

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

**Petition No. 517/MP/2014
with IA. No. 63/2014**

Subject : Petition under Section 79 (1) (c) of the Electricity Act, 2003.

Date of hearing : 9.12.2014

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

Petitioner : Udupi Power Corporation Ltd.

Respondents : Karnataka Power Transmission Corporation and others

Parties present : Shri Meet Malhotra, Senior Advocate, UPCL
Shri Shubhranshu Padhi, Advocate, UPCL
Shri Ravi S.S. Chauhan, Advocate, UPCL
Shri Pratik Dhaiya, Advocate, UPCL
Shri Pallak Singh, Advocate, UPCL

Record of Proceedings

The matter was mentioned by learned senior counsel for the petitioner. Learned senior counsel submitted that the present petition has been filed for seeking *inter alia* direction to SLDC, Karnataka and SRLDC to consider the application filed by the Kerala State Electricity Board (KSEB) for grant of open access in terms of the Power Purchase Agreement dated 9.4.2014.

2. Learned senior counsel for the petitioner submitted that the petitioner has filed IA for stay of the communication dated 3.12.2014 issued by KSEB and for seeking direction to KSEB to maintain status quo in respect of performance bank guarantee dated 27.3.2014 bearing No. 2657BG2962014 for ₹ 6.66 crore. Learned senior counsel for the petitioner submitted that the petitioner will extend the validity of bank Guarantee.

3. After hearing the learned senior counsel for the petitioner, the Commission directed to issue notice to the respondents. The Commission directed the petitioner to extend the bank guarantee by six months. The Commission further directed KSEB not to take any coercive measure with regard to encashment of bank guarantee till further orders.

4. The Commission directed the petitioner to serve copy of the petition on the respondents immediately. The Commission directed the respondents to file their replies by 30.12.2014 with an advance copy to the petitioner who may file its rejoinder, if any, by 20.1.2015.

5. The Commission directed to list the petition for hearing on 29.1.2015.

By order of the Commission

Sd/-

**(T. Rout)
Chief (Law)**