

NOTICE

Subject: Petition of Sai Wardha Power Generation Limited for directions to the Respondent in regard to the terms of Open Access granted by the Respondent for the period from 01.04.2018.

- **Case No. 116 of 2018**

Sai Wardha Power Generation Limited has submitted a Petition on 26.04.2018, under Section 42 of Electricity Act 2003 for directions to the Respondent in regard to the terms of Open Access granted by the Respondent for the period from 01.04.2018.

The main prayers of the Petitioner are as under-

- (a) *Hold and declare that the mention of 'Section 10' or 'IPP' in the open access permissions dated 27/03/2018 issued by MSEDCL are incorrect and the said open access permissions shall be operational by treating the said terms of 'Section 10' and 'IPP' as deleted;*
- (b) *Direct MSEDCL to grant of open access against the MTOA applications made by SWPGL on 26/12/2017 immediately;*
- (c) *Declare and reiterate the MSEDCL shall be entitled to levy the CSS and any other charges exempt for captive consumption, only on an annual basis after the year is over, if and when the Hon'ble Commission determines that the captive status has not been fulfilled for the year;*
- (d) *Pass an ex-parte ad-interim order restraining MSECCL from levy CSS, Additional Surcharge and any other charges not leviable on captive consumption, in the monthly invoice of April, 2017 and subsequent invoices to be raised after the end of each month;*
- (e) *Confirm the above order after notice to the Respondent;*
- (f) *Grant costs of the present proceedings to the Petitioner and against MSEDCL;*
- (g) *Pass such other further order(s) as the Hon'ble Commission may deem just in the facts of the present case.*

Ad-Interim

The Petitioner has filed the Miscellaneous Application dated 18.04.2018 for directions to the respondent in regard to the terms of Open Access granted by the Respondent for the period from 01.04.2018 and prays to:

(a) *Pass an ex-parte ad-interim order restraining MSEDCL from level CSS, Additional Surcharge and any other charges not leviable on captive consumption, in the monthly invoice of April, 2017 and subsequent invoices to be raised after the end of each month on the basis that the supply by the Petitioner to its consumers is non-captive in nature;*

(b) *Confirm the order in terms of prayer (a) above after notice to the Respondent; and*

(c) *Pass any such further order(s) as this Hon'ble Commission may deemed fit;*

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 **Monday, 11 June, 2018 at 10.00 am** 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 immediately serve a copy of its above mentioned Petition (both in soft and hard Copy) to the Respondent and the authorised consumer representatives before the scheduled date of hearing.

4. The Respondent is directed to submit the say immediately 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 authorized Consumer Representatives, the CRs may submit there say before hearing.

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)

Petitioner

Sai Wardha Power Generation Limited
8-2-293/82/A/431/A
Road No.22, Jubilee Hills,
Hyderabad-500033
E-mail:- sreekanth_a@skk.co.in / prabhjitsingh.s@skk.co.in

Respondent

Chief Engineer (Commercial),
Maharashtra State Electricity Distribution Co. Ltd
Prakashgad, Plot No G-9,
Anant Kanekar Marg,
Bandra (East), Mumbai - 400051
E-mail: - cecomm@mahadiscom.in

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 – 431 005
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