

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 147/AT/2024

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

Date of Order: 31st May, 2024

In the matter of

Petition under Section 63 of the Electricity Act, 2003 for the adoption of transmission charges with respect to the transmission system to be implemented by Solapur Transmission Limited.

**And
In the matter of**

**Solapur Transmission Limited,
2, Dharam Marg, Chanakyapuri,
New Delhi-110 021**

....Petitioner

Vs

**1. Central Transmission Utility of India Limited,
Ministry of Power, Govt. of India,
Shram Shakti Bhavan, Rafi Marg,
New Delhi-110 001.**

**2. Western Regional Power Committee,
F-3, MIDC Area, Marol,
Opp. SEEPZ, Central Road,
Andheri (East), Mumbai- 400093.**

**3. PFC Consulting Limited,
9th Floor, A Wing,
Statesman House Connaught Place,
New Delhi-110 001.**

**4. Gujarat Urja Vikas Nigam Limited,
Sardar Patel Vidyut Bhavan, Race Course,
Vadodara-390007, Gujarat.**

**5. Maharashtra State Electricity Distribution Co. Limited,
"Prakashgad", Plot of G-9 Anant Kanekar Marg,
Bandra (East), Mumbai - 400 051.**

6. M.P Power Management Company Limited,

Shakti Bhavan, Vidyut Nagar,
Rampur, Jabalpur-482008.

7. Chhattisgarh State Power Trading Company Limited,
Vidyut Seva Bhavan,
Danganiya, Raipur-492013.

8. Goa Electricity Department,
Government of Goa, 3rd Floor, Vidyut Bhavan,
Panaji, Goa-403001.

9. Dadra and Nagar Haveli and Daman and Diu Power Distribution Corporation Limited,
1st & 2nd Floor, Vidyut Bhavan,
Silvassa, U.T. of Dadra & Nagar Haveli-396230

10. Central Electricity Authority,
Sewa Bhawan, Sector-1,
R.K. Puram, New Delhi- 110066

11. Power Grid Corporation of India Limited,
“Saudamini”, Plot No. 2, Sector-29, Near IFFCO Chowk,
Gurgaon-122001 (Haryana).

....Respondents

Parties present:

Shri Jignesh Langalia, STL
Ms. Priyadarshini, Advocate, PFCCL
Shri Deepak Kumar, PFCCL
Shri Ranjeet Rajput, CTUIL
Shri Akshayvat Kislay, CTUIL

ORDER

The Petitioner, Solapur 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 System for Evacuation of Power from RE Projects in Solapur (1500 MW) SEZ in Maharashtra” on a Build, Own, Operate and Transfer (BOOT) basis. The Petitioner has made the following prayers:

“a) Allow the present Petition and adopt the transmission charges discovered through the TBCB Process as quoted by TPL i.e., the successful bidder in terms of Section 63 of the Electricity Act, 2003.

b) *Allow the Project to be part of the Inter-State Transmission System and direct that the recovery of transmission charges shall be in accordance with the terms of the CERC (Sharing of Inter-state Transmission Charges and Losses) Regulations, 2020.*

c) *Condone any inadvertent errors omissions/errors/shortcomings and permit the Petitioner to add/change/modify/alter these filings and make further submissions as may be required going forward; and*

d) *Pass such order(s) as this Commission may deem fit and proper in the facts and circumstances of this case.”*

2. On receipt of the present Petition, the Bid Process Coordinator (BPC), PFC Consulting Limited (“PFCCL”), vide letter dated 19.4.2024, was directed to submit the relevant documents regarding the complete process of the competitive bidding. The necessary details have been filed by the BPC vide affidavit dated 30.4.2024.

Hearing dated 8.5.2024

3. During the course of the hearing on 8.5.2024, the representative of the Petitioner submitted that the Petitioner had already served the copy of the Petition on the Respondents and requested to adopt the transmission charges discovered through the competitive bidding route.

4. Vide Record of Proceedings for the hearing dated 8.5.2024, the Petitioner was directed to implead the Western Region`s beneficiaries as parties to the Petition, and Respondents, including impleaded beneficiaries, were directed to file their respective replies with a copy to the Petitioner. 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.

8. The National Committee on Transmission, in its 12th meetings held on 24.3.2023, decided that the “Transmission System for Evacuation of Power from RE Projects in Solapur (1500 MW) SEZ in Maharashtra” may be taken up for implementation by the Government of India through the competitive bidding route. Accordingly, the Ministry of Power, Government of India, vide its Gazette Notification dated 18.5.2023, has notified the PFCCL as a Bid Process Coordinator (“BPC”) for the purpose of selection of the bidder as the Transmission Service Provider to establish the “Transmission System for Evacuation of Power from RE Projects in Solapur (1500 MW) SEZ in Maharashtra” on a Build, Own, Operate and Transfer basis through the tariff based competitive bidding process.

