

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 116/TL/2024

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

Date of Order: 30th April, 2024

In the matter of

Application under Sections 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 Bidar Transmission Limited.

And

In the matter of

**Bidar Transmission Limited,
(A 100% wholly owned subsidiary of Power Grid Corporation of India Limited)**

Registered office: B-9, Qutab Institutional Area,
Katwaria Sarai, New Delhi 110 016

Address for correspondence: C/o ED (TBCB),
Power Grid Corporation of India Limited,
Saudamini, Plot No.2, Sector -29,
Gurgaon 122001

....Petitioner

Vs

- 1. Central Transmission Utility of India Limited,**
Saudamini, Plot No.2, Sector-29
Gurgaon-122 001
- 2. REC Power Development and Consultancy Limited,**
REC Corporate Head Quarter,
D Block, Plot No. I – 4,
Sector-29, Gurugram-122 001
- 3. Andhra Pradesh Power Purchase Coordination Committee,**
Andhra Pradesh Power Co-ordination Committee,
Vidyut Soudha, Gunadala, Vijayawada-520004,
Andhra Pradesh
- 4. Bangalore Electricity Supply Company,**

Corporate Office, BESCOM K.R Circle,
Bangalore-560001

5. Gulberga Electricity Supply Company,
Gulbarga Electricity Supply Company,
Gulbarga-585102

6. Hubli Electricity Supply Company,
HESCOM, Navanagar,
P.B Road, Hubballi-580025

7. Manglore Electricity Supply Company,
3rd Floor, MESCOM Bhavan,
Corporate Office, MESCOM,
Kavoor Cross Road, Bejai, Mangalore – 575 004.

8. Chamundeswari Elect. Supply Co. Ltd.,
CESC Mysore, Corporate Office, #29,
Vijayanagara 2nd Stage, Hinkal, Mysuru-570017

9. KSEB Ltd.,
Kerala Electricity Board, Vydyuthi Bhavanam,
Pattom , Thiruvananthapuram-695004, Kerala.

10. Tamilnadu Gen & Dist Co Ltd.,
Chief Financial Controller/Revenue / Eastern Wing,
7th floor, NPKRR Maaligai,144, Anna Salai,
Chennai - 600 002

11. Telangana State PC Committee,
Vidyut Soudha, Khairathabad Hyderabad500082, Telangana

12. Puducherry Electricity Department,
Ist Floor, Main Building, Electricity Department,
Govt of Puducherry, Puducherry-605001,

13. Goa Electricity Department-SR,
Electricity Department, Division No: III, Curti,
Ponda-403401, Goa.

14. HVDC, Kolar, Power Grid Corporation,
SRTS# II,Pragati Mahalakshmi, South Block , (2nd & 3rd Floor),
No.62, Bangalore-560001 Karnataka

15. Thermal Powertech Corporation India,
Door No. 6-3-1090, 2nd Floor, C Block, Tsr Towers,
Rajbhavan Road, Somajiguda, Hyderabad - 500082
(Opposite Villae Marie College)

16. SAIL-Salem Steel Plant,

Salem Steel Plant, Steel Authority of India Limited,
Salem - 636 013

17. Sembcorp Gayatri Power Ltd.,
6-3-1090, 5th Floor, A Block, TSR Towers,
Rajbhavan Road, Somajiguda,
Hyderabad-500082

18. South Western Railways,
Office of Senior Divisional Electrical Engineer,
Divisional Railway Manager Building,
Traction Distribution Branch, Ground Floor,
Adjacent to City Railway Station, Bengaluru- 560 023.

