

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 490/AT/2024

Coram

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

Date of Order: 11th March, 2025

In the matter of

Application under Section 63 of the Electricity Act, 2003, for adoption of Transmission Charges with respect to the Transmission System being established by the Jam Khambhaliya Transmission Limited (a 100% wholly owned subsidiary of Power Grid Corporation of India Limited).

And

In the matter of

**POWERGRID Jam Khambhaliya Transmission Limited,
(erstwhile Jam Khambhaliya 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-110016.

Address for correspondence:

C/o ED (TBCB), Power Grid Corporation of India Limited,
Saudamini, Plot No.2, Sector-29,
Gurgaon-122001.

...Petitioner

Vs

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

**2. PFC Consulting Limited,
REC Corporate Head Quarter,
D Block, Plot No. I – 4,
Sec–29 Gurugram–122 001**

**3. Juniper Green Energy Private Limited,
Plot No. 18, 1st Floor, Institutional Area,
Sector-32, Gurgaon–122001, Haryana.**

- 4. ACME Sun Power Private Limited,**
Plot No. 152, Sector-44,
Gurugram-122002, Haryana, India.
- 5. Mounting Renewable Power Limited,**
D/8, BKT House, Trade World, Kamala City,
Senapati Marg, Lower Parel (West),
Mumbai-400013, Maharashtra.
- 6. Airpower Windfarms Private Limited,**
Sugen Mega Power Project,
Torrent Power Ltd, Akhakhol, Kamrej,
Surat-394155, Gujarat.
- 7. Malaren Solar Private Limited,**
5th Floor, North Tower, M3M Tee Point,
Sector-65, Gurgaon-122018.
- 8. NTPC Renewable Energy Limited,**
NETRA Building, E-3, Ecotech-II,
Udyog Vihar, Greater Noida–201306.
- 9. Avaada Energy Private Limited,**
C-11 Sector-65 Noida, Uttar Pradesh
- 10. Indianoil NTPC Green Energy Private Limited,**
E-3, Main Market Rd, Ecotech-II,
Udyog Vihar, Greater,
Noida-201306, Uttar Pradesh.
- 11. POWERICA Limited,**
9th Floor, C-Wing, Godrej Colesium,
Sion-Trombay Road,
Sion, Mumbai–400022.
- 12. Reliance Industries Limited,**
PO Motikhavadi, Meghpar Padana, Gagva,
Jamnagar–361140.
- 13. Chhattisgarh State Power Distribution Company Limited,**
CSPDCL, Post: Sundernagar,
Dangania-492013, Raipur.
- 14. Goa Electricity Department-WR,**
Goa Electricity DeptCurti, Ponda-403401.
- 15. Gujarat Urja Vikas Nigam Limited,**
Sardar Patel Vidyut Bhavan, Racecourse,
Vadodara-390007.

16. Heavy Water Board

O Floor, Vikram Sarabhai Bhavan,
Trombay, Anushaktinagar,
Mumbai-400094, Maharashtra.

17. HVDC Bhadrawati, PGCIL,

PGCIL RHQ, WR-I, Sampriti Nagar,
Off National Highway No. 8,
Taluka: Kamrej, PO: Uppalwadi,
Nagpur-440026, Maharashtra.

18. HVDC Vindhyachal, PGCIL,

PGCIL RHQ, WR-I, Sampriti Nagar,
Off National Highway No. 8,
Taluka: Kamrej, PO: Uppalwadi,
Nagpur-440026, Maharashtra.

19. M.P. Power Management Company Limited,

14, Shakti Bhawan, Rampur,
Jabalpur-482008.

20. MSEDCL,

Plot No 9, "Prakashgad",
A K Marg, Bandra East,
Mumbai-400051.

21. ACB India Limited,

7th Floor, Corporate Tower, Ambience Mall,
NH-8, Gurgaon-122001, Haryana.

22. Torrent Power Limited,

Torrent Power Ltd. Naranpura Zonal Office,
Sola Road, Ahmedabad-380013.

23. Thermal Powertech Corporation India,

6-3-1090, Clock C, Level 2, TSR, Towers,
Rajbhavan Road,
Somajiguda,
Hyderabad-500082, Telangana.

24. BARC,

Bhabha Atomic Research Centre,
Anushakti Nagar,
Mumbai-400085, Maharashtra

25. GMR Warora Energy Limited,

Plot B-1, GMR Warora Energy Ltd,
Mohabala MIDC Growth Centre,
Post – Warora, Distt. Chandrapur-442907, Maharashtra.

