

NOTICE

Subject: Interlocutory Application filed by petitioner Sai Wardha Power Limited seeking urgent Directions from Hon'ble Commission in Relation to the Invocation of Letter of Credit by the Respondent No. 1 MSETCL.

- **Misc Application No 10 of 2016 in Case No. 107 of 2016**

1. The Petitioner has filed Case No.107 of 2016 seeking directions against the Respondent No. 1, MSETCL in regard to the double recovery of transmission charges by the Respondent No. 1 by directly billing the same to the Petitioner contrary to the Regulations of the Hon'ble Commission when the transmission charges are billed for and collected by the Respondent No. 2, MSEDCL from the consumers in terms of the Regulations of the Hon'ble Commission.

MSEDCL has been billing and recovering the transmission charges, the Respondent No. 1, MSETCL has also been billing for the transmission charges. This amounts to acting in violation of the Regulations of the Hon'ble Commission and also double recovery of the transmission charges.

MSETCL on 01/08/2016 has proceeded to invoke the Letter of Credit OLCI/LC/137 furnished by the Petitioner in favour of MSETCL for an amount of Rs. 5, 26, 51,738/-The Petitioner has also filed the present Miscellaneous Application for stay and hereby prays for relief:-

(a) *“Direct the parties to maintain status quo with regard to the invocation of the Letter of Credit and to receive payments pursuant to such invocation;*

(b) *Direct the MSETCL not to take any coercive action to directly recover the transmission charges from the Petitioner; and*

(c) *Pass such other further order (s) as the Hon'ble Commission may deem just in the facts of the present case.”*

2. I am directed to communicate that a hearing in the matter will be held in the presence of authorised consumer representatives on **Thursday 18 August, 2016 at 11.30 hrs** in the office of the Commission at 13th Centre No.1, World Trade Centre, Cuffe Parade, Mumbai - 400 005.

3. The Petitioner is directed to serve a copy of its above mentioned Misc. Application, dated 08 March, 2013 along with its accompaniments (both soft and hard versions) to the Respondents and authorised consumer representatives immediately, whose addresses are given below.

Cont'd →2

4. I am directed to further communicate that the Commission has directed that, till hearing on relief sought in this application MSETCL shall not invoke the letter of Credit and maintain status quo. No coercive action should be taken by MSETCL before the matter is heard by the Commission on the scheduled date of hearing i.e . 18 August, 2016.

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

Sai Wardha Power Limited Applicant
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Managing Director
Maharashtra State Electricity Distribution Co Ltd., Respondent No.2
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Consumer Representatives-

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