

**NOTICE**

Subject: Petition of Ordnance Factory Ambajhari Seeking Intervention and Direction of this Hon'ble Commission U/s. 86 (1) (e) of the Electricity Act, 2003 in matter of 5 MW Ground Mounted Grid Connected PV Solar Power Plant installed by M/s. Azure Power Uranus Pvt. Ltd. at Ordnance Factory Ambajhari, Nagpur, under 300 MW Defence Scheme of Government of India.

- **Case No. 211 of 2018**

Ordnance Factory Ambajhari has submitted a Petition on 17.07.2018 Seeking Intervention and Direction of this Hon'ble Commission U/s. 86 (1) (e) of the Electricity Act, 2003 in matter of 5 MW Ground Mounted Grid Connected PV Solar Power Plant installed by M/s. Azure Power Uranus Pvt. Ltd. at Ordnance Factory Ambajhari, Nagpur, under 300 MW Defence Scheme of Government of India.

The main prayers of the Petitioner are as under-

- a. That this Hon'ble Commission be pleased to Condone the Delay, if any, caused in filing the present Petition;*
- b. That this Hon'ble Commission be pleased to direct the Respondents (MSEDCL) to withdraw its Letters Dated 24.08.2017 and 15.12.2017 wherein the change in Grid Connectivity is requested as MSEDCL has already approved the Grid Connectivity at the 11 KV Load Centre of OFAJ and Special Energy Meters are installed at both Generator (SPD) and Consumer (OFAJ) end;*
- c. That this Hon'ble Commission be pleased to direct the Respondents (MSEDCL) to remove the condition of Open Access in the permission of Grid Connectivity mentioned in the MSEDCL Letter Dated 20.12.2016 as the power generated through SPP is for sole consumption of OFAJ. Also, the subjectivity of Open Access in the existing approved Grid Connectivity and Letter of MSEDCL Dated 15.12.2017 for asking to change the Grid Connectivity point is creating a situation which is self-contradictory and can never be fulfilled;*
- d. That this Hon'ble Commission be pleased to direct the Respondents (MSEDCL) to categorise the subject SPP as an Embedded Captive Power Plant with Net Metering Facility relaxing the conditions such as 26% Equity, Ceiling of 1 MW for Net Metering and any other conditions preventing consideration of subject SPP as Embedded Captive Power Plant with Net Metering Facility in view of the fact that Power generated through SPP is for Sole Consumption of OFAJ (which is a Government of India Unit under MOD) and OFAJ has provided its land for the subject SPP on right to use basis as per MNRE, Government of India Unit guidelines and OFB directives;*

- e. That this Hon'ble Commission be pleased to direct the Respondents (MSEDCL) to stop the billing for Open Access Charges and to refund the amount already billed to OFAJ under Open Access Charges till date as the subject SPP has become unviable for OFAJ in view of the total charges incurred upon the Solar Power Generated which are much higher (due to Open Access Charges levied by MSEDCL over and above the Charges paid to SPD) than the charges approved by MNRE which are @ Rs. 5.50/- per Unit and also higher than the charges of Conventional Power which are @ Rs. 7.50/- (approx.) per Unit;*
- f. That pending the hearing and final disposal of this Petition, this Hon'ble Commission be pleased to direct the Respondents (MSEDCL) henceforth after filing of the present Petition to stop the billing for Open Access Charges to OFAJ under Open Access Charges as the subject SPP has become unviable for OFAJ in view of the total charges incurred upon the Solar Power Generated till decision of this Petition;*
- g. That this Hon'ble Commission be pleased to grant the Interim and Ad- Interim relief in terms of Prayer Clause (f);*
- h. That this Hon'ble Commission be pleased to expedite the hearing and final disposal of this Petition;*
- i. That this Hon'ble Commission be pleased to grant Cost of the present Petition;*
- j. That this Hon'ble Commission be pleased to grant such other and further reliefs to the Petitioners, as may be deemed fit and proper in the interest of justice and parity.*

2. I am directed to communicate that the hearing in the above matter will be held on **Wednesday, 03 October, 2018 at 10.00 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 before the scheduled date of hearing.

4. The Respondents are 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.

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)  
Cont'd →3

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Petitioner

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Respondent No. 1

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Respondent No. 2