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3

Tata Power-Rinfra dispute intensifies further

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The Bombay high court's refusal to grant an interim relief to Tata Power Company (TPC) does not seem to have ended the TPC-Reliance Infrastructure (Rinfra) dispute.

TPC has said it was going ahead and advising the Maharashtra State Load Dispatch Centre (MSLDC) to schedule 160mw capacity of the total 360mw power it currently supplies to Rinfra for their own customers. The power company has further reiterated that it will supply the balance 200mw at regulated rates to Rinfra till only June 30 this year, and not May 2011 as suggested by the state government. "We are unwilling to supply 200mw power to Rinfra. Instead we are willing to take over 4 lakh consumers of Rinfra in central suburbs and supply power directly to them. We have given this suggestion to the government and Rinfra in May 2010," TPC officials said.

MSLDC and Rinfra, however, have dismissed

TPC's move as a mere "face-saving" measure. According to MSLDC's officials, TPC has not communicated nor stipulated the exact date from when it wants to reschedule 160mw power for their own customers. "Even then, we would be maintaining status quo (continue to supply to 360mw supply to Rinfra). There are two reasons: One, the HC has not issued any specific direction. Two, TPC has already filed a petition challenging our refusal to schedule 160mw for their own customers in the Maharashtra Electricity Regulatory Commission (MERC). The matter will now be decided by MERC in their hearing on June 24," said MSLDC officials.

In the second week of May, TPC had announced that they would, from May 17, stop supplying 160mw of the total 360mw power to Rinfra. MSLDC, however, had refused TPC's request by quoting an advisory from the state government to maintain status quo as MERC has been mandated to take suitable measures to protect the interest of con-

sumers in such power disputes.

Angered at the refusal, TPC officials had filed a petition in MERC terming MSLDC's refusal as a clear breach of its statutory duties. "TPC's distribution division has contracted to procure this power through a PPA to meet the load requirements of its consumers in Mumbai license area. MSLDC has no right to refuse the supply," said an official. Hearing on this issue is slotted for June 24.

Similarly, Rinfra officials said that TPC suo moto cannot refuse to supply 200mw to Rinfra consumers after June 30. "The government had only suggested to TPC to supply power to Rinfra as an ad-interim measure till 2011, by which time the MERC will find an interim or long term solution to protect the consumers' interest. Hearing on this issue is on June 28. So, all this talk by TPC to stop supplying power is false bravado as the courts refused to entertain their request," said a senior Rinfra official.

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