

NOTICE

Subject:- Petition of Shah Promoters & Developers pertaining to denial of short term open access under the provisions of Electricity Act, 2003 more particularly Sections 86(1)(e) and 42 thereof and Electricity Act, 2003 in Gross non-compliance of the MERC (Distribution Open Access) Regulations, 2016

- **Case No. 251 of 2019**

The Petitioner Shah Promoters & Developers has filed the Petition on 09.09.2019 pertaining to denial of short term open access under the provisions of Electricity Act, 2003 more particularly Sections 86(1)(e) and 42 thereof and Electricity Act, 2003 in Gross non-compliance of the MERC (Distribution Open Access) Regulations, 2016.

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

- a) *Direct Respondent to forthwith grant STOA permission from August 10, 2019 to August 31, 2019 as per Petitioner's application nos. 9300 and 9301;*
- b) *Direct Respondent to forthwith issue credit notes for the power injected from the Projects of the Petitioner from August 10, 2019 to August 31, 2019;*
- c) *Direct Respondent to adjust the credit of units in the bill of the consumer of the Petitioner in immediately ensuing billing cycle of the Petitioner's consumer;*
- d) *Allow carry forward of unadjusted units to be adjusted in later months as the same if not adjusted is only on account of wrongful denial of STOA by MSEDCL;*
- e) *Award costs of this proceeding against the Respondent 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 **Wednesday, 16 October, 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 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)

Shah Promoters and Developers
AST-1, Success Chambers,
1232, Apte Road, Deccan Gymkhana,
Pune - 411004
E-mail:- contact@eternitylegal.com / dipali@eternitylegal.com

Petitioner

The Chief Engineer (Commercial),
Maharashtra State Electricity Distribution Co. Ltd
Plot No G-9, 5th Floor, Prakashgad,
Anant Kanekar Marg,
Bandra (East), Mumbai - 400051
E-mail : - cecommho@gmail.com

Respondent