9. Solapur Transmission Limited (the Petitioner) was incorporated on 14.12.2023 under the Companies Act 2013 as a wholly owned subsidiary of PFCCL with the objective to establish the “Transmission System for Evacuation of Power from RE

Projects in Solapur (1500 MW) SEZ in Maharashtra” 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 23.6.2023. Intimation regarding the initiation of the bid process was given to this Commission in accordance with Clause 4.2 of the Guidelines dated 28.6.2023.

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

| S. No. | Events | Date |
|---------------|--|-------------|
| 1 | Publication of RfP | 23.06.2023 |
| 2 | Intimation to the Commission | 28.06.2023 |
| 3 | RfP (Technical)& Price Bid Submission | 22.12.2023 |
| 4 | RfP (Technical) Bid Opening | 22.12.2023 |
| 5 | RfP (Financial) Initial Price Offer -Opening | 20.02.2024 |
| 6 | e-Reverse Auction | 21.02.2024 |
| 7 | Final Bid Evaluation Committee Meeting | 23.02.2024 |
| 8 | Issuance of Lol | 26.02.2024 |
| 9 | Signing of Agreements & transfer of SPV | 20.03.2024 |

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

| Sl. No. | Name of Transmission Element | Scheduled COD in months from the effective date |
|---------|--|---|
| 1. | <p>Establishment of 400/220 kV, 4x500 MVA ICTs at Solapur PS along with 2x125 MVAR, 420 kV Bus Reactors</p> <ul style="list-style-type: none"> • 400/220 kV, 500 MVA ICT- 4 • 400 kV ICT bays- 4 • 220 kV ICT bays- 4 • 400 kV line bays -2. • 220 kV line bays for solar park interconnection -5 • 125 MVA, 420 kV Bus reactor – 2 Nos • 400 kV Bus reactor bay: 2 Nos. • 220 kV TBC bay – 1 No. • 220 kV BC bay – 1 No. <p>Future provisions: Space to accommodate:</p> <ul style="list-style-type: none"> • 400/220 kV, 500 MVA ICT along with associated bays – 6 Nos. • 400 kV line bays along with switchable line reactors: 12 Nos. • 420 kV, 2x125 MVA Bus Reactor with Bays • 15 nos. of 220 kV line bays • Sectionalizer arrangement at 220 kV level (3 Sets) & 400 kV level (1 Set) • 220 kV TBC bay – 3 Nos. • 220 kV BC bay – 3 Nos. | 24 months |
| 2. | Solapur PS -Solapur (PG) 400 kV D/c line (Quad ACSR/AAAC/AL59 moose equivalent) | |
| 3. | 2 nos. of 400 kV line bays at Solapur (PG) S/s for termination of Solapur PS- Solapur (PG) 400 kV D/c line. | |

Note: POWERGRID shall provide space for 2 Nos. of 400kV bays at Solapur (PG) for termination of Solapur PS- Solapur (PG) 400kV D/c line.”

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

| S. No. | Name | Designation |
|--------|--|---------------------------|
| 1. | Sh. Rajesh Kumar Singh, General manager, CCGRO-II, SBI | Chairman of the Committee |

| | | |
|----|---|----------------------------------|
| 2. | Shri Bhanwar Singh Meena, Director, PSETD Division, Central Electricity Authority | Member |
| 3. | Shri Deepak Gawali, Superintending Engineer (Operation), WRPC | Member |
| 4. | Shri Amit Naik, Superintending Engineer (Systems), MSETCL | Member |
| 5. | Shri B.S.Bairwa, Director, PSPA-II Division, CEA | Member |
| 6. | Shri Milind Dafade, Chairman, Solapur Transmission Limited-New Delhi | Convener-Member of the Committee |

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

| S. No. | Name of the Bidder/ Consortium |
|--------|---|
| 1. | Torrent Power Limited |
| 2. | Indigrid 2 Limited |
| 3. | Sterlite Grid 10 Limited |
| 4. | Power Grid Corporation of India Limited |

16. The RfP (Technical bids) of the four bidders were opened by the Bid Opening Committee on 22.12.2023 in the presence of the representative of the Bid Evaluation Committee (BEC). The BEC recommended the bids of all four bidders as responsive to qualify for opening of their RfP (Financial) bids.

