

**CENTRAL ELECTRICITY REGULATORY COMMISSION  
NEW DELHI**

**Petition No. 168/TL/2024**

Subject : Application under Section 14 of the Electricity Act, 2003 read with Central Electricity Regulatory Commission (Procedure, Terms and Conditions for grant of Transmission Licence and other related matter) Regulations, 2009 for grant of separate Transmission Licence to POWERGRID KPS2 Transmission System Limited for Interconnection of RE developer's Dedicated Transmission Line at Khavda Pooling Station-2 (KPS-2) under Regulated Tariff Mechanism mode.

Petitioner : POWERGRID KPS2 Transmission System Limited (PKTSL)

Respondents : Central Transmission Utility of India Limited (CTUIL) and Ors.

Date of Hearing : **22.5.2024**

Coram : Shri Jishnu Barua, Chairperson  
Shri Arun Goyal, Member

Parties Present : Shri Abhijit, PKTSL  
Shri Shashank Singh, RECPDCL  
Shri Siddharth Sharma, CTUIL  
Shri Akshayvat Kislay, CTUIL

**Record of Proceedings**

Representative of the Petitioner submitted that the Petitioner is an existing transmission licensee implementing "Khavda Pooling Station-2 (KPS2) in Khavda RE Park" and has filed the present Petition for grant of separate transmission licence for "*Implementation of additional line bay equipment including other miscellaneous works required for physical interconnection of Dedicated Transmission Line of RE Developer at bay no. 416 of KPS-2*" ('the Scheme') upon being nominated by CTUIL to implement the said Scheme in terms of its Office Memorandum dated 16.2.2024. The representative further submitted that the estimated completion cost for the above scheme, as per CTUIL's OM, is Rs. 12.26 crore. The representative also added that CTUIL has also given its recommendations under Section 15(4) of the Electricity Act, 2003, for the grant of transmission licence to the Petitioner.

2. In response to the Commission's specific query with regard to the need for the grant of a separate transmission licence through the RTM mode to the Petitioner herein, which is already a transmission licensee considering that RTM projects are allocated to CTUIL. In response, the representative of CTUIL sought liberty to file its response thereon.

3. Considering the submissions made by the representative of the parties, the Commission ordered as under:

(a) Admit and issue notice to the Respondents.



(b) Respondents to file their respective replies, if any, within three weeks with a copy to the Petitioner, who may file its response thereon within two weeks thereafter.

(c) As per clause 2. VIII. of the Terms of Reference of re-constitution of the NCT by MoP Order dated 28.10.2021, 'the NCT shall recommend to the Ministry of Power (MoP) for implementation of the ISTS for projects with cost more than Rs 500 crore, along with their mode of implementation i.e. Tariff Based Competitive Bidding (TBCB) / Regulated Tariff Mechanism (RTM), as per the existing Tariff Policy. However, the NCT shall approve the ISTS costing between Rs100 crore to Rs.500 crore or such limit as prescribed by the MoP from time to time, along with their mode of implementation under intimation to the MoP. The ISTS costing less than or equal to Rs. 100 crores, or such limit as prescribed by the MoP from time to time, will be approved by the CTU along with their mode of implementation under intimation to the NCT and MoP. **After approval of the ISTS by the NCT or the CTU** (as the case may be), the TBCB project shall be allocated to Bid Process Coordinators through Gazette Notification, **while the RTM project shall be allocated to CTU.**' In case of approval of the ISTS scheme by NCT for implementation through the RTM route, the scheme is awarded to CTUIL by NCT for its implementation. CTUIL is a deemed transmission licensee as per the Act and, accordingly, can get the RTM project executed through the implementing agency by entering into the necessary concessionaire agreement. The CTUIL is to clarify on an affidavit within three weeks while the RTM project is allocated to CTUIL for implementation why the recommendation is being made by CTUIL for the issuance of a separate transmission licence for the implementing agency.

4. The Petition shall be listed for the hearing in the first week of July 2024.

**By order of the Commission**

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