

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No.31/MP/2017

Subject : Petition under section 17(3) of the Electricity Act, 2003 for permission to transfer the utility and assignment of licence comprising the transmission business/assets of the Reliance Infrastructure Limited formerly under License No.6/Transmission/CERC in the name of Western Region Transmission(Maharashtra)Private Limited and under License No.7/Transmission/CERC in the name of Western Region Transmission(Gujarat) Private Limited in favour of Western Transco Power Limited and Western Region Transmission(Gujarat) Private Limited respectively.

Date of hearing : 25.4.2017

Coram : Shri Gireesh B. Pradhan, Chairperson
Shri A.K. Singhal, Member
Shri A.S. Bakshi, Member
Dr. M.K. Iyer, Member

Petitioners : Reliance Infrastructure Limited (RInfra) and Others

Respondents : Power Grid Corporation of India Limited (PGCIL) and Others

Parties present : Shri Sanjay Sen, Senior Advocate, RInfra
Shri Hasan Murtaza, Advocate, RIL
Shri Naveen Nagpal, RIL
Shri Shubham Arya, Advocate, GUVNL
Shri Rupin, WRT(M)PL

Record of Proceedings

Learned senior counsel for the petitioners submitted that Reliance Infrastructure Limited (RInfra), Western Transco Power Limited (WTPL) and Western Transmission (Gujarat) Limited (WTGL) have jointly filed the present petition under Section 17(3) of the Electricity Act, 2003 seeking permission to transfer the utility and assignment of licence granted to Western Region Transmission (Gujarat) Pvt. Ltd. in favour of WTPL and WTGL as its fully owned subsidiaries and further sale of equity shareholding of RInfra in WTPL and WTGL to Adani Transmission Limited (ATL).

2. Learned senior counsel for the petitioners further submitted that the Petitioner No.1, RInfra is engaged in the business of generation, transmission and distribution of electricity and also undertakes non-electricity related activities such as key infrastructure projects, engineering, procurement and construction (EPC) work on a large scale. After conducting strategic review of its business verticals and considering the high growth opportunities in the defence and EPC sector, RInfra has decided to focus on the defence and EPC sector as the primary driver of future growth. Learned senior counsel submitted

that as part of divestment process, the transmission lines which were formerly under the WRTM and WRTG are proposed to be transferred in two Special Purpose Vehicles (SPVs), namely Western Transco Power Limited (WTPL) and Western Transmission (Gujarat) Limited (WTGL) set up for the purpose of holding the assets of WRTM and WRTG through execution of Business Transfer Agreement (BTA) entered into between the RInfra and SPVs. The above SPVs were incorporated on 26.12.2016 by RInfra as its wholly owned subsidiary for transfer of assets of erstwhile WRTM and WRTG. Pursuant to the transfer of the said utilities to WTPL and WTGL, RInfra would transfer its entire equity shareholding in WTPL and WTGL to ATL.

3. After hearing the learned senior counsel for the petitioners, the Commission admitted the petition and directed to issue notice to the respondents.

4. The Commission directed the petitioners to implead lenders as party to the petition and file revised memo of parties.

5. The Commission directed the petitioners to serve copy of the petition on the respondents including lenders immediately, if already not served. The respondents were directed to file their replies by 17.5.2017 with an advance copy to the petitioners, who may file their rejoinders, if any, on or before 2.6.2017. The Commission directed that due date of filing the replies and rejoinders should be strictly complied with. No extension shall be granted on that account.

6. The petition shall be listed for hearing on 13.6.2017.

By order of the Commission

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