

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

**Petition No. 372/MP/2018
along with IA No. 102/2018**

**Coram:
Shri P.K. Pujari, Chairperson
Dr. M.K. Iyer, Member**

Date of Order: 21st December, 2018

In the matter of

Violation of Central Electricity Regulatory Commission (Open Access in inter-State Transmission) Regulations, 2008

**And
In the matter of**

Sathavahana Ispat Ltd.
No. 505, V Floor, I Block,
Divyashakti Complex Ameerpet,
Hyderabad-500 016

..... **Petitioner**

Vs.

State Load Despatch Centre, Karnataka
Ananda Rao Circle, Palace Road,
Bangaluru-560 009

Indian Energy Exchange Limited
Unit 306, 4th Floor, Plot No. 7, TDI Centre,
Jasola, New Delhi-110 025

...**Respondents**

Parties Present:

Shri Anantha Narayanam G, Advocate for the Petitioner

ORDER

The Petitioner, Sathavahana Ispat Ltd, has filed the present petition along with the following prayers:

“(a) Declare that the additional conditions imposed by the 1st Respondent is illegal, untenable and ultra virus the Electricity Act;

(b) Set aside letter dated 27th November, 2018 issued by Respondent No. 1; and consequently, direct the Respondent to grant the inter-State Open Access as per the Electricity Act, 2003 and the regulations specified by the Commission;

(c) Direct the 2nd Respondent to release and refund the amounts illegally withheld from the Petitioner even during the period when the deemed open access was granted, along with interest of 1 percent per day from the day of illegal withholding up to the date of actual payment.

(d) Direct the Respondent No. 1 to refund the differential between the UI rates and the so-called rates fixed by KERC for old plants, i.e. Rs. 2.80 per unit along an interest of 1% per month from the date of excess collection up to the date of actual refund;

(e) Direct the Respondents jointly and severally to pay damages/ compensation of Rs. 7,00,000/- (Rupees Seven Lakh only) per each day of illegal denial of inter-State Open Access to the Petitioner.

(f) Take appropriate action against the Respondents 2 including recovery of the losses, if any, to the Petitioner."

2. The matter was listed for hearing on 13.12.2018 on admission.

3. Learned counsel for the Petitioner vide its letter dated 14.12.2018 has sought permission to withdraw the present petition.

4. The prayer of the Petitioner is allowed. Accordingly, Petition No. 372/MP/2018 along with IA No. 102/2018 is disposed of as withdrawn.

sd/-
(Dr. M.K. Iyer)
Member

sd/-
(P.K. Pujari)
Chairperson