

**NOTICE**

Subject: Petition filed by ITC Limited under section 86(1) (f) of the Electricity Act, 2003 seeking action against Maharashtra State Electricity Distribution Company Limited (MSEDCL) for failure in complying with regulation 26.8 of MERC (Distribution Open Access) Regulations, 2014 and Regulation 20 of MERC (distribution open access) regulations, 2016.

**- Case No. 4 of 2019**

The Petitioner ITC Limited has filed on 2.1.2019 the Petition under section 86(1) (f) of the Electricity Act, 2003 seeking action against Maharashtra State Electricity Distribution Company Limited (MSEDCL) for failure in complying with regulation 26.8 of MERC (Distribution Open Access) Regulations, 2014 and Regulation 20 of MERC (distribution open access) regulations, 2016. and to issue directions to MSEDCL for releasing payments towards unutilised banked energy.

1. The main prayers of the Petitioner are as under-

- a) *Direct the Respondent No. 1 to purchase the unadjusted surplus units generated by the Petitioner at the end of each of the FY 2013-14, 2014-15, 2015-16 and 2016-17, amounting to 1,84,27,288 units, at the applicable rates within seven (7) days;*
- b) *Direct the Respondent No. 1 to pay the amounts due to the Petitioner pursuant to such purchase of 1,84,27,288 units along with interest @18% p.a., calculated from the end of the FY during which the relevant units were injected into the grid within seven (7) days;*
- c) *Direct Respondent No.1 to purchase the banked units henceforth from Petitioner as per DOARs or the Regulations of Hon'ble Commission as amended from time to time and release payments within specified period after elapse of each FY;*
- d) *Direct Respondents to comply with the provisions of the DOARs or the Regulations of Hon'ble Commission as amended from time to time in letter and spirit;*
- e) *Award costs of these proceedings against the Respondents and in favour of the Petitioner; and*
- f) *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, 08 February, 2019 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.

4. 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.

5. The Respondents are directed to submit the say on affidavit in 1+6 copies to the Commission with documents, if any, on the above mentioned Petition immediately, with a copy to the Petitioner.

6. 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.

(R. S. Sonawane)  
Dy. Director (Legal)

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Petitioner

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Respondents

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Respondents