

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 248/AT/2022

Coram:

**Shri I. S. Jha, Member
Shri Arun Goyal, Member
Shri P. K. Singh, Member**

Date of Order: 9th December, 2022

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 Neemuch Transmission Limited (a 100% wholly owned subsidiary of Power Grid Corporation of India Limited)

And

In the matter of:

Neemuch Transmission Limited,
(now known as 'Powergrid Neemuch Transmission System Limited')
B-9, Qutab Institutional Area,
Katwaria Sarai,
New Delhi 110 016

.....Petitioner

Vs.

1. Central Transmission Utility of India Limited,
Saudamini, Plot No.2,
Sector-29, Gurugram-122001, Haryana
2. REC Power Development and Consultancy Limited,
REC Corporate Head Quarter,
D Block, Plot no. I-4,
Sector 29, Gurgaon-122001, Haryana
3. Chandigarh Electricity Department,
UT-Chandigarh, Div-11,
Opposite Transport Nagar, Industrial Area,
Phase-1, Chandigarh
4. BSES Rajdhani Power Limited,

AVP (PMG), PMG Office, 2nd Floor B-Block
Nehru Place, New Delhi-110019

5. BSES Yamuna Power Limited,
Asst. Vice President (PMG)
Shakti Kiran Bldg, Second Floor
Karkardooma, New Delhi-110032
6. New Delhi Municipal Council,
AAO (Commercial), 19th Floor
NDMC, Palika Kendra, Sansad Marg
New Delhi-110001
7. Tata Power Delhi Distribution Company Limited,
Power Management Group, Technology Centre
Near PP-3 Grid Sub Station, Opp. PP Jewellers
Netaji Shubhash Place, Pitampura
New Delhi-110034
8. Himachal Pradesh State Electricity Board,
PR&ALDC, HPSEB Ltd., 132 kV S/S Tutu
Shimla, 171011, Himachal Pradesh
9. Haryana Power Purchase Centre,
Shakti Bhawan, Energy Exchange,
Panchkula, Haryana
10. Power Development Department, Jammu
Jammu SLDC Building, 1st Floor, Gladni
Power House Narwal, Jammu, J&K
11. Punjab State Power Corporation Limited,
Shed No. T-1A, Thermal Designs,
Patiala, 147001 Punjab
12. Ajmer Vidyut Vitran Nigam Limited,
132 kV, Sub-Station Building,
Calgiri Road Malviya Nagar,
Jaipur-302017 (Rajasthan)
13. Jodhpur Vidyut Vitran Nigam Limited,
132 kV, Sub-Station Building,
Calgiri Road Malviya Nagar,
Jaipur-302017 (Rajasthan)
14. Jaipur Vidyut Vitran Nigam Limited,

- 132 kV, Sub-Station Building,
Calgiri Road Malviya Nagar,
Jaipur-302017 (Rajasthan)
15. North Central Railway,
DRM Office Nawab,
Yusuf Road-211011
 16. Uttarakhand Power Corporation Limited,
Urja Bhawan, Kanwali Road,
Dehradun-248001
 17. Uttar Pradesh Power Corporation Limited,
Fund Management, Shakti Bhawan
14 Ashok Marg, Lucknow, UP
 18. Chhattisgarh State Power Distribution Company Limited
CSPDCL, Post: Sundernagar
Dangania, Raupur-492013
 19. Goa Electricity Department-WR,
Goa Electricity DeptCurti
Ponda-403401
 20. Gujarat Urja Vikas Nigam Limited,
Sardar Patel Vidyut Bhavan
Racecourse, Vadodara-390007
 21. M.P. Power Management Company Limited,
14, Shakti Bhawan, Rampur
Jabalpur-482008
 22. Maharashtra State Electricity Distribution Company Limited,
Plot No. 9, Prakashgad,
AK Marg, Bandra East
Mumbai-400051
 23. Torrent Power Limited,
Naranpura Zonal Office,
Sola Road, Ahmedabad-38003
 24. West Central Railway Head Office,
General Manager's Office,
Electrical Branch, Jabalpur-482001
 25. Western Railway,

