

**NOTICE**

Subject:- Petition of 1) M/s. Gadre Marine Export 2) M/s. Gadre Marine Export Private Limited under Section 86(1)(f) read with 86(1)(c) of the EA,2003 for adjudication of disputes between the Petitioner and the Respondent No.1 Maharashtra State Electricity Distribution Co. Ltd  
- **Case No. 193 of 2017**

1) M/s. Gadre Marine Export 2) M/s. Gadre Marine Export Private Limited has filed a Petition on 19.12.2017 under Section 86(1)(f) read with 86(1)(c) of the EA,2003 for adjudication of disputes between the Petitioner and the Respondent No.1 MSEDCL.

The main prayers of the Petitioner are as under-

- a) *declare that the letters dated 27.07.2016 bearing no. 023635 and dated 25.09.2017 bearing no. 23994 addressed by MSEDCL to the extent they deny the change of option (entity), to the Petitioner to convert from IPP to CPP, are contrary to law and liable to be quashed and set aside and the Petitioner be granted change of option w.e.f. 04.02.2016 with all consequential benefits.*
- b) *declare that the letter no. 25985 dated 25.08.2011 addressed by MSEDCL to the Petitioner interpreting the MERC RE Tariff Regulations, 2010 and MERC RE Tariff order dated 14.07.2010 to the effect that the same requires entering into a PPA for a period of 35 years only and no Generators / Project Developer can approach MSEDCL and any other Distribution Licensee offering short-term purchase, is bad in law;*
- c) *declare and hold that the Petitioner is entitled to change of option (entity) from IPP to CPP w.e.f. 04.02.2016 and upon such change of option being granted entitled to all incidental and consequential actions in terms of wheeling, banking, open access and all applicable procedures;*
- d) *direct the MSEDCL to reconcile the accounts and payments between the parties, to factor in the change of option (entity) to be allowed from 04.02.2016 and refund the amounts to the Petitioner;*
- e) *pending the hearing and final disposal of the present case, the Petitioner be permitted to avail the change option (entity) and to utilise the power generated from the Deoghar Hydro Electricity Project for self -use as a CPP;*
- f) *pass such other order(s) as the Hon'ble Commission may deem just in the facts 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, 16 January, 2018 at 11.00 hrs** in the office of the Commission at 13<sup>th</sup> floor, Centre No.1, World Trade Centre, Cuffe Parade, Mumbai - 400 005.
3. The Petitioner is directed to immediately serve a copy of its above mentioned Petition (both in soft and hard Copy) to the Respondents and the authorised consumer representatives before the scheduled date of hearing.
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 immediately, with a copy to the Petitioner and authorized 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)

M/s. Gadre Marine Export  
3298 - A, Mirkarwada,  
Ratnagiri – 415612  
E-mail: [jyoti.sinha@khaitanco.com](mailto:jyoti.sinha@khaitanco.com)

Petitioner No - 1

M/s. Gadre Marine Export Private Limited  
Plot No. FP-1, M.I.D.C. Mirjole Block,  
Ratnagiri – 415639

Petitioner No - 2

The Chief Engineer (Power Purchase),  
Maharashtra State Electricity Distribution Co. Ltd  
Plot No G-9, 5<sup>th</sup> Floor, Prakashgad,  
Station Road, Bandra (East), Mumbai - 400 051  
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Respondent No - 1

The Principal Secretary,  
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Respondent No - 2

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Respondent No - 3

**Cc: Institutional Consumer Representatives:-**

Prayas (Energy Group)  
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**Cc: Individual Consumer Representatives:-**

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