19. Pugalur HVDC Station, POWERGRID,
HVDC-Pugalur Nochipalayam Post,
Sirukinar Village Dharmapuram Taluk,
Tiruppur Dist-638706, Tamil Nadu

20. Thrissur HVDC Station, POWERGRID,
HVDC-THRISSUR Substation,
Power Grid Corporation of India Ltd.,
Near Cashew Research Station,
Mannuthy Thannikudem Road,
Madakathara, Thrissur-680651, Kerala

....Respondents

Parties present:

Shri Rohit Jain, BTL
Shri Sankalp Sharma, BTL
Shri Ritam Biswas, RECPDCL
Shri Siddharth Sharma, CTUIL
Shri Akshyvat Kislay, CTUIL

ORDER

The Petitioner, Bidar Transmission Limited, has filed the present Petition for the grant of a transmission licence under Sections 14 and 15 of the Electricity Act, 2003 (hereinafter referred to as “the Act”) read with the Central Electricity Regulatory Commission (Procedure, Terms and Conditions for grant of Transmission Licence and other related matters) Regulations, 2009 (hereinafter referred to as “Transmission Licence Regulations”) to establish Inter-State transmission system for “Transmission Scheme for Solar Energy Zone in Bidar (2500 MW), Karnataka” on

build, own, operate and transfer basis (hereinafter referred to as “the Project”) consisting of the following elements:

S. No.	Name of the Transmission Element	Scheduled COD in months from Effective Date
1.	<p>Establishment of 3x1500 MVA (765/400 kV), 5x500 MVA (400/220 kV) station at a suitable border location near Bidar with 765 kV (1x240 MVAR) and 400 kV (1x125 MVAR) Bus Reactor</p> <p>A. 765kV</p> <ul style="list-style-type: none"> i) ICT: 10x500MVA, 765/400 kV (including 1x500 MVA, 765/400 kV Transformer unit as common spare for three banks) ii) ICT bay: 3 nos. iii) Line bay: 2 nos. iv) Bus Reactor: 3x80 MVAR (one bank of 240 MVAR) v) Line Reactor: 6x80 MVAR (two banks of 240 MVAR each) vi) Spare Reactor: 1x80 MVAR (common spare unit for banks of Bus Reactor & Line Reactor) vii) Bus Reactor bay: 1 no. viii) Switching equipments for Switchable Line Reactor: 2 nos. ix) Space for future 765/400 kV ICT along with associated bay: 1 no. x) Space for future 765kV Bus Reactor along with associated bay: 1 no. xi) Space for additional future line bay with SLR: 8 nos. xii) Space for additional future 765/400 kV ICT along with associated 765kV bay: 2 nos. <p>B. 400kV</p> <ul style="list-style-type: none"> i) ICT: 5x500MVA, 400/220kV ii) ICT bay: 8 nos. (3 nos. for 765/400 kV and 5 nos. for 400/220 kV) iii) Bus Reactor: 1x125 MVAR, 420kV iv) Bus Reactor bay: 1 nos. v) Space for future line bay: 8 nos. vi) Space for future 765/400kV ICT bay: 1 nos. vii) Space for future 400/220kV ICT along with associated bay: 2 nos. viii) Space for additional future line bay with SLR: 2 	24 months

	<p>nos. ix) Space for additional future 765/400kV ICT bay: 2 nos x) Space for additional future 400/220 kV ICT along with associated bay: 4 nos</p> <p>C. 220kV</p> <p>i) ICT bay: 5 nos. ii) Line bay: 8 nos. iii) Bus sectionalizer: 1 set iv) Bus coupler bay: 2 nos. v) Transfer Bus coupler bay: 2 nos. vi) Space for future 400/220kV ICT bay: 2 nos. vii) Space for future line bay: 4 nos. viii) Space for additional future 400/220kV ICT bays: 4 nos. ix) Space for additional future line bay: 6 nos. x) Space for additional future 220 kV Bus Sectionalizer : 2 sets xi) Space for additional future 220 kV TBC bay: 2 nos. xii) Space for additional future 220 kV BC bay: 2 nos</p>	
2.	Bidar PS- Maheshwaram (PG) 765kV D/C line	
3.	2 nos. of 765 kV GIS Line bays at Maheshwaram (PG) GIS substation for termination of Bidar PS- Maheshwaram (PG) GIS 765kV D/C line	
4.	765kV, 1x240 MVAR Switchable Line Reactor for each circuit at Bidar PS end [as per A. v), vi) & viii) above] & Maheshwaram end of Bidar PS- Maheshwaram (PG) GIS 765kV D/C line	

Note:

POWERGRID shall provide space for 2 no. of 765 kV line bays with provision for 240 MVAR SLR at Maheshwaram (PG) substation for termination of Bidar PS- Maheshwaram (PG) 765 kV D/c line

2. The Petitioner has made the following prayers:

“(a) Grant Transmission Licence to the Applicant; and

(b) Allow the sharing and recovery of Transmission Charges for Inter-State Transmission System for “Transmission Scheme for Solar Energy Zone in Bidar (2500 MW), Karnataka” as per Sharing of Inter-state Transmission Charges and Losses CERC Regulations 2020 and any other amendment thereon issued from time to time by CERC.

