

NOTICE

Subject: Petition of Wardha Power Company Limited, for clarification of the Order dated 15.01.2014 in Case No. 08 of 2013.

- **Case No. 35 of 2014**

Wardha Power Company Ltd., has submitted a Petition under affidavit on 24.01.2014, Under Regulation 92, 93 & 94 of MERC (Conduct of Business) Regulations, 2004 for clarification of the Order dated 15.01.2014 in Case No. 08 of 2013.

The main prayers of the Petitioner are as under-

“ i) clarify whether the Petitioner is entitled to deduct payments in terms of capacity charges from the future bills of the Applicant / Respondent when the availability of the Applicant has been above normative (85%) for the period which is the subject matter of the order dated 15.01.2014;

ii) clarify that in the event of fall in plant availability, the Petitioner has to proportionately reduce its entitlement of quantum as per Article 5.3.2 of the PPA, in the light of the long term contracts the Applicant / Respondent has with its captive users, before deducting / adjusting payments from the future monthly bills of the Applicant / Respondent;

iii) clarify the computation and mechanism to be followed by the Petitioner for fulfilling the directions issued in paragraph 45.4, 45.6 and 45.7 of the order dated 15.01.2014;

iv) in the interim grant a stay on the operation of the order dated 15.01.2014, especially in terms of the findings / directions issued in paragraph 45.7 of the order dated 15.01.2014; and

v) pass such further(s) as it deems just, fit and proper in the facts and circumstances of the case.”

2. I am directed to communicate that the **Hearing** in the above matter will be held in the presence of the authorized consumer representatives on **Tuesday, 11 February, 2014 at 12.30 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 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.

4. 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)

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

Petitioner

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Respondent

Cc: Consumer Representatives:

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