

NOTICE

Subject:- Petition filed by Jsons Foundry Private Limited against Maharashtra State Electricity Distribution Co. Limited for directions to the respondent in regard to wrongful curtailment and denial of open access to the petitioner

- **Case No.119 of 2019**

Jsons Foundry Private Limited has filed the Petition on 21.05.2019 under Section 42 and other applicable provisions of the Electricity Act, 2003 read with MERC (Distribution Open Access) Regulations, 2016 against Maharashtra State Electricity Distribution Co. Limited for directions to the respondent in regard to wrongful curtailment and denial of open access to the petitioner.

The main prayers of the Petitioners are as under-

- a. *Quash both the emails dated October 29, 2018 sent by MSEDCL to Petitioner curtailing MTOA from 3.40 MW to 2.041 MW for Unit I of the Petitioner and from 3.42 MW to 2.041 MW for Unit II of the Petitioner and direct Respondent to restore MTOA permissions granted to the Petitioner to 3.40 MW for Unit I of the Petitioner and 3.42 MW for Unit II from October 1, 2018;*
- b. *Quash the emails dated March 6 and May 8, 2019 sent by MSEDCL to Petitioner curtailing/denying MTOA permission for availing power from its 1.6 MW windmills for Unit I and 0.92 MW windmills for Unit II and direct Respondent to grant MTOA permission to the tune of 1.6 MW for Unit I sought vide application no. 7880 and 0.92 MW for Unit II sought vide application no. 7882, both dated October 3, 2018 w.e.f. April 1, 2019 to March 31, 2022;*
- c. *Direct Respondent to give credit notes for power generated which is not adjusted in the bills of the Petitioner for the power injected in the grid from October 1, 2018;*
- d. *Direct Respondent to permit adjustment of credit notes issued in terms of prayer (b) above in the bills of the Petitioner not limited to the FY 2018-19 as adjustment could not happen due to unjustified curtailment of MTOA by MSEDCL;*
- e. *Direct Respondent to adhere to DOA Regulations and Practice Directions whilst processing open access permissions in letter and spirit;*
- f. *Direct Respondent to continue granting open access permissions to the Petitioner in accordance with applicable laws;*
- g. *Award costs of this proceedings against the Respondent and in favour of the Petitioner; and*

e. Pass such other orders as this 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 **Wednesday, 03 July, 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 Petitioners are 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 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.

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)

Jsons Foundry Private Limited
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M.I.D.C. Sangli – 416 436.
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Petitioner

The Chief Engineer (Power Purchase),
Maharashtra State Electricity Distribution Co. Ltd
Prakashgad, Plot No G-9,
Prof. Anant Kanekar Marg,
Bandra (East), Mumbai - 400 051
E-mail:- ceppmsedcl@gmail.com

Respondent