- 26. HVDC Champa,**
PGCIL RHQ, WR-I, Sampriti Nagar,
Off National Highway No. 8,
Taluka: Kamrej, PO: Uppalwadi,
Nagpur-440026, Maharashtra.
- 27. West Central Railway Head Office,**
General Manager's Office, Electrical Branch,
Jabalpur-482001.
- 28. Western Railway,**
Office of Chief Electrical Engineer, Mumbai.
- 29. DB Power Limited- Untied,**
Opp Dena Bank, C-31, G- Block, Mumbai.
- 30. Chhattisgarh State Power Trading Co. Limited,**
2nd floor Vidyut Sewa Bhawan, Raipur.
- 31. TRN Energy Private Ltd-Untied,**
7th Floor, Ambience Office Block, Gurugram.
- 32. Adani Power (Mundra) Limited,**
Adani Corporate House, Shantigram, Near Vaishnavdevi Circle,
S G Road Ahmedabad-382421.
- 33. Raigarh HVDC Station**
RPT HVDC Office, Hebbal, Bangalore-560094.
- 34. Arcelor Mittal Nippon Steel India Limited,**
27, AMNS House, 2TH KM Surat Hazira road,
Hazira-394270, Gujarat
- 35. Central Railway,**
Pcee's Office, 2nd Floor Parcle Building CSMT.
Mumbai-400001.
- 36. Dadra and Nagar Haveli & Daman & Power Distribution Corporation Ltd.,**
1st & 2nd Floor, Vidyut Bhavan,
NexSilvassa & Daman.
- 37. MPSEZ Utilities Limited,**
3rd Floor, Adani Corporate House, Ahmedabad.
- 38. Gujarat Energy Transmission Corporation Limited,**
Sardar Patel Vidhyut Bhavan
Race Course, GETCO, Vadodara
Gujarat-390007, India.

....Respondents

Parties present:

Shri Vikas Kumar, JKTL
Shri Hemant Singh, Advocate, RIL
Ms. Supriya Rastogi, Advocate, RIL
Ms. Lavanya Panwar, Advocate, RIL

ORDER

The Petitioner, POWERGRID Jam Khambhaliya Transmission Limited, (erstwhile Jam Khambhaliya Transmission Limited) (hereinafter referred to as “the Petitioner”), has filed the present Petition under Section 63 of the Electricity Act, 2003 (hereinafter referred to as “the Act”) to establish the Inter-State Transmission System for “Augmentation of transformation capacity at Jam Khambhaliya PS (GIS)” on a Build, Own, Operate and Transfer Basis. The Petitioner has made the following prayers:

- a) *Adoption of Transmission Charges for Inter-State Transmission System for “Augmentation of transformation capacity at Jam Khambhaliya PS (GIS) on build, own, operate and transfer basis” discovered through competitive bidding process.*
- b) *Allow the sharing and recovery of Transmission Charges for Inter-State Transmission System for “Augmentation of transformation capacity at Jam Khambhaliya PS (GIS) on build, own, operate and transfer basis” 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 and circumstances of the case.”*

2. On receipt of the present Petition, the Bid Process Coordinator (BPC), PFC Consulting Limited (PFCCL), vide letter dated 17.12.2024, was directed to submit the relevant documents regarding the complete process of competitive bidding. The necessary details have been filed by the BPC vide affidavit dated 19.12.2024.

3. The matter was heard on 13.1.2025, and notices were issued to the Respondents to file their respective replies. The matter was further listed for hearing

on 6.2.2025. During the course of the hearing, the representative of the Petitioner submitted that the Respondents/Beneficiaries were directed to file their replies/comments on the Petitions, if any. In response, Reliance Industries Limited has filed its reply in the matter.

Reply of Reliance Industries Limited

4. The Reliance Industries Limited, i.e., Respondent No. 12 (hereinafter referred to as “RIL”), in its reply dated 12.2.2025, has submitted as under:

(a) RIL has been granted Connectivity for 500 MW and 700 MW at the Jam Khambaliya substation by CTUIL. On 28.6.2022, RIL and PGCIL executed a Bilateral Transmission Agreement for connectivity to the ISTS through the 400kV D/C Reliance Industries Ltd. (Jam Nagar Oil Refinery) - Jam Khambhaliya ISTS Pooling Station transmission line, including associated bays at the Jam Khambhaliya ISTS end.

