

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 316/TL/2024

Coram:
Shri Jishnu Barua, Chairperson
Shri Ramesh Babu V., Member
Shri Harish Dudani, Member

Date of Order: 7th December, 2024

In the matter of

Application under Sections 14, 15 and 79(1)(e) of the Electricity Act, 2003 read with the Central Electricity Regulatory Commission (Procedure, Terms and Conditions for Grant of Transmission Licence and other related matters) Regulations, 2024 with respect to grant of Transmission Licence to Rajasthan IVA Power Transmission Limited.

And

In the matter of

Rajasthan IV A Power Transmission Limited,
(a 100% wholly owned subsidiary of Apraava Energy Private Limited),
T-15A, Third Floor, Salcon Rasvilas,
Saket, New Delhi, 110017, India.

...Petitioner

Vs

1. Central Transmission Utility of India Limited,

First Floor, Saudamini,
Plot No. 2, Sector-29,
Gurugram, Haryana – 122001

2. REC Power Development and Consulting Limited,

D Block, REC Headquarter,
Plot No. 1-4, Sector- 29,
Gurugram- 122001 (Haryana).

3. BSES Rajdhani Power Limited,

PMG Office, 2ND Floor B-Block,
Nehru Place, New Delhi-110019

4. Chandigarh Electricity Department,

UT-Chandigarh, Div-11, Opposite Transport Nagar,
Industrial Area Phase - I, Chandigarh.

5. BSES Yamuna Power Limited,
Shakti Kiran Building, Second Floor,
Karkardooma, New Delhi -110 032 .

6. New Delhi Municipal Council,
AAO (Commercial), 19th Floor, NDMC,
Palika Kendra, Sansad Marg, New Delhi -110001

7. Tata Power Delhi Distribution Limited,
Power Management Group, Technology Centre,
Near PP-3 Grid Sub Station, Opp. PP Jewellers,
Netaji Shubhash Place, Pitampura, New Delhi-110034.

8. Himachal Pradesh State Electricity Board,
PR&ALDC, HPSEB Ltd, 132 Kv S/S Tutu,
Shimla-171011 (Himachal Pradesh).

9. Haryana Power Purchase Centre,
Shakti Bhawan, Energy Exchange,
Panchkula, Haryana.

10. Power Development Department, Jammu,
Jammu SLDC Building, Ist Floor, Gladni,
Power House Narwal, Jammu, J&K.

11. Punjab State Power Corporation Limited,
Shed No. T-1A, Thermal Designs,
Patiala-147001 (Punjab).

12. HVDC Dadri, POWERGRID,
POWERGRID B-9, Qutub Institutional Area,
Katwaria Sarai, New Delhi -110016.

13. HVDC Rihand, POWERGRID,
POWERGRID B-9, Qutub Institutional Area,
Katwaria Sarai, New Delhi -110016 .

14. Ajmer Vidyut Vitran Nigam Limited,
Rajasthan Urja Vikas Nigam Limited,
132 KV, Sub- Station Building,
Calgiri Road Malviya Nagar, Jaipur-302017 (Rajasthan).

15. Jodhpur Vidyut Vitran Nigam Limited,
Rajasthan Urja Vikas Nigam Limited,
132 KV, Sub- Station Building,
Calgiri Road Malviya Nagar, Jaipur-302017 (Rajasthan).

16. Jaipur Vidyut Vitran Nigam Limited,
Rajasthan Urja Vikas Nigam Limited,
132 KV, Sub- Station Building,

Calgiri Road Malviya Nagar, Jaipur-302017 (Rajasthan).

17. North Central Railway,

DRM Office, Nawab Yusuf Road-211011.

18. Uttarakhand Power Corporation Limited,

Urja Bhjawan, Kanwali Road,
Dehradun, Uttarakhand-248001

19. Uttar Pradesh Power Corporation Limited,

Fund Management, Shakti Bhawan,
14 Ashok Marg, Lucknow- 226001.

20. AD Hydro Power Limited,

Bhilwara Towers, A-12,
Sector-1, Noida-201301.

21. GMR Kamalanga Energy Limited,

25/1 Skip House, 25/1 Skip House,
Museum Road, Bangalore – 560025.

22. MB Power (Madhya Pradesh) Limited,

239, Okhla Industrial Estate,
Phase –III, New Delhi-110020.

23. HVDC Agra, POWERGRID,

POWERGRID B-9, Qutub Institutional Area,
Katwaria Sarai, New Delhi-110016.

24. HVDC Balia, POWERGRID,

POWERGRID B-9, Qutub Institutional Area,
Katwaria Sarai, New Delhi-110016 .

25. HVDC Bhiwadi, POWERGRID,

POWERGRID B-9, Qutub Institutional Area,
Katwaria Sarai, New Delhi -110016 .

26. HVDC Kurukshetra, POWERGRID,

POWERGRID B-9, Qutub Institutional Area,
Katwaria Sarai, New Delhi -110016

27. Northern Indian Railway,

Sr. DEE, TRD, Delhi Division,
Central Delhi.

28. Noida Power Company Limited,

Electric Sub Station Knowledge Park IV,
Greater Noida-201310.

29. Northern Railways,

Sr. DEE/ TRD, DRM Office,
Hazratgan, Lucknow – 226001.

30. Acme Cleantech Solutions Private Limited,
Plot No. 152, Sector-44,
Gurugram-122002 (Haryana).

31. Teq Green Power XV Private Limited,
8th Floor, DLF Square,
Jacaranda Marg, DLF Phase-2,
Sector-25, Gurugram-122002 (Haryana).

32. Eden Renewable Cadet Private Limited,
Unit No. 236 B & C, First Floor,
DLF South Court, Saket-110017 (Delhi).

33. Enren-I Energy Private Limited,
Sixth Floor, Unit No. 3,4 & 5,
Fountainhead Tower-2, Viman Nagar,
Phoenix City, Pune- 411014 (Maharashtra).