Office of Chief Electrical Engineer
Mumbai

26. Madhya Pradesh Power Transmission Company Limited,
MPPTCL, Shakti Bhavan,
Rampur, Jabalpur-482008
 27. Dadra and Nagar Haveli and Daman and Power Distribution Corporation Ltd.
1st & 2nd Floor, Vidyut Bhawan
Silvassa & Daman
 28. MPSEZ Utilities Limited,
3rd Floor, Adani Corporate House, Ahmedabad, Gujarat
- ...Respondents**

Parties present:

Shri Pankaj Pandey, NTL
Shri V.C. Sekhar, NTL
Shri Mani Kumar, NTL
Shri Swapnil Verma, CTUIL
Shri Bhaskar Wagh, CTUIL
Shri Lashit Sharma, CTUIL

ORDER

The Petitioner, Neemuch Transmission Limited, has filed the present Petition under Section 63 of the Electricity Act, 2003 (hereinafter referred to as 'the Act') for adoption of transmission charges in respect of "Transmission System for Evacuation of Power from Neemuch SEZ" (hereinafter referred to as 'the Transmission System' or 'the Project') to be established on Build, Own, Operate and Transfer (BOOT) basis. The Petitioner has made the following prayers:

"(a) Adopt transmission charges for Inter-State Transmission System for "Transmission System for Evacuation of Power from Neemuch SEZ" discovered through competitive bidding process;

(b) Allow the sharing and recovery of Transmission Charges for Inter-State Transmission System for Evacuation of Power from Neemuch SEZ as per Sharing of Inter-State Transmission Charges and Loses CERC Regulations, 2020 and any other amendment thereon issued from time to time by CERC; and

(c) Pass such other order/orders, as may be deemed fit and proposer in the facts and

circumstances of the case”

2. On receipt of the present Petition, the Bid Process Coordinator (BPC), REC Power Development and Consultancy Limited, vide letter dated 19.9.2022 was directed to submit the relevant documents regarding complete process of competitive bidding. The necessary details have been filed by the BPC under affidavit dated 4.10.2022.

Hearing dated 25.11.2022

3. During the course of hearing on 25.11.2022, the representative of the Petitioner submitted that in accordance with the directions given by the Commission vide Record of Proceedings for the hearing dated 13.10.2022, the Petitioner has impleaded the beneficiaries of Northern & Western Regions (as per the details provided by CTUIL) as parties to the Petitions and has filed a revised memo of parties. However, no response has been received from any of the beneficiaries of Northern Region and Western Region. The representative of the Petitioner submitted that the Scheduled Commercial Operation Date of the Project to be implemented by the Petitioner ought to be as specified in the Transmission Service Agreement (i.e., 18 months from the effective date which works out to 24.2.2024), basis of which the Petitioner has placed the necessary EPC contracts. He further submitted that even after a lapse of about 4 months from the effective date, the Petitioner is yet to receive the possession of land for the sub-station which i.s to be provided by the Solar Park Developer as per RfP documents.

4. With regard to status of Neemuch Solar Park and generation therein, the representative of CTUIL submitted that LTA application has already been received for Neemuch PS and as per the recent meeting conducted by CTUIL, they have indicated

its schedule as August, 2023. The representative of CTUIL sought liberty to place on record the minutes of the aforesaid meeting.

5. With regard to conductor capacity mentioned in the scope of the transmission elements, the representative of CTUIL submitted that along with conductor capacity mentioned in the scope of work of the transmission elements, the technical specifications section of RfP documents of the Project also specifies the technical specifications of the conductor viz., configuration and type of conductor, etc. The representative of the Petitioner submitted that the Petitioner company shall comply with the specification requirements provided in the RfP documents.

6. We have considered the submissions of the Petitioner 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.”

7. Government of India, 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 procurement of transmission services for transmission of electricity through tariff based competitive bidding for selection

of Transmission Service Provider (TSP) for new transmission system on Build, Own, Operate and Transfer basis

(b) For procurement of transmission services, required for any inter-State transmission Project, the Central Government shall notify the CTU 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 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 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 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) RFP notice should 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 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 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 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 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 Appropriate Commission.

