

**Before the
MAHARASHTRA ELECTRICITY REGULATORY COMMISSION
World Trade Centre, Centre No.1, 13th Floor, Cuffe Parade, Mumbai 400005
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Case No. 97 of 2017

Dated: 14 September, 2017

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

**Petition of M/s. Asahi India Glass Limited regarding denial of Open Access permission
by Maharashtra State Electricity Distribution Co. Ltd**

M/s. Asahi India Glass Limited (AGIL)Petitioner
V/s.

Maharashtra State Electricity Distribution Co. Ltd (MSEDCL)Respondent

Appearance:

For the Petitioner : 1) Ms. Dipali Sheth (Adv.)
2) Shri. Girish Gedam (Rep.)

For the Respondent : 1) Shri. Ashish Singh (Adv.)
2) Shri. A. W. Mahajan (Rep.)

Authorized Consumer Representative : Dr. Ashok Pendse, TBIA

Daily Order

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

1. Advocate of AGIL stated that:

(i) Pursuant to the last hearing, AGIL through its rejoinder dated 21 July, 2017 has confirmed that it has two Special Energy Meters (SEMs) (Main Meter and Check Meter) which are with 30 minutes time integration but can be programmed for 15 minutes time integration. These meters were tested by MSEDCL as per the test reports dated 30 April, 2011 and 16 August, 2011. No specifications were provided by MSEDCL such as to reprogram/recalibrate the existing metering arrangement for MD Auto Reset and load survey time slot of 15 minutes instead of 30 minutes. There was no default on the part of AGIL in installing the SEMs.

(ii) AGIL had availed Open Access from MSEDCL for the last 4 years with the same

SEM for 30 minutes time integration period.

(iii) AGIL, vide letter dated 3 March, 2017, sought permission from MSEDCL for reconfiguring the SEM to 15 minutes time integration, the cost of which it agreed to bear. However, MSEDCL, after a gap of 4 months, granted the permission on 4 July, 2017. Moreover, MSEDCL, vide its email dated 20 April, 2017 informed that STOA for May, 2017 would be processed after complying with the technical requirements relating to SEM.

(iv) In pursuance of the permission dated 4 July, 2017, AGIL has procured new SEM with 15 minutes time integration, and it is now tested by MSEDCL and ready for installation.

2. Advocate of MSEDCL stated that:

(i) There is an inadvertence on the part of MSEDCL in granting Open Access to AGIL in the past despite SEM being of 30 minutes time integration. MSEDCL had not made any communication to AGIL to install SEM with 30 minute time integration feature.

(ii) MSEDCL has rejected the STOA applications as SEM is of 30 minutes time integration period. Till date, AGIL has not installed SEM with 15 minutes time integration period and is seeking retrospective Open Access.

(iii) On 4 July, 2017, MSEDCL has granted permission to AGIL to reprogram the SEM with 15 minutes time integration feature.

3. To a query of the Commission about the present status of SEM, AGIL replied that it has purchased 1 SEM with 15 minutes time integration, which is tested by MSEDCL on 8 September, 2017 and is not yet installed. MSEDCL agreed to install it at the earliest.

4. The Commission observed that Regulation 17.4 of DOA Regulations, 2016 requires the Distribution Licensee to test and install SEM within 60 days from the receipt of request from the Consumer or Generating Station.

5. The Commission expressed its displeasure on the casual approach of MSEDCL in this case. The Commission further observed that, while on one hand it is very critical in observance of various technical specifications of SEM, CT, PT etc., on the other hand it is allowing Open Access to consumers like the Petitioner regardless of their compliance with the requirements.

Case is reserve for Order.

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

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