

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 200/TL/2024

**Coram:
Shri Jishnu Barua, Chairperson
Shri Ramesh Babu V., Member**

Date of Order: 7th August, 2024

In the matter of

Petition under Sections 14, 15 and 79(1)(e) of Electricity Act, 2003 read with the Central Electricity Regulatory Commission (Procedure, Terms and Conditions for Grant of Transmission License and other related matters) Regulations, 2009 seeking grant of the transmission licence for Kallam Transco Limited.

**And
In the matter of**

Kallam Transco Limited,
Windsor, 1st Floor, Unit No. 101, Kalina
Santracruz, East Mumbai- 400098
Maharashtra.

....Petitioner

Vs

1. Central Transmission Utility of India Limited,
Saudamini, Plot No.2, Sector-29,
Gurgaon-122 001.
2. REC Power Development & Consultancy Limited,
D-Block, REC Headquarter,
Plot No. I-4, Sector-29,
Gurgaon-122001.
3. Madhya Pradesh Power Transmission Company Limited,
Block No. 11, 1st Floor,
Shakti Bhawan, Rampur,
Jabalpur– 482008, Madhya Pradesh.
4. Chhattisgarh State Power Distribution Company Limited,
Chhattisgarh State Power Trading Company Limited,
2nd floor Vidyut Seva Bhawan, Dangania,
Raipur -492010, Chhattisgarh,
5. Goa Electricity Department,
3rd floor, Vidhyut Bhavan,

Electricity Department, Government of Goa,
Panaji- 403001, Goa, (Panjim),

6. Gujarat Urja Vikas Nigam Limited,
Commerce Department 2nd Floor,
Sardar Patel Vidyut Bhavan, Race Course,
Vadodara- 390007, Gujarat.

7. Heavy Water Board,
O Floor, Vikram Sarabhai Bhavan,
Trombay, Anushaktinagar,
Mumbai - 400094, Maharashtra.

8. HVDC Bhadrawati, PGCIL,
PGCIL RHQ, WR-I, Sampriti Nagar,
Off National Highway No. 8,
Taluka: Kamrej, PO: Uppalwadi,
Nagpur, 440026, Maharashtra.

9. HVDC Vindhyachal, PGCIL,
Power Grid Corporation of India Ltd,
P.O.Vindhyanagar, P.Box.No.12,
Singrauli- 486885, Madhya Pradesh.

10. M.P. Power Management Company Limited,
Block No. 11, 1st Floor,
Shakti Bhawan, Rampur,
Jabalpur- 482008, Madhya Pradesh.

11. Maharashtra State Electricity,
Prakashgad,plot No G-9, A K Marg,
Bandra (East), Mumbai-400051, Maharashtra.

12. ACB India Limited,
7th Floor, Corporate Tower, Ambience Mall,
NH-8, Gurgaon-122 001(Haryana).

13. Torrent Power Limited,
Samanvay, 600, Tapovan, Ambavadi,
Ahmedabad- 380015, Gujarat.

14. West Bengal State Elect. Dist. Co. Limited,
Vidyut Bhavan, Block-DJ, Sector-II, Salt Lake,
Kolkata-700091, West Bengal.

15. Thermal Powertech Corporation India,
6-3-1090, Block-A, Level-5,
TSR Towers, Raj Bhavan Road, Somajiguda,
Hyderabad- 500082, Andhra Pradesh.

16. Bhabha Atomic Research Centre,
Anushakti Nagar, Mumbai– 400085,
Maharashtra
17. GMR Warora Energy Limited,
New Shakti Bhavan Bldg. No. 302,
New Udaan Bhavan Complex,
Adjacent to Terminal 3,
IGI Airport, New Delhi – 110037
18. HVDC Champa,
Saudamini, Plot No.2, Sector 29,
Gurgaon - 122001 (Haryana),
19. West Central Railway Head Office,
General Manager's Office, Electrical Branch,
Jabalpur– 482 001.
20. Western Railway,
Office of Chief Electrical Engineer,
Mumbai.
21. East Central Railway,
CEDE, Office of Chief Electrical Engineer,
ECR, Zonal Head Quarter, Dighikala,
Patna- 844101, Bihar.
22. DB Power Limited- Untied,
3rd floor, Naman Corporate Link, Opp Dena Bank,
C-31, G block, Bandra Kurla Complex,
Bandra (East), Mumbai-400051.
23. Chhattisgarh State Power Trading Company Limited,
2nd floor Vidyut Seva Bhawan,
Dangania, Raipur- 492010, Chhattisgarh.
24. TRN Energy Private Ltd-Untied,
18, Vasant Enclave, Rao Tula Ram Marg,
New Delhi, – 110057.
25. Adani Power (Mundra) Limited,
Adani Corporate House, Shantigram
Near Vaishno Devi circle, S G Highway,
Ahmedabad-382421, Gujarat.
26. Raigarh HVDC Station,
RPT HVDC Office, Hebbal,
Bangalore 560094, Karnataka.
27. Arcelor Mittal Nippon Steel India Limited,

