

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 10/2010

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

DATE OF HEARING: 21.10.2010

DATE OF INTERIM ORDER: 3.11.2010

In the matter of

Amendment in Transmission Licence No.2/Transmission/CERC issued on 16.5.2007 to Torrent Power Grid Limited.

And in the matter of

Torrent Power Grid Limited, Ahmedabad

..... **Applicant**

Vs

1. Torrent Power Limited, Ahmedabad
2. Power Grid Corporation of India Ltd., New Delhi
3. Western Regional Power Committee, Mumbai
4. PTC India Ltd., New Delhi
5. M. P. Power Trading Company Ltd., Jabalpur
6. Gujarat Urja Vikas Nigam Limited., Vadodara
7. Maharashtra State Electricity Distribution Co. Ltd. Mumbai
8. Electricity Department, Govt. of Goa, Goa
9. Electricity Department, Administration of Daman and Diu, Daman
10. Electricity Department, Administration of Dadra and Nagar Haveli
11. Chhattisgarh State Power Transmission Co. Ltd., Raipur

..... **Respondents**

The following were present:

1. Shri K.K.Shah, TPCL
2. Shri Rajeev Kumar, PGCIL



INTERIM ORDER

The applicant, Torrent Power Transmission Limited has filed this application for amendment in the transmission licence on account of proposed changes in the transmission scheme.

2. The applicant was granted a transmission licence on 16.5.2007 for construction, maintenance and operation of the transmission system associated with evacuation of power from 1100 MW SUGEN Combined Cycle Power Project (Sugen CCPP) at Akhakhol in the State of Gujarat. The details of scheme as approved by the Commission were as under:

A. Transmission lines

S.No.	Transmission line and facility	Approx line length
(i)	LILO of Gandhar-Vapi 400 kV S/C line at Sugan CPP switchyard	26 km
(ii)	Sugen CCPP Akhakhol-Pirana 400 kV D/C line (to be built in two phases):- (a) From Sugan to a point near Gandhar where LILO of the circuit of existing Gandhar-Dehgam 400 kV D/C line at Sugan will be done. (b) Extension of this line to Pirana and opening of LILO of Gandhar	222 km

B. Sub-station works

Sub-station works	
(a)	2 nos. 400 kV line bays at Pirana (PG) 400/220 kV (new) sub-station.
(b)	2 nos. 50 MVAR line reactor at Pirana (PG) 400/220 kV (new) sub-station.

3. The applicant has submitted that phase-I of the project i.e. LILO of Gandhar-Vapi 400 kV S/C line at SUGEN CCPP has been completed with the COD as 1.3.2009. During the course of further deliberation on the scheme, it transpired that Torrent Power Limited (TPL), Ahmadabad a major beneficiary of the scheme, would receive the power through the networks owned by multiple agencies, viz torrent Power Grid Limited (TPGL), Power Grid Corporation of India Limited (PGCIL) and TPL. Involvement of multiple agencies would reduce the reliability of the power receivable by the major beneficiary. It was also observed that since Pirana (PGCIL) sub-station and Pirana (TPL) sub-station are very close to each other and by making a minor change in the last segment of the route, viz making a LILO at Pirana (TPL) of the SUGEN-Pirana (PGCIL) line, there would be only one agency, i.e. TPGL in the route of power to TPL licensed area in Ahmadabad. Hence, a formal request was made to PGCIL to revise the transmission arrangement, which had following long-term benefits:

- (a) Simplification of metering and accounting arrangements with RLDC;

(b) Dedicated power supply from SUGEN to TPL's Ahmadabad distribution;

(c) Obviating scheduling of power supply from SUGEN to Ahmadabad distribution with RLDC/SLDC as the case may be, as it is within TPL;

(a) Single agency TPGL for O & M of total line length.

4. PGCIL vide its letter dated 28.1.2008 has concurred the proposal of the applicant to carry out the work of "LILO of 400 kV System – Pirana D/C at 400 kV Pirana (TPL) sub-station" in place of "400 kV Pirana (PG)-Pirana (TPL) interconnection."

5. Accordingly, the petitioner has submitted the scope of revised transmission system as under:

Para	Approved transmission scheme as per schedule attached to Transmission licence	Proposed transmission scheme for which amendment in licence is sought
A. Transmission lines		
A(i)	LILO of Gandhar-Vapi 400 kV S/C line at Sugan CPP switchyard	No change
A(ii)	Sugan CCPP Akhakhhol-Pirana 400 kV D/C line (to be built in two phases)-222 KM	Sugan CCPP Akhakhhol-Pirana (PGCIL) with LILO of Pirana (TPL) (to be built in two phases)-400 kV D/C line 222 km + M/C line 6 km

