

**CENTRAL ELECTRICITY REGULATORY COMMISSION  
NEW DELHI**

**Petition No. 44/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 License and other related matters) Regulations, 2009 for grant of separate Transmission License to POWERGRID Bhuj Transmission Limited (earlier known as Bhuj-II Transmission Limited) for implementation of communication system – “Requirement of additional FOTE of STM-16 capacity at Bhuj-II substation to cater to connectivity of RE Gencos” through “Regulated Tariff Mechanism” (RTM) mode.
- Date of Hearing : **6.3.2024**
- Coram : Shri Jishnu Barua, Chairperson  
Shri Arun Goyal, Member  
Shri P. K. Singh, Member
- Petitioner : POWERGRID Bhuj Transmission Limited (PBTL)
- Respondent : Madhya Pradesh Power Management Company Ltd. and Ors.
- Parties Present : Shri Shubham Arya, Advocate, PBTL  
Ms. Reeha Singh, Advocate, PBTL  
Shri Devyanshu Sharma, Advocate, PBTL  
Shri Prashant Kumar, PBTL  
Shri Abhijit Daimari, PBTL  
Shri Siddharth Sharma, CTUIL

**Record of Proceedings**

Learned counsel for the Petitioner submitted that the present Petition has been filed for the grant of a separate transmission licence for the implementation of a communication system-“Requirement of additional FOTE of STM-16 capacity at Bhuj-II substation to cater the connectivity of RE Gencos” through “Regulated Tariff Mechanism” (RTM) mode. He further submitted that the Petitioner is an Inter-State Transmission Licensee implementing the “Transmission System for providing connectivity to RE Projects at Bhuj-II (2000 MW) in Gujarat” on a Build, Own, Operate and Maintain (BOOM) basis through the TBCB route (hereinafter referred to as “TBCB Project”). Learned counsel submitted that the Petitioner has already complied with all the procedural formalities required under the Central Electricity Regulatory Commission (Procedure, Terms and Conditions for Grant of Transmission License and other related matters) Regulations, 2009 (Transmission Licence Regulations, 2009).

2. In response to the Commission's query whether there is any other method to accommodate the instant asset instead of granting a separate transmission licence, the representative of the CTUIL submitted that the Commission vide order dated 27.12.2023 in Petition No. 94/MP/2021 has devised a methodology to allow expenditure of OPGW installation by replacing existing earth-wire in terms of the Change in Law provision of the TSA. However, the same direction was regarding modification in the existing TBCB project, and the instant scope has been awarded under RTM mode as approved by NCT in its 14<sup>th</sup> meeting held on 9.6.2023. Therefore, no other method is available to accommodate the instant scope of work. He further submitted that CTUIL will submit its recommendation shortly.

3. Learned counsel of the Petitioner submitted that if the methodology adopted in order dated 27.12.2023 in Petition No. 94/MP/2021 is applied in the instant case, the Petitioner will not qualify under the Change in Law provisions as specified in the TSA due to the estimated expenditure being below the threshold limit provided in the TSA.

4. After considering the submissions of learned counsel for the Petitioner and representative of CTUIL, the Commission ordered as under:

(a) Admit.

(b) Respondents to file their respective replies within a week with a copy to the Petitioner, who may file its rejoinder, if any, within a week thereafter.

(c) The CTUIL is directed to submit the following information on an affidavit within a week:

(i) Recommendation for the grant of a transmission licence to the Petitioner for the elements covered in the present petition.

(ii) Whether the elements covered under instant petition qualify as a separate transmission element for the purpose of transmission licence?

(d) The Petitioner is directed to submit on an affidavit within a week a copy of Form II posted on its website along with date of posting (required as per regulation 7 of transmission licence regulations, read with the order dated 22.1.2022 in Petition No. 1/SM/2022).

5. The Petition will be listed for the hearing on **3.4.2024**.

**By order of the Commission**

**Sd/-**

**(T.D. Pant)**

**Joint Chief (Law)**