

NOTICE

Subject: Petition of M/s Bajaj Finserv Ltd for Non- compliance of Commission's different Orders by MSEDCL in not permitting change of third party sale to existing wind energy project. And deviating from Commission's rulings, Orders, etc by SE MSEDCL Satara by erroneous recovery of short term transmission charges other than approved tariff 2010-11, forcefully stopping wheeling arrangement of third party sale w.e.f Jan 2011, holding refund of capital subsidy and erroneous wheeling charges forcibly recovered earlier.

- **Case No. 35 of 2011**

M/s Bajaj Finserv Limited has submitted a Petition under affidavit on 1st March, 2011, under Section 142 and 146 of Electricity Act 2003, for non- compliance of Commission's different Orders by Commercial department of MSEDCL for not permitting change of third party sale to existing wind energy project, and deviating from the Commission's rulings, Orders, etc by SE MSEDCL Satara, by erroneous recovery of short term transmission charges other than approved in tariff of 2010-11, forcefully stopping wheeling arrangement of third party sale w.e.f Jan 2011, holding refund of capital subsidy and erroneous wheeling charges forcibly recovered earlier. The following are the main prayers of the Petitioner:

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- a) *Direct MSEDCL to follow strictly Commission's directives stipulated in wind power tariff order 24.11.2003 and case No. 33 of 2007 regarding third party sale of wind energy and continue wind energy wheeling arrangement of BFS's projects for third party sale/captive use and continue short term open access till the project life of 20 Yrs from the date of commissioning and not to stop change of third party sale permissions during the project life.*
- b) *Direct incumbents SE / Dy. E. MSEDCL Satara to follow strictly short term transmission tariff Rs. 56.4/MWh and not Rs. 1353.5/MW/day. And as per EA 2003 section 62. (6), refund excess recovered amount immediately Rs. 73.10 Lakh. Also, direct to refund Rs. 5.4 Cr. And units 1202751 earlier erroneously recovered wheeling charges other than the amount sub judice.*
- c) *Direct incumbent SE/Dy.E. MSEDCL Satara to not stop issuance of generation/ credit reports and to issue forthwith credit notes withheld since Jan 11.*
- d) *Direct MSEDCL to immediately refund Rs. 10 Lakh, wrongly recovered from BFS along with bank interest from 19th December 2009 (date of Commissions General Order).*
- e) *Appropriate action may please be taken against incumbents, SE (Satara), Dy.E (Satara) and responsible officers of MSEDCL's HO Mumbai, under section 142 and 146 of EA 2003, since petition matter is sufficient proof of repetitive contraventions of Commission's order committed jointly by them and created hindrance in the process of promotion to RE as per 86 I.(e) of EA 2003.”*

I am directed to communicate that the **admissibility hearing, and if admitted for framing of issues in the matter**, will be held in the presence of authorised consumer representatives on **Thursday, 5th May, 2011 at 11.00 hrs** in the office of the Commission at 13th floor, Centre No.1, World Trade Centre, Cuffe Parade, Mumbai 400 005.

The Petitioner is directed to serve a copy of its above mentioned Petition (both soft and hard versions) along with its accompaniments to the Respondents, and consumer representatives.

The Respondent is directed to submit its comments, if any, on the above mentioned Petition with a copy served to the Petitioner and the consumer representatives.

(P.B. Patil)
Registrar

M/s Bajaj Finserv Limited
c/o Bajaj Auto Limited,
AKURDI,
Pune 411 035

Petitioner

The Managing Director,
Maharashtra State Electricity Distribution Co Ltd.
Prakashgad, Bandra (East)
Mumbai 400 051

Respondent

Consumer Representatives

Prayas (Energy Group)
Amrita Clinic, Athvale Corner,
Lakdipool-karve Road Junction,
Deccan Gymkhana, Karve Road,
Pune 411 004.
E-mail: peg@prayaspune.org

The Vidarbha Industries Association,
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The General Secretary,
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