

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 343/TL/2024

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

Date of Order: 28th November, 2024

In the matter of

Application under Sections 14 & 15 of the Electricity Act, 2003 read with the Central Electricity Regulatory Commission (Procedure, Terms and Conditions for Grant of Transmission License and other related matters) Regulations, 2024 with respect to transmission Licence to Bhadla-III & Bikaner-III Transmission Limited.

And

In the matter of

**Bhadla-III & Bikaner-III Transmission Limited,
(A 100% wholly owned subsidiary of Power Grid Corporation of India Limited)**
Registered office: B-9, Qutab Institutional Area,
Katwaria Sarai, New Delhi-110 016

Address for correspondence:
C/o ED (TBCB), Power Grid Corporation of India Limited,
Saudamini, Plot no.2, Sector -29,
Gurgaon 122001, Haryana

....Petitioner

Vs

1. Central Transmission Utility of India Limited,
Saudamini, Plot no.2, Sector -29,
Gurgaon 122001.

2. PFC Consulting Limited,
A-Wing, Statesman House Connaught Place,
New Delhi - 110001, India.

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

4. BSES Rajdhani Power Limited,
AVP (PMG), PMG Office, 2nd Floor B-Block,
Nehru Place, New Delhi-110019.

5. BSES Yamuna Power Limited,

Shakti Kiran Bldg, Second Floor,
Karkardooma New Delhi-110032.

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.

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

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

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

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

16. Jaipur Vidyut Vitran Nigam Limited,
The Superintending Engineer (Billing),

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,
Lucknow-211011.

18. Uttarakhand Power Corporation Limited,
Urja Bhjawan, Kanwali Road,
Dehradun-248001.

19. Uttar Pradesh Power Corporation Limited,
Fund Management, Shakti Bhawan,
14 Ashok Marg, Lucknow (UP).

20. AD Hydro,
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,
Museum Road, Bangalore - 560025, Karnataka.

22. MB Power (Madhya Pradesh) Limited,
239, Okhla Industrial Estate, Phase –III,
New Delhi-110020.

23. HVDC Agra, POWERGRID,
B-9, Qutub Institutional Area, New Delhi.

24. HVDC Balia, POWERGRID,
Qutub Institutional Area,
Katwaria Sarai, New Delhi-110016.

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

26. HVDC Kurukshetra, 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. Seven Renewable Power Private Limited,**
S2904, 29th Floor, World Trade Centre,
Brigade Gateway Campus, Karnataka.
- 31. Bhadla Three SKP Green Ventures Private Limited,**
First floor, B2/18, Gandhi Path,
Chitrakoot scheme, Vaishali Nagar, Jaipur, Rajasthan.
- 32. Frugal Energy Private Limited,**
D59, Sector 63, Noida, Uttar Pradesh.
- 33. Serentica Renewables India Private Limited,**
DLF Cyber Park, 9th Floor,
Udyog Vihar Sector 20, Phase 3, Gurugram, Haryana.
- 34. Avaada Energy Private Limited,**
C-11, Sector-65, Gautam Buddha Nagar,
Noida, Uttar Pradesh.
- 35. ReNew Solar (Shakti Six) Private Limited,**
Commercial Block -1, Golf Course Road, DLF City,
Zone 6, Sector 43, Gurgaon- 122009.
- 36. Solarcraft Power India 4 Private Limited,**
109, First Floor, Rishabh IPEX Mall,
IP Extension, Patparganj, Delhi-110092.
- 37. Juniper Green India Six Private Limited,**
Plot No. 18, 1st Floor, Institutional Area,
Sector 32, Gurugram.
- 38. Green Infra Clean Energy Generation Limited,**
5th Floor, Tower C, Building no 8,
DLF Cybercity, Gurgaon-122002.
- 39. Malur Renewables Private Limited,**
D-43, Janpath, Shyam Nagar,
Jaipur, Rajasthan.
- 40. Adani Solar Energy AP Three Limited,**
4th Floor, South Wing,
Adani Corporate House Shantigram,
S G Highway, Ahmedabad, Gujarat-382421.
- 41. Pravat Renewables India Project Pvt Limited,**
B-208 & 209 Pioneer Urban,
Square, 2nd Floor,
Sector62, Air Force, Gurgaon,

Haryana-122005.

42. Juniper Green Energy Private Limited,

Plot No. 18, 1st Floor, Institutional Area,
Sector - 32, Gurgaon, Haryana-122001.

