

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 215/TL/2024

Coram:

Shri Jishnu Barua, Chairperson

Shri Ramesh Babu V., Member

Shri Harish Dudani, Member

Date of Order: 13th August, 2024

In the matter of

Petition under Section 14 of the 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 for amendment of the existing RTM Transmission Licence to POWERGRID Ramgarh Transmission Limited for implementation of 1 no. of 220 kV line bay at 400/220 kV Fatehgarh-III PS (Sec-1) for interconnection of BESS of JSW Renew Energy Five Limited.

And

In the matter of

**POWERGRID Ramgarh 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

...Petitioner

Vs

**1. Uttar Pradesh Power Corporation Limited,
Shakti Bhawan, 14, Ashok Marg,
Lucknow-226001 (Uttar Pradesh).**

**2. Ajmer Vidyut Vitran Nigam Limited,
Corporate office, Vidyut Bhawan,
Panchsheel Nagar, Makarwali road
Ajmer-305004 (Rajasthan).**

**3. Jaipur Vidyut Vitran Nigam Limited,
132 kV, GSS RVPNL Sub-station Building,
Caligiri Road, Malviya Nagar,
Jaipur-302017 (Rajasthan).**

**4. Jodhpur Vidyut Vitran Nigam Limited,
New Power House, Industrial Area,
Jodhpur- 342003, Rajasthan.**

**5. Himachal Pradesh State Electricity Board,
Vidyut Bhawan, Kumar House Complex Building II,**

Shimla-171004, Himachal Pradesh.

6. Punjab State Power Corporation Limited,
The Mall, PSEB head office,
Patiala-147001.

7. Haryana Power Purchase Centre,
Shakti Bhawan, Sector-6,
Panchkula-134109, Haryana.

8. Jammu Kashmir Power Corporation Limited,
220/66/33 kV Gladni SS SLDC Buliding,
Narwal, Jammu.

9. BSES Yamuna Power Limited,
B-Block, Shakti Kiran, Bldg.,
(Near Karkardooma Courts),
Karkardoomam 2nd Floor,
New Delhi-110 092.

10. BSES Rajdhani Power Limited,
BSES Bhawan,
Nehru Place, New Delhi-110019.

11. Tata Power Delhi Distribution Limited,
NDPL House, Hudson Lines,
Kingsway Camp, Delhi-110009.

12. Chandigarh Administration,
Sector -9, Chandigarh.

13. Uttarakhand Power Corporation Limited,
Urja Bhawan, Kanwali Road,
Dehradun (Uttarakhand).

14. New Delhi Municipal Council,
Palika Kendra, Sansad Marg,
New Delhi-110002.

15. North Central Railway Allahabad,
Subedarganj, A-Block GPO Complex,
INA, Allahabad-211015, Uttar Pradesh

16. Central Transmission Utility India Limited,
Chief Operating Officer,
Saudamini, Plot no.2, Sector -29,
Gurgaon-122 001.

17. Power System Project Monitoring Division,
Central Electricity Authority,
Sewa Bhawan, R. K. Puram,
Sector-1, New Delhi - 110 066.

Parties present:

Shri Prashant Kumar, PRTL
 Shri V.C.Shekhar, PRTL
 Shri Ranjeet Singh Rajput, CTUIL
 Shri Swapnil Verma, CTUIL

ORDER

The Petitioner, POWERGRID Ramgarh Transmission Limited, has filed the present Petition under Section 14 of the Electricity Act, 2003 (hereinafter referred to as 'the Act') read with the provisions of the Central Electricity Regulatory Commission (Terms and Conditions for grant of Transmission Licence and other related matters) Regulations, 2009 (hereinafter referred to as 'the Transmission Licence Regulations') for the amendment of the existing RTM transmission licence granted to POWERGRID Ramgarh Transmission Limited, for the "Implementation of 1 no. of 220 kV line bay at 400/220 kV Fatehgarh-III PS (Sec-1) for interconnection of BESS of JSW Renew Energy Five Ltd." on the Regulated Tariff Mechanism (RTM) mode (hereinafter referred to as the 'transmission scheme'). The scope of the project for which the existing RTM transmission licence is being amended is as under:

Implementation of 1 no. of 220 kV line bay at 400/220 kV Fatehgarh-III PS (Sec- 1) for interconnection of BESS of JSW Renew Energy Five Ltd.

