

**CENTRAL ELECTRICITY REGULATORY COMMISSION  
NEW DELHI**

**Petition No. 316/TL/2022**

- Subject : Application under Sections 14 & 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 ER NER Transmission Limited
- Date of Hearing : **24.1.2023**
- Coram : Shri I. S. Jha, Member  
Shri Arun Goyal, Member  
Shri P. K. Singh, Member
- Petitioner : ER NER Transmission Limited (ERNERTL)
- Respondents : Central Transmission Utility of India Limited and Anr.
- Parties Present : Shri Pankaj Pandey, ERNERTL  
Shri Mani Kumar, ERNERTL  
Shri Manish Ranjan Kesha, Representative (CTUIL)  
Shri Swapnil Verma, Representative (CTUIL)  
Shri Siddharth Sharma, Representative (CTUIL)  
Shri Ranjeet Singh, Representative (CTUIL)  
Shri Muskan Agarwal, Representative (CTUIL)

**Record of Proceedings**

Case was called out for virtual hearing.

2. The representative of the Petitioner submitted that the present Petition has been filed seeking grant of transmission licence to establish "Inter-State Transmission System for System Strengthening Scheme for Eastern and North Eastern Regions" ('the Project'). The Commission vide order dated 8.1.2013 directed publication of notices under Section 15 of the Electricity Act, 2003. Accordingly, the Commission had published the notice. However, no objection has been received in this regard. The representative of the Petitioner further submitted that it shall construct the project within timeline stipulated in TSA for which necessary EPC contracts have been placed accordingly. He prayed for grant of transmission licence for the project.

3. In response to the specific query of the Commission as to whether BSPTCL was approached for construction of downstream transmission line matching with the implementation schedule of this TBCB Project, the representative of the Petitioner submitted that a meeting (coordinated by CTUIL) was held between CTUIL, BSPTCL and the Petitioner. BSPTCL, during the meeting, stated that it will construct the transmission line in matching time frame. BSPTCL also informed that as per the TSA, the Petitioner is required to construct the elements within 24 months for

Eastern Region scheme and shall be entitled for receiving payment of transmission charges on completion of such transmission elements.

4. The representative of CTUIL submitted that CTUIL shall place on record the minutes of meeting within a week.

5. The Commission observed that as per revised Standard Bidding Documents, the TSA is signed between the TSP on one side and CTUIL on the other side as Nodal Agency. Therefore, CTUIL ought to forward the signed TSA for forthcoming TBCB Projects to all the beneficiaries of the region including the concerned utilities (upstream/downstream) related to the project within a week of signing of TSA. Their comments/ observations, if any, be appraised to the Commission while recommending for grant of transmission licence.

6. The Commission also observed that in future all the beneficiaries of the region including the concerned utilities (upstream/downstream) related to the project, should be impleaded as respondents in the petitions relating to grant of Transmission Licence/ adoption of tariff.

7. After hearing the representatives of the Petitioner and CTUIL, the Commission directed CTUIL to submit the copy of minutes of meeting affidavit within a week and to execute implementation/tripartite agreement for the project between CTUIL, BSPTCL and the Petitioner to address the issue of liability in case of mismatch.

8. Subject to the above, the Commission reserved the order in the matter.

**By order of the Commission**

**Sd/-**

**(T.D. Pant)**

**Joint Chief (Law)**