(b) RIL currently holds an existing GNA of 800 MW, with 500 MW effective from 1.10.2024 and 300 MW effective from 1.3.2026.

(c) CTUIL informed the RIL about certain developments that were discussed during the meeting held on 14.1.2023 that a scheme for the transmission project of the Petitioner was agreed upon in the 22nd Consultation Meeting of Evolving Transmission System in Western Region (CMETS) and for termination of ICTs at 400 kV level, 2 nos. of bays were required at Jam Khambhaliya. Therefore, termination of the 2 x 500 MVA ICTs under the scope of the transmission project was proposed in the 2 separate diameters which are being developed by PGCIL for the RIL for termination of the 400 kV Jam Khambhaliya – Jamnagar D/c line covered under the scope of connectivity scheme as agreed upon under TSA signed between PGCIL and the RIL. This was being done because all the other 400 kV bays at Jam Khambhaliya Pooling Station were being utilized in the Jamnagar establishment scheme.

(d) The aforesaid arrangement for the shared transmission element was further discussed in the 17th and 20th meetings of the NCT, held on 31.1.2024 and 25.6.2024, respectively, with the participation of both PGCIL and CTUIL. In the meantime, the RIL, vide letter dated 10.1.2024, requested CTUIL that since the two 400kV bays being developed by PGCIL specifically for the termination of the 400kV Jam Khambhaliya-Jamnagar D/c line (connecting RIL Oil Refinery to ISTS) are proposed to be utilized for ISTS purposes, namely, for the termination of 2x500 MVA ICTs covered under the scope of the transmission project-the charges for these shared 400kV bays should be billed directly to the ISTS pool account.

(e) Subsequently, PGCIL, vide its letter dated 4.12.2024, informed the CTUIL that the scope of the transmission project envisages the utilization of the two 400kV bays being developed by PGCIL for RIL under the TSA dated 28.6.2022 for the termination of the 2x500 MVA ICTs. PGCIL further submitted that the aforesaid arrangement clearly indicates that the two 400kV bays, constructed in two separate diameters specifically for RIL on a bilateral basis, are to be utilized for ISTS purposes. Accordingly, PGCIL requested CTUIL to seek a determination from the Commission regarding the tariff for the two 400kV bays from the date of their utilization and to have the same pooled under the PoC mechanism. PGCIL also requested a mechanism to address the sharing of charges for these bays.

Analysis and Decision

5. We have considered the submissions of the Petitioner, BPC, and CTUIL and perused the documents available on record. Section 63 of the Act provides as under:

“Section 63: Determination of tariff by bidding process: Notwithstanding anything contained in section 62, the Appropriate Commission shall adopt the tariff if such tariff has been determined through transparent process of bidding in accordance with the guidelines issued by the Central Government.”

6. The Government of India, the Ministry of Power, has notified the “Tariff based Competitive bidding Guidelines for Transmission Service” and “Guidelines for

Encouraging Competition in Development of Transmission Projects" (hereinafter referred to as "the Guidelines") under Section 63 of the Act vide Resolution No. 15/1/2017-Trans dated 10.8.2021 as amended from time to time. The salient features of the Guidelines are as under:

(a) The Guidelines are applicable for the procurement of transmission services for transmission of electricity through tariff based competitive bidding for selection of the Transmission Service Provider (TSP) for new transmission system on a Build, Own, Operate and Transfer basis.

(b) For procurement of the transmission services required for any inter-State transmission Project, the Central Government shall notify the CTUIL or any Central Government Organization/ Central Public Sector Undertaking or its wholly owned subsidiary (Special Purpose Vehicle) to be the Bid Process Coordinator (BPC) who would be responsible for the coordinating the bid process.

(c) The BPC shall prepare the bid documents in accordance with the Guidelines and obtain approval of the Appropriate Government, or alternatively, the BPC can use the Standard Bid Documents notified by the Ministry of Power. Any material deviation from the Standard Bidding Documents shall be made only with the prior approval of the Appropriate Government. Intimation about initiation of the bidding process shall be sent by the BPC to the Appropriate Commission.

(d) For the procurement of the transmission services under the guidelines, BPC shall adopt a single stage two envelope tender process featuring Request

for Proposal (RfP). The entire bidding process shall be conducted online through electronic medium under e-reverse bidding framework.

