No. MERC/Case No. 46 of 2017/**01778**   07 April, 2017

NOTICE

Subject: Petition of Maharashtra State Electricity Distribution Co. Ltd. (MSEDCL), for in respect modification of the directives of Hon'ble Commission dtd 01.03.2017 for refund of FAC for the period April 16 to Oct 16 amounting to Rs.369.54 Crs. to the Consumers and consideration of the same at the time of truing up for FY 2016-17.

- **Case No. 46 of 2017**

Maharashtra State Electricity Distribution Co. Ltd. (MSEDCL), has submitted a Petition under affidavit on 17.03.2017 under Regulation 85(a) and 94 of the MERC (Conduct of Business) Regulations, 2004 for in respect modification of the directives of Hon'ble Commission dtd 01.03.2017 for refund of FAC for the period April 16 to Oct 16 amounting to Rs.369.54 Crs. to the Consumers and consideration of the same at the time of truing up for FY 2016-17.

The main prayers of the Petitioner are as under-

a) *To admit the petition;*

b) *To stay the directives of refund of FAC adjustment amount of Rs 369.54 crores till final disposal of present case.*

c) *To modify/withdraw the FAC refund of Rs 369.54 Crs. directives for the period of Apr to Oct 16 so that the FAC for the period of Apr to Oct 16 may be adjusted at the time of truing up for FY 16-17;*

d) *To apply the revised methodology for computation of FAC from 1st Nov 2016 instead of retrospectively from 1st April 2016; or*

e) *To allow petitioner to adjust shortfall in energy charges for the period from Apr to Oct 16 against the FAC for the period from Apr to Oct 2016; or*

f) *To allow the petitioner to recover PP cost variation paid to MSPGCL and other generators during the period Apr-Oct 16;*

g) *To pass such order/ orders as Hon'ble commission may deem fit considering facts and circumstances of the case and in the interest of this case;*

h) *To condone any error/omission and to give opportunity to rectify the same.*

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, 25 April, 2017 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 serve within 1 week, a copy of its above Petition (both in soft and hard copy) to the authorized Institutional Consumer Representatives.

4.   The Consumer Representatives is directed to submit their say on affidavit in 1+6 copies to the Commission with documents, if any, on the above mentioned Petition within 2 weeks from receipt of copy of Petition, with a copy to the Petitioner.

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.

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

The Chief Engineer (Power Purchase),   Petitioner
Maharashtra State Electricity Distribution Co. Ltd
Plot No G-9, Prakashgad, 5th floor, Station Road,
Bandra (East), Mumbai - 400051
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Cc: **Institutional Consumer Representatives:-**

Prayas (Energy Group)   The General Secretary,
Unit III A & B, Devgiri,   Thane Belapur Industries Association,
Joshi Railway Museum lane,   Rabale Village, Post Ghansoli,
Kothrud Industrial Area,   Plot P-14, MIDC,
Kothrud, Pune - 411 038   Navi Mumbai - 400 701
E-mail: peg@prayaspune.org   E-mail: tbia@vsnl.com

Mumbai Grahak Panchayat,   Maharashtra Chamber of Commerce,
Grahak Bhavan,   Industry & Agriculture,
Sant Dynaneshwar Marg,   Oricon House, 6th floor,
Behind Cooper Hospital,   12 K. Dubash Marg,
Vile Parle (West),   Fort, Mumbai - 400 001
Mumbai - 400 056   (Nashik Branch)
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Vidarbha Industries Association,   Chamber of Marathwada Industries & Agriculture
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