(c) Pass such other order/orders, as may be deemed fit and proper in the facts & circumstances of the case.”

Hearing dated 10.4.2024

3. During the course of the hearing on 10.4.2024, the representative of the Petitioner submitted that the Petitioner has complied with the requirements, including publication of notice(s) under the provisions of the Transmission Licence Regulations and CTUIL has submitted its recommendations for the grant of a transmission licence to the Petitioner under Section 15(4) of the Electricity Act, 2003.

4. The representative of CTUIL confirmed that CTUIL has already issued its recommendations for the grant of a transmission licence to the Petitioner Company.

5. Vide Record of Proceedings for the hearing dated 10.4.2024, the Respondents were directed to file their reply within a week with a copy to the Petitioner, who may file its rejoinder within a week thereafter. However, no reply has been filed by the Respondents.

6. Vide Record of Proceedings for the hearing dated 10.4.2024, CTUIL was directed to provide the commissioning schedule of the generators that have been granted connectivity, along with the quantum of connectivity granted, at the Bidar sub-station on an affidavit within a week. However, despite our specific direction, CTUIL did not file the information called for. CTUIL is again directed to submit the information called for vide Record of Proceedings for the hearing dated 10.4.2024 within a week.

7. The Petitioner has submitted that in accordance with the “Guidelines for Encouraging Competition in Development of Transmission Projects” and “Tariff Based Competitive Bidding Guidelines for Transmission Service” (hereinafter referred to as “the Guidelines”) issued by the Ministry of Power, Government of

India, under Section 63 of the Act, REC Transmission Projects Company Limited (Presently known as REC Power Development & Consultancy Limited (RECPDCL)) was notified by the Ministry of Power, Government of India, vide Gazette Notification. No. 354 [F. No. 15/3/2018-Trans-Pt(1)] dated 27.1.2020 as the Bid Process Coordinator (BPC) for the purpose of selection of bidder as the Transmission Service Provider (TSP) to establish the “Transmission Scheme for Solar Energy Zone in Bidar (2500 MW), Karnataka” on a Build, Own, Operate and Transfer (BOOT) basis.

8. RECPDCL, in its capacity as the BPC, initiated the bid process on 5.3.2020 and completed the same on 9.2.2024 in accordance with the Guidelines. Power Grid Corporation of India Limited was selected as the successful bidder, having quoted the lowest transmission charges of Rs. 2368.09 million i to provide the transmission services to the transmission system’s beneficiaries.

9. RfP was re-initiated on 10.3.2023. At the RfP (Technical and Financial) stage, three bidders, namely, (i) Power Grid Corporation of India Limited, (ii) Megha Engineering and Infrastructure Limited, and (iii) Sterlite Grid 20 Limited, submitted their offers. The RfP (Technical bids) of the three bidders were opened by the Bid Opening Committee on 18.12.2023 in the presence of the representative of the Bid Evaluation Committee (BEC). Based on the recommendation of the BEC, the RfP (Financial) Bids-Initial Price Offers of the three bidders were opened on 28.12.2023. The lowest Initial Price Offer discovered (Best Deal) at the MSTC portal was Rs. 2496.00 million. The details of the quoted transmission charges by the bidders are given below:

Sr. No.	Name of the Bidder	Quoted	Rank
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		Transmission Charges as per the Initial Offer (in Rs. Million per annum)	
1.	Power Grid Corporation of India Limited	2496.00	L1
2.	Megha Engineering and Infrastructure Limited	2997.30	L2
3.	Sterlite Grid 20 Limited	3077.50	L3

10. As per Clause 3.5.1 of the RfP document, Initial Offers shall be ranked on the basis of ascending order for determination of the qualified bidders. The bidders holding the first fifty per cent of the ranks (with any fraction rounded off to a higher integer) or three bidders, whichever is higher, shall be considered to be qualified for participating in the electronic reverse auction stage and submitting their final offer.