S. No.	Scope of the Transmission Scheme	Capacity/km	Implementation timeframe
1.	1 no. of 220 kV line bay at 400/220 kV Fatehgarh-III PS (Sec1) for interconnection of JSW Renew Energy Five Ltd. BESS Project (Connectivity App No. 0212100040- 250 MW)	220 kV line bay - 1 no.	30.6.2025
Total Estimated Cost:			Rs 5.94 crore

2. The Petitioner is an Inter-State transmission licensee and was awarded a Transmission system strengthening scheme for evacuation of power from the solar

energy zones in Rajasthan (8.1 GW) under phase II- Part A through the Tariff Based Competitive Bidding (hereinafter referred to as “TBCB Project”) mode. The Commission vide order dated 31.5.2021 in Petition No. 89/TL/2021 granted a transmission licence to the Petitioner for the aforesaid TBCB Project consisting of the following scope of the work:

Sr. No.	Name of the Transmission Element
1.	Establishment of 400/220 kV, 4x500 MVA at Ramgarh-II (Fatehgarh-III) PS with 420kV (2x125 MVAR) bus reactor
2.	Ramgarh-II (Fatehgarh-III) PS-Fatehgarh-II PS 400kV D/c line (Twin HTLS*)
3.	2 no. of 400 kV line bays at Fatehgarh- II for Ramgarh- II (Fatehgarh-III) PS-Fatehgarh- II PS 400kV D/c line
4.	Ramgarh -II (Fatehgarh-III) PS-Jaisalmer-II (RVPN) 400 kV D/c line (Twin HTLS*)
5.	2 no. of 400 kV line bays each at Jaisalmer-II for Ramgarh-II (Fatehgarh-III) - Jaisalmer-II 400kV D/c line

*with a minimum capacity of 2100 MVA on each circuit at a nominal voltage.

3. Subsequently, the Commission, vide its order dated 15.4.2024 in Petition No. 293/TL/2023, granted a separate transmission licence to the Petitioner Company to implement the following Transmission Projects under the Regulated Tariff Mechanism (RTM). The detailed scope of the RTM transmission projects assigned to the Petitioner was as under:

1.1. Implementation of 400kV bays for RE generators at Fatehgarh-III (erstwhile Ramgarh-II) PS under ISTS.:

S. No.	Scope of the Transmission Scheme	Capacity/km	Implementation timeframe
1	1 no. of 400 kV bay at Fategarh-III PS (erstwhile Ramgarh-II)	400 kV line bays -1	20.9.2025
Total Estimated Cost:			Rs. 16.30 crore

1.2. Transmission projects assigned under Government of India, Ministry of Power, vide notification No. 15/3/2018-Trans Pt (1) dated 01.12.2021 and CTUIL vide Office memorandum ref No. C/CTUIL/OM/02 dated 02.12.2021 in reference to the aforesaid MOP notification:

1.2.1 Transmission system for evacuation of power from REZ in Rajasthan (20GW) under Phase-III Part E1

S. No.	Scope of the Transmission Scheme	Capacity/km	Implementation timeframe
1.	Establishment of 3x1500 MVA 765/440 kV & 3x500 MVA, 400/220 kV pooling station at Fatehgarh-3 (new section*) (In addition to 4x500 MVA ICT proposed under Rajasthan SEZ Ph-II of section-1) along with 2x330 MVar, 765 kV & 2x125 MVAR, 420 kV Bus Reactors	765/440 kV 1500 MVA ICT: 3 Nos. (10x500) MVA, including one spare unit) 330 MVar 765 KV bus reactor-2 (7x110 MVar including one spare unit) 765 kV ICT bays-3 nos. 400/220KV, 500MVA ICT-3 nos. 400 kV ICT bays 6 nos. 220 ICT bays 3 nos. 765 kV line bays-2 Nos. 765kV reactor bays-2 nos. 125 MVar, 420kV/bus reactor-2 nos. 420 kV reactor bays - 2 nos.	1.2.2025
Total Estimated Cost:			Rs. 435 crore

1.2.2 Grant of 400 kV & 220 kV bays to RE generators at Fatehgarh-III (erstwhile Ramgarh-II) PS under ISTS:

S. No	Scope of the Transmission Scheme	Capacity/km	Implementation timeframe
1.	6 nos. of 220 kV bays and 3 nos of 400 kV bays along with bus extension of 220 kV & 400 kV bus as well as bus sectionaliser arrangement	400 kV line bays -3 nos. 220 kV line bays-6 nos.	As per table A

