

**CENTRAL ELECTRICITY REGULATORY COMMISSION  
NEW DELHI**

**Coram:**

**Dr. Pramod Deo, Chairperson**

**Shri S. Jayaraman, Member**

**Shri V.S.Verma, Member**

**Shri M.Deena Dayalan, Member**

**DATE OF HEARING: 20.3.2012**

**Petition No. 44/TL/2012**

**Sub: Application for grant of transmission licence under Section 14 read with Section 15 (1) of the Electricity Act, 2003 and Central Electricity Regulatory Commission (Procedure, Terms and Conditions for grant of Transmission Licence and other related matters) Regulations, 2009.**

Petitioner : Adani Power Limited, Ahmedabad.

Respondents : National Load Despatch Centre, New Delhi  
Power Grid Corporation of India Limited, Gurgaon  
Northern Regional Load Despatch Centre, New Delhi  
Central Electricity Authority, New Delhi  
Gujarat Electricity Transmission Corporation Ltd.,  
Vadodara

Parties Present : Shri Amit Kapur, Advocate for the applicant  
Miss Poonam Verma, Advocate for the applicant  
Shri R.K.Madan, Adani Power  
Shri Jignesh Lemyalia, Adani Power  
Shri Detiwala, Adani Power  
Mrs. Joyti Prasad, NLDC  
Mrs. Manju Gupta, PGCIL  
Shri S.R. Narasimhan, NLDC  
Shri V.K.Agarwal, NLDC  
Shri Jangia, GUVNL

**Record of Proceedings**

The Applicant, Adani Power Limited (hereinafter referred to as 'the APL') has filed this application under Sections 14 and 15 of the Electricity Act, 2003 (hereinafter referred to as 'the Act') for grant of transmission licence to the

transmission system and associated sub-stations of APL. The applicant has made following prayer:

- (a) In principle approval for transmission licence under Section 17 (3) of the Act upon grant of transmission licence;
- (b) Recovery of transmission charges through PoC system; and
- (c) Consider APL a deemed Long-Term Access customer for supply of power against PPAs entered into with UHBVNL and DHBVNL for 712 MW each upon grant of transmission licence.

2. The learned counsel for the petitioner submitted that the applicant, Adani Power Limited is engaged in generation and transmission of power. APL is setting up Mundra Power Project with a capacity of 4620 MW (4X330 MW sub-critical + 5x660 MW supercritical) at Mundra, Gujarat. APL has Power Purchase Agreements (PPA) for 2000 MW with Gujarat Urja Vikas Nigam Limited (GUVNL) and 712 MW each with Uttar Haryana Vijli Nigam Limited (UHVNL) and Dakshin Haryana Vijli Nigam Limited (DHBVNL). The balance power is intended to be sold as merchant capacity through long/medium and short term open access using the Inter-State Transmission System (ISTS). For evacuation of contracted power under PPA to GUVNL, Gujarat Energy Transmission Company (GETCO) has implemented the transmission system at 400 kV and 220 kV voltage level. APL has planned and executed + 500 kV HVDC lines as dedicated transmission line up to the interconnection points with Haryana Intra-State Transmission System for evacuation of power contracted under PPAs to UHBVNL and DHBVNL.

3. The learned counsel further submitted that present application has been filed for transmission licence for dedicated transmission line under Regulation 6 (c) of the Central Electricity Regulatory Commission (Procedure, Terms and Conditions for grant of Transmission Licence and other related matters) Regulations, 2009 (hereinafter referred to as 'the Transmission Licence Regulations') as it is intended to use it as a main transmission line and part of the inter-State transmission system in terms of Regulation 6 (c) of the transmission licence regulations. The learned counsel submitted that APL's transmission system is connected with multiple grids of ISTS, Haryana InSTS and Gujarat InSTS and hence is an integral part of meshed network of ISTS. Under such circumstances, it would be very difficult to control the flow of power of other beneficiaries through it and would not be possible to operate the same in isolation as dedicated network. Learned counsel also submitted that in terms of Section 68 of the Act, the permission was granted to the petitioner by Government of India with the condition that flow of power from other utilities would be allowed through the APL's transmission system.

4. In response to Commission`s query regarding the authority for permitting inter-connection of APL`s transmission system which results in flow of power from other utilities through the APL`s dedicated transmission system, the representative of the petitioner submitted that initially the APL`s transmission system was developed as dedicated system for carrying its own power from Mundra TPS. However, due to inter-connections with transmission system of other utilities now, APL`s transmission system may carry power of other utilities. The representative of the petitioner further clarified that the APL`s dedicated transmission system was discussed and approved by the Central Electricity Authority and Standing Committee on Transmission.

5. After hearing the learned counsel and representative of the petitioner, Commission directed the petitioner to file the following information and clarifications on affidavit, on or before 25.4.2012:

- (a) Whether APL`s transmission systems are being used as dedicated transmission lines or are being used to carry power of other utilities;
- (b) If power flow from other utilities through APL`s dedicated transmission system is taking place, by virtue of inter-connection of transmission systems, the authority for such inter-connection be clearly indicated with relevant documents;
- (c) Adani Enterprises Limited is an inter-State trading licensee. The relationship between the applicant company and Adani Enterprises Limited be clearly explained including shareholding pattern of both companies; and
- (d) The petitioner has not indicated any long-term transmission customer in para 2 (iv) of the application. In terms of Regulation 7 (4) of the Transmission Licence Regulations, the applicant for transmission licence is required to serve copy of the application on each of the long-term customers of the project. Accordingly, the petitioner shall implead the long-term customers of the transmission system and serve copies of the petition on them.

6. The application shall be listed for hearing on 3.5.2012 for further directions.

**By order of the Commission**

**Sd/-  
(T. Rout)  
Joint Chief (Law)**