...Respondents

Parties present:

Shri Rohit Jain, BBTL
Shri Vikas Kumar, BBTL
Ms. Priyadarshini, Advocate, PFCCCL
Ms. Madhulika, PFCCCL
Shri Akshayvat Kislay, CTUIL

ORDER

The Petitioner, Bhadla-III & Bikaner-III Transmission Limited (hereinafter referred to as “the 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 the “Transmission System Strengthening for interconnections of Bhadla-III and Bikaner-III complex” on a Build, Own, Operate and Transfer Basis (hereinafter referred to as “the Project”) consisting of the following elements:

Sl. No.	Name of the Transmission Element	Scheduled COD in months from Effective Date	Percentage of Quoted Transmission Charges recoverable on Scheduled COD of the Element of the Project	Element(s) which are pre-required for declaring the commercial operation (COD) of the respective Element
1.	Bhadla-III - Bikaner-III 765 kV D/c line along with 240 MVAR switchable line reactor for each circuit at Bhadla-III end •765 kV, 240MVAR	24	100%	All elements of scheme are required to be commissioned simultaneously as their utilization is

	switchable line reactors at Bhadla-III-2 Nos. •Switching equipment for 765kV, 240MVAR Switchable Line Reactors at Bhadla-III- 2 nos.			dependent on each other
2.	Associated 765kV line bays at Bhadla-III and Bikaner-III end • 765kV line bays at Bhadla-III PS-2 nos. • 765kV line bays at Bikaner-III PS-2 nos.			

Note:

- i. Developer of Bhadla-III PS to provide space for two nos. of 765 kV line bays along with space for two nos. of switchable line reactors.*
- ii. Developer of Bikaner-III PS to provide space for two nos. of 765 kV line bays.*
- iii. Switchable line reactors to be implemented with NGR bypass arrangement.”*

2. The Petitioner has made the following prayers:

“(a) Grant Transmission Licence to the Applicant; and

(b) Allow the sharing and recovery of Transmission Charges for Inter-State Transmission System for “Transmission System Strengthening for interconnections of Bhadla-III and Bikaner-III complex” as per Sharing of Inter-state Transmission Charges and Losses CERC Regulations 2020 and any other amendment thereon issued from time to time by CERC;

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

Hearing dated 12.11.2024

3. During the course of the hearing on 12.11.2024, the representative of 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.

4. The representative of CTUIL confirmed that CTUIL has already issued its recommendations for the grant of a transmission licence to the Petitioner Company. Vide Record of Proceedings for the hearing dated 12.11.2024, the Respondents were directed to file their replies/comments on the Petitions, if any. However, no reply has been filed by them.

5. 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, PFC Consulting Limited (hereinafter referred to as “PFCCL”) was notified by the Ministry of Power, Government of India, vide Gazette Notification. No. CG-DL-E-07112023-249941 dated 7.11.2023 as the Bid Process Coordinator (BPC) for the purpose of selection of bidder as Transmission Service Provider (TSP) to establish the Inter-State transmission system for “Transmission System Strengthening for inter-connections of Bhadla-III and Bikaner-III complex” on a Build, Own, Operate and Transfer basis.

6. PFCCL, in its capacity as the BPC, initiated the bid process on 14.12.2023 and completed the same on 30.8.2024 in accordance with the Guidelines. Power Grid Corporation of India Limited was selected as the successful bidder, having quoted the lowest transmission charges of Rs. 979.70 million per annum in order to provide the transmission services of the transmission system.

7. The RfP was issued on 14.12.2023. At the RfP (Technical and Financial) stage, four bidders, namely, (i) Power Grid Corporation of India Limited, (ii) Sterlite Grid 32 Limited, (iii) Adani Energy Solutions Limited, and (iv) Techno Electric & Engineering

Company 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 30.5.2024 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 8.7.2024. The lowest Initial Price Offer discovered (Best Deal) at the MSTC portal was Rs. 1,030.10 million per annum. The details of the quoted transmission charges by the bidders are given below:

Sr. No.	Name of the Bidder	Quoted transmission charges as per the Initial Offer (in Rs. million per annum)	Rank
1.	Power Grid Corporation of India Limited	1,030.10	L1
2.	Sterlite Grid 32 Limited	1,257.40	L2
3.	Adani Energy Solutions Limited	1,353.30	L3
4.	Techno Electric & Engineering Company Limited	1,444.00	L4

8. As per Clause 3.5.1 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.

9. The e-reverse auction of four bidders was carried out at the MSTC portal on 9.7.2024. The following transmission charges, as quoted by each bidder, emerged:

Sr. No.	Name of the Bidder	Quoted transmission charges as per the Initial Offer (in Rs. Million Per Annum)	Rank
1.	Power Grid Corporation of India Limited	979.70	L1
2.	Sterlite Grid 32 Limited	982.16	L2
3.	Adani Energy Solutions Limited	992.07	L3

4.	Techno Electric & Engineering Company Limited	1,007.11	L4
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10. As per the Bid Evaluation Report dated 18.7.2024, Power Grid Corporation of India Limited emerged as the successful bidder with the lowest quoted transmission charges of Rs. 979.70 million per annum. BEC, vide its certificate dated 18.7.2024, 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.