	<p>a. From Sugan to a point near Gandhar where LILO of the circuit of existing Gandhar-Dehgam 400 kV D/C line at Sugan will be done</p> <p>b. Extension of the line to Pirana and opening of LILO of Gandhar-Dehgam line near Gandhar</p>	<p>a. No change</p> <p>b. Extension of the line to Pirana (PGCIL) with LILO at Pirana (TPL) sub-station and opening of LILO of Gandhar-Dehgam line near near Gandhar</p>
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B.Sub-station works

B(a)	2 nos. 400 kV line bays at PIRANA (PG) 400/220 kV (new) SUB-STATION.	No change
(b)	2 nos. 50 MVAR line reactor at Pirana (PG) 400/220 kV (new) sub-station.	Delete

6. The applicant has submitted that the revised cost estimate is within the original approved estimated cost of ₹358 crore. The only affected part on the account of modification in the scheme is TPL, Ahmadabad which has been served with a copy of the petition.

7. Section 18 (1) of the Electricity Act, 2003 provides for amendment of licence. The provision of Section 18 relevant to the present case are extracted hereunder:

"18. Amendment of licence- (1) Where in its opinion the public interest so permits, the Appropriate Commission, may, on the application of the licensee or otherwise, make such alterations and amendments in the terms and conditions of his licence as it thinks fit:

Provided that no such alternations or amendments shall be made except with the consent of the licensee unless such consent has, in the opinion of the Appropriate Commission, been unreasonably withheld.

(2) Before any alternations or amendments in the licence are made under this section, the following provisions shall have effect, namely:-

(a) Where the licensee has made an application under sub-section (1) proposing any alteration or modifications in his licence, the licensee shall publish a notice of such application with such particulars and in such manner as may be specified.

(b)"

8. The Commission has specified the Central Electricity Regulatory Commission (Procedure, Terms and Conditions for grant of Transmission licence and other related matters) Regulations, 2009 (the transmission licence regulations). Regulation 19 (2) of the transmission licence regulations provides as under:

"(2) The procedure specified in regulation 7 shall mutatis mutandis be applicable in case the licensee makes an application for any alteration of or modification to the terms and conditions of the licence."

9. Regulation 7 of the transmission licence regulations provides for the procedure for grant of transmission licence as under:

"(1) The application for 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.

(2) In case of the person selected for implementation of the project in accordance with the guidelines for competitive bidding, the application shall also contain such additional information, as may be required under these guidelines.

(3) The application shall be supported by affidavit of the person acquainted with the facts stated therein.

(4) Before making an application, the applicant shall serve a copy of the application on each of the long-term customers of the project and shall submit evidence to that effect along with the application and shall also

post the complete application along with annexures and enclosures on its web site, the particulars of which shall be given in the application.

(5) The application shall be kept on the web site till such time the licence is issued or the application is rejected by the Commission.

(6) Immediately on making the application, the applicant shall forward a copy of the application to the Central Transmission Utility.

(7) The applicant shall, within 7 days after making the application, publish a notice of its application in Form-II attached to these regulations, in at least two daily newspapers, one in English language and one in vernacular language, having circulation in each State or Union Territory where an element of the project or a long-term customer is situated, in the same language as of the daily newspaper in which the notice of the application is published.

(8) As far as possible, within 7 days of receipt of the application the Secretariat of the Commission shall convey defects, if any, if noticed on preliminary scrutiny of the application for rectification and the defects conveyed shall be rectified by the applicant in such time as may be indicated in the letter conveying the defects.

(9) In the notice published in the newspapers under clause (7) it shall be indicated that the suggestions and objections, if any, on the application, may be filed before the Secretary, Central Electricity Regulatory Commission, Third Floor, Chanderlok Building, Janpath, New Delhi-110001 (or the address where the office of the Commission is situated), with a copy to the applicant, by any person, including the long-term customers, within 30 days of publication of the notice,

(10) The applicant shall within 15 days from the date of publication of the notice as aforesaid submit to the Commission on affidavit the details of the notice published, indicating the newspapers in which the notice has been published and the date and place of their publication and shall also file before the Commission the relevant copies of the newspapers, in original, in which the notice has been published.

(11) The Central Transmission Utility shall send its recommendations, if any, to the Commission on the proposal made in the application within a period of thirty days from the date of receipt of application by it:

Provided that copy of the recommendations, if any, made by the Central Transmission Utility shall always be forwarded to the applicant:

Provided further that the recommendations of the Central Transmission Utility shall not be binding on the Commission.

(12) The applicant may file its comments, duly supported by an affidavit, on the recommendations made by the Central Transmission Utility and the

suggestions and objections, if any, received in response to the public notice published by him, within 45 days of service of copy of the application on the Central Transmission Utility or publication of notices in the newspapers, with an advance copy to the Central Transmission Utility or the person who has filed the suggestions and objections on the proposal made in the application, as the case may be.

