

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No.385/MP/2023

- Subject : Petition under sections 79(1)(c) and (f) read with Sections 32, 33, 38, 39 and 40 of the electricity act, 2003 and the Central Electricity Regulatory Commission (Open access in inter-state transmission) Regulations, 2008 for redressal of non-grant of no objection certificate for by the respondent no. 1, Telangana State Load Dispatch Centre to the Petitioner, Power Corporation Limited for sale of power from its hydro power project in the Power Exchange.
- Date of Hearing : **19.1.2024**
- Coram : Shri Jishnu Barua, Chairperson
Shri I. S. Jha, Member
Shri P. K. Singh, Member
- Petitioner : SLS Power Corporation Limited.
- Respondents : Telangana State Load Dispatch Centre & 3 Ors.
- Parties Present : Ms. Anushree Bardhan, Advocate, SPCL
Ms. Surbhi Kapoor, Advocate, SPCL
Ms. Shirsa Saraswati, Advocate, SPCL

Record of Proceedings

At the outset, the learned counsel for the Petitioner submitted that the present Petition has been filed, *inter-alia*, seeking direction upon Respondent No. 1, Telangana State Load Dispatch Centre (TSLDC) to grant 'No Objection Certificate (NOC)' to the Petitioner for sale of power on the Power Exchange in terms of the Central Electricity Regulatory Commission (Open Access in Inter-State Transmission) Regulations, 2008 with the exception of there being any *bona fide* constraints in the transmission system of Respondent No. 3, TSTRANSCO which Respondent No. 4 certifies in advance and not otherwise. Learned counsel further submitted that the Petitioner, vide its various applications, had sought Inter-State Short Term Open Access for the months of January to May, 2023. However, the said applications were rejected by Respondent No. 1, TSLDC on the grounds of the non-availability of the distribution corridor amongst other grounds. Subsequently, the Petitioner approached the Hon`ble High Court of Telangana seeking directions for the issuance of NOC to the rejected applications and to consider the applications of the Petitioner for the future period. The Hon`ble High Court of Telangana vide its various interim directions orders directed the Respondents to consider the applications of the Petitioner and grant them open access. Accordingly, based on the directions of the Hon`ble High Court from time to time, the Respondents were allowed the Petitioner to avail Inter-State Short Term Open Access. The matter is still pending before the Hon`ble High Court.

2. In response to the observation of the Commission regarding the issue of maintainability of this Petition before the Commission, the learned counsel for the Petitioner submitted that it will take instruction from the Petitioner in this regard.

3. After hearing the learned counsel for the Petitioner, the Commission directed to issue notice to the Respondents. The Petitioner was directed to serve a copy of the Petition on the Respondents, who may file their replies on the admissibility of the Petition within three weeks with a copy to the Petitioner, who may file its rejoinder within three weeks thereafter.

4. The Petition shall be listed for the hearing on admissibility on **6.3.2024**.

By order of the Commission

Sd/-

(T.D. Pant)

Joint Chief (Law)