

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 63/MP/2013 with I.A. No.10/2013

Subject : Petition under Section 79 (1) (c) of the Electricity Act, 2003 read with Regulations 18 and 32 of the Central Electricity Regulatory Commission (Grant of Connectivity, Long-Term and medium term open access in inter-State transmission and related matters) Regulations, 2009 for (a) relinquishment of long term of open access from 250 ME to 0 MW and (b) change in target region from Northern Region, Western Region to Southern Region.

Date of hearing : 28.5.2013

Coram : Shri V.S.Verma, Member
Shri M.Deena Dayalan, Member

Petitioner : Lanco Kondapalli Power Limited

Respondent : Power Grid Corporation of India Limited, Gurgaon

Parties present : Shri Amit Kapur, Advocate for the petitioner
Miss Aprova Mishra, Advocate for the petitioner
Shri M.G.Ramchandran, Advocate, GETCO

Record of Proceedings

Learned counsel for the petitioner submitted as under:

(a) Lanco Kondapalli Power Limited (LKPL) (Generating company) has set up a gas based power plant at Kondapalli in district Krishna in Andhra Pradesh with an installed capacity of 368 MW. In order to expand its gas based project, generating company commissioned phase-II with 366 MW capacity and fuel for the same was allocated from RIL KG-D-6 basin pursuant to the EGOM decision dated 28.5.2008;

(b) The petitioner was granted LTOA for 350 MW originally to Western Region and Northern Region which was reduced to 250 MW on 8.6.2012 without payment of any compensation as there was no stranded capacity.

(c) Due to non availability of gas, the petitioner is unable to generate 366 MW power and allow the petitioner to relinquish the LTOA granted to it from 250 MW to 0 MW without levying any compensation since there is no stranded capacity as per Regulation 18 of the Connectivity Regulations.

(d) Limit the region of Drawees to Southern Region.

4. The learned counsel for the petitioner sought an interim direction to PGCIL, not to raise any further bills for long term access available with the petitioner in Western and Northern Regions in terms of CERC's Sharing Regulations,. The Commission declined to grant any ad-interim directions in the matter without hearing PGCIL.

5. Learned counsel for GUVNL submitted that any decision to change the target region for supply of power from Western Region/Northern Region to Southern Region should be taken after hearing the beneficiaries of the Northern and Western Regions. He requested the Commission to issue direction to petitioner to implead all beneficiaries of Northern and Western Regions as parties to the petition.

6. After hearing of the learned counsels for the petitioner and GUVNL, the Commission directed to admit the petition. The Commission further directed the petitioner to implead the Northern and Western Regions constituents as respondents to the petition and file revised memo of parties.

7. Accordingly, the petitioner was directed to serve copy of the petition on the respondents by 6.6.2013. The respondents were directed to file their responses by 21.6.2013. The petitioner was allowed to file its rejoinder, if any, by 5.7.2013.

8. The petition and I.A shall be listed for hearing on 16.7.2013.

By order of the Commission,

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