

NOTICE

Subject: Petition of Hindustan Petroleum Corporation Limited under Section 42(2), 86 and other applicable provision of the EA, 2003 and the Regulations thereto framed by this Hon'ble Commission for directions and refund of wheeling charges and the wheeling losses wrongfully levied and collected by the Respondent No.1, Tata Power Company Limited.

- **Case No. 58 of 2017**

Hindustan Petroleum Corporation Limited has submitted a Petition under affidavit on 13.04.2017 under Section 42(2), 86 and other applicable provision of the EA, 2003 and the Regulations thereto framed by this Hon'ble Commission for directions and refund of wheeling charges and the wheeling losses wrongfully levied and collected by the Respondent No.1, Tata Power Company Limited.

The main prayers of the Petitioner are as under-

- (a) *Hold and direct that Tata Power is not entitled to levy and collect the wheeling charges and the wheeling losses on the supply of electricity through open access and wheeling charges through retail, to HPCL which is directly connected to the 110 KV transmission line of Tata Power;*
- (b) *Direct Tata Power to refund to the Petitioner the entire amount of Rs. [103.87 Crores (Rupees one hundred and three crores and eighty-seven lakhs only) (quantified till - February 28, 2017) and thereafter the entire amount illegally levied and collected as wheeling charges and wheeling losses from the Petitioner post -February 28, 2017;*
- (c) *Direct Tata Power to pay interest at the rate of 18% per annum on the amounts wrongfully recovered from the Petitioner from the date of such recovery till the date of refund;*
- (d) *Restrain Tata Power from billing and recovering further wheeling charges and wheeling losses from the Petitioner for the captive supply of electricity made by SWPGL to HPCL by means of open access;*
- (e) *Pass an ex-parte ad-interim order in terms of prayer (d) above and confirm the same after notice to the Respondents;*
- (f) *Award costs of the present petition; and*
- (g) *Pass such other further order(s) as the Hon'ble Commission may deem just in the facts and circumstances 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 **Tuesday, 27 June, 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 immediately, 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, with a copy to the Petitioner and the authorized Institutional Consumer Representatives.
5. 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,
Mumbai Refinery, B.D Patil Marg, Mahul,
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Petitioner

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Tata Power Company Limited
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Respondent No - 1

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Hyderabad-500033
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Respondent No - 2

The Chief Engineer,
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Kalwa, Thane - Belapur Road,
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Respondent No - 3

Cc: **Institutional Consumer Representatives:-**

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