11. Consequent to its selection as the lowest bidder, a Letter of Intent (LoI) was issued to M/s Power Grid Corporation of India Limited by the BPC on 1.8.2024, which was accepted by Power Grid Corporation of India 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 Central Transmission Utility of India Limited (CTUIL);
- (b) Execute Share Purchase Agreement and Transmission Service Agreement;
- (c) Acquire, for the acquisition price, 100% equity share of Bhadla-III & Bikaner-III Transmission Limited from PFCCCL 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;

12. The Petitioner has furnished the Contract Performance Guarantee (CPG) in favour of Nodal Agency, i.e. CTUIL, for Rs. 30 crores on 30.8.2024 and has acquired

hundred per cent equity holding in Bhadla-III & Bikaner-III Transmission Limited on 30.8.2024. The Petitioner entered into a Transmission Service Agreement (TSA) with CTUIL on 30.8.2024.

13. 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”

14. 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, Bhadla-III & Bikaner-III Transmission Limited, has been certified to have been made in accordance with the Guidelines for competitive bidding.

15. Regulation 5 of the Transmission Licence Regulations, 2024 provide for the procedure for grant of 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)."

16. 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, 2024. 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 Bhadla-III & Bikaner-III Transmission Limited with respect to the transmission system as per the details given in paragraph 1 above.

17. 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, is

Rs. 979.70 million per annum. The Petitioner has also enclosed copies of the recommendations of the Bid Evaluation Committee.

18. The Petitioner has published the notices on the e-filing portal of the Commission and on its website in Form-II in English language and Vernacular (Hindi) language. The Petitioner has also published the notice digitally in the Times of India and Rashtrdoot on 11.9.2024. In response, no objection has been received from the general public to the notices.

19. 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 12.9.2024, has recommended for the grant of a transmission licence to the Petitioner. The Relevant portions of the said letter dated 12.9.2024 are extracted as under:

“This is with reference to Petition having diary no. 580/24 filed by M/s Bhadla-III & Bikaner-III Transmission Ltd. before Hon'ble Commission for grant of Transmission License to facilitate Implementation of "Transmission System Strengthening for interconnections of Bhadla-III and Bikaner-III complex". In this regard, following is submitted:

- In order to optimally utilize EHVAC transmission system beyond Bikaner-III PS while providing flexibility of power transfer from Bhadla/Bikaner RE clusters as well as to increase resiliency of transmission corridor in both the complexes i.e. Bhadia and Bikaner, a high capacity tie interconnection between Bhadia-III and Bikaner-III PS was evolved. This would also meet additional evacuation requirement from Bhadla-III PS onwards as well as improves SCR in Bhadla-III complex including for LCC HVDC terminal at Bhadia. Detailed scope is enclosed at Annexure-1.*
- The above transmission scheme was agreed in the 19th CMETS-NR meeting held on 31.05.2023 and 67th NRPC meeting held on 30.06.2023. The Transmission System was further agreed in 15th National Committee on Transmission (NCT) held on 25.08.2023 Subsequently, Ministry of Power, Gove of India vide gazette notification dated 07.11.2023 has identified M/s PFC Consulting Ltd. (PFCCL) as Bid Processing Coordinator (BPC) for the purpose of selection of bidder as Transmission Service Provider (TSP) to establish the above referred transmission*

scheme through TBCB route. Extracts of the minutes of 19th CMETS-NR meeting are enclosed at Annexure- II. Extracts of the minutes of 67th NRPC meeting are enclosed at Annexure-III. Extract of the minutes of 15th NCT meeting are enclosed at Annexure-IV. Extracts of Gazette Notification dated 07.11.2023 is enclosed at Annexure-V.

- *The subject transmission scheme involves establishment of high capacity tie Interconnection between Bhadia-III and Bikaner-III i.e. Bhadla-III-Bikaner-III 765kV D/c line with completion schedule as 24 months from effective date i.e. 30.08.2024. Bhadia-III PS and Bikaner-III PS are under construction with expected commissioning schedule as Mar'25 and Dec'25 respectively.*

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

20. 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 10.8.2024. Though the Lol was issued on 1.8.2024, BPC, vide its letter dated 30.8.2024 in terms of Clauses 2.15.2 of the RfP, extended the date up to 30.8.2024 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. 30 crores on 30.8.2024 and acquired a hundred per cent equity-holding in the applicant company on 30.8.2024 after execution of the Share Purchase Agreement. As per clause 2.15.4 of the RfP, the 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 Power Grid Corporation of India Limited, acquired the SPV on 30.8.2024. Accordingly, the TSP has filed the instant Petition through e-filing for the grant of a

transmission licence on 6.9.2024.

21. 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 construction, operation, and maintenance of the transmission system as described in para 1 of this order. We, therefore, direct that a public notice in two daily digital newspaper 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 **12.12.2024**.

22. 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.

23. 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, including Article 16.4, Article 5.1.1, and Article 5.4 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.

24. The Petition shall be listed for the hearing on **16.12.2024**.

Sd/-
(Harish Dudani)
Member

sd/-
(Ramesh Babu V.)
Member

sd/-
(Jishnu Barua)
Chairperson