

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 80/MP/2019

Subject : Petition under Section 79(1)(c) and 79(1)(f) of the Electricity Act, 2003 read with applicable provisions of the Central Electricity Regulatory Commission (Open Access in Inter- state transmission) Regulations, 2008.

Petitioner : Chettinad Cement Corporation Private Limited (CCCPL)

Respondent : State Load Despatch Centre, Karnataka

Date of Hearing : 11.4.2019

Coram : Shri P.K. Pujari, Chairperson
Dr. M.K. Iyer, Member
Shri I.S. Jha, Member

Parties present : Shri Arjun Syal, Advocate, CCCPL

Record of Proceedings

Learned counsel for the Petitioner submitted that the present Petition has been filed under Section 79(1)(c) and (f) of the Electricity Act, 2003 read with applicable provisions of the Central Electricity Regulatory Commission (Open Access in inter- State Transmission) Regulations, 2008 for seeking direction to the Respondent to withdraw the demand pertaining to the back-up supply charges. Learned counsel for the Petitioner relied on the APTEL's judgments dated 14.11.2018 in Appeal No.368 of 2017 & IA No.746 of 2017 and Appeal No.302 of 2013 & IA No.361 of 2018 and requested to admit the Petition.

2. After hearing the learned counsel for the Petitioner, the Commission admitted the Petition and directed to issue notice to the Respondent.
3. The Commission directed the Petitioner to serve copy of the Petition on the Respondent immediately, if not served already. The Respondent was directed to file its reply by 26.4.2019 with an advance copy to the Petitioner who may file its rejoinder, if any, by 10.5.2019. The Commission directed that due date of filing the reply and rejoinder should be strictly complied with. No extension shall be granted on that account.
4. Learned counsel for the Petitioner requested the Commission to grant interim relief by directing the Respondent to issue NoC for export of power from the month of March, 2019 onwards during the pendency of the present Petition without claiming any back-up supply charges. The Commission directed the Respondent to grant NoC to the Petitioner subject to the outcome of the decision in the Petition.
5. The Petition shall be listed for hearing in due course for which separate notice will be issued.

By order of the Commission

**sd/-
(T. Rout)
Chief (Law)**