

Ref : No. CE Comm./OA/RE/

Date:

**The guidelines for execution of open access agreement are proposed for approval for uploading on MSEDCL website**

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Please go through the following guidelines for execution of Open Access Agreement.

- 1) The Open Access Agreement shall be executed between the Distribution licensee and open access parties i.e. generator and open access consumer availing MTOA and LTOA.
- 2) The OA agreement shall be submitted in 3 copies to the MSEDCL (for Corporate Office, Generation circle & Consumer circle.)
- 3) The draft of agreement is available on MSEDCL website [www.mahadiscom.in](http://www.mahadiscom.in)
- 4) The agreement should be on the stamp paper of Rs. 200.
- 5) As per the annexure V the open access party has to provide security in the form of irrevocable Bank Guarantee (BG) from any nationalized bank in favor of MSEDCL equivalent to the estimated amount of OA charges payable for the period of two months.
- 6) The said Bank Guarantee should be submitted to OA Consumer circle office for monitoring.
- 7) The security mechanism, for LTOA shall be valid for three years and shall be renewed time to time up to expiry of open access. The BG for MTOA shall be valid till the expiry of OA period.
- 8) If the LTOA/ MTOA party defaults in payment of monthly charges then the nodal agency shall be entitled to encash/adjust the BG immediately. The same should be immediately replenished / recouped by open access party before next billing cycle.
- 9) Any party (generator/ consumer) intending to terminate this agreement shall give, the other parties not less than thirty days prior written notice of termination.

Provided that termination shall be subject to settlement of all dues of Distribution Licensee in accordance with the Act, Regulations and this agreement.

- 10) The Distribution Licensee may terminate this agreement (after 15 days notice period) and disconnect the consumer in the following circumstances, in accordance with the provision of Act
  - The consumer defaults in payment of any charge or any other sum due from him as provided under section 56 of the Act; or,
  - The consumer does an act referred to in sub-section (3) of section 163 of the Act; or,
  - The disconnection is authorized under any other provision of the Act, the rules and Regulations made there under and/or any other law for time being in force; or,
  - The consumer fails to replenish the BG before next billing cycle; or,
  - The supplier becomes insolvent

Yours faithfully,

*(Signature)* 14.3.17  
**Chief Engineer (Commercial)**

**Copy s. w. r. to :**

The Executive Director (Comm.), MSEDCL, Mumbai