27 KM Surat Hazira Road, Surat Hazira,
Surat– 394270, Gujarat.

28. Central Railway,
Electrical Branch (HQ),
2nd Floor, Parcel Office Bldg.,
Mumbai – 400001, Maharashtra.

29. Dadra and Nagar Haveli and Daman Diu,
1st & 2nd Floor, Vidyut Bhavan, Silvassa,
Dadra and Nagar Haveli – 390 623

30. MPSEZ Utilities Limited,
Adani Corporate House, Shantigram,
Near Vaishno Devi Circle, S.G. Highway, Khodiyar,
Ahmedabad– 382421, Gujarat

31. REC Transmission Projects Company Limited,
Core-4, Scope Complex, 7,
Lodhi Road, New Delhi-110003.

....**Respondents**

Parties present:

Ms. Aparajita Upadhyay, Advocate, KTL
Shri Shashank Singh, RECPDCL
Shri Ranjeet Singh Rajput, CTUIL
Shri Swapnil Verma, CTUIL
Shri Akshyavat Kislay, CTUIL

ORDER

The Petitioner, Kallam Transco Limited (hereinafter referred to as ‘Kallam Transco/Petitioner’), has filed the present Petition for the grant of a transmission licence under Sections 14, 15, and 79(1)(e) 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 implement the transmission system for “Western Region Network Expansion Scheme in Kallam area of Maharashtra” on a Build, Own, Operate and Transfer basis (hereinafter referred to as “the Project”) consisting of the following

elements:

S. No.	Name of Transmission Element	Scheduled COD in months from Effective Date
1.	<i>LILO of both circuits of Parli(M)-Karjat(M)/Lonikand-II (M) 400 kV D/c line (twin moose) at Kallam PS</i>	18 months
2.	<i>4 Nos. 400 kV line bays at Kallam PS for LILO of both circuits of Parli(M)-Karjat(M)/Lonikand-II(M) 400 kV D/c line (twin moose) at Kallam PS</i> <ul style="list-style-type: none">• 400 kV line bays (AIS)-4 Nos. (for Kallam PS end)	
3.	<i>63 MVAR, 420 kV switchable line reactor (with NGR bypassing arrangement) on each ckt at Kallam PS end of Karjat – Kallam 400 kV D/c line (~140km)</i> <ul style="list-style-type: none">• 63 MVAR, 420 kV switchable line reactor including Switching equipment - 2 Nos. (at Kallam end)	

2. The Petitioner has made the following prayers:

“(a) Issue/Grant the Transmission Licence to the Applicant/ Petitioner, Kallam Transco Limited for establishing, operating and maintaining the Inter-State transmission system “Western Region Network Expansion Scheme in Kallam area of Maharashtra” comprising of elements as detailed in the present petition, in terms of Sections 14, 15 and 79 (1) (e) of the Electricity Act;

(b) Condone any inadvertent errors omissions/ errors / shortcomings and permit the Applicant to add/change/modify/alter these pleadings and make further submissions as may be required at a future date;

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

Hearing dated 11.7.2024

3. During the course of the hearing on 11.7.2024, the learned counsel for the Petitioner submitted that the Petitioner had complied with all the requirements for the grant of a transmission licence, and CTUIL has given its recommendations for the grant of a transmission licence to the Petitioner company under Section 15(4) of the

Electricity Act, 2003. In response to the specific query of the Commission with regard to the publication of the bid evaluation result in the BPC`s website in terms of Clause 12.3 of the Tariff Based Competitive Bidding Guidelines for Transmission Service, the representative of the BPC, REC Power Development and Consultancy Limited (RECPDCL) (i.e., Bid Process Coordinator) submitted that it has already hosted the evaluation results in its website.

4. Vide Record of Proceedings for the hearing dated 11.7.2024, the Petitioner was directed to implead the beneficiaries of Western Region, including MSTCL, as parties to the Petition and to file a revised memo of parties. In addition, the Respondents were directed to file their respective replies. However, no reply has been filed by the Respondents.

5. 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 Power Development & Consultancy Limited (RECPDCL) was notified by the Ministry of Power, Government of India, vide Gazette Notification dated 19.7.2023 as the Bid Process Coordinator (BPC) for the purpose of selection of successful bidder as the Transmission Service Provider (TSP) for the grant of a transmission licence in order to implement the transmission system for “Western Region Network Expansion Scheme in Kallam area of Maharashtra” on a Build, Own, Operate and Transfer basis.