(e) The RfP notice shall be published in at least two national newspapers, website of the BPC, and preferably in trade magazines also, so as to accord it wide publicity. The bidding shall necessarily be by way of the International Competitive Bidding (ICB). For the purpose of issue of RfP, minimum conditions to be met by the bidder shall be specified in the RfP.

(f) Standard documentation to be provided in the RfP shall include definitions of requirements including brief description of the Project, commissioning milestones to be achieved by the bidders, qualification requirements to be met by the bidders including, minimum net worth, etc. with necessary proof of the same, as outlined in the bid documents, Specified target dates/months for commissioning and commercial operations, Standard Transmission Service Agreement (TSA), agreement(s) under the Central Electricity Regulatory Commission (Sharing of Inter State Transmission Charges and Losses) Regulations as amended from time to time, period of validity of offer of bidder, TSA proposed to be entered with the SPV including amendments, bid evaluation methodology to be adopted by the BPC, specification regarding bid bond as well as the Contract Performance Guarantee to be furnished by the bidders, proposed indemnification agreement between the TSP and the Nodal Agency, liquidated damages that shall apply in the event of delay in start of providing the transmission services and technical, operational and safety criteria to be met by the bidder/TSP and requirement of obtaining transmission licence from the Appropriate Commission.

(g) The TSP, on the date of acquisition of the SPV from the BPC will enter into a Transmission Service Agreement with the Nodal Agency.

(h) To ensure competitiveness, the minimum number of qualified bidders shall be two. For inter-State transmission system, bids shall be opened in the office of the CEA by a bid committee comprising of at least one member from the CEA and one member from BPC. For inter-State transmission system, CEA shall constitute a committee for evaluation of the bids with at least one representative from the CEA and not less than two representatives from the concerned Regional Power Committees and one independent member. Further, in case project is inter-regional, there shall be at least one representative from every concerned RPC. The technical bids shall be examined to ensure that the bids submitted meet minimum eligibility criteria set out in the bid documents on all the technical evaluation parameters. Only the bids that meet all elements of the minimum technical criteria set out in the bid documents shall be considered for further evaluation on the transmission charges bids. The online initial price bids shall be electronically opened by the bid opening committee in the presence of the bid evaluation committee. The bidder, who has quoted the lowest transmission charge as per the evaluation procedure, shall be considered for the award.

(i) BPC is required to complete e-reverse bidding after opening of the initial offer within 75 days. The procurer may give extended time frame indicated herein based on the prevailing circumstances, and such alterations shall not be construed to be deviation from these guidelines.

(j) The TSP shall make an application for the grant of a transmission licence to the Appropriate Commission within five (5) working days from the date of execution of the Share Purchase Agreement for acquisition of the SPV.

(k) BPC shall make the final result of evaluation of all bids public. The final TSA, along with the certification by the bid evaluation committee, shall be forwarded to the Appropriate Commission for the adoption of tariff discovered from the quoted annual transmission charges during the e-reverse bidding process in terms of Section 63 of the Act.

7. Therefore, we have to examine whether the Guidelines issued by the Central Government have been followed in the present case in a transparent process of bidding.

8. The Ministry of Power, Government of India, vide its Gazette Notification No. CG-DL-E-01042024-253500 dated 1.4.2024 has notified the PFC Consulting Limited (hereinafter referred to as "PFCCL") as a Bid Process Coordinator (BPC) for the purpose of selection of a bidder as the Transmission Service Provider to establish the Inter-State Transmission System for "Augmentation of transformation capacity at Jam Khambhaliya PS (GIS)" on a Build, Own, Operate and Transfer Basis through a tariff based competitive bidding process.

9. Jam Khambhaliya Transmission Limited was incorporated on 29.6.2024 under the Companies Act, 2013 as a wholly owned subsidiary of PFC Consulting Limited with the objective to establish the Inter-State Transmission System for "Augmentation of transformation capacity at Jam Khambhaliya PS (GIS)" and to act as the Transmission Service Provider after being acquired by the successful bidder. The

main objectives of the Petitioner Company in its Memorandum of Association are as under:

“To develop Power System Network, 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 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”.

10. BPC prepared the bidding document (RfP) in accordance with the Standard Bid Documents issued by the Ministry of Power, Government of India.

