

**NOTICE**

Subject : Petition of MSEDCL in the matter of Petition for seeking amendment in the PPA signed under Case I Stage 1 project in relation to ambiguity in definition of contracted capacity and installed capacity.

- **Case No. 122 of 2015**

MSEDCL has submitted a Petition under affidavit on 04.09.2015 under Section 86(1) (b) (f) of the Electricity Act, 2003 & Regulation 92, 93, 94 and 96 of MERC (Conduct of Business) Regulations, 2004 for seeking amendment in the PPA signed under Case I Stage 1 project in relation to ambiguity in definition of contracted capacity and installed capacity.

The main prayers of the Petitioner are as under-

*“The Petitioner most respectfully prays to the Hon’ble Commission:*

- a) *To admit the Petition as per provisions of the Section 86(1) (b) (f) of the Electricity Act, 2003 & Regulation 92, 93, 94 and 96 of MERC (Conduct of Business) Regulations, 2004.*
- b) *To allow the Petitioner to modify the PPA dated 8<sup>th</sup> Sep 2008 with APML and 23<sup>rd</sup> Feb 2010 with JSW Energy Ltd.*
- c) *To allow Petitioner to amend and reduce Contracted Capacity in the PPA of APML (1320 MW) & JSW (300 MW) to Net Rated capacity (i.e. Installed Capacity – Auxiliary consumption as per applicable MERC norms) as 1234 MW i.e. 1320 -86 MW and as 273 MW i.e. 300 – 27 MW respectively.*
- d) *To modify the clause 4.4.4 as per definition of Contracted Capacity;*
- e) *To allow MSEDCL to make the reduction in Contracted Capacity of APML (1320 MW) & JSW (300 MW) with retrospective effect.*
- f) *To allow the Petitioner to calculate the capacity charges as per revised Contracted Capacity with retrospective effect and adjust the differential amount in future bills;*
- g) *To grant any other relief as the Hon’ble Commission may deem fit;*
- h) *To pass any other order as the Hon’ble Commission may deem fit and appropriate under the circumstances of the case and in the interest of justice;*
- i) *To condone any error/omission and to give opportunity to rectify the same;*
- j) *To permit the Petitioner to make further submissions, addition and alteration to this Petition as may be necessary from time to time.”*

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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, 11 February, 2016 at 11.30 hrs** in the office of the Commission at 13<sup>th</sup> 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 Impleaded Party and the authorised consumer representatives before the scheduled date of hearing.

5. The Impleaded Party are 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)

Chief Engineer (Power Purchase)  
Maharashtra State Electricity Distribution Company Ltd.,  
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Petitioner

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Impleaded Party No. --- 1

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Impleaded Party No. --- 2

Cont'd --- 3

**Cc: Consumer Representatives:-**

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