

NOTICE

Subject:- Petition of Nidar Utilities Panvel LLP (NUP LLP) seeking approval of Power Purchase Agreement (PPA) executed between NUP LLP and M/s Tata Power Company Limited (Distribution Business) TPC - D for procurement of power under the provisions of Section 86 (1) (b) of the EA, 2003 read with Regulation 3.1, Regulation 17 and Regulation 20 of the MERC (MYT) Regulations, 2015 along with Regulation 8.3.3 of the MERC (General Conditions of Distribution Licence) Regulations, 2006.
- **Case No. 117 of 2017**

NUP LLP has submitted a Petition under affidavit on 25.07.2017 seeking approval of PPA executed between NUP LLP and TPC - D for procurement of power under the provisions of Section 86 (1) (b) of the EA, 2003 read with Regulation 3.1, Regulation 17 and Regulation 20 of the MERC (MYT) Regulations, 2015 along with Regulation 8.3.3 of the MERC (General Conditions of Distribution Licence) Regulations, 2006.

The main prayers of the Petitioner are as under-

- (a) *Admit the present Petition;*
- (b) *Approve the Power Purchase Agreement executed between M/s Nidar Utilities Panvel Limited Liability Partnership and M/s The TATA Power Company Limited (Distribution Business) for procurement of power for a period of three years from October 2017 to September 2020;*
- (c) *Waive the RPO obligation of NUPLLP upto FY 2019-20;*
- (d) *Waive the requirement for filing of the power procurement plan upto September 2020 of FY 2020-21;*
- (e) *Waive the deviation settlement charge for a period of at least for one year, considering that no firm demand character is available with NUPLLP.*
- (f) *Waive the rescheduling/scheduling charge of SLDC for a period of at least for one year, in view of the considerable impact of rescheduling/scheduling charge on ultimate consumer tariff in the first year.*
- (g) *Condone any error/omission and to grant an opportunity to NUPLLP to rectify the same;*
- (h) *Permit NUPLLP to make such further submission(s), addition(s) and alternation(s) to this Petition as may be necessary from time to time;*

(i) *Pass such orders as Hon'ble Commission may deem fit, just and proper in the facts and circumstances of the case.*

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 **Thursday, 31 August, 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.

4. The Petitioner is directed to serve immediately, a copy of its above Petition (both in soft and hard copy) to the Respondent and the authorized Consumer Representatives.

5. The Respondent is directed to submit the say on affidavit in 1+6 copies to the Commission with documents, if any, on the above mentioned Petition immediately, with a copy to the Petitioner and the authorized 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)

Nidar Utilities Panvel LLP
514, Dalamal Towers,
Nariman Point,
Mumbai - 400 021
E-mail:- aguha@henergy.com

Petitioner

Tata Power Company Limited (Distribution)
Bombay House,
24, Homi Mody Street,
Fort, Mumbai 400 001.
E-mail: bhaskar.sarkar@tatapower.com

Respondent

Cc: Institutional 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,
Sant Dynaneshwar Marg,
Behind Cooper Hospital,
Vile Parle (West),
Mumbai - 400 056
E-mail: mgpanchayat@yahoo.com

Maharashtra Chamber of Commerce,
Industry & Agriculture,
Oricon House, 6th floor,
12 K. Dubash Marg,
Fort, Mumbai - 400 001
(Nashik Branch)
E-mail : maccia.nsk@gmail.com

Vidarbha Industries Association,
1st Floor, Udyog Bhavan,
Civil Line,
Nagpur - 440 001
E-mail: rkengg@gmail.com

Chamber of Marathwada Industries & Agriculture
Bajaj Bhavan, P-2, MIDC Industrial Area,
Railway Station Road,
Aurangabad – 431005
E-mail: info@cmia-aurangabad.com

Cc: Individual Consumer Representatives:-

Shri Hemant Arunchandra Kapadia
25, Shantiniketan Colony,
Near Shani Mandir,
Aurangabad – 431001
Email - hemantkapadia00@hotmail.com