(g) The TSP on the date of acquisition of 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

CEA by a bid committee comprising of at least one member from 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 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 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 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 grant of transmission license to the Appropriate Commission within five (5) working days from the date of execution of share purchase agreement for acquisition of 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 adoption of tariff discovered from the quoted annual transmission charges during the e-reverse bidding process in terms of Section 63 of the Act.

8. Therefore, we have to examine whether the process as per the provisions of the Guidelines has been followed in the present case for arriving at the lowest annual transmission charges and for selection of the successful bidder.

9. Ministry of Power, Government of India, vide its Gazette Notification No. 15/3/2018-Trans-Pt (1) dated 6.12.2021 has notified REC Power Development and Consultancy Limited (RECPDCL) as Bid Process Coordinator (BPC) for the purpose of selection of bidder as Transmission Service Provider to establish Inter-State Transmission System for “Transmission System for Evacuation of Power from Neemuch SEZ” on Build, Own, Operate and Transfer basis through tariff based competitive bidding process.

10. Neemuch Transmission Limited (the Petitioner) was incorporated on 12.4.2022 under the Companies Act, 2013 as a wholly owned subsidiary of RECPDCL with the objective to establish Inter-State Transmission System for “Transmission System for Evacuation of Power from Neemuch SEZ” 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 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”.

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

12. BPC started the process of selection of successful bidder with the publication of Global Invitation for Qualification for selection of developer on BOOT basis for the Project. The notice of RfP was published on 28/31.1.2022 in all editions of Hindustan (Hindi) and Financial Times (English) with the last date of submission of response to RfP as 01.04.2022. Intimation regarding initiation of the bid process was given to this Commission in accordance with Clause 4.2 of the Guidelines vide letter No. RECPDCL/ISTS/TBCB/2021-22/2520 dated 28.1.2022.

13. The key milestones in the bidding process were as under:

S. No.	Events	Date
1	Publication of Request for Proposal	28.01.2022
2	Technical & Price Bid Submission	16.06.2022
3	Technical Bid Opening	16.06.2022
4	Initial Price Opening (IPO)	29.06.2022
5	e-Reverse Auction	30.06.2022
6	Final Bid Evaluation Committee Meeting	04.07.2022
7	Issuance of Lol	07.07.2022
8	Signing of Agreements & Transfer of SPV	24.08.2022

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

Sl. 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.	<p>Establishment of 2x500 MVA, 400/220 kV Pooling Station (AIS) at Neemuch with 1x125 MVAr Bus Reactor</p> <p>400/220 kV, 500 MVA ICT –2 nos. 400 kV ICT bays – 2 nos. 220 kV ICT bays – 2 nos. 400 kV line bays –4 nos. (2 each for Chhittorgarh & Mandsaur lines) 220 kV line bays – (2 nos. of bays corresponding to 500 MW Connectivity / LTA granted to M/s RUMSL) 220kV Bus coupler bay- 1 no.# 220kV Transfer Bus Coupler (TBC) bay - 1 no.# 125 MVAR, 420 kV reactor-1 no. 420 kV reactor bay – 1 no.</p> <p>Future provisions: Space for 400/220 kV ICTs along with bays: 2 nos. 400 kV line bays: 6 nos. 220 kV line bays: 5 nos. 420kV bus reactor along with bays:1</p>	18	22.831%	<ul style="list-style-type: none"> • Elements marked at Sl. No 1,2,3 are required to be commissioned simultaneously or • Elements marked at Sl. No 1,4,5 are required to be commissioned simultaneously. • Element 2,3 or 4,5 are prerequisite for commissioning of element 1
2.	Neemuch PS – Chhittorgarh (PG) s/s 400 kV D/C line (conductor with minimum capacity of 2100 MVA/Ckt at nominal voltage)		36.645%	
3.	2 nos. of 400 kV line bays at Chhittorgarh (PG) 400 kV s/s for Neemuch PS – Chhittorgarh (PG) s/s 400 kV D/C line (conductor with minimum capacity of 2100 MVA/Ckt at nominal voltage)		3.349%	
4.	Neemuch PS- Mandsaur s/s 400 kV D/C line (conductor with minimum capacity of 2100 MVA/Ckt at nominal voltage)		33.826%	
5.	2 no. of 400 kV line bays at Mandsaur 400 kV s/s for Neemuch PS- Mandsaur s/s 400 kV D/c line (conductor with minimum capacity of 2100 MVA/Ckt at nominal voltage)		3.349%	

