

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 117/AT/2024

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

Date of Order: 27th May, 2024

In the matter of

Application under Section 63 of the Electricity Act, 2003 for the adoption of transmission charges with respect to the Transmission System being established by the Bidar Transmission Limited (a 100% wholly owned subsidiary of Power Grid Corporation of India Limited).

**And
In the matter of**

**Bidar Transmission Limited,
(Now known as POWERGRID Bidar Transmission Limited),
(A 100% wholly owned subsidiary of Power Grid Corporation of India Limited),
B-9, Qutab Institutional Area, Katwaria Sarai,
New Delhi 110 016**

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

....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. Tamil Nadu 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,**
1st 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 of India Limited,**
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 sub-station,
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 Mani Kumar, BTL
Shri Ritam Biswas, RECPDCL
Shri Siddharth Sharma, CTUIL
Shri Akshyvat Kislay, CTUIL

ORDER

The Petitioner, Bidar Transmission Limited (Now known as POWERGRID Bidar Transmission Limited), has filed the present Petition under Section 63 of the Electricity Act, 2003 (hereinafter referred to as “the Act”) for the adoption of transmission charges in respect of the “Transmission Scheme for Solar Energy Zone in Bidar (2500 MW), Karnataka” on a Build, Own, Operate and Transfer (BOOT) basis.

The Petitioner has made the following prayers:

“a) Adoption of Transmission Charges for Inter-State Transmission System for “Transmission Scheme for Solar Energy Zone in Bidar (2500 MW), Karnataka” discovered through competitive bidding process.

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 and circumstances of the case.”

2. On receipt of the present Petition, the Bid Process Coordinator (BPC), REC Power Development and Consultancy Limited (RECPDCL), vide letter dated 15.3.2024, was directed to submit the relevant documents regarding the complete process of the competitive bidding. The necessary details have been filed by the BPC under an affidavit dated 27.3.2024.

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 already impleaded the beneficiaries as parties to the Petition and has also served a copy of the Petition on them. However, no response has been received from them.

4. 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.

5. We have considered the submissions of the Petitioner, BPC, and CTUIL and perused the documents available on record. Section 63 of the Act provides as under:

“Section 63: Determination of tariff by bidding process: Notwithstanding anything contained in section 62, the Appropriate Commission shall adopt the tariff if such tariff has been determined through transparent process of bidding in accordance with the guidelines issued by the Central Government.”

6. The Government of India, Ministry of Power has notified the “Tariff based Competitive-bidding Guidelines for Transmission Service” and “Guidelines for Encouraging Competition in Development of Transmission Projects” (hereinafter referred to as “the Guidelines”) under Section 63 of the Act on 10.8.2021 as amended from time to time. The salient features of the Guidelines are as under:

(a) The Guidelines are applicable for the procurement of transmission services for transmission of electricity through tariff based competitive bidding for selection of the Transmission Service Provider (TSP) for new transmission system on a Build, Own, Operate and Transfer basis.

(b) For procurement of the transmission services required for any inter-State transmission Project, the Central Government shall notify the CTUIL or any Central Government Organization/ Central Public Sector Undertaking or its wholly owned subsidiary (Special Purpose Vehicle) to be the Bid Process Coordinator (BPC) who would be responsible for the coordinating the bid process.

(c) The BPC shall prepare the bid documents in accordance with the Guidelines and obtain approval of the Appropriate Government, or alternatively, the BPC can use the Standard Bid Documents notified by the Ministry of Power. Any material deviation from the Standard Bidding Documents shall be made only with the prior approval of the Appropriate Government. Intimation about initiation of the bidding process shall be sent by the BPC to the Appropriate Commission.

(d) For the procurement of the transmission services under the guidelines, BPC shall adopt a single stage two envelope tender process featuring Request for Proposal (RfP). The entire bidding process shall be conducted online through electronic medium under e-reverse bidding framework.

(e) RfP notice should be published in at least two national newspapers, website of the BPC and preferably in trade magazines also, so as to accord it wide publicity. The bidding shall necessarily be by way of the International Competitive Bidding (ICB). For the purpose of issue of the RfP, minimum conditions to be met by the bidder shall be specified in the RfP.

