

**Before the
MAHARASHTRA ELECTRICITY REGULATORY COMMISSION
World Trade Centre, Centre No.1, 13th Floor, Cuffe Parade, Mumbai 400005
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Case No. 92 of 2017

Date: 29 November, 2017

CORAM

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

In the matter of

**Petition of Shrinivas Engg. Auto Components Pvt. Ltd. regarding violation by
MSEDCL of Regulation 5.3 of the Standards of Performance Regulations, 2014 in the
matter of quality of supply and system of supply**

M/s. Shrinivas Engineering Auto Components Pvt.Ltd. (SEAC) ... Petitioner

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.)

And

Case No. 99 of 2017

In the matter of

**Petition of Guardian Castings and 11 others for levying Wheeling Charges applicable to
consumers connected on 33 kV Line introduced in MYT Order dated 3.11.2016 in Case
No. 48 of 2016 instead of the Wheeling Charges applicable to consumers on 22 kV Line**

Petitioners:

- 1) M/s. Guardian Castings Pvt. Ltd
- 2) M/s. Surya Ferrous Alloys Pvt. Ltd.
- 3) M/s. New Steel Trading Pvt. Ltd.

- 4) M/s. Shivkrupa Steel & Alloys Pvt. Ltd.
- 5) M/s. Jay Jagdamba Profile Engineering Products .Ltd
- 6) M/s. Solo Metals Pvt. Ltd.
- 7) M/s. Bholaram Metal Industries Pvt.Ltd.
- 8) M/s. Alok Ingots (Mumbai) Pvt. Ltd.
- 9) M/s. Sun Metallics & Alloys Pvt. Ltd.
- 10) M/s. Thane Steels Pvt. Ltd.
- 11) M/s. Balbir Alloys Pvt. Ltd.
- 12) M/s. Jaideep Metallics & Alloys Pvt. Ltd.

V/s

Maharashtra State Electricity Distribution Co. Ltd. (MSEDCL)

.... Respondent

Appearance:

For the Petitioner:

...Shri. Vijay Agrawal (Adv.)

For the Respondent:

...Shri.Ashish Singh (Adv.)

For Intervention Applicant

...Shri.Ajit Patil

And

Miscellaneous Application No. 17 of 2017 in Case No. 99 of 2017

Intervention application of Mr. Suresh Sancheti

Mr. Suresh Sancheti

.... Applicant

- 1) M/s. Guardian Castings Pvt. Ltd
- 2) M/s. Surya Ferrous Alloys Pvt. Ltd.
- 3) M/s. New Steel Trading Pvt. Ltd.
- 4) M/s. Shivkrupa Steel & Alloys Pvt. Ltd.
- 5) M/s. Jay Jagdamba Profile Engineering Products .Ltd
- 6) M/s. Solo Metals Pvt. Ltd.
- 7) M/s. Bholaram Metal Industries Pvt.Ltd.
- 8) M/s. Alok Ingots (Mumbai) Pvt. Ltd.
- 9) M/s. Sun Metallics & Alloys Pvt. Ltd.
- 10) M/s. Thane Steels Pvt. Ltd.
- 11) M/s. Balbir Alloys Pvt. Ltd.
- 12) M/s. Jaideep Metallics & Alloys Pvt. Ltd.

.... Petitioners

And

Miscellaneous Application No. 18 of 2017 in Case No. 99 of 2017

Intervention application of Century Rayon

Century Rayon

.... Applicant

- 1) M/s. Guardian Castings Pvt. Ltd
- 2) M/s. Surya Ferrous Alloys Pvt. Ltd.
- 3) M/s. New Steel Trading Pvt. Ltd.
- 4) M/s. Shivkrupa Steel & Alloys Pvt. Ltd.
- 5) M/s. Jay Jagdamba Profile Engineering Products .Ltd
- 6) M/s. Solo Metals Pvt. Ltd.
- 7) M/s. Bholaram Metal Industries Pvt.Ltd.
- 8) M/s. Alok Ingots (Mumbai) Pvt. Ltd.
- 9) M/s. Sun Metallics & Alloys Pvt. Ltd.
- 10) M/s. Thane Steels Pvt. Ltd.
- 11) M/s. Balbir Alloys Pvt. Ltd.
- 12) M/s. Jaideep Metallics & Alloys Pvt. Ltd.

.... Petitioners

Appearance:

For Applicant :

...Shri. Ajit Patil

Daily Order

1. The Commission heard the Advocates of the Petitioners and of MSEDCL in Case No. 99 of 2017 and the Representative of the Intervention Applicants.
2. Vide its email dated 28 November, 2017, in Case No. 92 of 2017, SEAC (the Petitioner) informed that it will not be able to attend the hearing and its submission in the Petition and Rejoinder may be considered. The Commission noted the same.
3. Petitioners in Case No. 99 of 2017 stated as follows:
 - a. In its additional Reply, MSEDCL had admitted that there is no likelihood of developing a 33 kV network in the areas where the Petitioners are located, viz. Wada and Murbad. MSEDCL has also admitted that the Wheeling Charge to the Petitioners should be as applicable to 33 kV network.
 - b. Petitioners oppose MSEDCL's suggestion that it should be allowed to levy 2 % voltage surcharge to the consumers that are connected on lower voltage network than prescribed in the SoP Regulations, 2014.
4. The Commission expressed its displeasure regarding delay by MSEDCL in submitting its comprehensive response and proposal with regard to the Wheeling Charges to be levied in circumstances where it does not have a network of the appropriate voltage level and cannot develop it in the near future.

5. Advocate of MSEDCL stated that it has submitted its response on 3 November, 2017 which suggests a methodology of Wheeling Charges applicable to its consumers where 33 kV network is not available as follows:
 - a. For new / prospective consumers who are entitled to be connected on 33kV network as per SoP Regulations but there is no 33kV network, MSEDCL may be allowed to levy Wheeling Charges applicable to 33kV where, in-spite of 33 kV network being available, the consumers are connected on low voltage, then it may be allowed to recover Wheeling Charges applicable to the connected voltage or the SoP voltage level, whichever is higher.
 - b. Even though the consumer is entitled to power supply on 33 kV network, MSEDCL may be allowed to supply power on 22 kV network due to 33 kV network not being available in that area, and to levy 2 % Voltage Surcharge to these consumers after the approval of the Commission.
6. The Commission observed that, in its MYT Order dated 26 June, 2015 in Case No. 121 of 2014, it had stopped levy of 2 % Voltage Surcharge. The Commission further stated that the proposal made by MSEDCL in its Reply dated 3 November, 2017 cannot be dispensed through this hearing.
7. To a query of the Commission, MSEDCL informed that a meeting with MSETCL to address the issues in the present case was held on 28 November, 2017, and it has been resolved that MSETCL will develop the 33kV network in the area of the Petitioners in Case No. 99 of 2017 within the time limit stipulated in the SoP Regulations.
8. In view of its directives in earlier such cases regarding 33 kV network development, the Commission observed that MSEDCL has failed to develop the same, and suggested that MSEDCL rethink on developing the 33 kV network in the area of the Petitioners in Case No. 99 of 2017. MSEDCL responded that, in order to release power supply to the Petitioners, it is working out the possibility of developing 33 kV network and the discussion with MSETCL is yet to be finalized.
9. M/s Century Rayon, stated that it has filed its Intervention Application and requested the Commission to consider the same. The other Intervention Applicant, Shri. Suresh Sancheti, was not present during the hearing, but arrived after the proceedings were over and requested to consider his additional written submission.

The Case is reserved for Order.

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

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

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