



OFFICE OF THE CHIEF ENGINEER (Commercial)

Prakashgad Building, Plot No.G-9, Bandra (East), Mumbai – 400 051

■ (P) 26474753, (O) 26474211 / 26472131, Fax- 26472366, Email : cecomm@mahadiscom.in

No. CP / OA / Addl CSS/

No T 3710

Date: **16 MAY 2016**

To

The Secretary,

Maharashtra Electricity Regulatory Commission,
13th Floor, Centre No.1, World Trade Centre,
Cuffe Parade, **Mumbai – 400 005**

Sub: Regarding Case No. 17 of 2015 filed by MSEDC

Ref: 1) MERC Case No. 17 of 2015 filed by MSEDC
2) MERC Daily Orders dated 17.11.15 & 15.12.15

Respected Sir,

Pursuant to the directives issued by the Hon'ble Commission vide its daily order dated 15.12.2015 in Case No. 17 of 2015, the following is submitted for kind consideration.

1) Hon'ble MERC has vide order dated 29.10.13 in Case No. 107 of 2013 had re-determined the cross subsidy surcharge (CSS) for the period from September 2013 to February 2014.

2) Hon'ble APTEL vide order dated 11.09.14 In Appeal No. 23 & 65 of 2014 ruled that

...It is noticed that the Order passed on 05.09.2013 has already been set aside in Appeal No. 295 of 2013, and the matter has been remanded for re-determination. Consequently, the impugned Order dated 29.10.2013 challenged in this Appeal has also to be set aside and remanded for re-determination....

3) Thereafter, MSEDC filed a petition before Hon'ble Commission in January 15 (Case No. 17 of 2015) for re-determination of Cross Subsidy Surcharge for the period from September 2013 to February 2014.

4) During the hearing dated 17.11.15 & 15.12.15, it was indicated that the public consultation process would have to be followed for determination of cross subsidy surcharge.

In view of the above, it is submitted that the matter has been remanded back by Hon'ble APTEL to Hon'ble Commission for re-determination of CSS.

Prior to the same, MERC order dated 05.09.13 was also set aside remanded back for re-determination of AEC & FAC. The Commission conducted separate hearing in the subject matter along with MSEDCL's MYT petition last year and re-instated the said order on 26.06.15.

It was expected that the MERC order dated 29.10.13 for additional CSS would be re-instated along with the order dated 05.09.13 for AEC & FAC, but the same could not happen.

It is therefore requested that a separate hearing of Case No. 17 of 2015 may be held with the ensuing MYT petition of MSEDCL bearing Case No. 48 of 2016 so that it undergoes public consultation process and the cross subsidy surcharge (CSS) as prayed for may be re-determined for the limited period of six months from September 13 to February 14.

Submitted for kind consideration and further needful please.

Thanking you,

Yours faithfully,

16/05/16
Chief Engineer (Commercial)

Copy s. w. r. to:

- 1) The Director (Operations), MSEDCL, Mumbai.
- 2) The Executive Director (Commercial), MSEDCL, Mumbai.

Copy to:

- 1) Prayas (Energy Group),
Amrita clinic, Athwale Corner, Lakdipool-Karve Road Junction,
Deccan Gymkhana, Karve Road, Pune – 411 004
- 2) Mumbai Grahak Panchayat,
Grahak Bhavan, Sant Dnyaneshwar Marg,
Behind Cooper Hospital, Vile Parle (West), Mumbai – 400 056
- 3) Thane Belapur Industries Association,
Plot No. P-14, MIDC, Rabale Village, PO Ghansoli,
Navi Mumbai - 400 701
- 4) Vidarbha Industries Association,
1st Floor, Udyog Bhavan,
Civil lines, Nagpur - 440 001