34. Avaada Energy Private Limited,
C-11, Sector-65, Gautam Buddha Nagar,
Noida- 201301 (Uttar Pradesh).

35. Anboto Solar Private Limited,
Level 1, Southern Park Building,
D-2 District Centre Saket-110017 (New Delhi).

36. Gamma Renewables India Project One Private Limited,
208, Tower B, Pioneer Urban Square,
Sector 62, Gurugram-122005 (Haryana).

37. ReNew Sun Power Private Limited,
Commercial Block -1, Golf Course Road,
DLF City, Zone 6, Sector 43, Gurgaon - 122009 (Haryana).

38. Auxo Sunlight Private Limited,
Commercial Block -1, Golf Course Road,
DLF City, Zone 6, Sector 43, Gurgaon - 122009 (Haryana).

39. Juniper Green Energy Private Limited,
Plot No. 18, 1st Floor, Institutional Area,
Sector 32, Gurgaon - 122001 (Haryana).

40. AMP Energy Green Private Limited,
309, Rectangle One, Behind Sheraton Hotel,
Saket, New Delhi -110017.

41. Abu Renewables India Private Limited,

14th Floor, Tower B, Vatika Towers, Suncity,
Sector-54, Gurgaon- 122003 (Haryana).

42. Frugal Energy Private Limited,
D59, Sector 63,
Noida- 201305 (Uttar Pradesh).

43. Seven Renewable Power Private Limited,
S2904, 29th Floor, World Trade Centre,
Brigade Gateway Campus, Karnataka- 560055.

44. Bhadla Three SKP Green Ventures Private Limited,
First floor, B2/18, Gandhi Path, Chitrakoot Scheme,
Vaishali Nagar, Jaipur- 302021 (Rajasthan).

45. TP Saurya Limited,
C/o The Tata Power Company Limited,
Corporate Center A, Sant Tukaram Road,
Carnac Bunder, Mumbai-400009 (Maharashtra).

46. Surya Manthan Renewable Energy Private Limited,
401, D-1, 4th Floor, Salcon Rasvillas
Saket District Centre, Saket, Delhi- 110017.

47. Proteus Energy Private Limited,
9th Floor, My Home Twitza, Plot No.30/A,
TSIIC Hyderabad Knowledge City,
Raidurg Hyderabad- 500081 (Telangana).

48. Acme Cleantech Solutions Private Limited,
Plot No. 152, Sector-44,
Gurugram-122002 (Haryana).

49. Avaada RJBikaner Private Limited,
C-11, Sector-65, Gautam Buddha Nagar,
Noida- 201301 (Uttar Pradesh).

50. Juniper Green Cosmic Private Limited,
Plot No. 18, 1st Floor, Institutional Area,
Sector 32, Gurugram- 122001 (Haryana).

51. MRS Buildvision Private Limited,
306A, D-2, Southern Park, Saket District Centre,
Saket, New Delhi- 110017.

52. Sunbreeze Renewables Nine Private Limited,
Office No 520, P-5 Floor, Urbtech Building Park,
Sector-153, Noida, Gautam Buddha Nagar–201301 (Uttar Pradesh).

53. Sunsure Solarpark RJ One Private Limited,

1101A-1107, 11th Floor,
BPTP Park Centra Jal Vayu Vihar,
Sector 30, Gurugram-122001 (Haryana).

54. Sunsure Solarpark Fourteen Private Limited,
1101A-1107, 11th Floor,
BPTP Park Centra Jal Vayu Vihar,
Sector 30, Gurugram-122001 (Haryana).

55. Saimaa Solar Private Limited,
5th Floor, North Tower, M3M Tee Point,
Sector65 Golf Course Extension Road,
Gurgaon-122018 (Haryana).

56. Serentica Renewables India Private Limited,
DLF Cyber Park, 9th Floor,
Udyog Vihar Sector 20,
Phase 3, Gurugram (Haryana).

57. Sprng Power Private Limited,
Off A -001, Upper Ground, P-5,
Pentgaon Tower, Magarpatta City
Hadapsar, Pune– 411028 (Maharashtra).

58. Sprng Urja Private Limited,
Off A -001, Upper Ground, P-5,
Pentgaon Tower, Magarpatta City
Hadapsar, Pune– 411028 (Maharashtra).

59. Sprng Akshaya Urja Private Limited
Off A -001, Upper Ground, P-5, Pentgaon Tower,
Magarpatta City,
Hadapsar, Pune– 411028 (Maharashtra).

60. Sprng Energy Private Limited,
Off A -001, Upper Ground, P-5, Pentgaon Tower,
Magarpatta City, Hadapsar,
Pune– 411028 (Maharashtra).

61. Sprng Pavana Urja Private Limited,
Off A -001, Upper Ground, P-5,
Pentgaon Tower, Magarpatta City,
Hadapsar, Pune– 411028 (Maharashtra).

62. Adani Solar Energy AP Three Limited,
4th Floor, South Wing, Adani Corporate House,
Shantigram, S G Highway,
Ahmedabad-382421 (Gujarat).

63. Teq Green Power XV Private Limited,

8th Floor, DLF Square,
Jacaranda Marg, DLF Phase-2,
Sector-25, Gurugram-122002 (Haryana).

64. NTPC Renewable Energy Limited,
NETRA Building, E-3,
Ecotech-II, Udyog Vihar,
Greater Noida- 201306.

65. Shudh Solar Power Private Limited,
Shop No. 303, City Pearl, Opp. Ganguar Hotel,
M.I. Road, Jaipur- 302001 (Rajasthan).

66. Hazel Hybren Private Limited,
B-Block, 6th Floor, Embassy 247,
Vikhroli West, Mumbai- 400083 (Maharashtra).

67. Furies Solren Private Limited,
B-Block, 6th Floor, Embassy 247,
Vikhroli West, Mumbai- 400083 (Maharashtra).

68. Solarcraft Power India 4 Private Limited,
First Floor, Rishabh IPEX Mall,
IP Extension Patparganj, Delhi- 110092.

69. AM Green Energy Private Limited,
MyHome Twitza, 5th Floor, Plot No. 30/A,
Survey No. 83/1 APIIC Knowledge, City of Rai Durg,
Rangareddy district, Hyderabad-500081 (Telangana).

