

**NOTICE**

Subject: Petition of M/s. Orange Maha Wind Energy Private Limited under Section 86(1) of the Electricity Act, 2003 for release of the total amount due and payable to it by MSEDCL for supply of wind energy as per the provisions of the various Wind Energy Purchase Agreements entered into between the parties.

- **Case No. 268 of 2018**

M/s. Orange Maha Wind Energy Private Limited has filed the Petition on 17.09.2018 under section 86 (1) (f) of the Electricity Act, 2003 for release of the total amount due and payable to it by MSEDCL for supply of wind energy as per the provisions of the various Wind Energy Purchase Agreements entered into between the parties.

The main prayers of the Petitioner are as under-

- a) *Direct the Respondent to pay the amount of Rs. 25,92,63,343/- (Rupees Twenty Five Crores Ninety Two Lakhs Sixty Three Thousand Three Hundred and Forty Three only) along with applicable LPS charges till date of payment as per the terms of the WEPAs;*
- b) *Direct the Respondent to pay the remaining outstanding Rs. 23,92,61,801/- (Rupees Twenty Three Crore Ninety Two Lakh Sixty One Thousand Eight Hundred and One only) towards the invoices and instalments which are also payable by the Respondent along with applicable LPS charges till date of payment as per the terms of the WEPAs;*
- c) *Direct the Respondent to pay carrying cost at the rate of 15% per annum of the delay in payment of the late payment surcharge by the Respondent;*
- d) *Direct the Respondent to remit the amounts due and payable on time, as per the terms of the WEPAs;*
- e) *Direct the Respondent to open letter of credit for monthly invoices;*
- f) *Direct the Respondent to pay the costs of the present Petition;*
- g) *Condone any inadvertent omissions / errors / shortcomings and permit the Petitioner to add/change/modify/alter this filing and make further submissions as may be required at a future date;*
- h) *Pass such other order(s) as this Hon'ble Commission may deem fit and proper in the facts and circumstances of the case."*

2. I am directed to communicate that the hearing in the above matter will be held on **Monday, 12 November, 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 Respondent 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.
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)

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Petitioner

The Designated Officer,  
Maharashtra State Electricity Distribution Co. Ltd  
Plot No G-9, 5<sup>th</sup> Floor, Prakashgad,  
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E-mail : - [cecomm@mahadiscom.in](mailto:cecomm@mahadiscom.in)

Respondent