

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 52/TL/2024

Subject : Application under Section 14 & 15 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 with respect to Transmission License to Koppal II Gadag II Transmission Limited

Petitioner : Koppal II Gadag n Transmission Limited (KGTL)

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

Petition No. 64/AT/2024

Subject : Application under Section 63 of the Electricity Act, 2003 for Adoption of Transmission Charges with respect to the Transmission System being established by the Koppal II Gadag II Transmission Limited (a 100% wholly owned subsidiary of Power Chid Corporation of India Limited)

Petitioner : Koppal II Gadag II Transmission Limited

Respondents : Central Transmission Utility of India Ltd and Ors.

Date of Hearing : **19.4.2024**

Coram : Shri Jishnu Barua, Chairperson
Shri Arun Goyal, Member
Shri P. K. Singh, Member

Parties Present : Shri Aditya Mahesh, KGTL
Shri Rohit Jain, KGTL
Shri S. Vallinayagam, Advocate, TANGEDCO
Ms. Suparna Srivastava, Advocate, CTUIL
Shri Tushar Mathur, Advocate, CTUIL
Ms. Astha Jain, Advocate, CTUIL
Ms. Priyadarshini, Advocate, PFCCL
Shri Deepak Singh, PFCCL
Shri Venakatesh, CTUIL
Shri Akshyvat Kislav, CTUIL

Record of Proceedings

The representative of the Petitioner submitted that the present Petitions had been filed seeking the adoption of the transmission charges to establish the Inter-State Transmission System for the "Transmission Scheme for integration of

Renewable Energy Zone (Phase-II) in Koppal-II (Phase-A & B) and Gadag-II (Phase-A) in Karnataka” discovered through the competitive bidding process and for the grant of a transmission licence for the implementation of the Project.

2. Learned counsel for Respondent, TANGEDCO, referred its reply dated 8.3.2024 and mainly submitted that the Petitioner has not complied with the provisions of the Central Electricity Regulatory Commission (Grant of Regulatory Approval for the execution of Inter-State Transmission Scheme to Central Transmission Utility) Regulations, 2010. The said Regulations mandate obtaining Regulatory approval for the transmission schemes that are not recommended by RPCs and where the generators have applied for open access (the connectivity grantee is deemed a GNA grantee as per the GNA Regulations), and the Power Purchase agreements have not been signed by all the beneficiaries. However, no regulatory approval has been taken by the CTUIL for the subject transmission scheme.

3. In response, the representative of the Petitioner submitted that the Petitioner has no role in the planning aspect of the subject project and is only the Transmission Service Provider after its acquisition by the successful bidder (PGCIL) in the bidding process conducted by Bid Process Coordinator (BPC). Therefore, the issue raised by TANGEDCO may be replied to by CTUIL and BPC as they are related to the planning of the subject Project on the basis of which the bidding process was conducted by the Bid Process Coordinator subsequently with due approval of the Ministry of Power, Government of India as per relevant guidelines in vogue.

4. Learned counsel for Respondent, CTUIL, referred Electricity (Transmission System Planning, Development and Recovery of Inter-State Transmission Charges) Rules, 2021 ('Rules 2021') and submitted that the planning & approval of the concerned system/project has been as per the Rules, 2021 and pursuant to the notification of such Rules, no regulatory approval is required. Learned counsel further referred to the minutes of the Joint Study meetings of the Southern Region Constituents held on 30.6.2022 to 2.7.2022 and submitted that in the said meetings, CTUIL had clarified that based on the feedback received from the constituents, the optimal transmission system has been identified for integration of Koppal and Gadag REZ (Ph-II) utilizing the margins available in the existing / under-implementation transmission network and the implementation of transmission system shall be taken up in phased manner subject to materialization of RE projects at Koppal & Gadag area. Learned counsel submitted that in the said minutes, it is clearly indicated that after detailed deliberations, the proposal was agreed by SRPC, SRLDC, TANGEDCO, TANTRANSCO, TSTRANSCO, APTRANSCO, KSEB. and KPTCL. and despite this, TANGEDCO is re-agitating its concerns in the present proceedings. Learned counsel submitted that CTUIL has also furnished the details of connectivity granted to the generators to Koppal II and Gadag II along with the start date of connectivity, which clearly indicate that the said transmission infrastructure will not remain idle and will be completely utilised by these upcoming generation.

5. After hearing the representative of the Petitioner and learned counsel for Respondents CTUIL & TANGEDCO, the Commission permitted the parties to file their brief written submissions in the matter, if any, within a week with a copy to the other side.

6. The CTUIL and BPC are directed to clarify on an affidavit within a week the reasons for not obtaining regulatory approval in this case.

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

By order of the Commission
Sd/-
(T.D. Pant)
Joint Chief (Law)