11. The e-reverse auction of three bidders was carried out at the MSTC portal on 29.12.2023. The following transmission charges, as quoted by each bidder, emerged:

Sr. No.	Name of the Bidder	Quoted Transmission Charges as per the Initial Offer (in Rs. Million per annum)	Final Transmission Charges as per the Initial Offer (in Rs. Million per annum)	Rank
1.	Power Grid Corporation of India Limited	2496.00	2368.09	L1
2.	Megha Engineering and Infrastructure Limited	2997.30	2374.03	L2
3.	Sterlite Grid 20 Limited	3077.50	2464.94	L3

12. As per the Bid Evaluation Report dated 2.1.2024, Power Grid Corporation of India Limited emerged as the successful bidder with the lowest quoted transmission charges of Rs. 2368.09 million. BEC, vide its certificate dated 2.1.2024, has certified that the entire bid process has been carried out in accordance with the Guidelines

issued by the Ministry of Power under Section 63 of the Act. BEC has further certified that the transmission charges discovered through the e-reverse auction are acceptable.

13. Consequent to its selection as the lowest bidder, a Letter of Intent (LoI) was issued to Power Grid Corporation of India Limited by the BPC on 5.1.2024, which was accepted by Power Grid Corporation of India Limited. Under the terms of RfP and the Letter of Intent, the successful bidder is obligated to accomplish the following tasks:

- (a) Provide Contract Performance Guarantee in favour of the Central Transmission Utility of India Limited (CTUIL);
- (b) Execute Share Purchase Agreement and Transmission Service Agreement;
- (c) Acquire, for the Acquisition Price, 100% equity share of Bidar Transmission Limited from RECPDCL along with all its related assets and liabilities;
- (d) Make an application to this Commission for the adoption of transmission charges, as required under Section 63 of the Act; and
- (e) Apply to this Commission for the grant of a transmission licence;

14. The Petitioner has furnished the Contract Performance Guarantee (CPG) in favour of Nodal Agency, i.e., CTUIL, for Rs. 85.90 crore on 9.2.2024 and has acquired hundred per cent equity holding in Bidar Transmission Limited on 9.2.2024. The Petitioner entered into a Transmission Service Agreement (TSA) with CTUIL on 9.2.2024.

15. Section 14 of the Act provides that the Appropriate Commission may, on an application made under Section 15 of the Act, grant a licence to any person to transmit electricity as a transmission licensee in any area as may be specified in the licence. The word “person” has been defined in Section 2(49) of the Act to include any company or body corporate or association or body of individuals, whether incorporated or not, or artificial juridical person. The Petitioner has been incorporated under the Companies Act 2013. The main objective of the Petitioner Company is as under:

“To plan, promote and develop an integrated and efficient power transmission system network in all its aspects including planning, investigation, research, design and engineering, preparation of preliminary, feasibility and definite project reports, construction, operation and maintenance of transmission lines, sub-stations, load dispatch stations and communication facilities and appurtenant works, coordination of integrated operation of state, regional and national grid system, execution of turn-key jobs for other utilities/organizations and wheeling of power in accordance with the policies, guidelines and objectives laid down by the Central Government from time to time”

16. Section 15(1) of the Act provides that every application under Section 14 of the Act shall be made in such manner and in such form as may be specified by the Appropriate Commission and shall be accompanied by such fees as may be prescribed by the Central Government. The Commission has specified the Transmission Licence Regulations in this regard. Regulation 3 of the Transmission Licence Regulations provides that the Empowered Committee shall identify the Projects included in the transmission plan to be developed under the Guidelines issued under Section 63 of the Act. Regulation 4 of the Transmission Licence Regulations provides that in case of projects identified for development under the Guidelines for competitive bidding, the selection of the project developer shall be made in accordance with the procedure laid down in the Guidelines. The Project under consideration has been identified for development under competitive bidding

by a competent authority in the Ministry of Power/CEA vide its letter dated 3.10.2023, which had issued prior approval to the Project under Section 68 of the Act. The selection of the project developer, Bidar Transmission Limited, has been certified to have been made in accordance with the Guidelines for competitive bidding.