70. Iraax International (Opc) Private Limited,
R-3, Tilak Marg, civil Lines,
Jaipur-302005 (Rajasthan).

71. Clean Max Gamma Private Limited,
First Floor, Clean Max Enviro Energy Solutions Private Limited,
The Peach Tree Complex, Sushant Lok Phase I,
Gurugram-122009 (Haryana).

72. Deshraj Solar Energy Private Limited,
Plot no 51 & 51, M-Powered Building,
Phase IV, Udyog Vihar, Gurgaon.

73. First Energy Private Limited,
Unit No. 601, 6th Floor, Cello Platina,
Fergusson College Road, Shivajinagar,
Pune- 411005 (Maharashtra).

74. Project Nine Renewable Power Private Limited,
S 2904, 29th Floor, World Trade Center,

Brigade Gateway Campus, #26/1,
Dr. Rajkumar Road, Malleswaram,
Rajaji Nagar– 560055 (Bangalore).

...Respondents

Parties present:

Shri L. Aditya Mahesh, RIVEPTL
Shri Vikas Kumar, RIVEPTL
Ms. Sriya Polepally, RIVAPTL
Shri Shashank Singh, RECPDCL
Shri Siddharth Sharma, CTUIL

ORDER

The Petitioner, Rajasthan IV A Power Transmission Limited (hereinafter referred to as “Petitioner”), has filed the present Petition for the grant of a transmission licence under Sections 14 and 15 of the Electricity Act, 2003 (hereinafter referred to as “the Act”) read with the Central Electricity Regulatory Commission (Procedure, Terms and Conditions for grant of Transmission Licence and other related matters) Regulations, 2024 (hereinafter referred to as “Transmission Licence Regulations”) to establish the Inter-State transmission system for “Transmission system for evacuation of power from Rajasthan REZ Ph-IV (Part-2:5.5 GW) (Jaisalmer/ Barmer Complex): Part A” on a Build, Own, Operate and Transfer basis (hereinafter referred to as “the Project”) consisting of the following elements:

S. No.	Name of Transmission Element	Scheduled COD in months from Effective Date
1.	Establishment of 4x1500 MVA, 765/400 kV and 5x500 MVA, 400/220 kV Fatehgarh-IV (Section-2) Pooling Station along with 2x240 MVAR (765 kV) Bus Reactor and 2x125 MVAR (420 kV) Bus Reactor <ul style="list-style-type: none">• 765/400 kV, 1500 MVA ICT- 4 Nos. (13x500 MVA including one spare unit)• 765 kV ICT bays- 4 Nos.• 240 MVAR, 765 kV Bus Reactor- 2 Nos. (7x80 MVAR including one spare unit)• 765 kV Bus reactor bays-2 Nos.	24 months (21.8.2026)

S. No.	Name of Transmission Element	Scheduled COD in months from Effective Date
	<ul style="list-style-type: none"> • 765 kV line bays - 4 Nos. [for LILO of Fatehgarh-III - Beawar 765 kV D/c line at Fatehgarh-IV (Section-2) PS] • 400/220 kV, 500 MVA ICT -5 Nos. • 400 kV ICT bays- 9 Nos. • 400 kV line bays - 2 Nos. [For Fatehgarh- IV (Sec-2) - Bhinmal (PG) D/c line] • 125 MVAR, 420 kV Bus Reactor-2 Nos. • 400 kV Bus reactor bays- 2 Nos. • 400 kV Sectionalization bay: 1 set • 220 kV ICT bays- 5 Nos. • 220 kV line bays: 6 Nos. (for RE connectivity) • 220 kV BC (2 Nos.) and 220 kV TBC (2 Nos.) • 220 kV Sectionalization bay: 1 set. 	
2.	<p>Fatehgarh-IV (Section-2) PS – Bhinmal (PG) 400 kV D/c line (Twin HTLS*) along with 50 MVAR switchable line reactor on each ckt at each end.</p> <ul style="list-style-type: none"> • 50 MVAR, 420 kV switchable line reactors at Fatehgarh-IV (Section-2) PS – 2 Nos. • 50 MVAR, 420 kV, switchable line reactors at Bhinmal (PG) – 2 Nos. • Switching equipment for 420 kV, 50 MVAR switchable line reactors at Fatehgarh-IV (Section-2) PS – 2 Nos. • Switching equipment for 420 kV, 50 MVAR switchable line reactors at Bhinmal (PG) – 2 Nos. 	
3.	<p>LILO of both ckts of 765 kV Fatehgarh-III Beawar D/c line at Fatehgarh-IV (Section-2) PS along with 330 MVAR switchable line reactor at Fatehgarh-IV PS end of each ckt of 765 kV Fatehgarh-IV-Beawar D/c line (formed after LILO)</p> <ul style="list-style-type: none"> • 330 MVAR, 765 kV switchable line reactors at Fatehgarh-IV (Section-2) PS – 2 Nos. • Switching equipment for 330 MVAR, 765 kV switchable line reactors at 	

S. No.	Name of Transmission Element	Scheduled COD in months from Effective Date
	Fatehgarh-IV (Section-2) PS – 2 Nos. <ul style="list-style-type: none"> 110 MVAR (765 kV) spare reactor single phase unit at Fatehgarh-IV (Section-2) PS end – 1 No. 	
4.	2 Nos. of 400 kV line bays at Bhinmal (PG) <ul style="list-style-type: none"> 400 kV line bays - 2 Nos. 	

