

NOTICE

Subject: Review Petition of Adani Power Maharashtra Limited under Section 94 (1) (f) of the Electricity Act, 2003 & Regulation 85 of MERC(Conduct of Business) Regulations, 2004 of Final Orders dated 15.07.2014 passed by the Hon'ble Commission in Case No. 189 of 2013 and Order dated 20.08.2014 passed by the Hon'ble Commission in Case No. 140 of 2014.

- **Case No. 159 of 2014**

Adani Power Maharashtra Limited has submitted a Petition under affidavit on 09.09.2014, under Section 94 (1) (f) of Electricity Act, 2003 & Regulation 85 of MERC (Conduct of Business) Regulations, 2004, for Review of Final Order dated 15.07.2014 passed by the Hon'ble Commission in Case No. 189 of 2013 and Order dated 20.08.2014 passed by the Hon'ble Commission in Case No. 140 of 2014.

A) The main prayers of the Petitioner in Application for condonation of delay are as under –

“a) Condone the delay of ten (10) days in filing the review petition for review of the order dated 15.07.2014 in Case No. 189 of 2013; and

b) pass such other order or order(s) as this Hon'ble Commission deems fit in the facts circumstances of the present case.”

B) The main prayers of the Petitioner in main Petition are as under –

“On the premises aforesaid, the Review Petitioner most humbly prays that this Hon'ble Commission may be pleased to review the decision / findings of the order in Case No. 189 of 2013 dated 15.07.2014 and in Case No. 140 of 2014 to the extent as follows:

a) To enable full recovery of cost of alternate coal considering actual generation covering the incremental cost incurred for the alternate coal procured to bridge the shortfall as suggested in Para 14.

b) declare that the Change in NCDP, 2007 by the NCDP dated 21.06.2013 is an event of Change in Law in terms envisaged under relevant Articles of the PPAs dated 08.09.2008, 31.03.2010, 09.08.2010 and 16.02.2013 and that the Review Petitioner is entitled to appropriate remedial relief in terms of the PPAs dated 08.09.2008, 31.03.2010, 09.08.2010 and 16.02.2013 executed between the Respondent MSEDCL and the Review Petitioner.

c) Allow Compensatory fuel charge from the date which is later of (a) date of MoP Advice (31 July, 2013); and (b) Actual Date of Delivery.

d) pass such other order or order(s) as this Hon'ble Commission deems fit in the facts circumstances of the present 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, 25 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 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)

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Petitioner

The Managing Director
Maharashtra State Electricity Distribution Co. Ltd.,
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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,
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Grahak Bhavan,
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