



**MEGHALAYA STATE ELECTRICITY REGULATORY COMMISSION
SHILLONG**

Front Block Left Wing, 1st Floor, New Administrative Building,
Lower Lachumiere, Shillong, Meghalaya 793001

MSERC Case No. 1 of 2026

In the matter of: Petition under Sections 142 and 146 of the Electricity Act, 2003 seeking directions against the Respondent for non-compliance with the Order dated 09.02.2026 passed by the Hon'ble Commission in Case No. 5 of 2025.

AND

In the matter of:

Pioneer Carbide Private Limited

.....**Petitioner**

-Versus-

Meghalaya Power Distribution Corporation Limited (MePDCL)

..... **Respondent**

Coram

Shri. Chandan Kumar Mondol, Chairman

Date of Order: 1st May 2026

1. The instant Petition has been filed by Pioneer Carbide Private Limited under Section 142 of the Electricity Act, 2003, inter alia seeking directions against the Respondent, being Meghalaya Power Distribution Corporation Limited for non-compliance with the Order dated 09.02.2026 passed by the Commission in Case No. 5 of 2025.
2. The Petitioner herein is a ferro-alloy manufacturer located in the Byrnihat area in the State of Meghalaya.
3. The Respondent is a distribution licensee for the State of Meghalaya.

FACTS OF THE CASE

1. The Commission in the matter of Suo Moto Proceedings in compliance to the Hon'ble APTEL Judgment dated 31st October 2025 in Appeal No. 218 of 2025, IA No. 887 of 2025, IA No. 1040 of 2025 and IA No. 1037 of 2025, has issued the

Order dated 09.02.2026 for determination of the Open Access Charges. Extract of the Order is reproduced below:

“Table 13: Comparison of Open Access Charges of Ferro Alloy and other EHT Consumers category (Rs./kWh) who are having contract demand with MePDCL for FY 2025-26

	Ferro Alloys EHT		Other EHT	
	As per Earlier Order	Revised as per this Order	As per Earlier Order	Revised as per this Order
<i>Additional Surcharge payable to MePDCL</i>	1.38	2.27	1.21	2.27
<i>CSS payable to MePDCL</i>	1.02	Nil	2.03	2.03
<i>STU Charge payable to MePTCL</i>	0.76	Nil	0.76	Nil
<i>CTU Charge payable to MePDCL</i>	0.58	Nil	0.58	Nil
Total	3.74	2.27	4.58	4.30

.....”

2. In view of the above Order, the Petitioner appealed the following:
 - a. Direct the Respondent to inter alia, forthwith refund the sum of INR 87,49,065 in terms of the Order dated 09.02.2026 along with interest till the actual date of payment;
 - b. Issue show cause notice and initiate penalty proceedings for non-compliance of the order dated 09.02.2026 passed by the Hon’ble Commission in Case No. 05/2025 under Section 142 and Section 146 of the Act and dispose of the same in an expeditious and time bound manner;
 - c. Pass any such further order(s) that this Hon’ble Commission may deem fit in the interest of justice and equity.
3. The Commission vide letter No. MSERC/PCPL/Case 1/2026/11, dated 14th April 2026, had admitted the Petition and registered as Case No. 1 of 2026. Furthermore, the Respondent has been directed to submit its replies to the Petition by 28th April 2026.
4. Subsequently, on 27th April 2026, the Commission has received an email, along with a letter from the Petitioner, wherein it has informed that Respondent (MePDCL) has refunded the STU charges on 24th April 2026. Accordingly, it has submitted to permit the withdrawal of the Petition vide Case 1 of 2026 and dispose of the same as withdrawn, with no order as to the costs
5. Furthermore, the Commission also received a letter from the Respondent MePDCL, wherein it has informed the following:

- (a) MePDCL has refunded an amount of Rs 1,02,55,905.00 to the Petitioner on 24th April 2026 and informed the Petitioner vide its letter dated 24th April 2026;
- (b) The STU charges have been levied by the SLDC/MePTCL in accordance with the MSERC (Terms & Conditions of Open Access) Regulations 2012. As per the national norms (NOAR Portal), these charges were paid through IEX during the process of procurement of power via IEX and the same was transferred by IEX to the SLDC/MePTCL;
- (c) However, as per clause 3.1.2.36 of the MSERC Order in Case 5 of 2025, the Commission has directed as follows:
‘The Commission would also like to notify that any amount of STU Open Access charges already paid by the Open Access Consumers having contract demand with MePDCL, shall be treated as deemed payment to MePDCL and MePDCL shall make adjustment of such payment with MePTCL.’
- (d) Hence, the amount could be refunded after transfer of fund from MePTCL.

COMMISSION’S ORDER

In view of the above and upon the submissions made by the Petitioner, the Commission hereby permits the withdrawal of the Petition.

Therefore, the Petition is accordingly disposed. There shall be no order as to costs.

**Sd/-
Chandan Kumar Mondol
Chairman**