

NOTICE

Subject: Petition of Wardha Power Company Ltd. against wrongful imposition of Cross Subsidy Surcharges (CSS) by the MSEDCL on the captive consumers of Wardha Power Company Ltd availing Open Access.

Case No. 117 of 2012

Wardha Power Company Ltd., has submitted a Petition under affidavit on 17.10.2012, u / Sec 40,42,86(1)(c), 86(1)(f) & 86(1)(k) of EA, 2003. against wrongful imposition of Cross Subsidy Surcharges (CSS) by the MSEDCL on the captive consumers of Wardha Power Company Ltd. availing Open Access. The main prayers of the Petitioner are as under

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- a. *quash the invoices raised by the Respondent No. 1 (as mentioned in paragraph 23 of the present petition), containing imposition of CSS, for the power sourced by the Petitioner to its captive consumers from 01.03.2012 to 31.07.12; and further direct the Respondent No. 1 to issue fresh invoices/bills without the levy of CSS thereby holding that the Petitioner is a captive generating plant which is supplying power to its captive consumers,*
- b. *direct the Respondent No 1 that it cannot impose CSS mid-way I a financial year without verifying the power generation and consumption data on an annual basis thereby in complete violation of the Electricity Act 2003 read with the Electricity Rule 2005,*
- c. *direct the Respondent No 1 to refund the amount which has been paid by the captive consumers of the Petitioner on account of the imposition of CSS through the invoices/ bills for the power sourced by the Petitioner to its captive consumers from 01.03.2012 to 31.07.2012, as detailed in the present petition;”*

2. I am directed to communicate that the Hearing in the above matter will be held in the presence of the authorised consumer representatives on **Monday, 26th November, 2012 at 11.00 hrs** in the office of the Commission at 13th floor, Centre No.1, World Trade Centre, Cuffe Parade, Mumbai 400 005.

3. The Petitioner is directed to serve a copy of the above mentioned Petition along with its accompaniments (both in soft and hard version) to the Respondents and the four authorized consumer representatives, whose addresses are given below.

4. The Respondents are directed to submit its say, if any, on the above mentioned Petition with a copy served to the Petitioner and the four authorised consumer representatives.

(P.B. Patil)
Registrar

Wardha Power Company Limited
8-2-293/82/A/431/A,
Road No. 22,Jubilee Hills,
Hyderabad-500 033

Petitioner

Managing Director
Maharashtra State Electricity Distribution Co Ltd.,
Prakashgad, Plot No. G-9,
Anant Khanekar Marg, Bandra (East),
Mumbai 400 051

Respondent

Maharashtra State Electricity Transmission Co Ltd.,
C-19, E-Block, Prakashganga,
Bandra Kurla Complex,
Bandra (East)
Mumbai- 400 051

Respondent

Consumer Representatives:

Prayas (Energy Group)
Amrita Clinic, Athvale Corner,
Lakdipool-karve Road Junction,
Deccan Gymkhana, Karve Road,
Pune 411 004.

Mumbai Grahak Panchayat,
Grahak Bhavan,
Sant Dynaneshwar Marg,
Behind Cooper Hospital
Vile Parle (West)
Mumbai 400 056

Thane Belapur Industries Association,
Rabale Village, Post Ghansoli,
Plot P-14, MIDC,
Navi Mumbai 400 701

The Vidarbha Industries Association,
1st Floor, Udyog Bhavan,
Civil Line,
Nagpur 440 001