11. BPC started the process of selection of the successful bidder with the publication of a Global Invitation for Qualification for the selection of a developer on a BOOT basis for the Project. The notice of the RfP was published in National/International newspapers on 12.6.2024 with the last date of submission of response to the RfP as 16.8.2024. Intimation regarding the initiation of the bid process was given to this Commission on 14.6.2024 in accordance with Clause 4.2 of the Guidelines dated 10.8.2021.

12. Factual Matrix of the bidding is as under:

S. No.	Events	Date
1	Publication of RfP	12.6.2024
2	Intimation to the Hon'ble Commission	14.6.2024
3	RFP (Technical)& Price Bid Submission	23.8.2024
4	RFP (Technical) Bid Opening	23.8.2024
5	RFP (Financial) Initial Price Offer -Opening	3.9.2024
6	e-Reverse Auction	4.9.2024
7	No. of Bidders in E-Reverse Auction	Two
8	Rounds of E-Reverse Auction	102
9	Final Bid Evaluation Committee Meeting	6.9.2024
10	Issuance of Lol	12.9.2024

11	Signing of Agreements & Transfer of SPV	15.10.2024
12	Estimated Cost of the Project	Rs. 253.15 crores

13. The scope of the Project as per the Request for Proposal and the Transmission Service Agreement is as under:

Sr. 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	Creation of New 220 kV Bus Section-II at Jam Khambhaliya PS	21 months (15/07/2026)	7.66	Element at Sl. 1 can be commissioned separately.
2	Augmentation of transformation capacity at Jam Khambhaliya PS (GIS) by 2x500 MVA, 400/220 kV ICT (5th and 6th) (terminated on New 220 kV bus section-II)	21 months (15/07/2026)	26.53	For Element at Sl. 2, Element at Sl. 1 is pre-required.
3	Augmentation of transformation capacity at Jam Khambhaliya PS (GIS) by 1x500 MVA, 400/220 kV ICT (7th) (terminated on New 220 kV bus section- II)	14/10/2026 [#]	13.27	For Element at Sl. 3, Elements at Sl. 1 is pre-required. Element at Sl. 3 can be commissioned separately subject to commissioning of 400kV bay at Jam Khambhaliya PS for ICT (7th) (refer Note-2).
4a	Implementation of 220 kV GIS line bays at Jam Khambhaliya PS for RE Projects on New 220 kV bus section-II (1 No. for ACME Sun Power Pvt Ltd and 1 no. for Mounting (MRPL))	MRPL bay: 21months (15/07/2026) ACME bay: 21 months Juniper Bay: Jun-27 subject to minimum schedule of 21 months from date of award of balance works	3.83	Elements at Sl. 1 and 2 are pre-required
4b	Implementation of 220 kV GIS line bays at Jam Khambhaliya PS for RE Projects on New 220 kV bus section-II (1 No. for Juniper Green Energy	Jun-27 subject to minimum schedule of 21 months from date	3.83	Elements at Sl. 1 and 2 are pre-required.

	Pvt Ltd.)	of award of balance works		
5	Creation of New 220 kV Bus Section at Jam Khambhaliya PS (Section III)	21 months (15/07/2026)	7.66	Elements at Sl. 5 to 8 are required to be commissioned simultaneously as their utilization is dependent on each other [subject to commissioning of 400kV bay at Jam Khambhaliya PS for ICT (8th) (refer Note-2)].
6	Augmentation of transformation capacity at Jam Khambhaliya PS (GIS) by 1x500 MVA, 400/220 kV ICT (8th) (terminated on New 220 kV bus section- III)	14/10/2026#	13.27	
7	Augmentation of transformation capacity at Jam Khambhaliya PS (GIS) by 1x500 MVA, 400/220 kV (9th) ICT terminated on New 220 kV bus section-III	21 months (15/07/2026)	18.84	
8	Implementation of 220 kV GIS line bays at Jam Khambhaliya PS for Kuvadla 220 kV D/C line	21 months (15/07/2026)	5.11	

Note 1:

Termination of the 2x500 M V A ICT s under present scope shall be in the '2' separate dia's which are being developed by POWERGRID for RIL for termination of 400 kV Jani Khambhaliya - Jamnagar Die line. T SP shall implement 400 kV side GIS Duct required for interconnection of ICTS & 6 at 400 kV Jam Khambhaliya PS [length is approx. 350 M. (Actual length shall be finalized based upon final layout)] along with associated equipment as required.

