

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Coram

1. Dr. Pramod Deo, Chairperson
2. Shri R. Krishnamoorthy, Member
3. Shri V.S.Verma, Member

Petition No. 157/2008

In the matter of

Petition under Section 79 of the Electricity Act 2003 read with regulation 35 of the CERC (Open Access in inter-State Transmission) Regulations 2008.

And in the matter of

Konark Power Project Limited, Secunderabad ... **Petitioner**
Vs
1. Karnataka State Load Despatch Centre, Bangalore
2. Karnataka Power Transmission Corporation Ltd., Bangalore
3. Western Regional Load Despatch Centre, Mumbai
4. Global Energy Limited, Mumbai ... **Respondents**

The following was present:

Shri Sanjay Sen, Advocate for the petitioner

**ORDER
(DATE OF HEARING: 12.3.2009)**

The application was made alleging denial of open access by the first and second respondents, in contravention of the Central Electricity Regulatory Commission (Open Access in inter-State Transmission) Regulations, 2008.

2. During the hearing it was stated that the State Government had already decided to buy power from the petitioner based on order issued by that Government under Section 11 of the Electricity Act, 2003, directing the generating companies operating in the State to supply power to the State grid.

3. Learned counsel for the petitioner stated that the petitioner was selling power through the second respondent and requested permission to withdraw the application. Request made by learned counsel for withdrawal of the application has been allowed.
4. The present application is disposed of as withdrawn.

Sd/-
(V.S.VERMA)
MEMBER

sd/-
(R. KRISHNAMOORTHY)
MEMBER

sd/-
(DR. PRAMOD DEO)
CHAIRPERSON

New Delhi dated the 13th March 2009