**with minimum capacity of 2100 MVA on each circuit at nominal voltage*

Note:

- 1. Transmission system for evacuation of about 2 GW RE power from REZ in Rajasthan (20 GW) under Phase-III Part A1 at Fatehgarh-IV (Section-1) is under implementation.*
- 2. Implementation of A, B, C, D, E, F, H1 and H2 packages shall be aligned.*
- 3. Transmission system under Phase-IV (Part 2) is for evacuating 4-5 GW RE potential at Fatehgarh-IV (Section 2), which is utilizing the future provision (approved in 8th NCT meeting dated 25.03.22) at Fatehgarh-IV approved under Phase-III scheme.*
- 4. POWERGRID to provide space for 2 Nos. of 400 kV line bays at Bhinmal (PG) along with the space for switchable line reactors without any cost implications.*
- 5. Switchable line reactors to be implemented with NGR bypass arrangement.*
- 6. Implementation timeframe: 24 months from date of SPV acquisition*.*

**(Timeframe of the transmission scheme may be reviewed depending on the survey report).*

2. The Petitioner has made the following prayers:

“(a) Issue the Transmission Licence to the Applicant for establishing, operating and maintaining the Project as provided for in the Transmission Service Agreement;

(b) Allow the “Transmission system for evacuation of power from Rajasthan REZ Ph-IV (Part-2:5.5 GW) (Jaisalmer/ Barmer Complex): Part A” in Rajasthan to be part of Point of Connection Pool as per Central Electricity Regulatory Commission (Sharing of Inter-State Transmission Charges and Losses) Regulations, 2020;

(c) Condone any inadvertent errors omissions/ errors shortcomings and permit the Applicant to add/change/modify/alter these filings and make further submissions as may be required at a future date;

(d) Pass any such other order orders, as may be deemed fit and proper in the facts and circumstances of the case.”

Hearing dated 17.10.2024

3. During the course of the hearing on 17.10.2024, the learned counsel for the Petitioner submitted that the Petitioner has complied with the requirements, including publication of notice(s) under the provisions of the Transmission Licence Regulations. Additionally, CTUIL has submitted its recommendations for the grant of a transmission licence to the Petitioner under Section 15(4) of the Electricity Act, 2003. The representative of CTUIL confirmed that CTUIL has already issued its recommendations for the grant of a transmission licence to the Petitioner Company. Additionally, the representative of CTUIL submitted that while five packages, namely, Part A to Part E, form part of the comprehensive transmission scheme for Rajasthan Phase IV, Part 2 (5.5 GW), which ought to have been commissioned concurrently, there exists a discrepancy of three days between their respective Scheduled Commercial Operation Dates (SCODs). It was further submitted that this issue has already been raised in the National Coordination Team (NCT) meeting(s), wherein the NCT had directed the BPC and REDPDCL to align the SCODs of these packages.

4. Vide Record of Proceedings for the hearing 17.10.2024, the parties were directed to file their respective replies and rejoinder. However, no reply has been filed by the respondent despite notice.

5. CTUIL, vide Record of Proceedings for the hearing dated 17.10.2024, was directed to file the following information on an affidavit:

- (i) Schematic diagram indicating the transmission schemes Rajasthan REZ Ph-IV (Part-2: 5.5 GW) (Jaisalmer/Barmer Complex): Part A to E, H1, and H2, their associated upstream and downstream elements and the status of the associated upstream and downstream elements.

(ii) Schedule 1 of the TSA provides that “Implementation of A, B, C, D, E, F, H1, and H2 packages shall be aligned”. However, the NCT, as per the minutes of the meeting dated 23.08.2024, decided that RECPDCL may align its packages of Rajasthan REZ Ph-IV (Part-2: 5.5 GW) (Jaisalmer/Barmer Complex) (Part-A, C & E) to Part-B& D. Clarify whether required amendment has been made to the TSA accordingly?

(iii) Whether each of the packages A, B, C, D, E, F, H1, and H2 can be utilized independently, or utilization of any package is dependent on another package?

6. In response to the above direction, CTUIL has not submitted the information called for despite granting sufficient time.

7. Vide Record of Proceedings for the hearing dated 17.10.2024, BPC, RECPDCL, was directed to file the following information:

(i) As per the NCT minutes of the meeting dated 23.8.2024, NCT decided that RECPDCL may align its packages of Rajasthan REZ Ph-IV (Part-2: 5.5 GW) (Jaisalmer/Barmer Complex) (Part-A, C & E) to Part-B& D package, i.e. 22/08/2024. A summary of Rajasthan REZ Ph-IV (Part-2: 5.5 GW) (Jaisalmer/Barmer Complex) Part A to E, as per the information filed in different petitions.

(ii) As there is a mismatch in the RECPDCL and PFCCL bidding projects accordingly, RECPDCL is required to clarify whether it has aligned its packages in accordance with the NCT minutes dated 23.08.2024. If alignment has not been made, RECPDCL is to provide reasons for the same.

8. In compliance with the Record of Proceedings dated 17.10.2024, RECPDCL, vide affidavit dated 12.11.2024, has submitted as under:

a) The Letters of Intent (LOI) were issued to the respective successful bidders on 15.4.2024, upon conclusion of the bid process for the packages of Rajasthan REZ Ph-IV (Part-2: 5.5 GW) (Jaisalmer/Barmer Complex) Part-A, C & E projects.

b) As per the Gazette Notification dated 4.9.2023 issued by the Ministry of Power, implementation of the packages A, B, C, D, E, F, H1, and H2 of the Rajasthan REZ Ph IV (Part 2) schemes were to be aligned and accordingly, the transfer of the respective SPVs viz. Rajasthan IV A Power Transmission Limited, Rajasthan IV C Power Transmission Limited, and Rajasthan IV E Power Transmission Limited were kept on hold since the bid process of other packages of Rajasthan REZ Ph-IV (Part-2: 5.5 GW) (Jaisalmer/Barmer Complex) scheme were not concluded.

c) However, the Ministry of Power, Govt. of India, during the review meeting held on 2.8.2024 & 14.8.2024, directed the BPC to proceed with handing over the subject SPVs immediately by 16.8.2024.

d) In view of the above, the SPVs viz. Rajasthan IV E Power Transmission Limited was transferred to the successful bidder, i.e., Power Grid Corporation of India Limited, on 19.8.2024 upon receipt of the acquisition prices from the respective bidders. The Transmission Service Agreements (TSA) were also executed on the same dates between CTUIL and the successful bidders.

e) Further, the NCT meeting referred to in the Records of Proceedings was convened on 23.8.2024, whereas the SPVs were transferred on 19.8.2024, which was prior to the said NCT meeting. Since the SPVs were already transferred prior to the NCT meeting, it was not feasible for the BPC to further align the SCOD of the subject schemes. However, the alignment may be done by CTUIL/RLDC, as per the provisions of clause 6.1.2 of the Transmission Service Agreements (TSA) executed between the successful bidders and CTUIL.

