

CENTRAL ELECTRICITY REGULATORY COMMISSION

Record of Proceedings

PETITION NO. 84/2009

Sub: Petition under Section 146 read with Sections 142, 149 and 11 (2) of the Electricity Act, 2003.

.Date of hearing : 20.5.2009

Coram : Dr. Pramod Deo, Chairperson
Shri R.Krishnamoorthy, Member
Shri S.Jayaraman, Member
Shri V.S.Verma, Member

Petitioner : Global Energy Ltd., New Delhi

Respondents : 1. Principal Secretary, Govt. of Karnataka, Energy Department, Bangalore
2. Chief Engineer, Karnataka State Load Despatch Centre, Bangalore
3. Karnataka Power Transmission Corporation Limited, Bangalore
4. Western Regional Load Despatch Centre, Mumbai

Parties present : Shri Rajiv Yadav, Advocate, GEL
Ms. Swapna Seshadri, Advocate, KPTCL

This application has been made alleging denial of open access by the respondents in contravention of the Central Electricity Regulatory Commission (Open Access in inter-State Transmission) Regulations, 2008 and seeking direction to the respondents to implement the Commission's order dated 3.2.2009 in Petition No. 153/2008. The petitioner has also sought imposition of penalty under Sections 142 and 146 of the Electricity Act, 2003 on the second and third respondents and has claimed compensation of Rs. 4,09,25,700/- along with interest @ 18% per annum from the first, second and third respondents.

2. Learned counsel for the petitioner informed that the operation of the said order dated 3.2.2009 had been stayed by the Hon`ble High Court of Karnataka on 19.5.2009 in Writ Petition No. 13338 of 2009 filed by the State Government of Karnataka. He submitted that despite the stay by the Hon`ble High Court, the prayers for grant of open access in future and the petitioner's prayers for compensation, could still be considered.

3. Learned counsel for the third respondent, KPTCL requested for two days time to placed on record copy of the interim order of the Hon`ble High Court granting stay.

4. The petition shall be re-notified on 4.6.2009.

sd/-
(K.S.Dhingra)
Chief (Law)