

**BEFORE THE GUJARAT ELECTRICITY REGULATORY COMMISSION
GANDHINAGAR**

Petition No. 1835/2019.

In the Matter of:

Petition under Regulation 16 of the GERC (Terms and Conditions of Intra-State Open Access) Regulations, 2011 and Section 142 of the Electricity Act, 2003 for implementation of short-term open access in distribution system.

Petitioner	:	Federation of Kutch Industries Association
Represented by	:	Learned Advocates Ms. Mandakini Ghosh and Ms. Ritika Singhal
Co-Petitioner	:	Federation of Gujarat Industries
Represented by	:	Learned Advocates Ms. Mandakini Ghosh and Ms. Ritika Singhal

V/s.

Respondent No 1	:	Gujarat Urja Vikas Nigam Limited
Represented by	:	Shri V.T. Patel and Shri Hetal Patel
Respondent No. 2	:	Madhya Gujarat Vij Company Limited
Represented by	:	Ms. N.V. Gupta
Respondent No. 3	:	Dakshin Gujarat Vij Company Limited
Represented by	:	Shri P.M. Patel
Respondent No. 4	:	Uttar Gujarat Vij Company Limited
Represented by	:	Shri K.D. Barot
Respondent No. 5	:	Paschim Gujarat Vij Company Limited
Represented by	:	Nobody was present.
Respondent No. 6	:	Torrent Power Limited, Ahmedabad
Represented by	:	Learned Advocates Ms. Deepa Chawan and Ms. Reshmarani Nathani along with Shri Chetan Bundela, Shri Jignesh Langalia and Ms. Luna Pal
Respondent No. 7	:	Torrent Power Limited, Surat
Represented by	:	Learned Advocates Ms. Deepa Chawan and Ms. Reshmarani Nathani along with Shri Chetan Bundela, Shri Jignesh Langalia and Ms. Luna Pal

Respondent No. 8 : State Load Dispatch Centre
Represented by : Shri A.B. Rathod and Shri N. N. Shaikh

Coram:

Mehul M. Gandhi, Member

S. R. Pandey, Member

Date: 07.07.2021.

DAILY ORDER

1. The present matter was listed for hearing on 07.07.2021 through virtual hearing by Video Conferencing on account of prevailing COVID 19 pandemic.
2. Heard Ld. Advocate Ms. Mandakini Ghosh, on behalf of the Petitioners, Federation of Kutch Industries Association (FOKIA) and Federation of Gujarat Industries (FGI) submitted that being perspective Open Access consumers the 'Undertaking' as demanded by the Respondent distribution licensees at time of filing of application of Open Access is being challenged through present Petition because the aforesaid 'Undertaking' obligates that it is necessary that uniform power is sought through open access on Round the Clock (RTC) basis continuously for 24 hours. It is argued that, although the Open Access Regulations notified by the Commission do not provide for such requirement but still the distribution licensees are seeking 'Undertaking' with application for open access.,
3. Ld. Advocate Deepa Chauhan on behalf of Respondent Torrent Power Limited contended that as such the present matter is not maintainable and accordingly, Ld. Advocate for the Petitioner, if so desire, may prefer to first address the preliminary issue of maintainability before the Commission.
4. Shri V. T. Patel, on behalf of the Respondent No. 1 GUVNL submitted that the Respondent GUVNL has circulated a letter for adjournment in the matter due to personal difficulty of its legal counsel Advocate Ranjitha Ramachandran and she

has even informed counsel of the Petitioner regarding the same. Accordingly, the Commission is requested to adjourn the matter for short date.

5. Ld. Advocate Ms. Mandakini Ghosh, objecting to the adjournment sought by the Respondent GUVNL submitted that there is an urgency in the matter and even the Petitioners have also filed an IA for early hearing in the matter. However, if the Commission is granting short adjournment as sought by Respondent GUVNL, the date of hearing may be pre-decided as per convenience of the Commission. It is also assured by Ld. Advocate for the Petitioners that hard copy of affidavit duly signed by the Petitioners alongwith declaration will be filed within one week time before the Commission.
6. With the concurrence of the parties, the matter is kept for hearing on 27.07.2021 at 11:30 A.M.
7. The matter is adjourned on 27.07.2021 at 11:30 A.M.
8. We order accordingly.

Sd/-
[S. R. Pandey]
Member

Sd/-
[Mehul M. Gandhi]
Member

Place: Gandhinagar.
Date: 07/07/2021.