To fulfill the requirement of bus switching scheme.

Note:

- i. Powergrid to provide space for 2 no. of 400 kV line bays at Chhittorgarh (PG) 400 kV S/s for termination of Neemuch PS – Chhittorgarh (PG) 400 kV D/c line.
- ii. MPPTCL to provide space for 2 no. of 400 kV line bays at Mandsaur 400 kV S/s for termination of Neemuch PS – Mandsaur 400 kV D/c line.

15. For the purpose of evaluation of bids, the Bid Evaluation Committee (BEC)

comprising of the following was constituted:

1.	Sh. Umesh Kumar Madan, Head, SBI Capital Market	Chairman
2.	Shri Ajay Shrivastava, Chief Engineer (Procurement), MPPTCL	Member
3.	Sh. V. A. Kale, SE (P&P) Rajasthan Rajya Vidyut Prasaran Nigam Limited	Member
4.	Shri Y. K. Swarnkar, Director, PSETD Division, Central Electricity Authority	Member
5.	Ms. Manjari Chaturvedi, Director, PSPA-I Division, Central Electricity Authority	Member
6.	Shri Daljeet Singh Khatri, Chairman, Neemuch Transmission Limited,	Convener- Member

16. Responses to RfP were received from the nine (9) bidders as per details given

below:

Sr. No.	Name of Bidders
1	Adani Transmission Limited
2	Apraava Energy Private Limited (formerly known as CLP India Private Limited)
3	GR Infraprojects Limited
4	Megha Engineering and Infrastructures Limited
5	Power Grid Corporation of India Limited
6	ReNew Transmission Ventures Private Limited
7	Sterlite Grid 10 Limited
8	The Tata Power Company Limited
9	Torrent Power Limited

17. The responses of the Bidders (list as per table below) were opened on 16.6.2022 (1130 Hrs) in the presence of the Bidders' representatives. Based on the recommendations of the Bid Evaluation Committee, the Initial Offer of all the nine (09) bidders were opened on 29.6.2022 in the presence of Bid Evaluation Committee. In BEC meeting held on 29.6.2022 it was noted that the lowest transmission charges from the initial offer submitted by the bidders was Rs. 859.55 million which shall be the initial ceiling for quoting the final offer during e-reverse auction. Accordingly, the rank of the bidders for participation in e-reverse auction is as under:

Sr. No.	Name of Bidder	Levelized transmission charges from the initial Offer (Rs.in Million)	Rank
1.	Apraava Energy Private Limited (formerly known as CLP India Private Limited)	859.55	L-1
2.	Power Grid Corporation of India Limited	944.54	L-2
3.	The Tata Power Company Limited	991.50	L-3
4.	G R Infraprojects Limited	1039.70	L-4
5.	Adani Transmission Limited	1059.90	L-5
6.	Sterlite Grid 10 Limited	1065.50	L-6
7.	ReNew Transmission Ventures Private Limited	1096.41	L-7
8.	Torrent Power Limited	1165.70	L-8
9.	Megha Engineering & Infrastructures Limited	1597.10	L-9

18. As per the provisions of RfP documents, BEC recommended five (5) qualified bidders, namely, Apraava Energy Private Limited, Power Grid Corporation of India Limited, The Tata Power Company Limited, G.R. Infraprojects Limited and Adani Transmission Limited to participate in the electronic reverse auction stage and submit their final offer.