9. The Petitioner has submitted that in accordance with the “Guidelines for Encouraging Competition in Development of Transmission Projects” and “Tariff Based Competitive Bidding Guidelines for Transmission Service” (hereinafter referred to as “the Guidelines”) issued by the Ministry of Power, Government of India, under Section 63 of the Act, REC Power Development and Consultancy Limited (hereinafter referred to as “RECPDCL”) was notified by the Ministry of Power, Government of India, vide Gazette Notification. No. 3733 [F. No. 15/3/2018-Trans-Part (1)] dated 4.9.2023 as the Bid Process Coordinator (BPC) for the purpose of selection of bidder as the Transmission Service Provider (TSP) to establish the Inter-State transmission system for the “Transmission System for evacuation of power from Rajasthan REZ Ph-IV

(Part-2:5.5 GW) (Jaisalmer/ Balmer Complex): Part A” on a Build, Own, Operate and Transfer (BOOT) basis.

10. RECPDCL, in its capacity as the BPC, initiated the bid process on 20.11.2023 and completed the same on 21.8.2024 in accordance with the Guidelines. Apraava Energy Private Limited was selected as the successful bidder, having quoted the lowest transmission charges of Rs. 1,845.52 million in order to provide the transmission services of the transmission system.

11. The RfP was issued on 20.11.2023. At the RfP (Technical and Financial) stage, four bidders, namely, (i) Power Grid Corporation of India Limited, (ii) Sterlite Grid 34 Limited, (iii) Adani Energy Solutions Limited (Formerly known as Adani Transmission Limited), and (iv) Apraava Energy Private Limited (Formerly known as CLP India Private Limited) submitted their offers. The RfP (Technical bids) of the four bidders were opened by the Bid Opening Committee in the Central Electricity Authority on 1.3.2024 in the presence of the bidder’s representatives. Based on the recommendation of the BEC, the RfP (Financial) Bids-Initial Price Offers of the four bidders were opened on 12.3.2024. The lowest Initial Price Offer discovered (Best Deal) at the MSTC portal was Rs. 1974.60 million. The details of the quoted transmission charges by the bidders are given below:

Sr. No.	Name of the Bidder	Quoted Transmission charges from the Initial Offer (in Rs. million)	Rank
1.	Apraava Energy Private Limited	1974.60	L1
2.	Power Grid Corporation of India Limited	2039.33	L2
3.	Adani Energy Solutions Limited	2205.63	L3
4.	Sterlite Grid 34 Limited	2326.60	L4

12. As per Clause 2.5 of the RfP document, initial offers shall be ranked on the basis of ascending order for the determination of the qualified bidders. The bidders holding the first fifty per cent of the ranks (with any fraction rounded off to a higher integer) or four Bidders, whichever is higher, shall be considered to be qualified for participating in the electronic reverse auction stage and submitting their final offer.

13. The e-reverse auction of four bidders was carried out at the MSTC portal on 13.3.2024. The following transmission charges, as quoted by each bidder, emerged:

Sr. No.	Name of the Bidder	Transmission Charges from the Initial Offer (in Rs. Million)	Transmission Charges from the final offer (in Rs. Million)	Rank
1.	Apraava Energy Private Limited	1,974.60	1,845.42	L1
2.	Power Grid Corporation of India Limited	2,039.33	1,850.05	L2
3.	Adani Energy Solutions Limited	2,205.63	1,906.53	L3
4.	Sterlite Grid 34 Limited	2,326.60	(Not Participated in electronic reverse auction)	L4

14. As per the Bid Evaluation Report dated 22.3.2024, Apraava Energy Private Limited emerged as the successful bidder with the lowest quoted transmission charges of Rs. 1,845.42 million. BEC, vide its certificate dated 22.3.2024, has certified that the entire bid process has been carried out in accordance with the Guidelines issued by the Ministry of Power under Section 63 of the Act. BEC has further certified that the transmission charges discovered through the e-reverse auction are acceptable.

15. Consequent to its selection as the lowest bidder, a Letter of Intent (LoI) was issued to Apraava Energy Private Limited by the BPC on 15.4.2024, which was

accepted by REC Power Development and Consultancy Limited. Under the terms of RfP and the Letter of Intent, the successful bidder is obligated to accomplish the following tasks:

- (a) Provide Contract Performance Guarantee in favour of the Central Transmission Utility of India Limited (CTUIL);
- (b) Execute the Share Purchase Agreement and the Transmission Service Agreement;
- (c) Acquire, for the Acquisition Price, 100% equity share of Rajasthan IV A Power Transmission Limited from RECPDCL along with all its related assets and liabilities;
- (d) Make an application to this Commission for the adoption of transmission charges, as required under Section 63 of the Act; and
- (e) Apply to this Commission for the grant of a transmission licence;

16. The Petitioner has furnished the Contract Performance Guarantee (CPG) in favour of Nodal Agency, i.e. CTUIL, for Rs. 68 crores on 21.8.2024 and has acquired a hundred per cent equity holding in Rajasthan IV A Power Transmission Limited on 21.8.2024. The Petitioner entered into a Transmission Service Agreement (TSA) with CTUIL on 21.8.2024.

