

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Record of Proceedings

Petition No. 124/MP/2012

Subject : Petition under Section 79 (1) (c) of the Electricity Act, 2003 and Regulation 26 of the Central Electricity Regulatory Commission (Open Access in inter-State Transmission) Regulations, 2008

Date of hearing : 12.7.2012

Coram : Dr. Pramod Deo, Chairperson
Shri S.Jayaraman, Member
Shri V.S.Verma, Member
Shri M.Deena Dayalan, Member

Petitioner : Falcon Tyres Limited, Mysore

Respondent : State Load Despatch Centre, Karnataka

Parties present : Shri Ananathanrayana, Advocate for the petitioner
Miss Swagatika Sahoo, SLDC, Karnataka

The learned counsel for the respondent sought one week time to file its reply. The Commission observed that the SLDC, Karnataka was granted sufficient time to file its reply.

2. Learned counsel for the petitioner submitted that the SLDC, Karnataka has levied the back-up supply charges under Karnataka Electricity Regulatory Commission (Terms and Conditions for Open access) (First Amendment) Regulations, 2006 which is illegal and bad in law. Learned counsel submitted that Karnataka Electricity Regulatory Commission has no jurisdiction to adjudicate the dispute involving inter-State open access.

3. The Commission directed the SLDC Karnataka to file the following on affidavit by 3.8.2012 with copy to the petitioner:

(a) Justification of levying the back-up supply charges and details thereof.

(b) Whether there is any permanent arrangement for supply of start-up power to the petitioner.

(c) Whether other open access consumers/generators are being charged the back-up supply power charges.

(d) The quantum and duration of electricity consumed and drawn by The petitioner when its generation was under shut- down.

(e) The period during which back-up supply charges has been levied.

(f) The reasons and justification for raising the unscheduled interchange charges after considerable delay and charging interest for the delay.

4. The petition shall be listed for hearing on 14.8.2012.

By order of the Commission,

SD/-
(T. Rout)
Joint Chief (Law)