

**Before the**  
**MAHARASHTRA ELECTRICITY REGULATORY COMMISSION**  
**13<sup>th</sup> Floor, Centre No.1, World Trade Centre, Cuffe Parade, Mumbai 400 005.**  
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**CASE No. 4 of 2005**

**In the matter of**  
**Directions to Distribution Licensees under Section 23 of Electricity Act, 2003**  
**to curb demand -**  
**Clarification of reference period for comparison of consumption.**

**Dr Pramod Deo, Chairman,**  
**Shri A. Velayutham, Member**  
**Shri S. B. Kulkarni, Member**

**CLARIFICATORY ORDER**

**Dated: 25<sup>th</sup> October, 2005.**

Under its summary Order dated 26th April, 2005 and detailed Order dated 4th May, 2005, the Commission had introduced a Load Management Charge/ Rebate related to the consumption in the billing months of May and June, 2005 (June and July in the case of BEST) as compared to consumption in the corresponding period of the previous year. In the case of new consumers, the past reference period for comparison of consumption was the last bill period.

2. The Commission hereby clarifies as follows:
- (a) Where the consumer's establishment was under formal strike or lock-out, and for which documentary evidence is available during the entire or most of the corresponding period of 2004, then the reference period for comparison of consumption would be the last bill period (as in the case of new consumers).
  - (b) In case of temporary connections in the corresponding period of 2004 which were made permanent thereafter, or if the nature of the connection had otherwise changed as compared to that period, then the reference period may be taken as the last bill period (as in the case of new consumers). This would include cases of consumers whose sanctioned load/ contract demand had been duly increased after the billing months of May and June, 2004.
3. The Distribution Licensees are directed to give effect to these clarifications with retrospective effect and refund the amounts to consumers, wherever applicable, through adjustment of energy bills.

Sd/-  
(S.B. Kulkarni)  
Member

Sd/-  
(A. Velayutham)  
Member

Sd/-  
(Dr Pramod Deo)  
Chairman, MERC



(A.M. Khan)  
Secretary, MERC