

Before the
MAHARASHTRA ELECTRICITY REGULATORY COMMISSION
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Dated: 18 February 2022

**CORAM: Sanjay Kumar, Chairperson
I.M. Bohari, Member
Mukesh Khullar, Member**

Case No. 164 of 2021

**Petition of Sterling Agro Industries for waiver of deviation charges levied upon the
Petitioner from 6 January 2020 to 28 June 2020 for deviation at the Dahiwadi Pooling
Sub Station level**

Sterling Agro Industries Petitioner

V/s

Maharashtra State Load Dispatch Centre Respondent

Appearance:

Sterling Agro IndustriesMs Shikha Ohri (Adv.)

Maharashtra State Load Dispatch Centre Shri. Rohit Jadhav (Adv.)

Daily Order

1. Heard the Advocates of the Petitioner and Respondent.
2. Advocate appearing on behalf of the Petitioner stated that the reply from Maharashtra

State Load Dispatch Centre (MSLDC) had been received only two days back. Considering examination of some factual details of the matter, the Petitioner needed time to file its rejoinder on the aforesaid reply. The Petitioner sought an adjournment in the matter for which MSLDC did not object.

3. The Commission observed that the entire premise of present Petition is an inaccurate forecasting and scheduling of the Petitioner's RE Generating Plant by the Qualified Coordinating Agency(QCA) and the QCAs are the State Entities under the MERC (Forecasting, Scheduling And Deviation Settlement For Solar And Wind Generation) Regulations, 2018, which have been entrusted with the responsibility of forecasting and scheduling of the generation for all the Wind and Solar generators connected to the Pooling Station. Under these circumstances, the Petitioner ought to have made the QCA, a Party Respondent in the matter. In response, the Petitioner stated that no relief had been sought against the QCA and hence, it was not made a Party Respondent, however, the Petitioner accepted that the observations of the Commission are correct and that QCA is a necessary party. The Advocate for the petitioner informed in the hearing that it would make its QCA (i.e., M/s. RE Connect) as a Party Respondent in the matter and serve the copy of the Petition on them by today only.
4. The Petitioner also requested the Commission to direct MSLDC not to take any precipitative action till the pendency of the present Petition.
5. Advocate appearing on behalf of MSLDC suggested that Maharashtra State Electricity Distribution Co. Ltd. (MSEDCL) should also be made a Party in the matter. The Petitioner stated that there was no need to implead MSEDCL as Party in the matter as no prayer were being sought against MSEDCL, however, if needed, MSEDCL can file its separate Intervention Application. Advocate of the Petitioner further stated that the reply filed by MSLDC did not include the request of making MSEDCL, a Party in the matter. Advocate of MSLDC stated that they would make a submission justifying MSEDCL's impleadment in the matter.
6. Having heard the Parties, the Commission allows adjournment request of the Petitioner. MSLDC is directed not to take any precipitative action against the Petitioner till further Order of the Commission. The Petitioner is directed to make QCA M/s. RE Connect, a Party Respondent in the matter and serve a copy of the Petition on them within a day. QCA, M/s. RE connect, to file its replies on the Petition within two weeks of this Order. MSLDC is at liberty to make its submissions justifying impleadment of MSEDCL in the matter and such submission may be filed within two weeks of this Order. The Petitioner may file its rejoinders within a week thereafter.

Sd/-
(Mukesh Khullar)
Member

Sd/-
(I. M. Bohari)
Member

Sd/-
(Sanjay Kumar)
Chairperson