(f) Standard documentation to be provided in the RfP shall include definitions of requirements including brief description of the Project, commissioning milestones to be achieved by the bidders, qualification requirements to be met by the bidders including, minimum net worth, etc. with necessary proof of the same, as outlined in the bid documents, Specified target dates/months for commissioning and commercial operations, Standard Transmission Service Agreement (TSA), agreement(s) under the Central Electricity Regulatory Commission (Sharing of Inter State Transmission Charges and Losses) Regulations as amended from time to time, period of validity of offer of bidder, TSA proposed to be entered with the SPV including amendments, bid evaluation methodology to be adopted by the BPC, specification regarding bid bond as well as the Contract Performance Guarantee to be furnished by the bidders, proposed indemnification agreement between the TSP and the Nodal Agency, liquidated damages that shall apply in the event of delay in start of providing the transmission services and technical,

operational and safety criteria to be met by the bidder/TSP and requirement of obtaining transmission licence from the Appropriate Commission.

(g) The TSP, on the date of acquisition of the SPV from the BPC will enter into a Transmission Service Agreement with the Nodal Agency.

(h) To ensure competitiveness, the minimum number of qualified bidders shall be two. For inter-State transmission system, bids shall be opened in the office of the CEA by a bid committee comprising of at least one member from the CEA and one member from the BPC. For inter-State transmission system, CEA shall constitute a committee for evaluation of the bids with at least one representative from the CEA and not less than two representatives from the concerned Regional Power Committees and one independent member. Further, in case project is inter-regional, there shall be at least one representative from every concerned RPC. The technical bids shall be examined to ensure that the bids submitted meet minimum eligibility criteria set out in the bid documents on all the technical evaluation parameters. Only the bids that meet all elements of the minimum technical criteria set out in the bid documents shall be considered for further evaluation on the transmission charges bids. The online initial price bids shall be electronically opened by the bid opening committee in the presence of the bid evaluation committee. The bidder who has quoted the lowest transmission charge as per the evaluation procedure shall be considered for the award.

(i) BPC is required to complete the e-reverse bidding after opening of the initial offer within 75 days. The procurer may give extended time frame indicated herein based on the prevailing circumstances, and such alterations shall not be construed to be deviation from these guidelines.

(j) The TSP shall make an application for the grant of a transmission licence to the Appropriate Commission within five working days from the date of execution of the Share Purchase Agreement for acquisition of the SPV.

(k) BPC shall make the final result of evaluation of all bids public. The final TSA, along with the certification by the bid evaluation committee, shall be forwarded to the Appropriate Commission, for the adoption of tariff discovered from the quoted annual transmission charges during the e-reverse bidding process in terms of Section 63 of the Act.

7. Therefore, we have to examine whether the Guidelines issued by the Central Government have been followed in the present case in a transparent process of bidding.

8. The Ministry of Power, Government of India, vide its Gazette Notification dated 27.1.2020, has notified the REC Power Development and Consultancy Limited (RECPDCL) as a Bid Process Coordinator (BPC) for the purpose of selection of the bidder as Transmission Service Provider to establish the Inter-State Transmission System for “Transmission Scheme for Solar Energy Zone in Bidar (2500 MW), Karnataka ” on a Build, Own, Operate and Transfer basis through the tariff based competitive bidding process.

9. Bidar Transmission Limited (the Petitioner) was incorporated on 8.6.2022 under the Companies Act, 2013 as a wholly owned subsidiary of RECPDCL with the objective to establish the inter-State Transmission System for “Transmission Scheme for Solar Energy Zone in Bidar (2500 MW), Karnataka ” (“Project”) and to act as the

Transmission Service Provider after being acquired by the successful bidder. The main objectives of the Petitioner Company in its Memorandum of Association are 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 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”.

10. BPC prepared the bidding document (RfP) in accordance with the Standard Bid Documents issued by the Ministry of Power, Government of India.

11. BPC started the process of selection of the successful bidder with the publication of a Global Invitation for Qualification for the selection of a developer on a BOOT basis for the Project. The notice of the RfP was published in National/International newspapers on 5.3.2020. However, as per direction from CEA, the bidding process was annulled in September 2020 due to the non-availability of the LTA applications. Further, in accordance with the recommendations of the 10th NCT meeting, bid process for the project was re-initiated on 10.3.2023, with the last date of submission of response to RfP as 18.12.2023. Intimation regarding the initiation of the bid process was given to this Commission in accordance with Clause 4.2 of the Guidelines dated 10.3.2023.

