

Before the
MAHARASHTRA ELECTRICITY REGULATORY COMMISSION
World Trade Centre, Centre No. 1, 13th Floor, Cuffe Parade, Mumbai 400005
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Case No. 176 of 2017 and M.A. No. 1 of 2018 in Case No. 176 of 2017

Date: 18 January, 2018

Coram: **Shri Anand B. Kulkarni, Chairperson**
 Shri Deepak Lad, Member

In the matter of Petition filed by BEST Undertaking under Section 86 (1)(b) of the Electricity Act, 2003 to regulate electricity purchase and procurement process of Distribution Licensees including the price at which electricity shall be procured from the generating companies or licensees or from other sources through agreements for purchase of power for distribution and supply within the State. (Case No. 176 of 2017)

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Miscellaneous Application filed by MSEDCL for Impleadment in Case No. 176 of 2017 Petition filed by BEST Undertaking U/S 86 (1) (b) of EA, 2003 to regulate electricity purchase and procurement process of Distribution Licensees including the price at which electricity shall be procured from the generating companies or licensees or from other sources through agreements for purchase of power for distribution and supply within the State. (M.A. No. 1 of 2018 in Case No. 176 of 2017)

Brihanmumbai Electric Supply and Transport Undertaking (BEST)	...Petitioner
The Tata Power Company Limited (Generation) (TPC-G)	...Respondent
Maharashtra State Electricity Distribution Company Limited (MSEDCL)	...Impleaded Party

Appearance

Representative for the Petitioner:	Dr. Rajendra Patsute (Rep.)
Representative for Respondent:	Smt. Deepa Chawan (Adv.)
Representative for Impleaded Party:	Shri Paresh Bhagwat (Rep.)
Authorised Consumer Representative:	Dr. Ashok Pendse (Rep.)

DAILY ORDER

1. The representative of BEST stated that BEST has complied with all the directions of the Commission in its Daily Order dated 14 December, 2017. BEST requested the Commission to approve the timelines for Medium Term Competitive Bidding as

proposed in Annexure III of its Additional Submission and allow the extension of its existing PPA with TPC-G for another one year from 1 April, 2018 to 31 March, 2019 (FY 2018-19) in accordance with Clause 3.3 of existing PPA with TPC-G.

2. The representative of TPC-G stated that as per the directions of the Commission in its Daily Order dated 14 December, 2017, TPC-G and BEST have agreed on extension of the existing PPA for one year. The Commission asked TPC-G to confirm that the PPA is proposed to be extended based on the terms of the original PPA with no other special conditions added, to which TPC-G replied that the PPA is proposed to be extended with no special conditions.
3. Dr. Ashok Pendse, representing the Thane Belapur Industries Association (TBIA), an Authorised Consumer Representative, stated that even though the Tariff of TPC-G stations are determined by the Commission from time to time as per Section 62 of the Electricity Act, 2003, TPC-G, in its Petition in Case No. 39 of 2017, submitted that it shall be able to provide power at a price of Rs. 3.84 per unit. He suggested that BEST should negotiate the tariff with TPC-G.
4. The representative of MSEDCL stated that the Tariff discovered in Tender-2 for Peak Slot I for 200 MW is competitive and transparent as the other bidders considered that the time-slot proposed for 07:00 hrs to 24:00 hrs may not be feasible at lower Tariffs. Of the two qualified bidders, MSEDCL quoted Rs. 4.74 per kWh, while Adani quoted Rs.5.99 per kWh. MSEDCL stated that the bid cannot be ruled out as being non-competitive.
5. TPC-G stated that it is the right of the Procurer (BEST) to cancel the Bid and quoted the direction of the Commission in its Daily Order dated 14 December, 2017, that BEST should firm up its proposal for extension of the existing PPA with TPC-G on the quantum of power and term for such extension before approaching the Commission for approval of the extension of the PPA.
6. BEST stated that as per the provisions of the bidding documents, the Procurer has the right to cancel the bidding process.
7. The case is reserved for Order.

Sd/-
(Deepak Lad)
Member

Sd/-
(Anand B. Kulkarni)
Chairperson