

NOTICE

Subject: Petition of Adani Power Maharashtra Limited for under Section 86 of the Electricity Act, 2003 for adjustment in tariff under the Power Purchase Agreements(PPA's) dated 08.09.2008, 31.03.2010, 09.08.2010 and 16.02.2013

- **Case No. 140 of 2014**

Adani Power Maharashtra Limited has submitted a Petition under affidavit on 24.07.2014, under Section 86 of Electricity Act, 2003 for adjustment in tariff under the Power Purchase Agreements(PPA's) dated 08.09.2008, 31.03.2010, 09.08.2010 and 16.02.2013 executed between MSEDCL and Adani Power Maharashtra Limited pursuant to impact on tariff due to shortage in domestic coal availability and consequent changes in New Coal Distribution Policy dated 18.10.2007 which reduced the assured quantum of domestic coal ensured under the New Coal Distribution Policy dated 26.07.2013 read with relevant Articles of the PPAs, recommendations of the Cabinet Committee on Economic Affairs dated 21.06.2013 and communication of Ministry of Power dated 31.07.2013 to the State Governments and Regulatory Commissions.

2. The main prayers of the Petitioner are as under-

“a) Approve the Operational Methodology proposed for calculation of incremental energy charge as adjustment in tariff for the power supplied by using imported coal/e-auction coal/open market coal / MoU coal purchased on account of shortfall in domestic coal supply from the quantity assured under NCDP, 2007

(i) for Unit 1 for 660 MW and Unit 2 for 520 MW for which linkage has been granted, from the date of commencement of power supply under the PPAs dated 31.03.2010, 09.08.2010 & 16.02.2013 and 08.09.2008 respectively; and

(ii) for Unit 4 and 5 for 1320 MW covered under identified 4660 MW as per CCEA decision dated 21.06.2013 from the date of commencement of power supply under the PPAs dated 31.03.2010, 09.08.2010 & 16.02.2013 the respective PPAs.

b) direct the Respondent to pay the revised tariff for the actual cost of generation for the power supplied in terms of (a) above;

c) May allow compensatory charges in the interim during the pendency of the petition;

d) pass such other further order or orders as this Hon'ble Commission may deem just and proper 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 **Tuesday, 05 August, 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.

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)

Adani Power Maharashtra Limited
“Adani House”
Near Mithakhali Six Road,
Navrangpura,
Ahmedabad - 380 009
E-mail:- malavr.deliwala@adani.com

Petitioner

The Chief Engineer (Power Purchase)
Maharashtra State Electricity Distribution Co. Ltd.,
Plot G-9, Anant Kanekar Marg,
Prakashgad,
Bandra (East), Mumbai - 400051
E-mail:- cepp@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