12. The key milestones in the bidding process were as under:

S. No.	Events	Date
1	Publication of RfP	10.03.2023
2	Intimation to the Commission	10.03.2023
3	RfP (Technical)& Price Bid Submission	18.12.2023

4	RfP (Technical) Bid Opening	18.12.2023
5	RfP (Financial) Initial Price Offer -Opening	28.12.2023
6	e-Reverse Auction	29.12.2023
7	Final Bid Evaluation Committee Meeting	02.01.2024
8	Issuance of Lol	05.01.2024
9	Signing of Agreements & transfer of SPV	09.02.2024

13. The scope of the Project as per the Request for Proposal and the Transmission Service Agreement is as under:

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> <p>i) ICT: 10x500MVA, 765/400 kV (including 1x500 MVA, 765/400 kV Transformer unit as common spare for three banks)</p> <p>ii) ICT bay: 3 nos.</p> <p>iii) Line bay: 2 nos.</p> <p>iv) Bus Reactor: 3x80 MVAR (one bank of 240 MVAR)</p> <p>v) Line Reactor: 6x80 MVAR (two banks of 240 MVAR each)</p> <p>vi) Spare Reactor: 1x80 MVAR (common spare unit for banks of Bus Reactor & Line Reactor)</p> <p>vii) Bus Reactor bay: 1 no.</p> <p>viii) Switching equipments for Switchable Line Reactor: 2 nos.</p> <p>ix) Space for future 765/400 kV ICT along with associated bay: 1 no.</p> <p>x) Space for future 765kV Bus Reactor along with associated bay: 1 no.</p> <p>xi) Space for additional future line bay with SLR: 8 nos.</p> <p>xii) Space for additional future 765/400 kV ICT along with associated 765kV bay: 2 nos.</p> <p>B. 400kV</p> <p>i) ICT: 5x500MVA, 400/220kV</p> <p>ii) ICT bay: 8 nos. (3 nos. for 765/400 kV and 5 nos. for 400/220 kV)</p> <p>iii) Bus Reactor: 1x125 MVAR, 420kV</p>	24 months

	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 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 C. 220kV 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	
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.

14. For the purpose of evaluation of the bids, the Bid Evaluation Committee (BEC) comprising of the following was constituted:

1.	Sh. Rajesh Kumar Singh, General Manager, SBI, CCGRO-II, New Delhi	Chairman of the Committee
2.	Sh. Bhanwar Singh Meena, Director, PSETD Division, Central Electricity Authority	Member
3.	Smt. Manjari Chaturvedi# Director, PSPA-I Division, Central Electricity Authority	Member
4.	Sh. R Jayakumar, Director (Transmission), KPTCL	Member
5.	Sh. A K V Bhaskar, Director (Grid & Transmission Management), Transmission Corporation of Andhra Pradesh	Member
6.	Sh. Kuldeep Rai, Director, Bidar Transmission Limited	Convener- Member of the Committee

#CEA vide letter dated 29.12.2023, nominated Shri B. S. Bairwa, Director (PSP&A-II), CEA as the Bid Evaluation Committee (BES's) member in place of Smt. Manjari Chaturvedi, Director for the transmission schemes being implemented through TBCB.

15. Responses to RfP were received from the three bidders as per details given below:

Sr. No.	Name of Bidders
1.	Megha Engineering & Infrastructures Limited
2.	Power Grid Corporation of India Limited
3.	Sterlite Grid 20 Limited

16. The responses of the bidders were opened on 18.12.2023 in the presence of the representatives of the bidders. Based on the recommendations of the Bid Evaluation Committee, the Initial Offer of all three bidders was opened on 28.12.2023 in the presence of the Bid Evaluation Committee. In the BEC meeting held on 28.12.2023, it was noted that the lowest transmission charge from the Initial Offer submitted by the bidders was Rs. 2496.00 million, which shall be the initial ceiling for quoting the final offer during the e-reverse auction. Accordingly, the rank of the bidders for participation in the e-reverse auction is as under:

Sr. No.	Name of the Bidder	Quoted Transmission Charges from the Initial Offer (in Rupees Million per annum)	Rank
1.	Power Grid Corporation of India Limited	2,496.00	L-1

2.	Megha Engineering and Infrastructure Limited	2,997.30	L-2
3.	Sterlite Grid 20 Limited	3,077.50	L-3

17. As per the provisions of the RfP documents, BEC recommended the three qualified bidders to participate in the e-reverse auction stage and submit their final offer.