19. E-reverse auction was carried out at MSTC portal on 30.6.2022 in the presence

of members of BEC after intimating to above five bidders regarding lowest initial price offer. After e-reverse auction, the transmission charges for five bidders (in ascending order) emerged as under:

Sr. No.	Name of Bidder	Levelised transmission charges from the final offer (Rs.in million)	Rank
1.	Power Grid Corporation of India Limited	783.78	L-1
2.	Adani Transmission Limited	786.53	L-2
3.	Apraava Energy Private Limited (formerly known as CLP India Private Limited)	804.88	L-3
4.	The Tata Power Company Limited	991.50	L-4
5.	G R Infraprojects Limited	1039.70	L-5

20. Based on e-reverse bidding, BEC in its meeting held on 4.7.2022 recommended Power Grid Corporation of India Limited (PGCIL) with the lowest transmission charges of Rs. 783.78 million per annum as the successful bidder.

21. Letter of Intent was issued by the BPC on 7.7.2022 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 RECPDCL, the final result of the evaluation of the bids for selection of developer for the Project.

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

23. In accordance with Clause 2.15.2 of RfP, the selected bidder shall within 10 days of 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 percent (100%) equity shareholding of Neemuch Transmission Limited from REC Power Development and Consultancy Limited, along with all its related assets and liabilities;

24. In accordance with Clause 2.15.4 of RfP, the selected bidder shall within five (5) working days of the issue of the acquisition of the SPV by the Successful Bidder, the TSP shall apply to the Commission for grant of Transmission Licence and make an application to the Commission for the adoption of Transmission Charges, as required under Section 63 of Act.

25. The proviso to Clause 2.15.2 of the RfP provides that "if for any reason attributable to the BPC, the above activities are not completed by the Selected Bidder within the above period of ten (10) days as mentioned in this Clause, such period of ten (10) days shall be extended, on a day for day basis till the end of the Bid validity period.". Though Lol was issued on 7.7.2022, BPC, vide its letters dated 18.7.2022, 12.8.2022 and 22.8.2022, in terms of Clause 2.15.2 of RfP extended the date up to 1.9.2022 for completion of all activities by the successful bidder. The selected bidder furnished the

Contract Performance Guarantee to Nodal Agency (CTUIL) of the Project for an amount of Rs. 18.60 crore on 24.8.2022 and has acquired hundred percent equity-holding in the applicant company on 24.8.2022 after execution of the Share Purchase Agreement. The Petitioner entered into the Transmission Service Agreement with the Nodal Agency (CTUIL) on 24.8.2022. The TSP filed the Petition through e-filing for adoption of tariff on 31.8.2022.

26. The Petitioner has approached the Commission by a separate application for grant of transmission license. The Commission vide order dated 1.12.2022 in Petition No.247/TL/2022 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.

27. 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 Fifth Meeting of Bid Evaluation Committee meeting held on 4.7.2022, the following has been recorded:

“...2. As per the provisions of RFP document, following five (5) bidders were qualified to participate in the electronic reverse auction stage and submit their Final Offer:

S. No.	Name of the Bidder	Transmission Charges from the Initial Offer (in Rs. Million)	Rank
1.	Apraava Energy Private Limited (formerly known as CLP India Private Limited)	859.55	L-1
2.	Power Grid Corporation of India Limited	944.54	L-2

3.	The Tata Power Company Limited	991.50	L-3
4.	G R Infraprojects Limited	1039.70	L-4
5.	Adani Transmission Limited	1059.90	L-5

- To start e-Reverse auction on 30.06.2022 at 1100 Hrs (IST) after intimation to all the five (5) qualified bidders regarding lowest initial price offer.

3. Pursuant to the above, BPC confirmed to BEC that all the above five (5) qualified bidders were informed on 29.06.2022 regarding the e-reverse Auction start time and lowest initial offer.

