

RECORD OF PROCEEDINGS

DATE OF HEARING : December 18, 2007 at 12.00 hrs
CASE No. : 63 of 2007
PETITIONERS : Maharashtra Energy Development Agency
("MEDA")
RESPONDENTS : None
MATTER : Petition seeking a methodology for sharing Clean
Development Mechanism ("CDM") benefits
between investors and utilities, the fixing of a ratio
for the sharing of such and transaction costs, and
other directions
CORAM : Dr. Pramod Deo, Shri. A. Velayutham,
Shri. S. B. Kulkarni

MEDA filed their Petition in the above matter on November 22, 2007. The Commission scheduled a hearing in the matter on December 18, 2007 in the presence of Maharashtra State Electricity Distribution Company Limited ("MSEDCL"), the Tata Power Company Limited ("TPC"), Reliance Energy Limited ("REL"), the Brihan Mumbai Electricity Supply and Transport Undertaking ("BEST"), Mula Pravara Electric Co-operative Society Limited ("MPECS") and four consumer representatives authorized on a standing basis under the Electricity Act, 2003 ("EA 2003"). Notices were issued accordingly.

2. At the hearing held in the matter on December 18, 2007, Shri. Ravi Prakash, Advocate for MSEDCL, sought an adjournment. Shri. Prakash submitted that the reliefs sought for by MEDA under the present petition require detailed analysis of complex issues and adequate time was not available for the study as the copy of the Petition was received during last week. The Commission observed that MEDA should be given an opportunity to present its case. MSEDCL and other utilities may submit their written replies accordingly.

3. Shri. D.B. Desai, Additional Director General-MEDA, referred to the averments made under paragraphs 2, 3, 4, 5, 6, 8 in the Petition. Shri. Desai further referred to the averments made under the captions "Section 1", "Section 2" (internal paragraphs 2.3.2, 2.3.3) in the Petition.

4. On an enquiry made by the Commission as to how MEDA has obtained the figures appearing under Table IV ("Section 2" in the petition), Shri. Desai submitted that the said figures have been estimated hypothetically.

5. The Commission observed that MEDA is required to collect data from different associations all over India, to record normative amounts of CDM benefits and applicable transactional costs for the actual project cases rather than assuming any hypothetical case. Further, such data should be distinctively assorted with respect to each kind of renewable energy. MEDA should further submit a proposal with regard to the treatment of CDM benefits, based on which proposal, concerned utilities and CDM investors may submit their necessary comments.

5. Shri. Desai sought for one month's time for the collection of required data and presentation of a proposal, as directed by the Commission.

6. Shri. Ravi Prakash sought 15 days time for submission of a detailed reply/response by MSEDCL, after receipt of a revised petition/ additional data by MEDA.

The Commission observed that MEDA should file additional data within a period of one month and thereafter concerned utilities and CDM investors may submit their written replies.

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List of Persons present at the hearing held on December 18, 2007

1. Shri. G. Srinivasa Rao, Addl. Manager (D), REL.
2. Shri. Ravi Prakash, Advocate for MSEDCL.
3. Shri. Bharati S.G., EE, MSEDCL.
4. Shri. A.J. Deshpande, CE (Comm.), MSEDCL.
5. Shri. D.B. Desai, Addl. Director General, MEDA.
6. Shri. H.M. Kulakrni, Manager, MEDA.
7. Shri. S. Parvathinathan, G.M., REDAM.
8. Shri. K.N. Rajogopal, Dy CE, BEST.
9. Shri. S.D. Pawar, DEPM, BEST.
10. Shri. V.K. Rokade, Suptd., BEST.
11. Shri. M.N. Menghrajani, Project Manager, Dodson Lindblom.
12. Shri. N.M. Kumar, Asst. General Manager, Suzlon Energy.
13. Shri. Abhishek Khare, Advocate, MSEDCL.
14. Shri. V.H. Wagle, Sr. Manager, TPC.
15. Shri. A.S. Sethi, Sr. GM, TPC.