

**NOTICE**

Subject: Petition filed by RattanIndia Power Limited under Sections 33 read with 86 of the Electricity Act, 2003 and applicable provisions of the Maharashtra State Grid Code and the Maharashtra Scheduling and Dispatch Code.

- **Case No. 125 of 2016**

RattanIndia Power Limited has submitted a Petition under affidavit on 23.09.2016. The Petitioner has filed this Petition seeking directions for compliance of Merit Order Despatch principles, compilation of Merit Order Despatch (“MOD”) Stack in accordance with the Order dated 17.05.2007 in Case No. 42 of 2006 and Maharashtra State Grid Code and Despatch and Scheduling Procedures and seeking compensation for loss suffered by the Petitioner on account of frequent backing down instructions, non-adherence to MOD principles and under-declaration of energy charges.

In view of the facts and circumstances of the present case, the Petitioner most humbly prays that this Hon’ble Commission may be pleased to:

(a) *Direct MSLDC to revise of the MOD Stack for the month of September and prepare future MOD Stacks in accordance with the ABT Order and applicable legal framework taking into consideration Energy Charge as approved / determined by this Hon’ble Commission;*

(b) *Revise the MOD Stack principles to take into account the fixed as well as variable charge including any fuel adjustment surcharge or any other charge which increase the total tariff of generating stations;*

(c) *Grant compensation to the Petitioner for the revenue loss incurred in terms of Paragraph 39-40 above;*

(d) *Grant compensation to the Petitioner for loss incurred on account of wrongful and frequent backing down instructions in accordance with Paragraph 39-40 above and in terms of the principles contained in the Regulations 6.3B (3) of the CERC (Indian Electricity Grid Code) (Fourth Amendment) Regulations, 2016;*

(e) *Devise an appropriate mechanism to provide for technical minimum operation of generating stations in accordance with the Indian Electricity Grid Code;*

(f) *Direct the Respondents to provide detailed working of the MOD Stack publically and in a transparent manner; and*

(g) *Pass any other or further order(s) as this Hon’ble Commission deems fit in the facts and circumstances of the case.*

*INTERIM PRAYER*

(a) *Direct MSLDC to revise the MOD stack for the month of September, 2016 and prepare MOD stack for subsequent months, based upon the total variable charge including any fuel adjustment surcharge or any other charge which may be variable in nature as approved by the Hon'ble Commission in order dated 30.08.2016 passed in Case No. 46 of 2016 of MSPGCL owned generating stations; and*

(b) *Direct MSEDCL to revise its power procurement process by considering the approved tariff of the generating plants owned by MSPGCL, and accordingly schedule power from various generating stations on Merit Order Despatch.*

2. 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, 04 October, 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.

3. The Petitioner are directed to immediately serve a copy of its above mentioned Petition (both in soft and hard Copy) to the Respondents and the authorised consumer representatives before the scheduled date of hearing.

4. The Respondents 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)

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Petitioner

The Chief Engineer,  
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Respondent - 1

The Chief Engineer (Commercial),  
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Respondent - 2

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Respondent - 3

**Cc: Consumer Representatives:-**

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The General Secretary,  
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