17. Section 14 of the Act provides that the Appropriate Commission may, on an application made under Section 15 of the Act, grant a licence to any person to transmit electricity as a transmission licensee in any area as may be specified in the licence. The word “person” has been defined in Section 2(49) of the Act to include any company or body corporate or association or body of individuals, whether incorporated or not, or artificial juridical person. The Petitioner has been incorporated under the Companies Act 2013. The main objective of the Petitioner Company is as under:

“To plan, promote and develop an integrated and efficient power transmission system network in all its aspects including planning, investigation, research, design and engineering, preparation of preliminary, feasibility and definite project reports, construction, operation and maintenance of transmission lines, sub-stations, load dispatch stations and communication facilities and appurtenant works, coordination of integrated operation of state, regional and national grid system, execution of turn-key jobs for other utilities/organizations and wheeling of power in accordance with the policies, guidelines and objectives laid down by the Central Government from time to time”

18. Section 15(1) of the Act provides that every application under Section 14 of the Act shall be made in such manner and in such form as may be specified by the Appropriate Commission and shall be accompanied by such fees as may be prescribed by the Central Government. The Commission has specified Transmission Licence Regulations in this regard. Regulation 4 (1) of the Transmission Licence Regulations provides that eligibility for the grant of a licence for inter-State transmission of electricity is contingent upon the entity being selected either through the competitive bidding process under Section 63 of the Electricity Act, 2003 or by the Central Government or its authorized agency to implement a project under the regulated tariff mechanism. Regulation 10(1) of the Transmission Licence Regulations provided that in case the licensee has been selected for implementation of the project in accordance with the competitive bidding guidelines, the transmission tariff in terms of the Transmission Service Agreement shall be adopted by the Commission under Section 63 of the Act. The Project under consideration has been identified for development under competitive bidding by a competent authority, and the selection of the project developer, Rajasthan IV A Power Transmission Limited, has been certified to have been made in accordance with the Guidelines for competitive bidding.

19. Regulation 5 of the Transmission Licence Regulations, 2024 provides for the procedure for the grant of a transmission licence as under:

“(1) The application for the grant of licence shall be made to the Commission in Form-I appended to these regulations and shall be accompanied by such fee as may be prescribed by the Central Government from time to time under sub-section (1) of section 15 of the Act.

(2) The application shall be supported with an affidavit in accordance with Regulation 17 of the Central Electricity Regulatory Commission (Conduct of Business) Regulations, 2023.

(3) The applicant shall submit the original application in electronic form along with enclosures on the e-filing portal of the Commission and electronically serve a copy of such application on all the concerned DICs of the project and the Central Transmission Utility. The application shall be served through e-mail on the concerned DICs of the project who are not registered on the e-filing portal of the Commission.

(4) The applicant shall also upload the complete application along with annexures on its website, in English. The applicant shall also upload on its website, the details as per Form-I and Form-II appended to these regulations in the Indian language of the State or the Union Territory where an element of the project or concerned transmission line is situated or proposed to be situated. The application shall be kept posted on the website of the applicant till such time the application is disposed of by the Commission.

(5) The applicant shall, within 3 working days of filing the application, publish a notice of its application in Form-II appended to these regulations in at least two leading daily digital newspapers, one in English language and another in the Indian language of the State or Union Territory where an element of the project or concerned transmission line is situated or proposed to be situated, inviting comments from the general public. The notice shall also be kept posted on the website of the applicant.

(6) The Registry of the Commission shall carry out a preliminary scrutiny of the application and convey the defects, if any, as far as possible within 7 days of receipt of the application. The defects shall be rectified by the applicant within a period of 7 days from the date of such intimation from the Registry of the Commission.

(7) In the notice published in the digital newspapers and on the applicant’s website under this Regulation, it shall be indicated that the suggestions and objections to the application, if any, may be filed by any person within 15 days of publication of the notice to The Secretary, Central Electricity Regulatory Commission at the address where the office of the Commission is situated and at email id: registry@cercind.gov.in. Any suggestion or objection received in response to the public notice shall be shared with the applicant and the respondents by the Registry of the Commission.

(8) The applicant shall within 3 working days from the date of publication of the notice in terms of Clause (5) of this Regulation submit to the Commission on affidavit the details of the notice published, names of the digital newspapers in which the notice has been published, the dates and places of their publication and enclosing the relevant pages of the publication of notice.

(9) The CTUIL shall send its recommendations, if any, to the Commission on the proposal for grant of licence made in the application as far as practicable

within a period of 10 (ten) days from the date of receipt of the application with a copy to the applicant:

Provided that if CTUIL is unable to submit its recommendations within a period of 10 days, it shall inform the Commission the reasons for the same and submit its recommendations within a period of 30 (thirty) days from the date of receipt of the application:

Provided further that along with its recommendations, CTUIL shall submit the copy of approval of the transmission project by the Central Government in terms of Electricity (Transmission System Planning, Development and Recovery of Inter-state Transmission Charges) Rules, 2021 as amended from time to time. Explanation: The recommendations of the Central Transmission Utility shall not be binding on the Commission.

(10) The applicant may file its comments, duly supported by an affidavit, on the recommendations made by CTUIL and the suggestions and objections, if any, received in response to the public notice within 7 working days of receipt of such suggestions and objections, with an advance copy to the CTUIL and the person, if any, who has filed the suggestions and objections on the proposal made in the application.

(11) The Commission after considering the suggestions and objections received from the DICs and in response to the public notice published by the applicant, and the recommendations, if any, received from CTUIL may either propose to grant the licence to the applicant or for reasons to be recorded in writing, reject the application.

(12) Before granting a licence, the Commission shall publish a notice of its proposal on the Commission's website and in two daily digital newspapers, having wide circulation, as the Commission may consider appropriate, stating the name and address of the person to whom it proposes to grant the licence, details of the project for which it proposes to grant a licence, location or route of the elements of the project, and any other details that the Commission may consider appropriate, to invite further suggestions and objections on its proposal within 15 days of the publication of the notice.

(13) The Commission may, after consideration of the further suggestions and objections, if any, received in response to the public notice in terms of Clause (12) of this Regulation, grant licence to the applicant in Form-III appended to these regulations or for reasons to be recorded in writing, reject the application.

