

NOTICE

Subject: Petition of Green Energy Association for Petition under Section 86(1) (E) read with sections 42, 129, 142 and 149 of the Electricity Act,2003; Regulation No. 4 of MERC (Distribution Open Access) Regulations, 2005 & Regulation 92 & 94 of MERC (Conduct of Business) Regulations, 2004 & Order dated January 3, 2013 pronounced by the Hon'ble in Case Nos. 8, 18 & 20 of 2013 for appropriate directions to the MSEDCL to comply with provisions herein and grant to open access permissions to the members of the Petitioners pursuant to their respective Applications.

- **Case No. 44 of 2014**

Green Energy Association has submitted a Petition under affidavit on 28.01.2014, under Sections 42, 129, 142 and 149 of E.A. 2003 & Regulation No. 92 & 94 of MERC (Conduct of Business) Regulations, 2004 & Regulation No. 4 of MERC (Distribution Open Access) Regulations, 2005 & Order dated January 3, 2013 pronounced by the Hon'ble in Case Nos. 8,18 & 20 of 2013 for appropriate directions to the MSEDCL to comply with provisions herein and grant to open access permissions to the members of the Petitioners pursuant to their respective Applications.

The main prayers in para No.34 (1) (Page No. 17) of the Petitioner are as under-

- a) *Direct Respondent No.1 to immediately issue the open access permissions and also the credit notes to the members of Petitioner for energy injected till date and continue to issue the same in timely manner.*
- b) *Allow change of buyer/consumer where for same period as per the original application the buyer/consumer under whose name open access application was made has refused to purchase power due to inordinate delay by Respondent No.1 in granting open access permissions.*
- c) *Direct Respondent No. 1 to adjust the energy injected by the members of the Petitioner till date who have applied for captive use and third party sale in consumer, bills (whether new consumer or original consumer, as the case may be) and compensate for the loss incurred by the generators in the event the same cannot be adjusted;*
- d) *Award cost of these proceedings against the Respondents and in favour of the Petitioner.*
- e) *Pass such other order(s) as the Hon'ble Commission may deem just in the facts of the present case."*

The main prayers in para No.34(4) (Page No. 27) of the Petitioner are as under-

- a) *Pass an ad-interim ex-parte order directing Respondent No.1 to immediately issue the open access permissions and also the credit notes to the members of Petitioner for energy injected till date and continue to issue the same in timely manner.*
- b) *Confirm the ex-parte orders after notice to the Respondents; and*
- c) *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 matter will be held further on **Tuesday, 22 April, 2014 at 12.00 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)

Green Energy Association,
Sargam, 143, Taqdir Rerrace,
Near Shirodkar Hagh School, Dr.E. Borjes Road,
Parel (East), Mumbai - 400 012

Petitioner

E-mail :- prafulla@malpani.com / contact@eternitylegal.com / dipali@eternitylegal.com

The Managing Director
Maharashtra State Electricity Distribution Co. Ltd.,
5th floor, Plot No G-9, Prakashgad,
Prof. Anant Kanekar Marg,
Bandra (East), Mumbai - 400051
E-mail :- md@mahadiscom.in

Respondent --- 1

General Manager,
Maharashtra Energy Development Agency (MEDA)
MHADA Commercial Complex,
2nd Floor, Opp. Tridal Nagar,
Yerwada, Pune - 411 006.
E-mail:- dg@mahaurja.com

Respondent --- 2

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