

**NOTICE**

Subject: Order dated 21.02.2013 in case No.138 of 2012 pronounced by the Hon'ble MERC read with commercial circular No. 190 dated 14.03.2013 issued by the MSEDCL and the order dated 09.11.2011 in case No.43 of 2010 issued by the Hon'ble MERC.

- **Case No. 48 of 2013**

**A.** Indian Wind Power Association have submitted a Petition under affidavit on 05.04.2013, for seeking clarification of the order pronounced by the Hon'ble MERC dated 21.02.2013 in case No.138 of 2012 read with commercial circular No. 190 dated 14.03.2013 issued by the MSEDCL in view of the order dated 09.09.2011 in case No.43 of 2010, under regulation 85 of MERC (conduct of business regulation), 2004.

1)The main prayers of the Petitioner are as under-

*“ a. Clarify that in view of the Order pronounced by this Hon'ble Commission dated September 9,2011 in Case No. 43 of 2010 vis-à-vis Order of Hon'ble Commission dated February 21,2013 in case No.138 of 2012 read with the impugned Circular issued by Respondent No. 1, whether consumers sourcing power from renewable energy sources are entitled to the concessions of 75% of the applicable Cross Subsidy Surcharge.*

*b.In the event, the Hon'ble Commission considers to grant to the Petitioner,relief in terms of prayer (a) above, then the Hon'ble Commission may direct Respondent No.1 to rectify the Impugned Circular to the extent to make in compliance with the Order pronounced by this Hon'ble Commission in this Petition.*

*c. Pass such other order(s) as the Hon'ble Commission may deem just in the facts of the present case.*

**INTERIM PRAYER**

*“In the circumstances,it is respectfully prayed that pendent lite the final order, the Hon'ble commission may be pleased to:*

*a. Pass an ad- interim order of stay of the operation of the Impugned Circular issued by Respondent No.1; and*

*b. Pass such other order(s) as the Hon'ble Commission may deem just in the facts of the present case.*

3. I am directed to communicate that the hearing in the above matter will be held in the presence of authorised consumer representatives on **Monday, 13<sup>th</sup> May, 2013 at 12.30 hrs** in the office of the Commission at 13<sup>th</sup> floor, Centre No.1, World Trade Centre, Cuffe Parade, Mumbai 400 005.

4. The Petitioner is directed to serve a copy of its above mentioned Petition, along with its accompaniments to the Respondent and the four authorised consumer representatives, whose addresses are given below.

5. The Respondent is directed to submit its say on affidavit, if any, on the above mentioned Petition with a copy to the Petitioner and authorised consumer representatives.

**Note-**Previous notice dt 17<sup>th</sup> April, 2013 outward No. 168 be treated as cancelled due to mistaken address of Indian Wind Power Association.

Sd/-

(R.S. Sonawane)  
Dy. Director (Legal)

Indian Wind Power Association  
Empire House, 214,D.N.Road,  
A.K.Naik, Marg, Fort,  
Mumbai- 400 001

Petitioner

The Chief Engineer (TRC)  
Maharashtra State Electricity Distribution Company Ltd  
5<sup>th</sup> Floor, Plot G-9, Anant Kanekar Marg,  
Prakashgad, Bandra (East),  
Mumbai 400 005

Respondent

Maharashtra Energy Development Agency  
MHADA Commercial Complex, 2<sup>nd</sup> Floor,  
Opp.Tridal Nagar, Yerwada,Pune- 411 006

Respondent

**Consumer Representatives**

Prayas (Energy Group)  
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Lakdipool-karve Road Junction,  
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