(14) The Commission shall before granting licence or rejecting the application under the provisions of this Regulation provide an opportunity of hearing to the applicant, CTUIL, the concerned DICs, or the person who has filed suggestions and objections, or any other interested person.

(15) The Commission shall, within 7 days of making the order to grant the licence to an applicant send a copy of the licence to the Central Government, the Central Electricity Authority, the Central Transmission Utility, the applicant and the concerned DIC(s)."

20. The Petitioner has approached the Commission with a separate application for the adoption of transmission charges in respect of the transmission system, which is presently under consideration of the Commission, and the order in that Petition will be issued separately. The Petitioner has filed the present Petition for the grant of a transmission licence in accordance with the provisions of the Transmission Licence Regulations. The Petitioner has submitted proof of service of the copies of the application on the BPC, CTUIL and the beneficiaries and proof of web posting of the complete application. The Petitioner has further undertaken to pay the applicable licence fee upon the grant of a transmission licence in terms of the Central Electricity Regulatory Commission (Payment of Fees) Regulations, 2012. The Petitioner has prayed for the grant of a transmission licence to Rajasthan IV A Power Transmission Limited with respect to the transmission system as per the details given in paragraph 1 above.

21. The Petitioner has made the Application as per Form-I and paid a fee of Rs. one lakh as prescribed by the Central Government. As per the direction of the Commission, the Petitioner has served a copy of the Application on the beneficiaries of the transmission project for the Project. The transmission charges quoted by the Petitioner, which have been recommended by the Bid Evaluation Committee for acceptance, are Rs. 1,845.52 million. The Petitioner has also enclosed copies of the recommendations of the Bid Evaluation Committee.

22. The Petitioner has published the notices on the e-filing portal of the Commission and on its website in Form-II in English and in Hindi. The Petitioner has also published the notice digitally in all editions of the Times of India (English) Jalore,

and Barmer Edition (Hindi) on 30.8.2024. In response, no objection has been received from the general public to the notices.

23. The Petitioner has served the copy of the Application on the Central Transmission of Utility of India Limited (CTUIL) as required under Section 15(3) of the Act and Regulation 5(3) of the Transmission Licence Regulations. CTUIL, vide its letter dated 5.9.2024, has recommended the grant of a transmission licence to the Petitioner. The Relevant portions of the said letter dated 5.9.2024 are extracted as under:

"This is with reference to Petition having diary no. 543/24 filed by M/s Rajasthan IV A Power Transmission Limited before Hon'ble Commission for grant of Transmission License to facilitate implementation of "Transmission system for evacuation of power from Rajasthan REZ Ph-IV (Part-2:5.5 GW) (Jaisalmer/Barmer Complex): Part A". In this regard, following is submitted:

- Renewable Energy Zones (REZs) were identified by MNRE/SECI with a total capacity of 181.5 GW for likely benefits by the year 2030 in eight states. This includes 75 GW REZ potential in Rajasthan comprising of 15 GW Wind and 60 GW Solar. In this regard, a comprehensive transmission scheme for evacuation of 75 GW RE potential (45GW evacuation capacity) from Rajasthan is already evolved, which includes transmission scheme for total evacuation requirement of 5.5 GW (Ph-IV: Part-2) from Jaisalmer/Barmer Complex (Fatehgarh-IV: 4 GW, Barmer-1: 1.5 GW), Above transmission scheme was agreed in the 14th and 18th CMETS-NR meeting held on 23.12.2022 & 28.04.2023 respectively. Extracts of the minutes of 18th CMETS-NR meetings are enclosed at Annexure-I. The subject transmission project was also agreed as part of above-mentioned transmission scheme. The detailed scope of the subject scheme is attached at Annexure-II.*
- Subsequently the scheme was agreed in 61st & 65th NRPC and 46th WRPC meeting held on 26.12.2022, 21.04.2023 & 03.02.2023 respectively as well as in 14th National Committee on Transmission (NCT) held on 09.06.2023. Extract of minutes of 65th NRPC and 46th WRPC meetings are attached at Annexure-III. Extract of the minutes of 14th NCT minutes are enclosed at Annexure-IV.*
- Ministry of Power, Govt. of India vide gazette notification dated 04.09.2023 has identified M/s REC Power Development and Consultancy Ltd. (RECPDCL) as Bid Processing Coordinator (BPC) for the purpose of selection of bidder as Transmission Service Provider*

(TSP) to establish the above referred project through TBCB route. Extracts of Gazette Notification are enclosed at Annexure-V