18. The e-reverse auction was carried out at the MSTC portal on 29.12.2023 after intimating to the bidders regarding the lowest initial price offer. The transmission charges for the bidders (in ascending order) emerged as under:

Sr. No.	Name of the Bidder	Quoted Transmission Charges from the Initial Offer (in Rupees Million per annum)	Rank
1.	Power Grid Corporation of India Limited	2,368.09	L-1
2.	Megha Engineering and Infrastructure Limited	2,374.03	L-2
3.	Sterlite Grid 20 Limited	2,464.94	L-3

19. Based on the e-reverse bidding, BEC, in its meeting held on 2.1.2024, recommended Power Grid Corporation of India Limited, with the lowest transmission charges of Rs. 2368.09 million, as the successful bidder.

20. Letter of Intent was issued by the BPC on 5.1.2024 to the successful bidder, i.e., Power Grid Corporation of India Limited. In accordance with Clause 12.3 of the Guidelines, the BPC has hosted on the website of RECPDCL, the final result of the evaluation of the bids for the selection of a developer for the Project.

21. In accordance with the provisions of the bid documents and upon the issuance of Lol to the successful bidder (Power Grid Corporation of India Limited) and acquisition of the SPV (the Petitioner) by the successful bidder, the Petitioner has

prayed for the adoption of transmission charges for the Project which was discovered through the competitive bidding process.

22. In accordance with Clause 2.15.2 of RfP, the selected bidder shall, within 10 days of the issue of the Letter of Intent, accomplish the following tasks:

- a) Provide the Contract Performance Guarantee in favour of the Nodal Agency;
- b) Execute the Share Purchase Agreement and the Transmission Service Agreement;
- c) Acquire, for the Acquisition Price, one hundred per cent (100%) equity shareholding of Bidar Transmission Limited from REC Power Development and Consultancy Limited, along with all its related assets and liabilities.

23. In accordance with Clause 2.15.4 of RfP, the selected bidder shall, within five working days of the issue of the acquisition of the SPV by the successful bidder, the TSP shall apply to the Commission for the grant of a transmission licence and make an application to the Commission for the adoption of transmission charges, as required under Section 63 of the Act.

24. 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 SPV, 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 the completion of all activities by the successful bidder. The selected bidder furnished the Contract Performance Guarantee in favour of Nodal Agency (CTUIL) for an amount of Rs. 85.9 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 adoption of transmission charges 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 adoption of transmission charges 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.

25. The Petitioner has approached the Commission with a separate application for the grant of a transmission licence. The Commission, vide order dated 30.4.2024 in Petition No. 116/TL/2024, on being satisfied that the Petitioner, *prime facie*, qualifies for grant of transmission license as prayed for, directed publication of notices under clause (a) of sub-section (5) of Section 15 of the Act, inviting suggestions/ objections to the proposal of the Commission. Accordingly, notices have been published in this regard.

26. In accordance with the Guidelines, BEC has to certify that the tariff has been discovered through a transparent process of bidding and the tariff discovered is in line with prevailing market prices. In the minutes of the Fourth Meeting of the Bid Evaluation Committee meeting held on 2.1.2024, the following have been recorded:

“.... The following three (03) bidders were qualified to participate in the electronic reverse auction stage and submit their final offer:

Sr. No.	Name of the Bidder	Transmission Charges from the Initial Offer (in Rupees Million)	Rank
1.	Power Grid Corporation of India Limited	2,496.00	L-1
2.	Megha Engineering and Infrastructure Limited	2,997.30	L-2
3.	Sterlite Grid 20 Limited	3,077.50	L-3

- To start electronic reverse auction on 29.12.2023 at 1000 Hrs (IST) after intimation to all the three (03) qualified bidders regarding lowest initial price offer.

3. Pursuant to the above, BPC confirmed to BEC that all the above three (03) qualified bidders were informed on 28.12.2023 (duly acknowledged by them) regarding the electronic reverse auction start time and lowest initial offer.

4. The electronic reverse auction started on 29.12.2023 at 1000 Hrs (IST) on MSTC portal. After 21 rounds of bidding, following transmission charges, as quoted by each bidder, emerged:.

S. No.	Name of the Bidder	Transmission Charges from the Initial Offer (in Rs. Million)	Transmission Charges from the Final Offer (in Rs. Million)	Rank
1.	M/s Power Grid Corporation of India Limited	2,496.00	2,368.09	L1
2.	M/s Megha Engineering and Infrastructure Limited	2,997.30	2,374.03	L2
3.	M/s Sterlite Grid 20 Limited	3,077.50	2,464.94	L3

The system generated bid history of electronic reverse auction is enclosed at **Annexure-1.**

5. As per above table, M/s Power Grid Corporation of India Limited emerged as the Successful Bidder after the conclusion of electronic reverse auction with the lowest annual transmission charges of Rs. 2,368.09 million which also the Final Offer.

