1. Representative of the Petitioner circulated its additional submission to MSEDCL and the Commission. He stated that, as per the Daily Order dated 13 June, 2017, MSEDCL was required to submit its Reply within two weeks, but has done so only on 24 July, 2017. In the additional submission, the calculations of the financial loss on account of non-approval of Short Term Open Access (STOA) for July, 2016 have been revised to Rs. 40.46 lakh, and details provided.
2. To a query of the Commission, the Representative of the Petitioner stated that it has

availed STOA for July 2016 from its Group Captive Power Plant only because of the denial of Open Access through the Power Exchange. Compensation has been sought for its Shendra Industrial Unit. He would submit its revised calculations and clarification accordingly.

3. Advocate of MSEDCL stated that the Petitioner submitted Application for Day Ahead Open Access to source power from Power Exchange on 7 June, 2016. MSEDCL replied on 24 June, 2016 denying the Open Access. However, the Petitioner also applied for Open Access to source power from its Group Captive Power Plant on 10 June, 2016. The Petitioner was availing the alternative option to source power from its Group Captive Plant, and hence the compensation may not be allowed.
4. To a query of the Commission regarding MSEDCL's stand on the issue of compensation, the Advocate of MSEDCL stated that he would file its submission after consultation. However, he would require data from the Petitioner regarding the calculations of the compensation.
5. The Petitioner shall file its submission clarifying the calculations for the compensation within a week. The Commission gave two weeks time to MSEDCL for filing its Reply to Petitioner's additional submission. The Petitioner may file its Rejoinder, if any, within a week thereafter.

**The Case is reserved for Order.**

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

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