- As part of comprehensive transmission scheme, 765/400/220kV Fatehgarh-IV (Sec-2) and 765/400/220kV Barmer-I PS are to be established for RE injection. For evacuation of power from above pooling stations, 765/400kV Sirohi & Rishabdeo S/s are to be established along with interconnections through 765kV lines i.e. 765kV Fatehgarh-IV-Sirohi & Barmer-I PS-Sirohi, LILO of both ckts of 765 kV Fatehgarh-III-Beawar D/c line at Fatehgarh-IV (Sec-2) PS & 765kV Sirohi PS-Rishabdeo as well as 400KV interconnections i.e. Fatehgarh-IV (Sec-2) PS- Bhinmal (PG). For further dispersal of power towards load centers, 765kV high capacity corridor i.e. Rishabdeo -Mandsaur (WR), Beawar-Mandsaur (WR), LILO of one circuit of 765 kV Chittorgarh-Banaskanta D/c line at Rishabdeo as well as 400kV interconnections i.e. Sirohi PS-Chittorgarh (PG) is also being implemented. Further, 765/400/220kV Mandsaur & 765/400kV Kurawar S/s and associated transmission scheme in Western region is also being implemented as part of above scheme.
- The subject transmission scheme involves establishment of 765/400/220 kV pooling station at Fatehgarh-IV (Section-2) along with Fatehgarh-IV (Section-2) PS - Bhinmal (PG) 400 kV D/c (Twin HTLS) line and LILO of both ckts of 765 KV Fatehgarh-III- Beawar D/c line at Fatehgarh-IV (Section-2) PS with completion schedule as 24 months from effective date i.e. 21.08.2024. Implementation of this project shall facilitate onward transfer of power from RE generation proposed to be connected at Fatehgarh-IV PS in Western Rajasthan. Bhinmal is existing sub-station whereas Fatehgarh-III - Beawar 765kV D/c line is under construction with expected commissioning schedule as 19.03.2025.
- It is also to mention that as per the Gazette notification dated 04.09.2023, implementation of A, B, C, D, E, F, H1, H2 packages of Ph-IV Part-2 shall be aligned. Further, as per MOP minutes of meeting to review the under-bidding projects held on 14.08.2024, Part A, B, C, D, E to be transferred by 16.08.2024. As per the deliberations in above meeting, it was decided that since bidding process of Part A, B, C, D, E has been completed in May'2024, awaiting for other parts, i.e. F1, F2 and H1 to complete, is not appropriate as these parts are taking considerable time. The matter was also discussed in the meeting chaired by Secretary (Power) on 02.08.2024 and it was decided that BPCs to proceed with the handing over of SPVs. Subsequently, CTU vide email dated 19.08.2024 advised RECPDCL, advised to align all packages (Part-A to E) Matter was again discussed in the 22nd NCT meeting held on 23.08.2024 wherein CEA indicated that as per TSA condition, RLDC at the stage of commissioning, may take care of such minor mismatch as per the stipulated conditions. After deliberations, NCT decided that RECPDCL may align its packages (Part-A, C & E) to Part-B & D package i.e. 22.08.2024. Copy of email dated 19.08.2024 is enclosed at

Annexure-VI. Extract of the minutes of 22nd NCT minutes are enclosed at Annexure-VII.

Keeping above in view and based on details furnished by M/s Rajasthan IV A Power Transmission Limited, CTU in line with Section 15(4) of the Electricity Act, 2003, recommends grant of transmission license to M/s Rajasthan IV A Power Transmission Limited for executing the subject transmission scheme.”

24. We have considered the submissions of the Petitioner, BPC, and CTUIL. The proviso to Clause 2.15.2 of the RfP provides that "if for any reason attributable to the BPC, the said activities are not completed by the Selected Bidder within the above period of ten (10) days as mentioned in this clause, such period of 10 days shall be extended, on a day to day basis till the end of the Bid validity period". As per the above provision, the selected bidder was required to complete all the activities, including the acquisition of SPVs, by 25.4.2024. Though Lol was issued on 15.4.2024, BPC, vide its letter dated 21.8.2024 in terms of Clauses 2.15.2 of RfP, extended the date up to 29.8.2024 for completion of all activities by the successful bidder. The selected bidder furnished the Contract Performance Guarantee in favour of the Nodal Agency (CTUIL) for an amount of Rs. 68 crores on 21.8.2024 and acquired a hundred per cent equity-holding in the applicant company on 21.8.2024 after execution of the Share Purchase Agreement. As per clause 2.15.4 of the RfP, TSP is required to apply to the Commission for the grant of a transmission licence within five working days of the issuance of the acquisition of the SPV to the successful bidder. The successful bidder, namely Apraava Energy Private Limited, acquired the SPV on 21.8.2024. Accordingly, the TSP has filed the instant Petition through e-filing for the grant of transmission license on 27.8.2024.

25. Considering the material on record, we are *prima-facie* of the view that the Petitioner satisfies the conditions for the grant of inter-State transmission licence under Section 15 of the Act read with the Transmission Licence Regulations for the

transmission system as described in para 1 of this order. We, therefore, direct that a public notice in two daily digital newspapers and on the Commission`s website under clause (a) of sub-section (5) of Section 15 of the Act be published to invite suggestions or objections to the grant of transmission licence aforesaid. The objections or suggestions, if any, be filed by any person before the Commission by **18.12.2024.**

26. It is noted that the CTUIL has not submitted the information called for vide RoP dated 17.10.2024 despite granting sufficient time. We express our displeasure for the conduct of the CTUIL for non-compliance of our direction. We again direct the CTUIL to file the information called for vide ROP dated 17.10.2024 on or before 14.12.2024 failing which the appropriate action would be taken against the CTUIL in accordance with the law.

27. The Petitioner has undertaken that it shall implement the Project as per the provisions of the TSA. The Petitioner has also undertaken that the time overrun and cost overrun, if applicable, shall be claimed by the Petitioner in accordance with the applicable provisions of the TSA read with the provisions of the Act, the bidding documents and the regulations of the Central Electricity Regulatory Commission.

28. It is observed that as per Article 5.1.1 of the TSA, the TSP, at its own cost, and expense, shall be responsible for designing, constructing, erecting, testing and commissioning each element of the Project by scheduled COD in accordance with the various regulations of the Central Electricity Authority regarding Technical Standards and Grid Standards, Prudent Utility Practices, and other applicable laws. Further, Article 5.4 of the TSA provides that the TSP shall ensure that the Project is designed,

built, and completed in a good workman-like manner using sound engineering and construction practices and using only materials and equipment that are new and of international utility-grade quality such that the useful life of the Project will be till the expiry date. Further, the design, construction, and testing of all equipment, facilities, components and systems of the Project shall be in accordance with Indian Standards, and Codes issued by the Bureau of India Standards. In this regard, the Petitioner has submitted that it would implement the Project as per the provisions of the TSA. It is expected that while carrying out the survey, the Petitioner has complied with the provisions of clause 2.5.7.3, clause 2.5.7.4 and clause 2.5.7.5 of the RfP. The Petitioner will comply with the provisions of the bidding documents and the TSA for the commissioning of the Project within the SCOD.

29. The Petition shall be listed for the hearing on **26.12.2024**.

Sd/-
(Harish Dudani)
Member

sd/-
(Ramesh Babu V.)
Member

sd/-
(Jishnu Barua)
Chairperson