6. BPC, in their evaluation report (**Annexure 2**) has confirmed the following:

a) Lowest annual transmission charges of Rs. 2,368.09 Million discovered through electronic reverse auction is less than the estimated annual transmission charges of Rs. 3,558.93 Million which is computed based on the estimated cost as communicated by cost committee and as per prevailing CERC norms.

b) As per provisions of RFP document, successful bidder i.e., M/s Power Grid Corporation of India Limited has submitted original hard copies of Annexure-3, Annexure-4, Annexure-6 and Annexure-14 and the same are found to be in order.

c) The entire bidding process has been carried out in accordance with the "Tariff based Competitive Guidelines for Transmission Service" and "Guidelines for encouraging competition in development of the Transmission Projects" issued by Ministry of Power, Govt. of India under Section 63 of the Electricity Act, 2003 as amended from time to time.

7. After detailed discussions on the evaluation report prepared by the BPC (**Annexure-2**), the Bid Evaluation Committee observed the following:

a) M/s Power Grid Corporation of India Limited, with the lowest annual transmission Charges of **Rs. 2,368.09 Million**, is the successful Bidder after the conclusion of the electronic reverse auction.

b) The transmission charges discovered after electronic reverse auction is lower than the transmission charges estimated by BPC para 6(a) and is acceptable is acceptable.

8. In view of para 7 above, BEC recommended to issue Letter of Intent (LoI) to M/s Power Grid Corporation of India Limited.

9. The certificate by BEC to be forwarded to CERC for adoption of tariff in terms of Section 63 of the Electricity Act, 2003 is attached at **Annexure-3.**"

27. Bid Evaluation Committee (BEC), vide its certificate dated 2.1.2024 certified as under:

"It is certified that:

a. The entire bid process has been carried out in accordance with the “Tariff based Competitive Bidding Guidelines for Transmission Service” and “Guidelines for encouraging competition in development of the Transmission Projects” issued by Ministry of Power, Govt. of India under Section 63 of the Electricity Act, 2003 and as amended from time to time.

b. M/s Power Grid Corporation of India Limited, with the lowest annual transmission Charges of Rs. 2368.09 Million, emerged as the successful Bidder after the conclusion of electronic reverse auction.

c. The transmission charges of Rs. 2368.09 Million discovered after electronic reverse auction is acceptable.”

28. In the light of the discussions in the preceding paragraphs, it emerges that the selection of the successful bidder and the discovery of the annual transmission charges of the Project has been carried out by the BPC through a transparent process of competitive bidding in accordance with the Guidelines issued by the Ministry of Power, Government of India under Section 63 of the Act. BEC has certified that the process is in conformity with the Ministry of Power Guidelines. BEC, in its certificate dated 2.1.2024, has certified that Power Grid Corporation of India Limited has emerged as the successful bidder after the conclusion of the e-reverse auction with the lowest transmission charges of Rs. 2368.09 million. Based on the certification of the BEC, we approve and adopt the single annual transmission charges of Rs. 2368.09 million as per the final offer of the successful bidder, subject to the grant of a transmission licence to the Petitioner company. The transmission charges shall remain valid throughout the period covered in the TSA.

29. The sharing of the transmission charges by the designated ISTS customers (DICs) shall be governed by the provisions of the Central Electricity Regulatory Commission (Sharing of inter-State Transmission Charges and Losses) Regulations, 2020, as amended from time to time.

30. The Petitioner, vide its affidavit dated 21.5.2024, has informed that the name of the Petitioner company has been changed from 'Bidar Transmission Limited' to 'POWERGRID Bidar Transmission Limited' with effect from 21.5.2024. The certificate of change of name from 'Bidar Transmission Limited' to 'POWERGRID Bidar Transmission Limited' dated 21.5.2024 issued by the Registrar of Companies, Delhi, has been placed on record. Accordingly, the name of the Petitioner has been changed to 'POWERGRID Bidar Transmission Limited' on the record of the Commission.

31. Extract of a copy of this order shall be sent to the Nodal agency, CTUIL.

32. Petition No. 117/AT/2024 is disposed of in terms of the above.

Sd/-
(Arun Goyal)
Member

sd/-
(Jishnu Barua)
Chairperson