

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No.224/MP/2016

Subject : Petition under Section 79 (1) (f) of the Electricity Act, 2003 read with Regulation 26 of the Central Electricity Regulatory Commission (Open access in Inter-state Transmission) Regulations, 2008 and Regulations 27 of the Central Electricity Regulatory Commission (Conduct of Business) Regulations, 1999.

Date of hearing : 20.12.2016

Coram : Shri Gireesh B. Pradhan, Chairperson
Shri A.K. Singhal, Member
Shri A.S. Bakshi, Member
Dr. M.K. Iyer, Member

Petitioner : Dalmia Cements (Bharat) Limited

Respondent : State Load Despatch Centre, Karnataka

Parties present :Shri Shridhar Prabhu, Senior Advocate, Dalmia Cements
Shri Kushagra Garg, Dalmia

Record of Proceedings

Learned senior counsel for the petitioner submitted that the present petition has been filed seeking direction to State Load Despatch Centre, Karnataka (SLDC) to refund the Back-up supply charges collected from the petitioner for the inter-State open access availed. Learned senior counsel submitted that no such charges are payable under the Central Electricity Regulatory Commission (Open access in Inter-state Transmission) Regulations, 2008. Learned senior for the petitioner further submitted that the Commission in its orders dated 19.11.2012 and 24.12.2012 in Petition Nos. 1/MP/2012 and 124/MP/2012 has held that such collection of the Back-up supply charges is not correct. Learned senior counsel for the petitioner requested to issue notice to the respondent.

2. After hearing the representative of the petitioner, the Commission admitted the petition and directed to issue notice to the respondent.

3. The Commission directed the petitioner to serve copy of the petition on the respondent immediately. The respondent was directed to file its reply by 13.1.2017 with an advance copy to the petitioner, who may file its rejoinder, if any, on or before 25.1.2017. The Commission directed that due date of filing the reply and rejoinder should be strictly complied with. No extension shall be granted on that account.

4. The petition shall be listed for hearing on 16.2.2017.

By order of the Commission

**Sd/-
(T. Rout)
Chief (Law)**