Note-2:

Matching with SCOD of 400kV bays at Jam Khambhaliya PS (being implemented under "Network Expansion scheme in Gujarat for drawl of about 3.6GW load under Phase-I in Jamnagar area" scheme which is currently under tendering) and subject to minimum implementation schedule of 21 months.

Note-3:

Earlier schedule was specified as March-26 subject to minimum schedule of 21 months from date of award of balance works. However, considering present status, schedule of 21 mouths may directly be specified.

Matching with SCOD of 400kV bays at Jam Khambhaliya PS (being implemented under "Network Expansion in Gujarat for drawl of about 3.6GW load under Phase-I in Jamnagar area" scheme (14.10.2026)."

14. For the purpose of evaluation of the bids, the Bid Evaluation Committee (BEC) comprising of the following was constituted:

1.	Sh. Rajesh Kumar Singh, General Manager, SBI, CCGRO-II, New Delhi	Chairman of the Committee
2.	Sh. P.D. Lone, Superintending Engineer, WRPC	Member
3.	Sh. S.M. Soni, Superintending Engineer (STU), GETCO	Member
4.	Sh. Bhanwar Singh Meena, Director (PSETD), CEA	Member
5.	Sh. B. S. Bairwa, Director, (PSPA-II), CEA	Member

6.	Sh. Sanjay Kumar Nayak, Chairman, Jam Khambhaliya Transmission Limited	Convener- Member of the Committee
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15. Responses to the RfP were received from the two bidders as per details given below:

Sr. No.	Name of Bidders
1.	Power Grid Corporation of India Limited
2.	Adani Energy Solutions Limited

16. The responses of the bidders were opened on 12.6.2024 in the presence of the representatives of the bidders. Based on the recommendations of the Bid Evaluation Committee, the Initial Offers of all two bidders were opened on 23.8.2024 in the presence of the Bid Evaluation Committee. In the BEC meeting held on 3.9.2024, it was noted that the lowest transmission charge from the Initial Offer submitted by the bidders was Rs. 579.25 million per annum, which shall be the initial ceiling for quoting the final offer during the e-Reverse Auction. Accordingly, the rank of the bidders for participation in the e-reverse auction is as under:

Sr. No.	Name of the Bidder	Quoted Transmission Charges from the Initial Offer (in Rs. Million per annum)	Rank
1.	Power Grid Corporation of India Limited	579.25	L1
2.	Adani Energy Solutions Limited	720.00	L2

17. As per the provisions of the RfP documents, BEC recommended the two qualified bidders participate in the e-reverse auction stage and submit their final offer.

18. The e-reverse auction was carried out at the MSTC portal on 4.9.2024 after intimating to the bidders regarding the lowest initial price offer. The transmission charges for the bidders (in ascending order) emerged as under:

Sr. No.	Name of the Bidder	Transmission Charges from the Initial Offer (in Rs. Million per annum)	Transmission Charges from the Final Offer (in Rs. Million per annum)	Rank
1.	Power Grid Corporation of India Limited	579.25	446.04	L1
2.	Adani Energy Solutions Limited	720.00	447.16	L2

19. Based on the e-reverse bidding, BEC, in its meeting held on 6.9.2024, recommended Power Grid Corporation of India Limited, with the lowest transmission charges of Rs. 446.04 million per annum, as the successful bidder.

20. Letter of Intent was issued by the BPC on 12.9.2024 to the successful bidder, i.e., Power Grid Corporation of India Limited. In accordance with Clause 12.3 of the Guidelines, the BPC has hosted on the website of PFCCL, the final result of the evaluation of the bids for the selection of a developer for the Project.

21. In accordance with the provisions of the bid documents and upon the issuance of Lol to the successful bidder (Power Grid Corporation of India Limited) and acquisition of SPV (the Petitioner) by the successful bidder, the Petitioner has prayed for the adoption of transmission charges for the Project which has been discovered through the competitive bidding process.

22. In accordance with Clause 2.15.2 of RfP, the selected bidder shall, within 10 days of the issue of the Letter of Intent, accomplish the following tasks:

- a) Provide the Contract Performance Guarantee in favour of the Nodal Agency;
- b) Execute the Share Purchase Agreement and the Transmission Service Agreement;

c) Acquire, for the Acquisition Price, one hundred per cent (100%) equity shareholding of Jam Khambhaliya Transmission Limited (now known as POWERGRID Jam Khambhaliya Transmission Limited) from PFC Consulting Limited, along with all its related assets and liabilities.

