

NOTICE

Subject: Petition of Hindustan Petroleum Corporation Ltd., under Sections 9 read with 42(2), 49, 61, 62,66 86(3) and (4) of the Electricity Act, 2003 read with Regulation 32 of MERC (Distribution Open Access) Regulations, 2016.

- **Case No. 45 of 2017**

Hindustan Petroleum Corporation Ltd., has submitted a Petition under affidavit on 17.03.2017 under Sections 9 read with 42(2), 49, 61, 62,66 86(3) and (4) of the Electricity Act, 2003 read with Regulation 32 of MERC (Distribution Open Access) Regulations, 2016.

The main prayers of the Petitioner are as under-

- (a) *Hold that RAC is not payable on captive power and direct Tata Power to refund the entire RAC quantum charged from the Petitioner in contravention of the provisions of the Electricity Act; and*
- (b) *Direct Tata Power to pay interest @ 24 % per annum in favour of the Petitioner on the RAC illegally charged by it; and*
- (c) *Direct Tata Power to pay pendent lite interest @ 24 % per annum in favour of the Petitioner; and*
- (d) *Court fees, costs (inclusive of litigation costs) and expenses incurred by the Petitioner; and*
- (e) *Pass any other or such further order(s), which this Hon'ble Commission may deem fit and proper in favour of the Petitioner and against the Respondents in the interest of justice.*

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, 25 May, 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 Respondents and the authorized Institutional Consumer Representatives.

4. 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 within 2 weeks from receipt of copy of Petition, 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.

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

The Deputy General Manager- Maintenance,
Hindustan Petroleum Corporation Limited,
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Petitioner

Tata Power Company Limited
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Fort, Mumbai 400 001.
E-mail: bhaskar.sarkar@tatapower.com

Respondent No - 1

Sai Wardha Power Limited
(now known as Sai Wardha Power Generation Limited)
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Road No.22 Jubilee Hills,
Hyderabad-500033
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Respondent No - 2

Cc: **Institutional Consumer Representatives:-**

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