17. Based on the recommendation of the BEC, the RfP (Financial) Bids-Initial Price Offers of the four bidders were opened on 20.2.2024. The lowest Initial Price Offer discovered (Best Deal) at the MSTC portal was Rs. 500.00 million per annum. The details of the quoted transmission charges by the bidders are given below:

| Sr. No. | Name of the Bidder | Quoted Transmission Charges as per the Initial Offer (in Rs. Million per annum) | Rank |
|---------|--------------------------|---|------|
| 1. | Torrent Power Limited | 500.00 | L1 |
| 2. | Indigrid 2 Limited | 545.00 | L2 |
| 3. | Sterlite Grid 10 Limited | 600.70 | L3 |

| | | | |
|----|---|--------|----|
| 4. | Power Grid Corporation of India Limited | 614.55 | L4 |
|----|---|--------|----|

18. As per Clause 3.5.1 of the RfP document, initial offers shall be ranked on the basis of ascending order for the 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 offers.

19. The e-reverse auction of four bidders was carried out at the MSTC portal on 21.2.2024. However, no bidders participated in the e-reverse auction. The Final Offer (Quoted Transmission Charges) of each bidder as quoted at the time of closing of e-reverse bidding is as under:

| 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. | Torrent Power Limited | 500.00 | 500.00 (not participated in e-RA) | L1 |
| 2. | Indigrd 2 Limited | 545.00 | 545.00 (not participated in e-RA) | L2 |
| 3. | Sterlite Grid 10 Limited | 600.70 | 600.70 (not participated in e-RA) | L3 |
| 4. | Power Grid Corporation of India Limited | 614.55 | 614.55 (not participated in e-RA) | L4 |

20. As per the Bid Evaluation Report dated 23.2.2024, Torrent Power Limited emerged as the successful bidder with the lowest quoted transmission charges of Rs. 500.00 million per annum. BEC, vide its certificate dated 23.2.2024, 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 at the time of closing of the e-reverse auction are acceptable.

21. Based on the e-reverse bidding, BEC, in its meeting held on 23.2.2023, recommended Torrent Power Limited, with the lowest transmission charges of Rs. 500.00 million per annum, as the successful bidder.

22. Letter of Intent was issued by the BPC on 26.2.2024 to the successful bidder, i.e., Torrent Power Limited. In accordance with Clause 12.3 of the Guidelines, the BPC has hosted on the website of PFCCL, the final result of the evaluation of the bids for the selection of a developer for the Project.

23. In accordance with the provisions of the bid documents and upon the issuance of Lol to the successful bidder, Torrent Power 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.

24. 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 Solapur Transmisssion Limited from PFC Consulting Limited, along with all its related assets and liabilities.

25. 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.

26. 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 7.3.2024. Though Lol was issued on 26.2.2024, BPC, vide its letter dated 4.3.2024 in terms of Clauses 2.15.2 of RfP, extended the date up to 20.3.2024 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. 15 crore on 14.3.2024 and acquired a hundred per cent equity-holding in the applicant company on 20.3.2024 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 Torrent Power Limited, acquired the SPV on 20.3.2024. Accordingly, the Petitioner has filed the instant Petition through e-filing for the grant of a transmission licence on 28.3.2024 with a delay of three days. In this regard, the Petitioner has submitted that the Petition was filed online on 28.3.2024 due to the issue of reflecting of the payment in the e-filing portal. The Petitioner has prayed for condoning the three days delay in filing the Petition. Since the Petitioner could not file the application due to procedural issues, the same is condoned.

27. The Petitioner has approached the Commission with a separate application for the grant of a transmission licence. The Commission, vide order dated 30.5.2024 in Petition No. 146/TL/2024, on being satisfied that the Petitioner, *prime facie*, qualifies for the grant of a transmission licence 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.

28. 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 23.2.2024, the following have been recorded:

"1. The fourth meeting of the Bid Evaluation Committee (BEC) for evaluation of RFP (Financial) bids for the transmission scheme "Transmission System for Evacuation of Power from RE Projects in Solapur (1500 MW) SEZ in Maharashtra" was held on February 23, 2024 at 1100 hrs (IST) through Video Conferencing (VC) All the members of BEC were present in the meeting.

2. The RFP (Financial) Bid Initial Offer for the following four (04) qualified bidders were opened online on MSTC portal by the Bid Opening Committee in the office of Central Electricity Authority (CEA) in presence of BEC members through VC on February 20, 2024 at 1500 hrs (IST)

- i. Power Grid Corporation of India Limited*
- ii. indigrid 2 Limited*
- iii. Sterlite Grid 10 Limited*
- iv. Torrent Power Limited*

3. The lowest Quoted Transmission Charges from the Initial Offer discovered was Rs. 500 million per annum which was declared as the initial price for quoting the final offers during e-reverse auction process

4. As per Clause No. 3.5.1 of RFP document," Quoted Transmission Charges of such Initial Offer shall be ranked on the basis of the ascending Initial Offer submitted by each Qualified Bidder Based on such ranking of the Qualified Bidders, first fifty per cent of the ranking (with any fraction rounded off to higher integer) or four Qualified Bidders, whichever is higher, shall qualify for participating in the electronic reverse auction".