23. In accordance with Clause 2.15.4 of RfP, the selected bidder shall, within five working days of the issue of the acquisition of the SPV by the Successful Bidder, the TSP shall apply to the Commission for the grant of a transmission licence and make an application to the Commission for the adoption of transmission charges, as required under Section 63 of the Act.

24. 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 the SPV, by 22.9.2024. Though Lol was issued on 12.9.2024, BPC, vide its letter dated 15.10.2024 in terms of Clauses 2.15.2 of RfP extended the date up to 15.10.2024 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. 15 crores on 15.10.2024 and acquired a hundred per cent equity-holding in the applicant company on 15.10.2024 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 adoption of transmission charges 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 15.10.2024. Accordingly, the TSP has filed the instant Petition

through e-filing for the adoption of transmission charges on 22.10.2024. Accordingly, the TSP has filed the instant Petition through e-filing for the grant of a transmission licence on 22.10.2024 with a delay of two days.

25. The Petitioner has approached the Commission with a separate application for a grant of transmission licence. The Commission, vide order dated 21.2.2025 in Petition No. 489/TL/2024, on being satisfied that the Petitioner, *prime facie*, qualifies for grant of transmission license as prayed for, directed publication of notices under clause (a) of sub-section (5) of Section 15 of the Act, inviting suggestions/ objections to the proposal of the Commission. Accordingly, notices have been published.

26. In accordance with the Guidelines, BEC has to certify that the tariff has been discovered through a transparent process of bidding and the tariff discovered is in line with prevailing market prices. In the minutes of the third Meeting of the Bid Evaluation Committee meeting held on 6.9.2024, the following have been recorded:

“2. BPC informed BEC the following:

I. E-reverse auction process for the transmission scheme was held at MSTC Portal on 4.9.2024 at 1000 hrs (IST) onwards.

II. On conclusion of the e-reverse auction on 5.9.2024 at 0653 hrs (IST), “Power Grid Corporation of India Limited”, emerged as the successful bidder with the lowest Quoted Transmission Charges during the e-RA process.

III. The Final Offer (Quoted Transmission Charges) of each bidder at the time of closing of the e-reverse auction is as under:

Sr. No.	Name of the Bidder	Quoted Transmission Charges (in Rs. Million per annum)	Rank
1.	Power Grid Corporation of India Limited	446.04	L1
2.	Adani Energy Solutions Limited	447.16	L2

IV. In addition to the online submission, the Bidder with the lowest Final Offer is required to submit original hard copies of Annexure-3 Power of Attorney,

Annexure-4-Power of Attorney from Consortium Members (if applicable), Annexure 6 – Consortium Agreement (if applicable) and Annexure 14-Bid Bond, before issuance of LOI.

V. Accordingly, 'Power Grid Corporation of India Limited' (the Bidder with the lowest Final Offer) had submitted the original hard copies of Annexure 3 and Annexure 14 to BPC on 6.9.2024. The other annexures were not applicable to the bidder.

VI. The original hard copies of Annexure 3 and Annexure 14 submitted by Power Grid Corporation of India Limited are in order. There is no discrepancy between the online submission and physical documents submitted by Power Grid Corporation of India Limited.

3. In view of the above, BPC proposed that Power Grid Corporation of India with the Final Offer (Quoted Transmission Charges) of Rs. 446.04 million per annum, may be declared as the successful bidder.

4. BPC, in their evaluation report has confirmed the following:

i. The levelized tariff for the project based on CERC Regulations works out to Rs. 458.4 million per annum. This has been computed based on the estimated cost as communicated by the Cost Committee constituted by CEA and the methodology for the calculation of tariff as per CERC norms.

ii. The entire bid process has been carried out in accordance with the "Tariff based Competitive Bidding Guidelines for Transmission Service" and "Guidelines for encouraging competition in development of the Transmission Projects" issued by the Ministry of Power, Govt. of India under Section 63 of the Electricity Act, 2003 and as amended from time to time.

5. After detailed discussions on the final levelized tariff prepared by BPC (Annexure-A), the BEC decided the following:

i. The quoted tariff (Rs. 446.04 million per annum) is lower than the estimated CERC Levelized Tariff (Rs. 458.4 million per annum).

ii. In view of above, 'Power Grid Corporation of India' may be issued Letter of Intent (LoI).

