

Petition No.15 /2018
MADHYA PRADESH ELECTRICITY REGULATORY COMMISSION, BHOPAL

Sub: In the matter of petition u/s 86(1)(a)r/w section 86(1)(k) and Regulations 45(1) and 47 of the MPERC (conduct of business)(revision 1)Regulations ,2016 ,seeking clarification of tariff order dated 24.05.2014 ,17.04.2015and 05.04.2016 issued by this Commission for the distribution licensees of the State for FY 2014-15, FY 2015-16 and FY 2016-17 respectively

Order

Date of motion hearing: 15.05.2018

Date of order: 18.05.2018

M/s Spentex Industries Ltd.,New Delhi

Petitioner

V/s

M.P. Paschim Kshetra Vidyut Vitaran Co. Ltd. (West Discom), Indore : **Respondents**

Shri Ambuj Dixit, Advocate has appeared on behalf of the petitioner.

2. The present petition is filed by the petitioner through invoking the provisions under Section 86(1) a & 86(1) k of the Electricity Act 2003, regulations 45(1) and 47 of the MPERC (Conduct of Business) (Revision-1) Regulations 2016 for seeking clarifications of retail supply tariff orders issued by the Commission for the distribution licensees of the State for FY 2014-15, FY 2015-16 and FY 2016-17 respectively in regard to entitlement of petitioner to avail power factor incentives on the electricity sourced through open access. The petitioner has also requested the Commission to direct the respondent for refund of amount which has been wrongly collected by not providing the benefits of power factor incentives for electricity availed through open access for the period between January 2015 to July 2015 and from April 2016 to Nov. 2016 along with applicable interest and reimbursement of the cost incurred for purpose of filing & prosecuting the present petition.

3. During the hearing, the Commission has observed that petitioner's prayer in regard to seeking clarifications relates to the retail supply tariff orders for the financial years 2014-15 , 2015-16 and 2016-17 ceased to exist because the tariff periods are already over. Besides, the petitioner could not establish locus standi of relief sought against the provisions of Act / Regulations referred thereto. Since, the relief sought in the matter does not fall under the ambit of provisions referred to in the petition being distinct from the aforesaid provisions, the petition is not maintainable, and therefore stands disposed of.

(Anil Kumar Jha)
Member

(Mukul Dhariwal)
Member

(Dr. Dev Raj Birdi)
Chairman