Accordingly, following four (04) bidders are qualified to participate in the e-reverse auction:

- i. Power Grid Corporation of India Limited
- ii. Indigrid 2 Limited
- iii. Sterlite Grid 10 Limited
- iv. Torrent Power Limited

5. The lowest initial Offer at MSTC portal Le. Rs. 500 million per annum was communicated (duly acknowledged by bidders) to the above four (04) bidders, qualified for participating in the e reverse auction process which was held at MSTC Portal on February 21, 2024 at 0830 hrs (IST) onwards.

6. The e-reverse auction process was closed after the initial round, on same day i.e., February 21, 2024 at 1030 hrs (IST). No bidders participated in e-reverse auction. The Evaluation Report is attached at Annexure-A.

7. The final offer (Quoted Transmission Charges) of each bidder as quoted at the time of closing of e-reverse auction is as under (copy of e-reverse bidding statement generated at MSTC portal is attached as Annexure -B):

| Sr. No. | Name of the Bidder | Quoted Transmission Charges from the Initial Offer (in Rs. Million) | Rank |
|----------------|---|--|-------------|
| 1. | Torrent Power Limited | 500.00 (not participated in e-RA) | L1 |
| 2. | Indigrid 2 Limited | 545.00 (not participated in e-RA) | L2 |
| 3. | Sterlite Grid 10 Limited | 600.70 (not participated in e-RA) | L3 |
| 4. | Power Grid Corporation of India Limited | 614.55 (not participated in e-RA) | L4 |

8. As per the provisions of RFP document, only one value for annual Transmission Charges is to be quoted by the bidder. In addition to the online submission, the Bidder with lowest Final Offer will be required to submit original hard copies of Annexure 3- Power of Attorney, Annexure 4- Power of Attorney from Consortium Members (if applicable), Annexure 6- Consortium Agreement (if applicable) and Annexure 14- Bid Bond, before issuance of Lol.

9. Accordingly, as per the requirement, 'Torrent Power Limited' (the Bidder with lowest Final Offer) vide letter dated 22.02.2024 has submitted the original hard copies of Annexure 3 and Annexure 14 to BPC on 22.02.2024. The other annexures were not applicable to the bidder.

10. BPC has confirmed that the original hard copies of Annexure 3 and Annexure 14 submitted by Torrent Power Limited' are in order and there is no discrepancy between the online submission and physical documents submitted by M/s Torrent Power Limited.

11. In view of above, 'Torrent Power Limited with the Final Offer (Quoted Transmission Charges) of Rs. 500 million per annum, may be declared as the successful bidder.

12. BPC, in their evaluation report (Annexure-A) has confirmed the following:

- (i) The levelised tariff for this project based on CERC norms works out to Rs.637.54 million per annum. This has been computed based on the estimated

cost as communicated by the Cost Committee constituted by CEA and methodology for calculation of tariff as per CERC norms.

(ii) 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.

13. After detailed discussions on the evaluation report prepared by BPC (Annexure-A), the BEC decided the following:

(i) "M/s Torrent Power Limited" is the successful Bidder after the conclusion of the e-reverse auction process with the lowest Quoted Transmission Charges of Rs. 500 million per annum.

(ii) The Quoted tariff is lower than the Levelized Tariff estimated as per CERC norms. The quotes tariff discovered through e-reverse auction process is acceptable.

(iii) In view of (i) and (ii) above, 'Torrent Power Limited' may be issued Letter of Intent (LoI)."

29. Bid Evaluation Committee (BEC), vide its certificate dated 23.2.2024, has certified as under:

"It is certified that:

1. 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.

2. Torrent Power Limited emerged as the Successful Bidder after the conclusion of e-reverse bidding process with the lowest Quoted Transmission Charges of Rs. 500 million per annum.

3. The quoted tariff is lower than the levelized tariff calculated based on CERC norms considering the Capital Cost for the Project 'Transmission System for Evacuation of Power from RE Projects in Solapur (1500 MW) SEZ in Maharashtra' as assessed by Cost Committee. The quotes tariff discovered through e-reverse bidding process is acceptable."

30. 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 23.2.2024, has certified that Torrent Power Limited has emerged as the successful bidder after the conclusion of the e-reverse auction with the lowest transmission charges of Rs. 500.00 million per annum. Based on the certification of the BEC, we approve and adopt the single annual transmission charges of Rs. 500.00 million per annum 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.

31. 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.

32. An extract of a copy of this order shall be sent to the Nodal agency, CTUIL.

33. Petition No. 147/AT/2024 is disposed of in terms of the above.

Sd/-
(Arun Goyal)
Member

sd/-
(Jishnu Barua)
Chairperson