

NOTICE

Subject: Petition of Betul Oil Limited seeking declaration from this Hon'ble Commission that the Short Term Energy Purchase Agreement ("EPA") dated 22.07.2020 executed between Petitioner and MSEDCL stands terminated in view of failure of MSEDCL in discharging its obligations w.r.t timely payments **and** seeking directions to MSEDCL to discharge its obligations towards outstanding dues accrued till the date of termination of Short Term Energy Purchase Agreement ("EPA") dated 22.07.2020 executed between Petitioner and MSEDCL.

Case No. 12 of 2021

Miscellaneous Application seeking urgent ex-parte ad-interim orders directing MSEDCL not to reject the short term open access application dated 09.02.2021 made by Petitioner seeking open access for the month of March, 2021 during the pendency of main matter filed by the petitioner before this Hon'ble Commission

MA No. 06 of 2021 Case No. 12 of 2021

The Petitioner Betul Oil Limited filed Miscellaneous Application on 17.2.2021. Seeking urgent ex-parte ad-interim orders directing MSEDCL not to reject the short term open access application dated 09.02.2021 made by Petitioner seeking open access for the month of March, 2021 during the pendency of main matter filed by the petitioner before this Hon'ble Commission

The prayer is as under:

- (a) Pass urgent ex-parte ad-interim orders directing MSEDCL not to reject the short term open access application dated 09.02.2021 made by Petitioner seeking open access for the month of March 2021 during the pendency of main matter filed by the Petitioner before this Hon'ble Commission, on the ground that the Energy Purchase Agreement (EPA) dated 22.07.2020 executed between Petitioner and MSEDCL is valid and subsisting; and/or alternatively,*
- (b) Pass urgent ex-parte ad-interim orders holding and declaring that MSEDCL would be obliged to allow open access for the month of March, 2021 in all eventualities without there being any embargo of timelines as per DOAR, 2016, in case, this Hon'ble Commission allows the main matter filed by the Petitioner; and/or*
- (c) 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 the Petitioner is directed to immediately serve a copy of its above-mentioned Application /Petition in soft copy to the Respondents and hard copy immediately after the lockdown is over and file acknowledgement to the office of the Commission thereafter.
2. The Respondents are directed to submit the say with documents if any, in soft copy on the above –mentioned Application/Petition immediately with a copy to the Petitioner and on affidavit in 1+6 copies to the Commission immediately, after lockdown is over with a copy to the Petitioner.

3. 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.
4. I am directed to communicate that e-Hearing is scheduled on **Friday, 26 February 2021 at 10.30 am**. Kindly refer the Practice Directions dated 11 May 2020 and amended on 13 July, 2020 available on MERC website (www.merc.gov.in) for the protocol to be followed for and during the e-Hearing.
5. 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.
6. 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.
7. 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

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Petitioner

The Chief Engineer (Renewable)
Maharashtra State Electricity Distribution Company Limited
Prakashgad, 5th Floor
Anant Kanekar Marg, Bandra East
Mumbai- 400 051.
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Respondent