

NOTICE

Subject: Petition filed by Jsons Foundry Private Limited pertaining to denial of short term open access under section 42 of the electricity act, 2003.

- **Case No. 122 of 2016**

Jsons Foundry Private Limited has submitted a Petition under affidavit on 09.09.2016 under Section 42 of The Electricity Act, 2003. The Petitioner is a generator of Wind Power and seeking directions against MSEDCL for denial of Short Term Open Access under Section 42 by the Respondent. The Petitioner had entered into Wind Energy Purchase Agreement with MSEDCL for a term of 13 years on 02.11.2006 for the purpose of sale of power generated from these wind power projects. The Respondents have denied the STOA applications for self-use of wind energy and hence the Petitioner requests the Hon'ble Commission that on the principles of equity and natural justice direct Respondent to grant permission to the application of the Petitioner for the STOA for the period commencing from May 1, 2016 onwards and prays to:

Interim Relief

- a) *Pass an ad-interim ex-parte order of directing Respondent No. 1 to issue open access permissions in accordance with present regulatory regime w.e.f. May 1, 2016 as per applications of the Petitioner;*
- b) *Confirm the ex-parte orders after notice to the Respondents; and*
- c) *Pass such other order(s) as the Hon'ble Commission may deem just in the facts of the present case.*

MAIN PRAYER

- a) *Direct the Respondent No. 1 to grant STOA permission to the Petitioner for self-use from the wind turbines for the period commencing from May 1, 2016 onwards;*
- b) *Direct Respondent No. 1 to issue generation credit notes from May 1, 2016 till date for Self Use (Captive Consumption);*
- c) *Direct Respondent No. 1 to adjust the power generated from Unit No. GP – 31, Unit No. GP – 101, Unit No. GP – 102, Unit No. K – 239 and Unit No. K - 289 in the Petitioner's bills having consumer number 279249007650 for Unit No. GP – 101 and Unit No. GP – 102, having consumer number 279249004477 for Unit No. GP – 31, K – 239 and Unit No. K - 289 from May 1, 2016 onwards.*

d) Award costs of these proceedings against the Respondent No. 1 and in favour of the Petitioner; and

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

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 **Thursday, 13 October, 2016 at 11.30 hrs.** in the office of the Commission at 13th floor, Centre No.1, World Trade Centre, Cuffe Parade, Mumbai 400 005

3. The Petitioner is 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)

Jsons Foundry Private Limited
G-2B/G-13, M.I.D.C, Kupwad Block,
Sangli – 416436.
E-mail:- dipali@eternitylegal.com

Petitioner

The Chief Engineer (Commercial),
Maharashtra State Electricity Distribution Co. Ltd
Prakashgad, Plot No G-9,
Anant Kanekar Marg, Bandra (East), Mumbai - 400 051
E-mail:- cecomm@mahadiscom.in

Respondent - 1

General Manager,
Maharashtra Energy Development Agency (MEDA)
MHADA Commercial Complex,
2nd Floor, Opp. Tridal Nagar,
Yerawada, Pune - 411 006
E-mail:- dg@mahaurja.com

Respondent - 2

Cc: Consumer Representatives:-

Prayas (Energy Group)
Unit III A & B, Devgiri,
Joshi Railway Museum lane,
Kothrud Industrial Area,
Kothrud, Pune - 411 038
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,
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