Central Electricity Regulatory Commission
New Delhi

Record of Proceedings

Petition No. 267/2009

Subject : Petition under Section 79 of the Electricity Act, 2003.

Date of Hearing : 16.3.2010

Coram : Dr. Pramod Deo, Chairperson
Shri S.Jayaraman, Member
Shri V.S.Verma, Member
Shri M.Deena Dayalan, Member

Petitioner : M/s Renuka Sugars Ltd (RSL)

Respondents : SLDC Karnataka.

Parties present : Shri Prabhuling K. Navadgi, Advocate for petitioner
Shri Rajesh Mahale, Advocate for petitioner
Shri Anand K. Ganesan, Advocate for respondent

The petitioner has filed this petition challenging the communication dated 3.11.2009
issued by the respondent as illegal and contrary to open access regulations of the
Commission and seeking directions to the SLDC to consider the open access applications
strictly in accordance with law.

2. The learned counsel for the petitioner submitted that the grant of open access by the
respondent with the condition that the petitioner should submit an undertaking to the effect
that (a) if the power is supplied in excess to the approved schedule, payment shall be made
at the tariffs determined by the State Commission (KERC) for co-generation plants as per
PPA, and (b) if the power injected was 5% less than the approved schedule and continues
for more than three time block in the month, the permission would be withdrawn, was in
violation of clauses 4 and 5 of Regulation 20 of the Central Electricity Regulatory Commission

3. The learned counsel for the respondent objected to the submissions of the petitioner
and submitted that the provisions of the Electricity Act or the Regulations specified by the
Commission with regard to open access do not prohibit any statutory directions to be given
by the respondent to the generating companies in the interest of grid stability and
operations.

4. The Commission directed the counsel for the respondent to file an affidavit, with copy
to the petitioner, explaining as to how the non-compliance of the conditions imposed by the
respondent are in violation of the integrated operations of the grid, latest by 13.4.2010.

5. Matter to be re-notified on 20.4.2010.

Sd/-
T.Rout
Joint Chief (Law)