

NOTICE

Subject: Petition of Dodson-Lindblom Hydro Power Private Limited under Section 86 (1) read with Section 62, 142 and 146 of the Electricity Act, 2003 and MERC (Renewable Purchase Obligation, its compliance and implementation of REC Framework), Regulations, 2010 for adjudication of disputes between Petitioner and Respondent No. 1.

- **Case No.251 of 2018**

Dodson-Lindblom Hydro Power Private Limited Petition on 29.08.2018 under Section 86 (1) read with Section 62, 142 and 146 of the Electricity Act, 2003 and MERC (Renewable Purchase Obligation, its compliance and implementation of REC Framework), Regulations, 2010 for adjudication of disputes between Petitioner and Respondent No. 1.

The main prayers of the Petitioner are as under-

- a) *direct the Respondent no. 1, MSEDCL to file a detailed Affidavit setting out the duration and quantum of power supplied by the Petitioner, which has been utilized by the Respondent No. 1, MSEDCL towards its RPO compliance from the first time this was done till date.*
- b) *permit the Petitioner in view of the complete opacity in the transaction on the part of MSEDCL to amend, modify, alter the above Petition after particulars as prayed for in prayer (a) above, are made available to the Petitioner;*
- c) *declare that the Petitioner is entitled to avail of the REC mechanism as provided in law;*
- d) *consider the propriety and legality of the action of MSEDCL in purchasing the power supplied by the Petitioner at a rate other than the rate approved by this Hon'ble Commission and hold that the said quantum of energy shall not be considered as eligible quantum for fulfilment of Renewable Purchase Obligation of the MSEDCL, as claimed by the MSEDCL, in accordance with the Statutory Regulations.*
- e) *direct Respondent to pay REC revenue lost by the Petitioner from June 2010 till date of registration for REC with NLDC, in accordance with the Statement of Claim annexed as Annexure "N" hereto*
- f) *direct the MSEDCL to issue the requisite certification to the Respondent No. 2, MEDA so that the case of the Petitioner for accreditation can be duly considered by MEDA to enable the Petitioner to avail of REC benefits.*

- g) *quash and set aside the letter no. 8765 dated 02.08.2018 issued by MSEDCL levying retrospective demand contrary to Statutory Provisions*
- h) *ad-interim and interim relief in terms of preceding prayer clause (g) above, staying the effect, implementation and operation of the above unilateral demand contained in letter no. 8765 dated 02.08.2018, pending the hearing and final disposal of the present Petition;*
- i) *direct the Respondent to pay the costs and expenses of the present proceedings to the Petitioner.*
- j) *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 on **Thursday, 15 November, 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 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/-

(R. S. Sonawane)

Dy. Director (Legal)

Dodson-Lindblom Hydro Power Private Limited
6, Shivwastu, Tejpal Scheme,
Road No.5, Vile Parle (East),
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Petitioner

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Maharashtra State Electricity Distribution Company Ltd.
Hong Kong Bank Building, 3rd Floor
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Respondent No.- 1

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Respondent No.- 2

The Secretary (WRM & CAD)
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Respondent No.- 3

Cc: The Chief Engineer (Commercial),
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