4. The e-Reverse Auction started on 30.06.2022 at 1100 Hrs (IST) on MSTC portal. After 34 rounds of bidding, following transmission charges emerged for each bidder:

S. No.	Name of the Bidder	Transmission Charges from the Initial Offer (in Rs. Million)	Transmission Charges from the Final Offer (in Rs. Million)	Rank
1.	Power Grid Corporation of India Limited	944.54 (L2)	783.78	L-1
2.	Adani Transmission Limited	1059.90 (L5)	786.53	L-2
3.	Apraava Energy Private Limited (formerly known as CLP India Private Limited)	859.55 (L1)	804.88	L-3
4.	The Tata Power Company Limited	991.50 (L3)	991.50	L-4
5.	G R Infraprojects Limited	1039.70 (L4)	1039.70	L-5

The system generated bid history of e-reverse auction is enclosed at Annex-1.

5. As per above table, M/s Power Grid Corporation of India Limited emerged as the successful Bidder after the conclusion of e-Reverse Auction with the lowest annual transmission charges of Rs. 783.78 Million which is also the Final Offer.

6. BPC, in their evaluation report (Annex-2) has confirmed the following:

a. The estimated annual transmission charges for this project has been computed based on estimated cost as communicated by cost committee constituted by National Committee on Transmission (NCT) and as per prevailing CERC norms which works out to be Rs. 1892.51 Million.

b. As per provision of RFP document, successful bidder i.e. M/s Power Grid Corporation of India Limited has submitted original hard copies of the Annexure-3 and Annexure-14 and the same are found to be in order.

c. *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.*

7. *After detailed discussions on the evaluation report prepared by BPC (Annex-2), the Bid Evaluation Committee decided the following:*

(a) *“M/s Power Grid Corporation of India Limited” with the lowest annual transmission charges of Rs. 783.78 Million, is the successful Bidder after the conclusion of the e-reverse Auction.*

(b) *The transmission charges quoted by the successful Bidder, during e-reverse auction, is lower than the estimated transmission charges estimated by BPC (para 6(a), hence the transmission charges discovered through e-reverse action is acceptable.*

(c) *In view of (a) and (b) above, “M/s Power Grid Corporation of India Limited” may be issued Letter of Intent (LoI).”*

28. Bid Evaluation Committee (BEC) vide its certificate dated 4.7.2022 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. *M/s Power Grid Corporation of India Limited, with the lowest annual transmission charges of Rs. 783.78 Million, emerged as the successful bidder after the conclusion of e-Reverse Auction.*

3. *Thus, transmission charges of Rs. 783.78 Million discovered through e-reverse auction is acceptable.”*

29. In the light of the discussions in preceding paragraphs, it emerges that 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 4.7.2022 has certified that Power Grid Corporation of India Limited has emerged as the successful bidder after conclusion of e-reverse auction with lowest annual transmission charges of Rs. 783.78 million. BEC has further certified that the transmission charges computed on the basis of rates quoted by the successful bidder, during e-reverse auction, is lower than the transmission charges calculated based on CERC norms. Based on the certification of the BEC, we approve and adopt the single annual transmission charges of Rs. 783.78 million (Rupees Seven Hundred Eighty Three point Seven Eight million only) subject to grant of transmission licence to the Petitioner. The transmission charges shall remain valid throughout the period covered in the TSA.

30. The sharing of the transmission charges by the designated ISTS customers (DICs) 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.

31. The Petitioner, vide its affidavit dated 19.10.2022, has informed that the name of the Petitioner company has been changed from 'Neemuch Transmission Limited' to 'POWERGRID Neemuch Transmission System Limited' with effect from 17.10.2022. The certificate of change of name from 'Neemuch Transmission Limited' to 'POWERGRID Neemuch Transmission System Limited' dated 17.10.2022 issued by Registrar of Companies, Delhi has been placed on record. Accordingly, the name of the Petitioner has been changed to 'POWERGRID Neemuch Transmission System Limited' on the record

of the Commission.

32. Let an extract copy of this order be sent to the Nodal Agency, CTUIL.

33. The Petition No. 248/AT/2022 is disposed of in terms of the above.

Sd/-
(P.K. Singh)
Member

sd/-
(Arun Goyal)
Member

sd/-
(I.S. Jha)
Member