

NOTICE

Subject: Petition of Asian Hotel (West) Limited under Section 9 and 42 (2) of the Electricity Act, 2003 for adjudication of dispute arisen between the Petitioner and the Respondent on the issue of levy of Regulatory Asset Charges (“RAC”) on the Petitioners captive consumption availed through open access and in the matter of Petition under Regulation 32 and 37 of the MERC (Distribution Open Access) Regulations, 2016 and in the matter of Order dated 21.03.2018, passed by this Hon’ble Commission in Case No. 45 of 2017 (M/s. Hindustan Petroleum Corporation Limited Versus Tata Power Company Limited (Distribution)).

- **Case No. 166 of 2018**

Asian Hotel (West) Limited has submitted a Petition on 07.06.2018 under Section 9 and 42 (2) of the Electricity Act, 2003 for adjudication of dispute arisen between the Petitioner and the Respondent on the issue of levy of Regulatory Asset Charges (“RAC”) on the Petitioners captive consumption availed through open access and in the matter of Petition under Regulation 32 and 37 of the MERC (Distribution Open Access) Regulations, 2016 and in the matter of Order dated 21.03.2018, passed by this Hon’ble Commission in Case No. 45 of 2017 (M/s. Hindustan Petroleum Corporation Limited Versus Tata Power Company Limited (Distribution)).

The main prayers of the Petitioner are as under-

- a. *Hold and declare that the action of R-Infra in levying RAC on captive consumption of the Petitioner is bad in law and illegal;*
- b. *Direct R-Infra to immediately refund the amounts collected towards RAC for the months of January, 2018 till date alongwith interest @ 18% per month;*
- c. *Hold and declare that the observations in the order dated 21.03.2018 passed in Case No. 45 of 2017 are binding on R-Infra;*
- d. *Cost of the Petition be awarded in favor of the Petitioners and against R-Infra.*
- e. *Pass such further order as this Hon’ble Commission may deem fit and proper in the interest of justice and good conscience.*

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 **Sunday, 01 July, 2018 at 10.00 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 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/-
(Anilkumar Ukey)
Dy. Director (Legal)

Asian Hotel (West) Limited
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Andheri (East), Mumbai- 400099
Email- amit.gupta@asianhotelswest.com/ ashish.11.singh@gmail.com

Petitioner

The Managing Director,
Reliance Infrastructure Limited
Devidas Lane, Off SVP Road Near Devidas
Telephone Exchange,
Borivali (West), Mumbai - 400 092
E-mail: - kapil.sharma@relianceada.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),
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Maharashtra Chamber of Commerce,
Industry & Agriculture,
Oricon House, 6th floor,
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Fort, Mumbai - 400 001
(Nashik Branch)
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Vidarbha Industries Association,
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Nagpur - 440 001
E-mail: rkengg@gmail.com

Chamber of Marathwada Industries & Agriculture
Bajaj Bhavan, P-2, MIDC Industrial Area,
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Cc: Individual Consumer Representatives:-

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