



Delhi Electricity Regulatory Commission
Viniyamak Bhawan, 'C' Block, Shivalik, Malviya Nagar, New Delhi – 17

No. F. 11(1459)/DERC/2016-17/5655

Petition No. 06/2017

In the matter of: **Petition seeking directions for the Open Access Electricity Charges on Open Access Consumers as per DERC order dated 24.12.2013 and order dated 18.05.2015 alongwith IA seeking interim direction from the Commission filed by Avdut Swami Metal Works Vs. BYPL.**

AVDHUT SWAMI METAL WORKS
19, Jawahar Nagar Indl. Area,
Loni Road,
Delhi- 110094

...Petitioner

Vs.

1. BSES Yamuna Power Ltd.
Through its: **CEO**
Shakti Kiran Building,
Karkardooma
New Delhi – 110092

2. State Load Despatch Centre
Delhi Transco Limited
33KV Sub Station Building,
Minto Road,
New Delhi 110 002

...Respondents

Coram: Sh. B.P. Singh, Member

Appearance:

1. Ms. Priya Dwivedi, Advocate, Petitioner
2. Mr. Akarshak Tomer, IERS
3. Ms. Pallavi Devivedi, IERS
4. Mr. Buddy Ranganathan, Advocate, BYPL
5. Mr. Kaustubh Shukla, Advocate
6. Mr. Abhishek Srivastava, BYPL
7. Mr. Sameer Singh, BYPL

INTERIM ORDER

(Date of Hearing: 08.06.2017)

(Date of Order: 12.06.2017)

1. The instant Petition has been filed for seeking immediate/order of the Commission for the revision of Open Access Electricity Bill towards imposition of Wheeling Charges in compliance with DERC Open Access Orders dated 24.12.2013 & 18.05.2015 read with DERC (Terms & Conditions of Open Access)

Regulations 2005. The Interim Application has been filed for Interim Directions to BYPL to not to take coercive action against the Petitioner towards encashment of Bank Guarantee (BG) till further directions from the Commission.

2. The Counsel for the Petitioner submitted that the reply from the Respondent No. 1 has been received only yesterday and sought permission of the Commission to file rejoinder. It was further argued that in its reply the Petitioner has referred to the Open Access Order of 1st June, 2017, which has prospective application only and orders of the Commission on Open Access issued before 1st June, 2017 have validity and application in the instant case. The Counsel for the petitioner further sought intervention of the Commission such that till the matter is decided by the Commission, the Respondent No. 1 may be directed not to withhold Open Access application and allow it without the condition of part payment of arrear bill,
3. The Counsel for Respondent No.1 submitted that the Petitioner has already filed application for surrender of Open Access from June, 2017 to October, 2017 and therefore, there is no issue of withholding the Open Access application.
4. The Petitioner is granted two weeks time to file rejoinder, with an advance copy served on the Respondents.
5. The matter is adjourned. The next date of hearing shall be informed to the parties in due course.

Sd/-
(B.P. Singh)
Member