

**CENTRAL ELECTRICITY REGULATORY COMMISSION  
NEW DELHI**

**Petition No. 323/TT/2013**

**Sub:** Application for adoption of transmission charges with respect to Eastern Region System Strengthening Scheme-VI established by Darbhanga-Motihari Transmission Company Limited.

**Petition No. 324/TL/2013**

**Sub:** Application under section 14 of the Electricity Act, 2003 read with Central Electricity regulatory Commission (Procedure, Terms and Conditions for grant of transmission license and other related matters) Regulations, 2009 with respect to Transmission Company Limited to Darbhanga-Motihari Transmission Company Limited.

Date of hearing : 27.2.2014

Coram : Shri Gireesh B. Pradhan, Chairperson  
Shri M. Deena Dayalan, Member  
Shri A.K. Singhal, Member

Petitioner : Darbhanga-Motihari Transmission Company Limited.

Respondent : Bihar State Electricity Board and others.

Parties present : Shri Debasish Das, DMTCL  
Shri Mohit Jain, DMTCL  
Shri Amit Kumar, DMTCL  
Shri Rajesh Shai, PFC

**Record of Proceedings**

The representative of the petitioner submitted that the present petitions have been filed under sections 63 and 14 of the Electricity Act, 2003 for adoption of tariff and grant of transmission license respectively. He further submitted that the Government of India, Ministry of Power, vide notification dated 8.10.2012 notified PFC Consulting Limited as the Bid Process Coordinator for the purpose of selection of bidders as transmission service provider to establish transmission system for "Eastern Region System Strengthening Scheme-VI" through Tariff Based Competitive Bidding process on build, own, operate and maintain basis. The Bid Evaluation Committee appointed by BPC has certified Essel Infraprojects Limited as successful bidder with lowest levelised transmission charges of ₹ 1173.69 million per annum. Essel Infraprojects Limited acquired the petitioner after execution of the Share Purchase

Agreement on 10.12.2013. The representative of the petitioner requested the Commission to adopt transmission tariff as mentioned in Transmission Service Agreement.

2. The Commission observed that it is the responsibility of the bidder to satisfy itself about all aspects of the proposed transmission lines before submitting the bid and the successful bidder after grant of transmission licence 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.

3. The Commission directed the petitioner to file an affidavit by 7.3.2014 to the effect 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.

4. The representative of PFC Consulting Ltd submitted that all the provisions of the competitive bidding guidelines have been complied with in this case and requested to adopt the transmission charges.

5. Subject to above, orders in the petitions were reserved.

By order of the Commission

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