

**Before the**  
**MAHARASHTRA ELECTRICITY REGULATORY COMMISSION**  
**World Trade Centre, Centre No.1, 13th Floor, Cuffe Parade, Mumbai 400005**  
**Tel. 022 22163964/65/69 Fax 22163976**  
**Email: mercindia@merc.gov.in**  
**Website: www.mercindia.org.in / www.merc.gov.in**

**Case No. 92 of 2017**

**Date: 22 August, 2017**

**CORAM: Shri. Anand B. Kulkarni, Chairperson  
Shri. Azeez M. Khan, Member  
Shri. Deepak Lad, Member**

**In the matter of**

**Petition of M/s. Shrinivas Engg. Auto Components Pvt. Ltd. for violation of Regulation no. 5.3 in the matter of quality of supply and system of supply of the Maharashtra Electricity Regulatory Commission (Standards of Performance of Distribution Licensees, Period of Giving Supply and Determination of Compensation) Regulations, 2014 dated 20/05/2014 by MSEDCL.**

M/s. Shrinivas Engineering Auto Components Pvt.Ltd.

.....Petitioners:

V/s

Maharashtra State Electricity Distribution Co. Ltd. (MSEDCL)

..... Respondent

**Appearance:**

For the Petitioner:

...Shri. B. R. Mantri (Rep.)

For the Respondent:

...Shri.Ashish Singh (Adv.)

**Daily Order**

1. Heard the Representative of the Petitioner and the Advocate of MSEDCL.
2. Representative of the Petitioner stated as follows:
  - a) Petitioner's Contract Demand (CD) is 18 MVA and it is supplied power at 22kV voltage level. However, as per MERC (Standards of Performance (SoP) of Distribution Licensees, Period for Giving Supply and Determination of Compensation) Regulations, 2014 Regulation 5.3, it is to be supplied at 33kV voltage level.

- b) As per SoP Regulations, 2014, Distribution Licensee is required to supply power at the specified level within one year if it is supplied power at a voltage lower than the applicable level. Since MSEDCL has failed to provide supply at 33kV voltage, it has violated Regulation 5.3 of SoP Regulations, 2014. Hence, action under S.142, 146 and 149 of the Electricity Act, 2003 may be initiated against MSEDCL.

3. Advocate of MSEDCL stated that:

- a) The Petitioner initially in 2007 applied for 9 MVA CD which was supposed to be released at EHV level as per the earlier SoP Regulations, 2005. However, the connection was released at 22kV level. Since the consumer tendered an undertaking for completing the work of 220kV sub-station at its own cost which would take time and, in the meantime, requested to be supplied at 22kV level.
- b) On 29 January, 2011, the consumer applied for enhancement of CD from 9 MVA to 24 MVA. In the said application, the consumer informed that it has already placed work order for EHV Bay, Tower line erection and its own EHV sub-station with probable period of 4 to 5 months for completion. Hence, total CD of 24 MVA {9 (original) + 15 (additional)} was released on 22kV at the request of consumer.
- c) The Petitioner on 4 December, 2013 applied for reduction of load from 24 MVA to 18 MVA and also requested grant of extension of 18 months for completion of EHV bay, line and substation. MSEDCL approved this request with the condition that the Petitioner will switch over to EHV level within 18 months from the date of reduction of load or completion of the EHV work, whichever is earlier.
- d) However, the Petitioner on 26 December, 2016 requested release of load on 33kV in line with SoP Regulations, 2014. Although the Petitioner has claimed violation of the Commission's directions, its contention is that wheeling charges of 33kV should be applied to it instead of 22kV, and the same is also mentioned in its Petition.
- e) The Commission is dealing with a similar issue in Case No. 99 of 2017 with regard to applicability of wheeling charges to consumers supplied power at lower voltage level than specified in SoP Regulations, 2014. MSEDCL's Reply is not yet filed and is under preparation. Hence, the Commission may hear the present Case along with Case No. 99 of 2017.

- f) On one hand, the Petitioner is requesting more time to commission the EHV sub-station, on the other it is requesting change of voltage level from 22kV to 33kV or to levy wheeling charges applicable to 33kV voltage level.
- g) MSEDCL has taken up the issue of creating 33kV level at 220/22kV Ambi Talegaon sub-station so as to accede to the request of the Petitioner. However, MSETCL in its reply has suggested that the Petitioner may avail power supply either on 2 22kV feeders or switch over to 220kV level.
4. The Petitioner did not respond to the query of the Commission as to why it had approached the Commission so late.
5. The Commission directed MSEDCL to take a holistic view on this issue considering following points regarding levying of wheeling charges if
- a) Consumer is initially released supply at a voltage level not in line with SoP Regulations.
  - b) Consumer requires a particular voltage level as per SoP but the same is not available in that particular area.
  - c) Consumer is initially connected at EHV level and wishes to remain on EHV, but requests reduction of load which is required to be released at a distribution voltage of 33 or 22 or 11kV as per SoP Regulations. Similarly, any non-compliance (default) on part of the Consumer may also be examined.

**Next date of hearing will be communicated by the Secretariat of the Commission.**

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

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

**Sd/-**  
**(Anand B. Kulkarni)**  
**Chairperson**