

**CENTRAL ELECTRICITY REGULATORY COMMISSION  
NEW DELHI**

**Petition No. 315/2009**

**Coram:**

**Shri V.S.Verma, Member  
Shri M. Deena Dayalan, Member**

**Date of Hearing: 11.07.2013  
Date of Order : 21.11.2013**

**In the matter of**

Petition under Section 79(1) (c), (f) and (k) read with Section 11(1) of the Electricity Act, 2003 read with Regulations 26 of the CERC (Open Access in inter-State in Transmission) Regulations, 2008.

**And**

**In the matter of**

Vendanta Aluminium Limited  
1st Floor, City Mart Complex, Baramunda,  
BHubaneswar-751 003

....**Petitioner**

**Vs**

State Load Despatch Centre  
Orisa Power Transmission Corporation Ltd.  
Gridco Colony, P.O. Mancheshwar Railway Colony  
Bhubaneswar-751 017

..**Respondent**

**Following were present:**

1. Shri P.C.Sen, Advocate, VAL
2. Ms. Sara Soniaram, Advocate, VAL
3. Shri R.K.Mehta, Advocate, OPTCL
4. Shri Antaryami Upahdyay, Advocate, OPTCL

## ORDER

The petitioner, Vendanta Aluminium Limited filed the present petition with the following prayers to:

"(a) Hold and declare the communication No. SGM(PS)-129/2008/2258(5) dated 1.12.2009 issued by the Sr. General Manager (Power System) of the Respondent No. 1 to the petitioner as illegal and contrary to Open Access Regulations framed by this Hon'ble Commission as amended from time to time;

(b) Set aside the impugned communication No. CEE SGM(PS)-129/2008/2258(5) dated 01.12.2009 issued by Sr. General Manger (Power System) of the Respondent No. 1 to the petitioner ;

(c) Issue suitable and appropriate directions to the jurisdictional Load Dispatch Centre (1 respondent herein) to consider the Open Access application filed by the petitioner, strictly in accordance with law under the provisions of the Central Electricity Regulatory Commission (Open Access in inter-state transmission) Regulations, 2008, as amended from time to time, for supply of energy from the petitioner's plant;

(d) Issue suitable and appropriate directions to the jurisdictional Load Despatch Centre (Respondent No. 1 herein) to allow the open access application No. VAL/OPTCL/275 dated 25.11.2009 filed by the petitioner strictly in accordance with law under the provisions of the Central Electricity Regulatory Commission (Open Access in Inter-State Transmission) Regulations, 2008 as amended from time to time for supply of energy from the petitioner's plant and grant No. Objection for export of 200MW power on RTC basis (Point of Evacuation – VAL, Jharsuguda; Point of Connection – 220 kV OPTCL Grid substation at Budhipadar); and

(e) Issue suitable and appropriate direction to the Respondent No. 1 not to refuse the future Application of Petitioner for Short term Open Access on the grounds contained in communication No. SGM(PS)-129/2008/2258(5) dated 1.12.2009 issued by the Sr. General Manager (Power System) of the Respondent No. 1.

(f) Pass such other or further order(s) as this Hon`ble Commission may deem fit in the facts and circumstances of the case"

2. Learned counsel for the petitioner vide its letter dated 18.11.2013 has sought permission of the Commission to withdraw the present petition.

3. The prayer of the petitioner is allowed. Accordingly, the Petition No. 315/2009 is disposed of as withdrawn.

Sd/-  
**(M. Deena Dayalan)**  
**Member**

Sd/-  
**(V.S.Verma)**  
**Member**