6. RECPDCL, in its capacity as the BPC, initiated the bid process on 13.10.2023 and completed it on 5.4.2024 in accordance with the Guidelines. A consortium of M/s Indigrd 2 Limited and Indigrd 1 Limited was selected as the successful bidder, having quoted the lowest transmission charges of Rs. 152.50 million to provide the transmission services to the beneficiaries of the transmission system.

7. The RfP was issued on 13.10.2023. At the RfP (Technical and Financial) stage, four bidders, namely, (i) M/s Indigrd 2 Limited and Indigrd 1 Limited- Consortium, (ii) M/s Sterlite Grid 10 Limited, (iii) M/s Torrent Power Limited, and (iv) M/s Power Grid Corporation of India Limited submitted their offers. The RfP (Technical bids) of the four bidders were opened by the Bid Opening Committee on 12.2.2024 in the presence of a representative of the bidders. The lowest Initial Price Offer discovered (Best Deal) at the MSTC portal was Rs. 152.50 million. 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)	Rank
1.	M/s Indigrd 2 Limited and Indigrd 1 Limited- Consortium	152.50	L1
2.	M/s Sterlite Grid 10 Limited	170.30	L2
3.	M/s Torrent Power Limited	178.50	L3
4.	M/s Power Grid Corporation of India Limited	211.36	L4

8. As per Clause 3.5.1 of the RfP document, Initial Offers shall be ranked on the basis of the 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 four bidders, whichever is higher, shall be considered to be qualified for participating in the electronic reverse auction stage and submitting their final offer.

9. The e-reverse auction of four bidders was carried out at the MSTC portal on 13.2.2024. The following transmission charges, as quoted by each bidder, emerged:

Sr. No.	Name of the Bidder	Transmission Charges from the Initial Offer (Rs. in Million)	Transmission Charges from the Final Offer (Rs. in Million)	Rank
1.	M/s Indigrd 2 Limited and Indigrd 1 Limited-Consortium	152.50	Not participated in e-reverse auction	L1
2.	M/s Sterlite Grid 10 Limited	170.30	Not participated in e-reverse auction	L2
3.	M/s Torrent Power Limited	178.50	Not participated in e-reverse auction	L3
4.	M/s Power Grid Corporation of India Limited	211.36	Not participated in e-reverse auction	L4

10. As per the Bid Evaluation Report dated 15.2.2024, the Consortium of M/s Indigrd 2 Limited and Indigrd 1 Limited emerged as the successful bidder with the lowest quoted transmission charges of Rs. 152.50 million. BEC, vide its certificate dated 15.2.2024, 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 through the e-reverse auction are acceptable.

11. Consequent to its selection as the lowest bidder, a Letter of Intent (LoI) was issued to the Consortium of M/s Indigrd 2 Limited and Indigrd 1 Limited by the BPC on 15.2.2024, which was accepted by Consortium of M/s Indigrd 2 Limited and Indigrd 1 Limited. Under the terms of the 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, a 100% equity share of Kallam Transco 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;

12. The Petitioner has furnished the Contract Performance Guarantee (CPG) in favour of Nodal Agency, i.e., CTUIL, for Rs. 3 crore on 4.4.2024 and acquired a hundred per cent equity holding in Kallam Transco Limited on 5.4.2024. The Petitioner entered into a Transmission Service Agreement (TSA) with CTUIL on 5.4.2024.

13. 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"

14. 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. The Ministry of Power, vide its letter No. 25-17/3/2024-PG dated 16.2.2024, had issued prior approval to the Project under Section 68 (1) of the Act. The selection of the project developer, Kallam Transco Limited, has been certified to have been made in accordance with the Guidelines for competitive bidding.

15. 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 the 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.”

16. 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 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 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 Kallam Transco Limited with respect to the transmission system as per the details given in paragraph 1 above.

17. The Petitioner 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 served a copy of the Application on the beneficiaries. The transmission charges quoted by the Petitioner, which have been recommended by the Bid Evaluation Committee for acceptance, are Rs. 152.50 million. The Petitioner has also enclosed copies of the recommendations of the Bid Evaluation Committee.

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

19. The Petitioner has served the 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 23.4.2024, has recommended the grant of a transmission licence to the Petitioner. The Relevant portions of the said letter dated 23.4.2024 are extracted as under:

“This has reference to the Petition with Dairy No. 209/24 dated 12.4.2024 filed by M/s Kallam Transco Ltd. (KTL2) before Hon'ble Commission vide which M/s KTL2 has requested CTU for issuance of recommendation for grant of Transmission License for implementation of subject transmission scheme. In this regard, the following is submitted:

- 1. M/s KTL2 has filed a petition under Sections 14, 15 and 79 (1) (e) of the Electricity Act, 2003 read with CERC (Procedure, Terms and Conditions for Grant of Transmission License and other related matters) Regulations, 2006 for grant of Transmission License for implementation of Western Region Network Expansion Scheme in Kallam area of Maharashtra” project on Build, Own, Operate and Transfer (BOOT) basis as ISTS. The detailed scope of the transmission scheme is enclosed at Annexure-I.*
- 2. M/s KTL2 has mapped Nodal Agency i.e., CTUIL on the e-portal of Hon'ble Commission, to serve a copy of the application for the grant of transmission*

license, for the above transmission system as per section 15(3) of the Electricity Act, 2003 and Regulation 7(6) of Transmission License Regulations, 2009 for recommendation required u/s 15(4) of the Electricity Act, 2003 and Regulation 7(11) of Transmission License Regulations, 2009.

