

NOTICE

Subject: Petition filed by Maharashtra State Electricity Distribution Co. Ltd (MSEDCL) seeking immediate recovery of pending claims of MSEDCL along with carrying cost under MERC approved FBSM.
Miscellaneous Application for Interim Relief

Case No. 90 of 2020 and MA No. 37 of 2020

The Petitioner Maharashtra State Electricity Distribution Co. Ltd has filed this Petition on 13.05.2020 under Regulation 94 and 96 of MERC (Conduct of Business) Regulations, 2004 seeking immediate recovery of pending claims of MSEDCL along with carrying cost under MERC approved FBSM in respect of variable charges and fixed charges on account of over drawl by Mumbai utilities during FY 2018-19 & 2019-20 and differential amount towards variable charges on account of revision in WASMP rate during the period 2011-12 to 2017-18 and fixed charges as per MERC order dated 26.09.2019.

MSEDCL has filed Miscellaneous Application on 22 .5.2020 for Interim Relief

The main prayers of the Petitioner are as under-

- a) *To admit the Petition as per the provisions of Electricity Act 2003 and Regulation mentioned in the petition.*
- b) *To allow immediate recovery of the estimated amount of Rs.1445.35 Cr towards provisional settlement of FBSM bills from Mumbai utilities in view of the delayed settlement of FBSM bills by MSLDC.*
- c) *To issue immediate directives to MSLDC accordingly to raise bill of Rs. 1445.35 Cr to Mumbai Utilities corresponding to the estimated amount.*
- d) *To allow carrying cost on the pending claims at applicable interest rate for the delay period as mentioned in para23 above.*
- e) *To pass any other order/relief as the Hon'ble Commission may deem fit and appropriate under the circumstances of the case and in the interest of justice;*
- f) *To condone any error/omission and to give opportunity to rectify the same;*

The main prayers of Miscellaneous Application Interim Relief are asunder:

- a. *To allow immediate and urgent listing of M.A though "Video Conference Facility" in view of COVID-19 as well as the Practice Direction dated 11.05.2020 issued by the Hon'ble Commission;*

b. Ad-Interim reliefs, in the form of directions to SLDC to raise provisional bills of amounts as claimed to the tune of Rs. 1445.35 Cr towards variable charges and fixed charges for FY 2018-2019 and FY 2019-2020 on account of over drawl by Mumbai Utilities and re-computation of the WASMP for the period from FY 2011-12 to FY 2017-18 alongwith Carrying Cost

c. Directions to the Mumbai Utilities to make immediate payments of the provisional bills raised by SLDC ;

d. Direct MSLDC to immediately comply with the Order dated 26.09.2019 passed in Case No. 297 of 2018 w.r.t raising of "Supplementary Bills", alongwith Carrying Cost;

e. Pass such further orders as this Hon'ble Commission deems fit and proper in the interest of justice and good conscience.

1. I am directed to communicate that e-Hearing in this matter is scheduled on **Friday, 29 May 2020 at 10.30 am**. Kindly refer the Practice Directions dated 11 May 2020 available on MERC website (www.merc.gov.in) for the protocol to be followed for and during the e-Hearing.
2. Petitioner(s) and Respondent(s) shall communicate the name(s), email ID(s), contact number(s), and the address(es) of their Representative(s) (maximum 3 persons) who will be attending e-Hearing. MERC – IT Team will communicate the credentials for login into e-Hearing Application and will also provide assistance for using this Application.
3. Documents to be referred during the e-Hearing shall be emailed to 'ehearing@merc.gov.in' at least one day before the scheduled e-Hearing. The said documents will be uploaded in e-Hearing Application for reference of the Commission and all concerned parties. During the e-Hearing, parties shall refer these uploaded documents only.

All communication related to e-Hearing shall be made on 'ehearing@merc.gov.in' mentioning MERC Case number.

Sd/-
(R. S. Sonawane)
Dy. Director (Legal)

The Chief Engineer (Commercial),
Maharashtra State Electricity Distribution Co. Ltd
Plot No G-9, Prakashgad, 5th floor, Station Road,
Bandra (East), Mumbai – 400051
E-mail : cecommho@gmail.com / ceremsedcl@gmail.com

Petitioner

The Chief Engineer
Maharashtra State Load Dispatch Centre,
Kalwa, Thane - Belapur Road,
Airoli, Navi Mumbai - 400 708
E-mail: cesldc@mahasldc.in

Respondent No - 1

The General Manager,
The Brihanmumbai Electric Supply & Transport Undertaking,
BEST Bhavan, BEST Marg,
Fort, Mumbai - 400 001
E-mail:- gm@bestundertaking.com / dgm@bestundertaking.com

Respondent No - 2

Tata Power Company Limited - Distribution (TPC-D)
Bombay House,
24, Homi Mody Street,
Fort, Mumbai - 400 001
E-mail: - peyush.tandon@tatapower.com

Respondent No – 3

Adani Electricity Mumbai Limited
CTS 407/A (New), 408 Old Village, Eksar Devidas Lane,
Off SVP Road, Borivali West,
Mumbai – 400 103
Email: manish1.kumar@adani.com

Respondent No - 4

Mindspace Business Parks Private Limited
(formerly known as M/s Serene Properties Pvt Ltd)
Plot No. C-30, Block 'G',
Opp. SIDBI, Bandra Kurla Complex,
Bandra (E), Mumbai – 400 051
E-mail:- krcpower.ho@kraheja.com / nchunarkar@kraheja.com

Respondent No – 5

M/s. Gigaplex Estate Private Limited
Plot No. C-30, Block 'G',
Opp. SIDBI, Bandra Kurla Complex,
Bandra (E), Mumbai – 400 051

E-mail:- krcpower.ho@kraheja.com / nchunarkar@kraheja.com

Respondent No - 6

The Superintending Engineer
Maharashtra Airport Development Company Ltd.
8th Floor, World Trade Centre, Cuff Parade,
Mumbai - 400 005

Email: ramkishor.gupta@yahoo.in

Respondent No - 7

The Dy. Chief Electrical Engineer (TRD)
Indian Railways,
Central Railways, Electrical Branch,
2nd Floor, Parcel Office Building,
Mumbai - 400001

E-mail:- dyceetrderly@gmail.com / cedecrly@gmail.com

Repondent No - 8

Nidar Utilities Panvel LLP
514, Dalamal Towers,
Nariman Point,
Mumbai - 400 021

E-mail:- ho@tuco.in / regulatory@tuco.in

Respondent No - 9