17. Regulation 7 of the Transmission Licence Regulations read with the order dated 22.1.2022 passed in Petition No.1/SM/2022 [whereby the Commission, in the exercise of 'Power to Relax' under Regulation 24 of the Transmission Licence Regulations, modified/amended Clause (4), Clause (7), Clause (9) and Clause (12) and dispensed with Clause (10) of Regulation 7] provide for the procedure for grant of transmission licence as under:

“(1) The application for grant of transmission licence shall be made to the Commission in Form-I appended to these regulations and shall be accompanied by such fees as may be prescribed by the Central Government from time to time.

(2) In case of the person selected for implementation of the project in accordance with the guidelines for competitive bidding, the application shall also contain such additional information, as may be required under these guidelines.

(3) The application shall be supported by affidavit of the person acquainted with the facts stated therein.

(4) Before making an application, the applicant shall submit the original application in electronic form along with annexures and enclosures on the e-filing portal of the Commission so that the same is served electronically on all the long-term customers of the project registered on the e-filing portal of the Commission. Also, a copy of the same be served through e-mail on the long term customers of the project not registered on the e-filing portal of the Commission. Further, the applicant shall also post the complete application along with annexures and enclosures in English and in the vernacular language, on its website.

(5) The application shall be kept on the website till such time the licence is issued or the application is rejected by the Commission.

(6) *Immediately on making the application, the applicant shall forward a copy of the application to the Central Transmission Utility.*

(7) *The applicant shall, within 7 days after filing the application, post the application on the e-filing portal of the Commission and on its website in Form-II attached to these regulations in English language and in Vernacular language of the State or Union Territory where an element of the project or a long-term customer is situated, inviting comments from the general public.*

(8) *As far as possible, within 7 days of receipt of the application the Secretariat of the Commission shall convey defects, if any, if noticed on preliminary scrutiny of the application for rectification and the defects conveyed shall be rectified by the applicant in such time as may be indicated in the letter conveying the defects.*

(9) *In the notice published on the e-filing portal of the Commission and on the applicant's website under clause (7) it shall be indicated that the suggestions and objections, if any, on the application, may be filed before the Secretary, Central Electricity Regulatory Commission, Third Floor, Chanderlok Building, Janpath, New Delhi-110001 (or the address where the office of the Commission is situated), with a copy to the applicant, by any person, including the long-term customers, within 30 days of publication of the notice*

.....

(10) *The Central Transmission Utility shall send its recommendations, if any, to the Commission on the proposal made in the application within a period of thirty days from the date of receipt of application by it:*

Provided that copy of the recommendations, if any, made by the Central Transmission Utility shall always be forwarded to the applicant:

Provided further that these recommendations of the Central Transmission Utility shall not be binding on the Commission.

(11) *The applicant may file its comments, duly supported by an affidavit, on the recommendations made by the Central Transmission Utility and the suggestions and objections, if any, received in response to the notice posted on the e-filing portal of the Commission and on the applicant's website by him, within 45 days of service of copy of the application on the Central Transmission Utility or publication of notice posted on the e-filing portal of the Commission and on the applicant's website, with an advance copy to the Central Transmission Utility or the person who has filed the suggestions and objections on the proposal made in the application, as the case may be.*

(12) *The Commission after considering the suggestions and objections received in response to the public notice published by the applicant and the recommendations, if any, of the Central Transmission Utility may, propose to grant transmission licence or for reasons to be recorded in writing, reject the application.”*

18. The Petitioner has approached the Commission with a separate application for the adoption of transmission charges in respect of the transmission system, which is presently under consideration of the Commission, and the order in that Petition will be issued separately. The Petitioner has filed the present Petition for the grant of a transmission licence in accordance with the provisions of the Transmission Licence Regulations. The Petitioner has submitted proof of service of the copies of the application on the BPC, CTUIL and the beneficiaries and proof of web posting of the complete application. The Petitioner has further undertaken to pay the applicable licence fee upon the grant of a transmission licence in terms of the Central Electricity Regulatory Commission (Payment of Fees) Regulations, 2012. The Petitioner has prayed for the grant of a transmission licence to Bidar Transmission Limited with respect to the transmission system as per the details given in paragraph 1 above.

