

**JOINT ELECTRICITY REGULATORY COMMISSION FOR
THE STATE OF GOA AND UNION TERRITORIES
GURGAON**

Quorum *

Shri S.K.Chaturvedi, Chairperson

Petition No. 142/2014

Date of Order 13.11.2014

In the matter of

Petition under Joint Electricity Regulatory Commission for the State of Goa and Union Territories (Open Access in Transmission and Distribution) Regulations, 2009 for determination of Additional Surcharge payable by Open Access consumers availing power under Open Access.

And in the matter of

Electricity Department- Daman & Diu, Plot No. 35, OI DC Complex, Near Fire Station, Somnath, Daman.

.....Petitioner

Versus

- 1 M/s Wellknown Polyester Ltd. (HTC-364), Plot No. 52, Dabhel Industrial Estate Co-op Society, Dabhel, Daman.
- 2 M/s Wellknown Polyester Ltd. (HTC-1148), Plot No. 210/3, 213/2,3,4, 214/1,2,3, 215, 216/1,2,3,4,5,6,7, 216/4-B, 224/1,2,3, 229/1-A, 213/5-14, 210/5-A, 211/1, 229/2, Dabhel Industrial Estate Co-op Society, Dabhel, Daman.
- 3 M/s Perfect Filament Ltd. (HTC-1059) Survey No. 285, Bhimpore, Daman.

.....Respondents

Present for petitioner

1. Sh. Chandresh V. Dobariya, Consultant, ED- Daman & Diu

Order

The petitioner – ED- Daman & Diu has filed the present petition under JERC (Open Access in Transmission and Distribution) Regulations, 2009 for determination of Additional Surcharge payable by Open Access consumers availing power under Open Access.

The Commission received the petition on 19.08.2014. The Commission examined the petition and found it in line with the JERC (Conduct of Business) Regulations, 2009 and Electricity Act, 2003. The Commission admitted the petition on 20.08.2014 and numbered it as petition no. 142/2014.

The Commission sent hearing notice to the petitioner for 15.09.2014. The Commission in the order dated 15.09.2014 directed the petitioner to implead all the Open Access consumers of ED- Daman & Diu as respondents in the petition and directed the petitioner to file amended petition within 15 days after impleading all the Open Access consumers as respondents.

The Commission had also directed that on receipt of the amended petition, notice be sent to all the respondents for today 13.11.2014 for filing objections, if any. But the amended petition was received in the Commission on 10.11.2014 only. Therefore, notice could not be sent to the respondents and the respondents also could not be served.

The representative for the petitioner prayed for another adjournment for notice to the respondents. The Commission considered the prayer of the petitioner and acceded to the same. Let notice be sent to the respondents for 17.12.2014. The petitioner is also directed to serve notice with a copy of the petition on all the respondents within 10 days to enable the respondents to file reply in time.

The petition is scheduled for hearing on 17.12.2014 at 11:00 AM.

Sd/-

(S.K.Chaturvedi)

Chairman

Member (Vacant)

- * As per Regulation 9 (II) of JERC (Conduct of Business) Regulations, 2009 "Quorum is two". Whereas as per proviso of Regulation 9 (II) of JERC (Conduct of Business) Regulations, 2009 if Chairperson or the Member is prevented from attending hearing of which he has been given notice the Member or the Chairman as the case may be attending the meeting shall validly constitute the Quorum. Post of the Member is vacant. According to provisions of Section 93 of the Electricity Act, 2003 no act or proceedings of the appropriate Commission shall be questioned or invalidated merely on the ground of existence of any vacancy or defect in the Constitution of the appropriate Commission. So the Chairperson only constitute a valid Quorum.

Certified Copy



(Keerti Tewari)

Secretary