

No. MERC/Case No. 65 of 2021

Date: 11.5.2021

NOTICE

Subject: Petition of RattanIndia Power Limited Petition under Section 86 (1) (f) of the Electricity Act,2003 for resolution of disputes with the Respondent.

Case No. 65 of 2021

The Petitioner RattanIndia Power Limited has filed Petition on 11.5.2021 under Section 86 (1) (f) of the Electricity Act, 2003 for resolution of disputes with the Respondent.

The Petitioner has also filed an Application under Regulation 92, 93 and 94 of the Maharashtra Electricity Regulatory Commission (Conduct of Business) Regulations, 2004 seeking Interim directions.

The prayers for Interim relief are as under:

- (a) Direct the Respondent to pay 50% of the total outstanding amount payable for the supply of power by the Petitioner;*
- (b) Direct the Respondent to reduce and refund 50% of the CPG amount in line with the submissions made above;*
AND / OR
- (c) Pass such other order(s) as the Hon'ble Commission may deem just in the facts and the circumstances of the present case.*

The prayer of main Petition is as under:

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- A. Direct the Respondent to make the payment (Principal along with LPS) for the amounts claimed by the Petitioner in the presentPetition within 3 days.*
- B.Direct the Respondent to reduce the Contract Performance Guarantee in terms of the submissions made in the present Petition.*
- C. Direct the Respondent to pay deemed availability charges for the period lower availability was declared/ to be declared on account of non-payment of dues by the Respondent.*
- D. Direct the Respondent to issue its No-Objection for sale of uncontracted capacity to any third party.*

AND/OR

E. Pass such further Order(s) as this Hon'ble Commission may deem fit in the facts and circumstances of the case.

1. I am directed to communicate that the Petitioner is directed to immediately serve a copy of its above-mentioned Petition in soft copy to the Respondent and hard copy immediately after the lockdown is over and file acknowledgement to the office of the Commission thereafter.
2. The Respondent is directed to submit the say with documents if any, in soft copy on the above-mentioned Petition immediately with a copy to the Petitioner and on affidavit in 1+1 copies to the Commission immediately, after lockdown is over with a copy to the Petitioner.
3. The Parties shall file Petition/ Application/Documents /Replies etc. in the office of the Commission in 1+1 copies. In addition, all the documents shall also be filed through e-mail on "ehearing@merc.gov.in" (soft copy in Word and PDF) along with the scanned copy of the acknowledgment of filing the hard copy, citations produced during the proceedings.
4. I am directed to communicate that e-Hearing in this matter is scheduled on, **Friday, 14 May 2021 at 10.30 am**. Kindly refer the Practice Directions dated 18 February, 2021 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.
8. The Petitioner is directed to get registered on e-filing portal on the Commission's website and file and upload the Petition on e-hearing portal immediately.

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

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Petitioner

The Chief Engineer (Power Purchase),
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Respondent