

**CENTRAL ELECTRICITY REGULATORY COMMISSION  
NEW DELHI**

**Petition No. 190/TT/2013**

**Sub:** Application under Section 63 of the Electricity Act, 2003 for the adoption of tariff (transmission charges) in respect of the transmission system being established by Kudgi Transmission Limited (a wholly owned subsidiary of L&T Infrastructure Development Projects Limited) under tariff based competitive bidding process.

**Petition No. 191/TL/2013**

Sub: Application for grant of transmission licence to Kudgi Transmission Limited .

Date of Hearing : 15.10.2013

Coram : Shri M. Deena Dayalan, Member  
Shri A. K. Singhal, Member

Petitioner : Kudgi Transmission Limited (KTL)

Respondents : Bangalore Electricity Supply Company Limited & Others

Parties present : Shri S.Shankri, KTL  
Shri Yogesh Malik, KTL  
Ms. R.Susaje, KTL  
Shri A.M.Pagvi, PGCIL  
Shri S.Vallinayagam, Advocate, TGDCL  
Shri Abhineet Sinha, Advocate, REC

**Record of Proceedings**

The representative of the petitioner submitted that the present petition has been filed under Section 63 of the Electricity Act, 2003 for adoption of tariff in respect of the transmission system being established by Kudgi Transmission Limited under tariff based competitive bidding process. Representative of the petitioner further submitted that Ministry of Power vide its notification dated 8.10.2012 notified REC Transmission Projects Company Limited as the Bid Process Coordinator for the purpose of selection of bidder as Transmission Service Provider for establishment of transmission system required for evacuation of power from Kudgi (3x800 MW in Phase-I) of NTPC Limited through tariff based competitive bidding process on Build, Own, Operate and Maintain basis. The representative of the petitioner submitted that on the

basis of the competitive bidding carried out in compliance of the provisions of competitive bidding guidelines, L&T Infrastructure Development Projects Limited was selected as the successful bidder and LOI was issued to it. Thereafter, the petitioner was acquired by L&T Infrastructure Development Projects Limited for execution of transmission project.

2. The representative of the petitioner referred to the provisions of RfQ regarding partial DOCO i.e element wise DOCO in the project documents and submitted that KTL is eligible to recover 3.22% of the quoted transmission charges upon successful commissioning of Kudgi TPS - Narendra (New) 400 kV 2x D/C quad lines i.e 18 months from the effective date. He further submitted that KTL is also eligible to recover 80.65% and 16.13% of quoted transmission charges upon commissioning of Narendra (New)-Madhugiri 765 kV D/C line and Madhugiri-Bidadi 400 kV D/C (quad) line, respectively within 28 months of effective date. The representative of the petitioner requested the Commission to adopt transmission tariff as mentioned in Transmission Service Agreement.

3. The representative of the petitioner explained that the Transmission Project is associated with stringent time lines and commencement of any physical activity in the project is linked to the grant of transmission license and requested the Commission to grant the transmission licence at an early date.

4. The Commission observed that the licensee should not approach the Commission for extension of time for execution of the project or for increase in the transmission charges over and above what is permissible under the provisions of the TSA.

5. The Commission directed the petitioner to file on affidavit by 25.10.2013 that the execution of the transmission project shall not be delayed due to time taken in obtaining statutory clearances required under the RfP and Transmission Service Agreement or adjudication of any claim of the petitioner arising under the TSA.

6. Learned counsel for REC submitted that all the provisions of the competitive bidding guidelines have been complied with in this case and requested to adopt the transmission charges.

7. Learned counsel for the Tamil Nadu Generation and Distribution Corporation Limited sought one week's time to file its reply which was allowed by the Commission.

8. The Commission directed the Tamil Nadu Generation and Distribution Corporation Limited to file its reply by 25.10.2013 with an advance copy to the petitioner, who may file its rejoinder, if any on or before 31.10.2013.

9. Subject to the above, the Commission reserved order in the petitions.

**By order of the Commission**

**Sd/-  
(T. Rout)  
Chief (Legal)**