

**CENTRAL ELECTRICITY REGULATORY COMMISSION
New Delhi**

Petition No. 1/MP/2012

Subject : Levy of UI Charges in violation of Central Electricity Regulatory Commission (Unscheduled Interchange Charges and related matters) Regulations, 2009 and Back-up Supply Charges under the Karnataka Electricity Regulatory Commission (Open Access) Regulations, 2004 for an inter-State Open Access transactions.

Petitioner : Sadashiva Sugars Limited

Respondent : State Load Despatch Centre, Karnataka

Petition No. 10/MP/2014

Subject : Levy of UI charges in violation of Central Electricity Regulatory Commission (Unscheduled Interchange Charges and related matters) Regulations, 2009 and backup supply charges under the Karnataka Electricity Regulatory Commission (Open Access) Regulations, 2004 for an inter-State open access transaction.

Petitioner : Shamanur Sugars Limited

Respondent : State Load Despatch Centre, Karnataka, Bangalore

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 interState Transmission) Regulations, 2008 read with Regulation 27 of Central Electricity Regulatory Commission (Conduct of Business) Regulations, 1999.

Petitioner : Falcon Tyres Limited Bangalore

Respondent : Karnataka State Load Despatch Centre



Petition No. 82/MP/2013

- Subject** : Levy of Back-up Supply Charges and withholding of UI Charges in violation of Central Electricity Regulatory Commission (Open Access in inter-State Transmission) Regulations, 2008 during the grant of inter-State Open Access.
- Petitioner** : Dhruvdesh Metasteel Private Limited
- Respondent** : State Load Despatch Centre, Karnataka

Petition No. 70/MP/2018

- Subject** : Petition under Section 79(1)(c) of the Electricity Act, 2003 read with Regulation 26 of the Central Electricity Regulatory Commission (Open Access in inter-State Transmission) Regulations, 2008 and Regulation 27 of the Central Electricity Regulatory Commission (Conduct of Business) Regulations, 1999.
- Petitioner** : Godavari Biorefineries Limited (GBL)
- Respondent** : State Load Despatch Centre, Karnataka
- Date of Hearing** : 22.3.2022
- Coram** : Shri I. S. Jha, Member
Shri Arun Goyal, Member
Shri P. K. Singh, Member
- Parties Present** : Shri Anantha Narayana M G, Advocate for Petitioners
Shri Shridhar Prabhu, Advocate for Petitioners
Shri Siddaveer Chakki, Advocate for Petitioners
Ms. Sumana Naganand, Advocate, SLDC, Karnataka
Ms. Medha M Puranik, Advocate, SLDC, Karnataka

Record of Proceeding

Case was called out for virtual hearing.

2. The learned counsel for the Petitioner submitted that except for Petition No.70/MP/2018, all the other four petitions are pending after remand order by the Appellate Tribunal for Electricity (APTEL) vide judgement dated 16.4.2019 in *Appeal No.26 of 2013 and batch* for appropriate orders taking into consideration the observations made in the said judgement. He submitted that Shamanur Sugars Limited has filed an Appeal before the Hon'ble Supreme Court against the



judgement dated 16.4.2019 and it is expected to be listed soon and sought a short adjournment.

3. The Commission observed that these matters were already adjourned on the request of the Petitioners on 24.9.2019 and they cannot be adjourned any further as these are old matters and need to be disposed of at the earliest. It was observed that any stay has not been brought by the petitioner. The Commission directed the Petitioners and SLDC, Karnataka to file written submissions by 5.4.2022 after serving a copy to each other and reserved order. The parties were further directed to file, a brief notes of argument not exceeding three pages containing highlights of the written submissions for a quick look by the commission.

4. The Commission further directed SLDC, Karnataka in Petition No. 1/MP/2012, Petition No. 10/MP/2014, Petition No. 124/MP/2012 and Petition No. 82/MP/201 to clarify, on affidavit by 15.4.2022, how an open access consumer like the Petitioner shall be charged in following conditions:

Suppose schedule after sale in Power Exchange is 80 MW in each time block between 1pm to 2 pm on a particular day			
Time Block	Schedule injection	Actual Injection/Drawal (+/-)	
1.00 pm-1.15 pm	80 MW	0 MW	Whether SLDC raises any bill for Deviation? If yes for what quantum and at what rate?
1.15 pm-1.30 pm	80 MW	(-) 20 MW	Whether SLDC shall raise bill for Backup supply charges? Whether discom shall raise bill for backup supply charge?
1.30 pm-1.45 pm	80 MW	40 MW	Whether SLDC shall raise bill for Deviation charges – If yes, for how much quantum and at what rate?
1.45 pm-2.00 pm	80 MW	90 MW	Whether SLDC bills for Deviation charges- at what rate and is amount receivable by entity?
Suppose from 2pm- 3pm there is no sale schedule			
2.00 - 2.15 pm	- MW	(-) 50 MW	Whether DISCOM shall raise bill or SLDC shall raise bill for back up supply charges?

5. The Commission also directed the Petitioner in Petition No. 70/MP/2018 to clarify, on affidavit by 15.4.2022, (a) whether it has connectivity/agreement with any distribution company for consumption of power. If yes, submit the schematic diagram showing connectivity of the Petitioner with distribution network and transmission network of STU indicating points of injection of power and points of drawal of power. (b) Whether the Petitioner imported electricity during the period under dispute? Whether the Petitioner paid to any distribution company for such import of electricity? If yes, furnish copy of the receipts.



6. The Commission further directed SLDC, Karnataka in Petition No. 70/MP/2018 to clarify, on affidavit by 15.4.2022, how an open access consumer like the Petitioner shall be charged in following conditions:

Suppose schedule after sale in Power Exchange is 80 MW in each time block between 1pm to 2 pm on a particular day			
Time Block	Schedule injection	Actual Injection/Drawal (+/-)	
1.00pm-1.15 pm	80 MW	0 MW	Whether SLDC raises any bill for Deviation? If yes for what quantum and at what rate?
1.15 pm-1.30 pm	80 MW	(-) 20 MW	Whether SLDC shall raise bill for Backup supply charges? Whether DISCOM shall raise bill for backup supply charge?
1.30 pm-1.45 pm	80 MW	40 MW	Whether SLDC shall raise bill for Deviation charges – If yes, for how much quantum and at what rate?
1.45 pm-2.00 pm	80 MW	90 MW	Whether SLDC bills for Deviation charges- at what rate and is amount receivable by entity?
Suppose from 2pm- 3pm there is no sale schedule			
2.00 - 2.15 pm	- MW	(-) 50 MW	Whether DISCOM shall raise bill or SLDC shall raise bill for back up supply charges?

7. Subject to the above, the Commission reserved the order in the matter.

By order of the Commission

sd/-

(V. Sreenivas)
Joint Chief (Law)