19. The Petitioner has made the Application as per Form-I and paid a fee of Rs. one lakh as prescribed by the Central Government. As per the direction of the Commission, the Petitioner has served a copy of the Application on the beneficiaries of the transmission project for the Project. The transmission charges quoted by the Petitioner, which have been recommended by the Bid Evaluation Committee for acceptance, is Rs. 2368.09 million. The Petitioner has also enclosed copies of the recommendations of the Bid Evaluation Committee.

20. The Petitioner has published the notices on the e-filing portal of the Commission and on its website in Form-II in English language, Kannada (Vernacular) language and in Telugu (Vernacular) language. No objection has been received from the general public to the notices.

21. The Petitioner has served a copy of the Application on the Central Transmission of Utility of India Limited (CTUIL) as required under Section 15(3) of the Act and Regulation 7(6) of the Transmission Licence Regulations. CTUIL, vide its letter dated 15.3.2024, has recommended the grant of a transmission licence to the Petitioner. The Relevant portions of the said letter dated 15.3.2024 are extracted as under:

“This has reference to petition filed M/s Bidar Transmission Limited for grant of Transmission License for subject transmission scheme against the application / petition filed to CERC. In this regard, following is submitted:

1. *M/s Bidar Transmission Limited has filed application / petition under Section 14 & 15 of the Electricity Act, 2003 and CERC (Procedure, Terms and Conditions for grant of Transmission License and other related matters) Regulations, 2009 for grant of transmission license to establish Transmission Scheme “Transmission scheme for Solar Energy Zone in Bidar (2500 MW), Karnataka” on Build, Own, Operate and Transfer (BOOT) basis as ISTS. The detailed scope of the scheme is enclosed at **Annexure-I**.*

2. *As per section 15(3) of Electricity Act, 2003 copy of the application for grant of transmission license for the above transmission system has been received on 19.02.2024 for recommendation required U/S 15(4) of the Electricity Act, 2003.*

3. *In reference to the Transmission Scheme “Transmission scheme for Solar Energy Zone in Bidar (2500 MW), Karnataka” following is submitted:*

(a) *The transmission scheme involves establishment of Bidar Pooling Station and its interconnection with ISTS grid at Maheshwaram through 765kV D/c line for evacuation of RE power from Bidar area. The present scheme shall facilitate integration and immediate evacuation of 2.5 GW RE potential from REZ in Bidar.*

(b) *The scheme was agreed in the 2nd meeting of Southern Region Standing Committee on Transmission (SRSCCT) held on 10.06.2019. Extracts of the minutes of 2nd SRSCCT is enclosed at **Annexure-II**.*

(c) *The National Committee on Transmission (NCT) in its 4th meeting held on 31.07.2019 has recommended the implementation of the subject transmission scheme through TBCB route. Extracts of the minutes of 4th NCT meeting is enclosed at **Annexure-III**.*

(d) *Ministry of Power vide Gazette notification dated 24.01.2020 (copy enclosed at **Annexure- IV**) has appointed REC Transmission*

Projects Company Limited as BPC for bidding of the subject scheme through TCB route. Subsequently, the transmission scheme was kept on hold on the directions of MNRE vide letter No. 367-12/9/2020-GEC dated 13.10.2020 (copy enclosed at **Annexure-V**) and MNRE letter No. 367-12/2/2019-G EC dated 03.11.2020 (copy enclosed at **Annexure-VI**).

(e) SECI vide letter dated 01.09.2022 (copy enclosed at **Annexure-VII**) has requested CTUIL to initiate the bidding process for establishment of number of ISTS substations for evacuation of power from various potential RE Zones including Bidar. In a meeting held under the chairmanship of Chairperson, CEA on 03.11.2022, it was decided that bidding for associated transmission system for evacuation of power from Bidar RE zone (part of 66.5 GW RE target) would be started immediately. BPCs were advised to immediately start the bidding process for the above schemes with implementation timeframe of 24 months. Minutes of the meeting are enclosed at **Annexure-VIII**.

