

NOTICE

Subject: Petition of SEP Energy Private Limited under Sections 9 read with 42 (2) read with 49 read with 61 read with 62 read with 66 read with 86 (1) (b) and (f) read with 86 (3) and (4) of the Electricity Act, 2003 read with MERC (Distribution Open Access) Regulations, 2016.

- **Case No. 367 of 2018**

SEP Energy Private Limited has filed a Petition on 20.12.2018 under Sections 9 read with 42 (2) read with 49 read with 61 read with 62 read with 66 read with 86 (1) (b) and (f) read with 86 (3) and (4) of the Electricity Act, 2003 read with MERC (Distribution Open Access) Regulations, 2016.

The main prayers of the Petitioner are as under-

- (a) *Hold that MSEDCL cannot unilaterally alter the banking mechanism by reducing the open access quantum of the Petitioner; and*
- (b) *Set aside Email Dated October 17, 2018 issued by MSEDCL and all acts done pursuant to the said email by MSEDCL while protecting the Petitioner;*
- (c) *Clarify the banking mechanism appropriately in light of the issues raised in the present petition; and*
- (d) *In the interim period during the pendency of the instant petition direct MSEDCL to allow banking for the entire quantum as was being done prior to issuance of Email dated October 17, 2018 by MSEDCL; and*
- (e) *Allow open access to the Petitioner in the interim period during the pendency of the instant petition for the entire quantum without linking it to the retained contract demand with MSEDCL; and*
- (f) *Court fees, costs (inclusive of litigation costs) and expenses incurred by the Petitioner; and*
- (g) *Pass any other or such further order(s), which this Hon'ble Commission may deem fit and proper in favour of the Petitioner and against the Respondents in the interest of justice.*

2. I am directed to communicate that the hearing in the above matter will be held on **Monday, 28 January, 2019 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)

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Sheth Mangaldas Road,
Opp. Chirag Motors,
Ellis Bridge,
Ahmedabad - 380 006
E-mail : - varun.pathak@varunpathak.com

Petitioner

The Chairman and Managing Director,
Maharashtra State Electricity Distribution Co. Ltd
Hongkong Bank Building,
M.G. Road, Fort, Mumbai - 400 001

Respondent No. - 1

The Chief Engineer (Commercial),
Maharashtra State Electricity Distribution Co. Ltd
Plot No G-9, 5th Floor, Prakashgad,
Anant Kanekar Marg,
Bandra (East), Mumbai - 400 051
E-mail : - cecommho@gmail.com

Respondent No. - 2