6. BEC has also issued a separate certificate in this regard (Annexure-C)."

27. Bid Evaluation Committee, vide its certificate dated 6.9.2024, has certified as under:

"It is hereby certified that:

1. The entire bid process has been carried out in accordance with the "Tariff based Competitive Bidding Guidelines for Transmission Service" and "Guidelines for encouraging competition in development of the Transmission Projects" issued by

Ministry of Power, Govt, of India under Section 63 of the Electricity Act, 2003 and as amended from time to time.

2. Power Grid Corporation of India Limited has emerged as the Successful Bidder after the conclusion of e-reverse bidding process with the lowest Quoted Transmission Charges of Rs. 446.04 million per annum.

3. The quoted tariff is lower than the Levelised Tariff calculated based on CERC norms considering the Capital Cost for the Project 'Augmentation of transformation capacity at Jam Khambhaliya PS (GIS)' as assessed by Cost Committee. The quoted tariff discovered through e-reverse bidding process is acceptable."

28. In the light of the discussions in the preceding paragraphs, it emerges that the selection of the successful bidder and the discovery of the annual transmission charges of the Project has been carried out by the BPC through a transparent process of competitive bidding in accordance with the Guidelines issued by the Ministry of Power, Government of India under Section 63 of the Act. BEC has certified that the process is in conformity with the Ministry of Power Guidelines. BEC, in its certificate dated 6.9.2024, has certified that Power Grid Corporation of India Limited has emerged as the successful bidder after the conclusion of the e-reverse auction with the lowest transmission charges of Rs. 446.04 million per annum. Based on the certification of the BEC, we approve and adopt the single annual transmission charges of Rs. 446.04 million per annum as per the final offer of the successful bidder subject to the grant of transmission licence to the Petitioner company. The transmission charges shall remain valid throughout the period covered in the TSA.

29. The Petitioner, vide its affidavit dated 20.1.2025, has informed that the name of the Petitioner company has been changed from 'Jam Khambhaliya Transmission Limited' to 'POWERGRID Jam Khambhaliya Transmission Limited' with effect from 13.1.2025. The certificate of change of name from 'Jam Khambhaliya Transmission Limited' to 'POWERGRID Jam Khambhaliya Transmission Limited' dated 13.1.2025 issued by the Registrar of Companies, Manesar, Haryana, has been placed on record.

Accordingly, the name of the Petitioner has been changed to 'POWERGRID Jam Khambhaliya Transmission Limited' and the same has been taken on record.

30. The Respondent RIL has submitted that PGCIL is developing two diameters for RIL at Jam Khambhaliya substation under bilateral arrangement, out of which one bay in each diameter is proposed to be utilized for ISTS purpose for connecting ICTs of the Petitioner. Accordingly, the transmission charges for such two 400kV bays developed by PGCIL to be used for ISTS purpose are required to be shared among all beneficiaries in accordance with the CERC (Sharing of Inter-State Transmission Charges and Losses) Regulations, 2020. PGCIL vide letter dated 4.12.2024, informed the CTUIL that the scope of the transmission project envisages the utilization of the two 400kV bays being developed by PGCIL for RIL under the TSA dated 28.6.2022 for the termination of the 2x500 MVA ICTs, and requested CTUIL to seek a determination from the Commission regarding the tariff for the two 400kV bays from the date of their utilization and requested a mechanism to address the sharing of charges for these bays. We have considered the submissions of the RIL, it is noted that the scope of the instant Petition is limited to adoption of transmission tariff and issues raised by the RIL are beyond the scope of the Petition. The issue of sharing transmission charges for the bays developed by PGCIL for RIL to utilized for ICTs under instant Petition, may be filed in a separate Petition along with necessary details.

31. The sharing of the transmission charges by the designated ISTS customers (DICs), except Respondent RIL shall be governed by the provisions of the Central Electricity Regulatory Commission (Sharing of inter-State Transmission Charges and Losses) Regulations, 2020, as amended from time to time.

32. Extract copy of this order shall be sent to the Nodal agency, CTUIL.

33. Petition No. 490/AT/2024 is disposed of in terms of the above.

Sd/-
(Harish Dudani)
Member

sd/-
(Ramesh Babu V.)
Member

sd/-
(Jishnu Barua)
Chairperson