(f) During the 10th NCT meeting held on 07.11.2022, considering RE potential in specific areas and optimization of RoW, additional space for future provisions have been specified under the proposed substation. Extracts of the minutes of 10th NCT meeting is enclosed at **Annexure-IX**.

(g) Ministry of Power vide Gazette notification dated 28.03.2023 has notified the above modifications in the scheme, (copy enclosed at **Annexure-X**)

(h) The Bidar - Maheshwaram (PG) 765 kV D/c line was identified with 240 MVar switchable line reactor only at Bidar end considering 160 km line length. However, BPC has informed that the line length has changed to ~242 km after survey. Accordingly, reactive compensation requirements has been reviewed and it was found that 240 MVar switchable line reactor is required at both Bidar & Maheshwaram PS ends. The above modifications has been discussed and agreed in the 15 NCT meeting held on 25.08.2023. Extracts of the minutes of 15th NCT meeting is enclosed at **Annexure-XI**.

(i) Ministry of Power vide Gazette notification dated 07.11.2023 has notified the above modifications in the scheme, (copy enclosed at Annexure-XII)

4. M/s Power Grid Corporation of India Limited is the successful bidder and has acquired M/s Bidar Transmission Limited on 09.02.2024 after execution of requisite Share Purchase Agreement. The Commissioning schedule of the schemes is 24 months (09.02.2026) from the date of transfer of SPV (09.02.2024).

5. Connectivity for about 300 MW has been granted / agreed for grant under CERC Regulations at Bidar 765/400/220kV Pooling Station.

6. *In line with Section 15(4) of the Electricity Act, 2003, based on details furnished by M/s Bidar Transmission Limited, CTU recommends grant of transmission license to M/s Bidar Transmission Limited for executing the transmission scheme as mentioned in Para-1 above.”*

22. We have considered the submissions of the Petitioner, BPC, and CTUIL. The proviso to Clause 2.15.2 of the RfP provides that "if for any reason attributable to the BPC, the said activities are not completed by the Selected Bidder within the above period of ten (10) days as mentioned in this clause, such period of 10 days shall be extended, on a day to day basis till the end of the Bid validity period". As per the above provision, the selected bidder was required to complete all the activities, including the acquisition of SPVs, by 15.1.2024. Though Lol was issued on 5.1.2024, BPC, vide its letter dated 9.2.2024 in terms of Clauses 2.15.2 of RfP, extended the date up to 16.2.2024 for completion of all activities by the successful bidder. The selected bidder furnished the Contract Performance Guarantee in favour of the Nodal Agency (CTUIL) for an amount of Rs. 85.90 crore on 9.2.2024 and acquired a hundred per cent equity-holding in the applicant company on 9.2.2024 after execution of the Share Purchase Agreement. As per clause 2.15.4 of the RfP, TSP is required to apply to the Commission for the grant of a transmission licence within five working days of the issuance of the acquisition of the SPV to the successful bidder. The successful bidder, namely Power Grid Corporation of India Limited, acquired the SPV on 9.2.2024. Accordingly, the TSP has filed the instant Petition through e-filing for the grant of transmission license on 19.2.2024. There is a delay of seven days in filing the Petition. In this regard, the representative of the Petitioner, during the course of the hearing dated 10.4.2024, submitted that it had paid the transmission Petition fee on 9.2.2024. However, the application could be filed online on 19.2.2024 due to the issue of reflecting of the payment in the e-filing portal. The Petitioner has

prayed for condoning the delay in filing the application. Since the Petitioner could not file the application due to procedural issues, the same is condoned.

23. Considering the material on record, we are *prima-facie* of the view that the Petitioner satisfies the conditions for the grant of inter-State transmission licence under Section 15 of the Act read with the Transmission Licence Regulations for construction, operation, and maintenance of the transmission system as described in para 1 of this order. We, therefore, direct that a public notice under clause (a) of sub-section (5) of Section 15 of the Act be published to invite suggestions or objections to the grant of transmission licence aforesaid. The objections or suggestions, if any, be filed by any person before the Commission by **20.5.2024**.

24. The Petition shall be listed for the hearing on **22.5.2024**.

Sd/-
(Arun Goyal)
Member

sd/-
(Jishnu Barua)
Chairperson