3. In reference to 'Western Region Network Expansion Scheme in Kallam area of Maharashtra', the following is submitted:
 - a. Transmission System for evacuation of power from RE Projects in Oemanabad area (1 GW) in Maharashtra is presently under implementation by Kallam Transmission Ltd. (expected to be commissioned shortly). Further, augmentation of transformation capacity at Kallam PS by 2x500MVA, 400/220 kV ICTs (3 & 4th) along with 220 kV bays for RE interconnection is also under implementation which shall enable injection of additional 1 GW at 220 kV level of Kallam PS.
 - b. Additional connectivity has also been granted to M/s Torrent at 400 kV level (1 No. bay) and hence there is a cumulative requirement of evacuation of about 3.25 GW (2 GW at 220 kV level and 1.25 GW at 400 kV level) from Kallam PS. The subject Transmission system shall enable evacuation of upto 3.25 GW power from Kallam PS.
 - c. The subject transmission scheme was also discussed and agreed in the 14th NCT meeting held on 9.6.2023 wherein it was decided to implement this transmission scheme through TBCB route. Extracts of the minutes of 14th NCT meeting is enclosed at Annexure-II.
 - d. MoP, Govt. of India, vide Gazette notification dated 10.08.2023, had appointed M/s RECPDCL as the Bid Process Coordinator (BPC) for the purpose of selection of bidder as Transmission Service Provider (TSP) to establish the subject transmission scheme through Tariff Based Competitive Bidding (TBCB) process. Copy of Gazette notification is enclosed at Annexure-III.
4. Pursuant to the process of competitive bidding conducted by the BPC, Consortium of IndiGrid 2 Ltd. and IndiGrid 1 Ltd. emerged as the successful bidder. Thereafter, the BPC issued a Letter of Intent (LoI) to the Consortium on 15.2.2024. Subsequently, the Consortium has acquired Kallam Transco Ltd. (KTL2) on 5.4.2024, after execution of the Share Purchase Agreement (SPA) and completing all procedural requirements as specified in the bid documents. The scheduled implementation timeframe for the proposed ISTS scheme is 18 months from date of SPV transfer.
5. In line with Section 15(4) of the Electricity Act, 2003 and Regulation 7(11) of Transmission License Regulations, 2009, based on details furnished by M/s Kallam Transco Ltd., CTU recommends the grant of transmission license to M/s Kallam Transco Ltd. for executing the transmission scheme as mentioned in Para-1 above."

20. 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 25.2.2024. Though Lol was issued on 15.2.2024, BPC, vide its letter dated 5.4.2024 in terms of Clauses 2.15.2 of RfP, extended the date up to 15.4.2024 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. 3 crores and acquired a hundred per cent equity-holding in the applicant company on 5.4.2024 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, Consortium of M/s Indigrd 2 Limited and Indigrd 1 Limited, acquired the SPV on 5.4.2024. Accordingly, the TSP has filed the instant Petition through e-filing for the grant of a transmission licence on 12.4.2024.

21. 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 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 **15.8.2024**.

22. It is observed that as per Article 5.1.1 of the TSA, the TSP, at its own cost and expense, shall be responsible for designing, constructing, erecting, completing, and commissioning each element of the Project by scheduled COD in accordance with the various regulations of the Central Electricity Authority regarding Technical Standards and Grid Standards, Prudent Utility Practices and other applicable laws. Further, Article 5.4 of the TSA provides that the TSP shall ensure that the Project is designed, built, and completed with good workmanship using sound engineering and construction practices and using only materials and equipment that are new and of international utility-grade quality such that the useful life of the Project will be till the expiry date. Further, the design, construction, and testing of all equipment, facilities, components, and systems of the Project shall be in accordance with Indian Standards and Codes issued by the Bureau of Indian Standards. Accordingly, the Petitioner is directed to submit the information by **12.8.2024** with regard to the quality control mechanism available or to be put in place to ensure compliance with the requirements stipulated in Article 5.1.1 and Article 5.4 of the TSA.

23. The Petition shall be listed for the hearing on **20.8.2024**.

Sd/-
(Ramesh Babu V.)
Member

sd/-
(Jishnu Barua)
Chairperson