

NOTICE

Subject: Petition & Miscellaneous Application of Indian Wind Power Association against revised procedure for wind open access as announced by MSEDCL read with MERC(Distribution Open Access) Regulations, 2005 read with Commercial Circular No. 194 dated April 09, 2013 issued by the MSEDCL.

- **Case No. 72 of 2014 & MA NO. 06 of 2014 in Case No. 72 of 2014.**

Indian Wind Power Association has submitted a Petition under affidavit on 11.03.2014, under Sections 129, 142 and 149 of the Electricity Act, 2003, for seeking relief against the revised procedure for wind power open access as announced by MSEDCL read with MERC(Distribution Open Access) Regulations, 2005 read with Commercial Circular No. 194 dated April 09, 2013 issued by the MSEDCL.

The main prayers of the Petitioner are as under-

- “a) Direct Respondent No. 1 to withdraw the Revised Procedure immediately;*
- b) Direct Respondent No. 1 to process the open access applications of the members of the Petitioner in accordance with applicable laws and Orders of this Hon’ble Commission;*
- c) Direct Respondent No. 1 to issue open access permissions to the members of the Petitioner in timely manner and not later than April 1, 2014 for applications already made;*
- d) To initiate proceedings against Respondent No. 1 and its officers under Sections 129, 142 and 149 of the Electricity Act, 2003 for willful disobedience and for securing compliance of the Orders passed by the Hon’ble Commission.*
- e) To refer the matter to the Hon’ble High Court for initiation of contempt proceedings against the Respondent No. 1 and its officers;*
- f) Award cost of these proceedings against the Respondent No. 1 and in favour of the Petitioner.*
- g) Pass such other order(s), as this Hon’ble Commission may deem just in the facts of the present case.”*

Ad-Interim Relief prayers (On page No. 36 in para No.30 of the Petition) are as under- -

- “a) Pass an ad-interim ex-parte Order directing Respondent No. 1 to withdraw such Revised Procedure and continue to process the open access applications of the members of the Petitioner when filed in accordance with present regulatory regime;*

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- b) *Pass an ad-interim ex-parte Order directing Respondent No. 1 to issue open access permissions immediately in accordance with present regulatory regime from the respective dates requested for in the applications filed by the members of the Petitioner;*
- c) *Confirm the ex-parte orders after notice to the Respondents; and*
- e) *Pass such other order(s), as this Hon'ble Commission may deem just in the facts of the present case."*

The main prayers of the Petitioner in MA NO. 06 of 2014 in Case No. 72 of 2014.

are as under-

- "a) Pass an ad-interim ex-parte order directing Respondent No. 1 to withdraw such Revised Procedure and continue to process the open access applications of the members of the Petitioner when filed in accordance with present regulatory regime and practice prevalent in 2013-14;*
- b) Pass an ad-interim ex-parte order directing Respondent No. 1 to issue open access permissions immediately in accordance with present regulatory regime from the respective dates requested for in the applications filed by the members of the Petitioner;*
- c) Confirm the ex-parte orders after notice to the Respondents; and*
- e) Pass such other order(s), as this Hon'ble Commission may deem just in the facts of the present case."*

2. I am directed to communicate that the **Hearing** in the above Petition and Miscellaneous Application will be held in the presence of the authorized consumer representatives on **Tuesday, 27 May, 2014 at 11.30 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 and Miscellaneous Application (both in soft and hard versions) to the Respondents and the authorised consumer representatives before the scheduled date of hearing.

4. The Respondents are to submit its say on affidavit, if any, on the above mentioned Petition and Miscellaneous Application with a copy to the Petitioner and the authorised consumer representatives well in advance.

Sd/-
(R. S. Sonawane)
Dy. Director (Legal)

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Petitioner

The Managing Director
Maharashtra State Electricity Distribution Co. Ltd.,
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Bandra (East), Mumbai - 400051
E-mail :- md@mahadiscom.in

Respondent No.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 No.2

Cc: **Consumer Representatives:**

Prayas (Energy Group)
Amrita Clinic, Athvale Corner,
Lakdipool-karve Road Junction,
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