

**NOTICE**

Subject: Petition filed by RattanIndia Power Limited (formerly Indiabulls Power Limited) under Section 86 of the Electricity Act, 2003 seeking a declaration for sale of un-availed capacity to third parties in terms of Article 4.5.3 of the PPAs of the Power Purchase Agreements dated 22.04.2010 and 05.06.2010 executed between RattanIndia Power Limited (formerly Indiabulls Power Ltd.) and Maharashtra State Electricity Distribution Company Limited.

- **Case No. 19 of 2017**

RattanIndia Power Limited (formerly Indiabulls Power Limited) has submitted a Petition under affidavit on 19.01.2017, under Section 86 of the Electricity Act, 2003 for seeking a declaration for sale of un-availed capacity to third parties in terms of Article 4.5.3 of the PPAs of the Power Purchase Agreements dated 22.04.2010 and 05.06.2010 executed between RattanIndia Power Limited (formerly Indiabulls Power Ltd.) and Maharashtra State Electricity Distribution Company Limited.

The main prayers of the Petitioner are as under-

- (a) *Quash the communications dated 13.01.2017 issued by MSEDCL, refusing to grant permission for sale of available capacity not being scheduled;*
- (b) *Direct MSEDCL to grant Short Term Open Access to the Petitioner and / or purchasers of such unscheduled capacity in accordance with the Distribution Open Access Regulations;*
- (c) *Direct MSEDCL to act in a reasonable and prudent manner and follow proper procedure allowing sufficient time period for recall of such unscheduled capacity; and*
- (d) *Pass any other Order as this Hon'ble Commission deems fit.*

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, 07 February, 2017 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 serve a copy of its above Petition immediately (both in soft and hard copy) to the Respondents and the authorized Institutional Consumer Representatives.

5. The Respondents are directed to submit the say on affidavit in 1+6 copies to the Commission with documents, if any, on the above mentioned Petition immediately after the receipt of this Notice / and / or during the proceedings, with a copy to the Petitioner and the authorized Institutional Consumer Representatives.

6. The Parties are directed to file their Petition and submissions in MS -Word file and PDF version as far as possible, and to file 1+6 copies of all relevant documents/citations produced during the proceedings.

7. The Petitioner herein is directed to file a service report / copy of acknowledgement of serving of copies of the Petition upon the Respondents prior to the hearing in the matter.

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

RattanIndia Nasik Power Limited,  
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Aerocity, New Delhi - 110 037  
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Petitioner

The Chief Engineer (Power Purchase)  
Maharashtra State Electricity Distribution Company Ltd.  
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Prakashgad, Bandra (East), Mumbai 400 051  
E-mail:- [cepp@mahadiscom.in](mailto:cepp@mahadiscom.in)

Respondent - 1

The Chief Engineer  
Maharashtra State Electricity Transmission Co. Ltd.,  
State Load Dispatch Centre,  
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E-mail: [ceslhc@mahaslhc.in](mailto:ceslhc@mahaslhc.in)

Respondent - 2

**Cc: Institutional Consumer Representatives:-**

Prayas (Energy Group)  
Unit III A & B, Devgiri,  
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Kothrud, Pune - 411 038  
E-mail: [peg@prayaspune.org](mailto:peg@prayaspune.org)

The General Secretary,  
Thane Belapur Industries Association,  
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