

**CENTRAL ELECTRICITY REGULATORY COMMISSION  
NEW DELHI**

**Petition No.126/TL/2023**

Subject : Application under Section 14 and 15 of the Electricity Act, 2003 read with Central Electricity Regulatory Commission (Procedure, Terms and Conditions for Grant of Transmission Licence and other related matters) Regulations, 2009 with respect to Transmission Licence to KPS2 Transmission Limited.

Petitioner : KPS2 Transmission Limited (KPSTL)

Respondents : Central Transmission Utility of India Limited and 31 Ors.

**Petition No.127/AT/2023**

Subject : Application under Section 63 of the Electricity Act, 2003 for adoption of transmission charges with respect to the Transmission System being established by KPS2 Transmission Limited.

Petitioner : KPS2 Transmission Limited (KPSTL)

Respondents : Central Transmission Utility of India Limited and 31 Ors.

Date of Hearing : 20.6.2023

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

Parties Present : Shri D Sudharshan, EPTL  
Shri Mani Kumar, EPTL  
Shri Prashant Kumar, EPTL  
Shri Swapnil Verma, CTUIL  
Shri Ajay Kumar, CTUIL  
Shri Ranjeet Rajput, CTUIL  
Ms. Kavya Bhardwaj, CTUIL  
Shri Anil Kumar Yadav, RECPDCL

**Record of Proceedings**

The representative of the Petitioner submitted that the present Petitions have been filed for grant of transmission licence to the Petitioner for implementation of "Khavda Pooling Station-2 (KPS2) in Khavda RE Park" ("the Project") and for adoption of transmission charges in respect of the Project as discovered pursuant to the tariff based competitive bidding process. The representative of the Petitioner further submitted as under:

(a) The scope of the Project, *inter alia*, include establishment of 765/400 kV, 4x1500 MVA, KPS2 (GIS) with 2x330 MVAR 765 kV bus reactor and 2x125 MVAR 400 kV bus reactor along with associated bays.



(b) Scheduled Commercial Operation Date (SCOD) of the Project is 21 months from the effective date [which works out to December, 2024] and matching with the implementation timeframe of “Transmission System for Injection beyond 3 GW RE power at Khavda PS1”.

(c) Name of the Petitioner company has been changed from KPS2 Transmission Limited to POWERGRID KPS2 Transmission Limited and the Petitioner has also filed an additional affidavit to the above effect along with the Certificate of Incorporation pursuant to change of name dated 11.5.2023 issued by Registrar of Companies, Delhi.

(d) Owing to certain issue relating to the acknowledgment of Petition filing fees, there has been a little delay in filing of these petitions as against the timeline prescribed in RfP and as extended by the BPC, which may be condoned.

(e) The Petitioner has already impleaded the Western Region beneficiaries as party to the Petition and has also served copy of Petitions on them. However, no response has been received from them.

2. In response to the specific query of the Commission with regard to the acquisition of land for KPS2, the representative of the Petitioner submitted that the Petitioner has initiated the process for acquiring land and has also represented to the concerned collector.

3. The representative of the Respondent, CTUIL submitted that CTUL has already filed its recommendations, under Section 15(4) of the Electricity Act, 2003, for the grant of transmission licence to the Petitioner for executing the Project.

4. In response to the specific query of the Commission with regard to the status of the renewable generation at KSP2, the representative of the CTUIL indicated that so far, the connectivity applications for around 3755 MW capacity have been received. The Commission further queried the CTUIL about inclusion of only 3 Nos. of 400 kV bays for RE Projects at KPS2 while generation injection is envisaged to be 4.5 GW 4.5 GW and certain bays (2 Nos.) at KPS2 being given in the scope of a different entity, which may give rise to conflicts of mismatch in their commissioning. The Commission enquired from the CTUIL about the nature and purpose of the spare ICT within the scope of the Project. The representative of CTUIL sought liberty to file its response to the above queries by way of an additional affidavit.

5. The representative of the CTUIL informed that the Petitioner has also issued a force majeure notice under the TSA on 12.6.2023. In response, the representative of the Petitioner submitted that the said notice had been issued owing to cyclone in the State of Gujarat which the Petitioner has been restricted from accessing the concerned site of the Project. The representative of the Petitioner further added that TSA requires timely issuance of force majeure notice and accordingly, the Petitioner has issued the said notice in terms thereof.

6. After hearing the representative of the parties, the Commission directed the CTUIL to submitted the following details/information, on an affidavit, within a week:

(i) Status of the RE Projects including status of Connectivity / LTA (General Network Access) at KPS 2;

(ii) Rationale for only including 3 Nos. of 400 kV bays against the anticipated RE capacity additions;

(iii) Rationale for deciding upon the scope of the Project(s) especially in context of dividing up the bays at single S/s, which is planned to be constructed in the same time frame, between two entities rather than awarding to single entity, which would enable to award entire scope of the substation in one go and help in avoiding the eventualities of mismatch in the commissioning of their respective elements.

(iv). Copy of Form II posted on its website along with date of posting (required as per the Sub Section 7 of the Section 7 of the CERC (Procedure, Terms and Conditions for Grant of Transmission License and other related matters) Regulation, 2009 read with Order dated 22.1.2022 in Petition No. 1/SM/2022.

7. The Commission also permitted the Respondents to file their replies/comments on the Petitions, if any, within a week, with copy to the Petitioner, who may file its response, thereof, if any, within three days thereafter.

8. Subject to the above, the Commission reserved the matters for order.

**By order of the Commission**

**Sd/-  
(T.D. Pant)  
Joint Chief (Law)**