

NOTICE

Subject: Petition of Bajaj Finserv Limited in the matter of MERC's Distribution Open Access Regulation - 2014 and request of Bajaj Finserv to Hon'ble Commission to exempt non-firm wind energy from applicability of incompatible regulations for captive use / third party sale under open access and continue to promote their sell of RE to any person as per section 86 (1) (e) of Electricity Act 2003 and MSEDCL started implementation of Regulations w.e.f. 1st April 2014, prior to the notification of DOA- 2014 and stopped the business of existing wind energy projects, established only for captive use / third party sale.

- **Case No. 137 of 2014**

Bajaj Finserv Limited has submitted a Petition under affidavit on 16.07.2014, under Section 86 (1) (e) of Electricity Act, 2003 & Regulation 44.4 of MERC (Distribution Open Access) Regulations, 2014 & Regulation 15 of MERC (conduct of business) Regulations, 2004 requesting to exempt non-firm wind energy from applicability of incompatible regulations for captive use / third party sale under open access and continue to promote their sell of RE to any person as per section 86(1)(e) of Electricity Act 2003 and MSEDCL started implementation of Regulations w.e.f. 1st April 2014, prior to the notification of DOA - 2014 and stopped the business of existing wind energy projects, established only for captive use / third party sale.

The main prayers of the Petitioner are as under -

"1) Hon'ble MERC is requested to hold applicability of regulations of DOA-2014 to non-firm RE, which are different than earlier practices / MERC's rulings and incompatible to implement till Stake Holder's hearing. And direct MSEDCL to follow earlier practices related to OA application, ToD energy adjustment, energy banking, etc. for wind energy.

2) Following Regulations are incompatible and demoting GoM's policies, earlier Regulations, Practices as per EA-2003 which are currently promoting RE generation in the State, hence humbly requested to exempt applicability of Regulations 3.1, 4.2, 23, 26.8 of DOA – 2014 in case of Intra- Discom wheeling of non-firm power for captive / third party sale from the project commissioned earlier to the date of DOA -2014.

Regulation 4.2: *Reduction of contract demand of RE consumer*

Regulation 3.1: *Consumer having contract demand of 1- Mw and above, is eligibility to seek open access, however penalised if he fails to use minimum 70% monthly maximum demand*

Regulation 23: *Installation of SEM for RE transactions*

Regulation 26.8: *Adjustment of RE in 15 mins time block is mandatory by DOA-2014 w.e.f. 25-June-2014*

3) BFS may be permitted to present their views in person before Hon'ble Commission"

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 **Thursday, 13 November, 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 authorised consumer representatives before the scheduled date of hearing.

Sd/-

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

M/s. Bajaj Finserv Limited
C/o M/s. Bajaj Auto Limited,
Mumbai - Pune Road,
Akurdi, Pune - 411 035

Petitioner

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,
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