(13) The Commission after considering the suggestions and objections received in response to the public notice published by the applicant and the recommendations, if any, of the Central Transmission Utility may, propose to grant the licence or for reasons to be recorded in writing, reject the application."

10. The applicant has made the application in accordance with transmission licence regulations. The Applicant vide its affidavit dated 23.1.2010 has placed on record the relevant copies of the newspapers in original in which notice of its application has been published. The Applicant has published the notices in Business Standard and Jansatta in Ahmadabad edition. The Applicant has complied with the requirement of Regulation 7(7) of transmission licence regulations.

11. During the hearing on 17.8.2010, applicant was directed to implead the Central Transmission Utility (CTU), concerned Regional Power Committee and Western Region beneficiaries as parties in the petition and was also directed to serve copy of the petition on them. The applicant vide its affidavit dated 23.9.2010 has confirmed that it has complied with the directions of the Commission.

12. No reply has been filed by the concerned Regional Power Committee and Western Region beneficiaries including Torrent Power Ltd., Ahmadabad. In response to the public notice, no objection/suggestion has been received.

13. The Applicant has served a copy of the application on Central Transmission Utility (CTU) as required under Section 15(3) of the Act and Regulation 7(6) of the transmission licence regulations. The CTU in its letter dated 30.4.2010 has forwarded its recommendations in terms of Section 15(4) of the Act. The letter of CTU is extracted hereunder:

"This has reference to the CTU recommendations sent by POWERGRID on 3.3.2010 for consideration of amendment in transmission license granted to Torrent Power Grid Ltd. (TPGL) on 16.5.2007.

Further TPGL vide its letter dated 29.3.2010 clarified that 2 nos. 50 MVAR line reactors of Sugan-Pirana 400 kV D/C Transmission line shall be provided by Torrent Power Ltd. at its 400/220 kV Pirana S/s instead of providing 2 nos 50 MVAR line reactor by TPGL at 400/220 kV Pirana S/s of POWERGRID. The 400/220 kV Pirana S/s belongs to Torrent Power Ltd. who is a separate legal entity and a distribution licensee. Hence Torrent Power Grid Ltd. requested to delete the scope of 2 nos 50 MVAR line reactor from TPGL.

POWERGRID reviewed the above clarifications of TPGL in context with the recommendation submitted on 3.3.2010 and concludes that it is technically of similar configuration as agreed in 27th meeting of Stranding Committee on Power System Planning in Western Region on 6.9.2007. Accordingly, revised scope of work of TPGL is enclosed at Annexure-I for consideration of amendment in transmission license by CERC.

Scope of Transmission System of Torrent Power Grid Ltd.

The project comprises of following elements of the inter-State Transmission System:

a. Transmission lines

- (i) LILO of Gandhar-Vapi 400 kV S/C line at Sugan CPP switchyard- 26 kms
- (ii) Sugan-Pirana (PG) 400 kV D/C (in two phase): [400 kV D/C line 222 kms. and M/C line 6 kms.] as under:
 - (a) From Sugan to a point near Gandhar where LILO of the circuit of existing Gandhar-Dehgam 400 kV D/C line at Sugan will be done.
 - (b) Extension of the line to Pirana (PG) with LILO of Pirana (TPL) sub-station and opening of LILO of Gandhar-Dehgam line near Gandhar as well as restoration of Gandhar-Dehgam line to its original configuration.

The lengths are approximate lengths and shall be substituted by the actual length on commissioning of the Project.

b. Sub-station Works

- (i) 2 Nos. 400 kV Line bays at Pirana (PG) 400/220 kV (New) sub-station."

14. Central Electricity Authority vide its letters dated 10.5.2010 and 18.6.2010 has conveyed its no objection to the proposed modification in the scope of work of the transmission system.

15. We have examined the matter in detail. The applicant has fulfilled the requirements of transmission licence regulations for amendment to the transmission licence. The CTU under section 15(4) has recommended the proposed amendment to the transmission licence to accommodate the revised scope of work. Central Electricity Authority has also conveyed its

concurrence to the revised transmission system. Considering all the materials on record, we are *prima facie* of the view that it is in the public interest to amend the transmission licence granted to the applicant for modification of the scope of work as per the revised transmission system proposed by the applicant and concurred by the CTU, the details of which are extracted in para 13 above. We, therefore, direct that a public notice under clause (a) of sub-section (5) of Section 15 of the Act be published to invite suggestions or objections to amend transmission licence aforesaid. The objections or suggestions, if any, be filed by any person before the Commission.

16. List this petition on 7.12.2010 for further directions.

sd/-	sd/-	sd/-	sd/-
(M. DEENA DAYALAN)	(V.S.VERMA)	(S. JAYARAMAN)	(Dr. PRAMOD DEO)
MEMBER	MEMBER	MEMBER	CHAIRPERSON

