

NOTICE

Subject: Petition of M/s Pudumjee Pulp & Paper Mills Ltd. for seeking clarification of MERC Order dated 05.09.2013 in Case No. 95 of 2013 placed on MSEDCL with respect to approval of expenses of MSPGCL including earlier expenses approved vide MERC's other orders for recovery from consumers of MSEDCL and directions including the MSEDCL Commercial Circular No. 209 dated 07.09.2013.

- **Case No. 158 of 2013**

M/S. Pudumjee Pulp & Paper Mills Ltd. have submitted a Petition under affidavit on 21.10.2013 under Section 11(1)(2), 61(b,c,d,e,f,g), 62(a), 62(4), 86(b), 86(2)(i), 94(1)(2) of the Electricity Act, 2003 & Regulation No.15 of MERC (Conduct of Business) Regulations, 2004 for Seeking clarification of MERC Order dated 05.09.2013 in Case No. 95 of 2013 placed on MSEDCL with respect to approval of expenses of MSPGCL including earlier expenses approved vide MERC's other orders for recovery from consumers of MSEDCL and directions including the MSEDCL Commercial Circular No. 209 dated 07.09.2013.

The main prayers of the Petitioner are as under-

"1. Kindly stay forthwith both the Orders of MERC, dated 05.09.2013 in Case No.95 of 2013 and its other relevant orders and the consequent commercial circular No.209 of 07.09.2013 of MSEDCL to save the consumers from financial and economic crisis and getting over 'extraordinary circumstances'.

We earnestly pray the Commission to institute Third Party Audit of MAHAGENCO to assess the performance and remedy the situation.

2. We strongly urge and humbly pray Commission to appreciate the circumstances as narrated above in the body of the petition and uphold Section 11(2) of Electricity Act, 2003 and pray that the Appropriate Commission may offset the adverse financial impact of the directions referred to in sub-section (1) on any generating company in such manner as it considers appropriate.

3. Allow MSEDCL to recover the variation in energy charge component of amount of MSPGCL through FAC mechanism w.e.f. October 2013 by providing Table for levying of charges on respective consumer categories basing on the approved Sales for FY 2013-14 in as per MYT Business Plan of MSEDCL.

4. *Permit to make further submissions, additions and alterations as may be necessary from time to time.*

5. *Condone any errors / omission and to give opportunity to rectify the same.*

6. *Pass any such or other Orders as the Hon'ble Commission deems fit and proper in the interest of justice and in the circumstances of the case."*

3. I am directed to communicate that the **Hearing** in the above matter will be held in the presence of the authorized consumer representatives on **Wednesday, 13 November, 2013 at 14.30 hrs** in the office of the Commission at 13th floor, Centre No.1, World Trade Centre, Cuffe Parade, Mumbai 400 005.

4. The Petitioner is directed to immediately serve a copy of its above mentioned Petition (both in soft and hard versions) to the Respondent and the authorised consumer representatives before the scheduled date of hearing.

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 the authorised consumer representatives well in advance.

Sd/-

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

M/s Pudumjee Pulp & Paper Mills Ltd.,
Thergaon, Chinchwad,
Pune - 411 033.
E-mail:- anil.dsouza@gmail.com

Petitioner

The Chief Engineer (Commercial),
Maharashtra State Electricity Distribution Co. Ltd.,
Prakashgad, plot No. G-9,
Ananat Kanekar Marg,
Bandra (East), Mumbai - 400051
E-mail :- cecomm@mahadiscom.in

Respondent

Cc: **Consumer Representatives:**

Prayas (Energy Group)
Amrita Clinic, Athvale Corner,
Lakdipool-karve Road Junction,
Deccan Gymkhana, Karve Road,
Pune 411 004.
E-mail: peg@prayaspune.org

The General Secretary,
Thane Belapur Industries Association,
Rabale Village, Post Ghansoli,
Plot P-14, MIDC,
Navi Mumbai 400 701
E-mail: tbia@vsnl.com

Mumbai Grahak Panchayat,
Grahak Bhavan,
Sant Dynaneshwar Marg,
Behind Cooper Hospital,
Vile Parle (West), Mumbai 400 056
E-mail: mgpanchayat@yahoo.com

Vidarbha Industries Association,
1st Floor, Udyog Bhavan,
Civil Line, Nagpur 440 001.
E-mail: rkengg@gmail.com

Maharashtra Chamber of Commerce,
Industry & Agriculture,
Oricon House, 6th floor,
12 K. Dubash Marg, Fort, Mumbai - 400 001
(Nashik Branch)
E-mail : maccia.nsk@gmail.com