S. No	Scope of the Transmission Scheme	Capacity/km	Implementation timeframe
	between both the levels i.e. 400 kV new section and 220 kV new section with under implementation section at Fatehgarh-III PS.	400 kV bus sectionaliser - 1 no. 220 kV bus sectionaliser - 1 no.	
Total Estimated Cost			Rs. 82.45 crore

Table -A

S. No.	Element	Implementation schedule as per CTUIL
1	1 no. 220kV line bays at Fatehgarh-III	30.09.2024
2	1 no. 220kV line bays at Fatehgarh-III	31.10.2024
3	1 no. 220kV line bays at Fatehgarh-III	31.10.2024
4	1 no. 220kV line bays at Fatehgarh-III	31.12.2024
5	1 no. 220kV line bays at Fatehgarh-III	15.06.2025
6	1 no. 220kV line bays at Fatehgarh-III	30.06.2025
7	1 no. 400kV line bays at Fatehgarh-III	01.02.2025
8	1 no. 400kV line bays at Fatehgarh-III	01.02.2025
9	1 no. 400kV line bays at Fatehgarh-III	31.03.2025

1.2.3 Transmission Project: Transmission system for evacuation of power from REZ in Rajasthan (20GW) under phase-III Part E-2:

S.No	Scope of the Transmission Scheme	Capacity/km	Implementation timeframe
1.	Augmentation of 3x1500 MVA 765/440 kV & 2x500 MVA, 400/220 kV pooling station at Fatehgarh-3 (new section).	765/440 kV 1500 MVA ICT: 3 Nos. 400/220 kV, 500MVA ICT-2 nos. 765 kV ICT bay-3 nos. 400 kV ICT bay-5 nos. 220 kV ICT bays 2 nos.	As per table B

S.No	Scope of the Transmission Scheme	Capacity/km	Implementation timeframe
Total Estimated Cost:			Rs. 245 Crore

Table-B

S. No.	Element	Implementation schedule as per CTUIL
1	1x500MVA, 400/220kV ICT (1st):	31.03.2025
2	1x500MVA, 400/220kV ICT (2nd):	30.06.2025
3	1x1500MVA, 765/400kV ICT (1st):	31.03.2025
4	2x1500MVA, 765/400kV ICT (2nd & 3rd):	30.06.2025

1.3 Transmission project assigned by CTUIL vide Office memorandum ref No. C/CTU/AI/00/12th CCTP dated 21.04.2023 and subsequent amendment issued on 8.6.2023:

Transmission Project - implementation of Bus Sectionalizer at 400kV level of 765/400/220 kV Fatehgarh-III PS (Section-2).

S.No.	Scope of the Transmission Scheme	Capacity/km	Implementation timeframe
1.	1 Set of Bus sectionalizer at 400kV level of 765/400/220 kV Fatehgarh-III PS (Section-2)	400 kV Bus sectionalizer - 1 set	1.2.2025
Total Estimated Cost:			Rs 17.11 crore

4. Further, in addition to the above-mentioned scope, the Central Transmission Utility of India Limited (CTUIL), vide Office Memorandum dated 22.3.2024, has assigned the Transmission Projects for the "Implementation of 1 no. of 220 kV line bay at 400/220 kV Fatehgarh-III PS (Sec-1) for interconnection of BESS of JSW Renew Energy Five Ltd" under RTM mode while referring to the Ministry of Power office order dated 28.10.2021.

5. The Petitioner has submitted that after the amendment of the transmission licence No. 115/Transmission/2024/CERC, the Petitioner shall proceed to implement the transmission scheme under the RTM mode. The estimated completion cost of the

transmission scheme, as per CTUIL's Office Memorandum (OM) dated 22.3.2024, is Rs. 5.94 crore. After completion of the transmission scheme, the Petitioner shall approach the Commission for the determination of the transmission charges in accordance with the Tariff Regulations.

6. The Commission, after considering the application of the Petitioner in light of the provisions of the Act and the Transmission Licence Regulations, vide its order dated 24.7.2024, *prima facie* proposed to grant a separate transmission licence to the Petitioner to implement the transmission projects detailed in paragraph 1 of the order. The relevant extracts of the order dated 24.7.2024 are extracted as under:

“19. In the present case, the Petitioner is a transmission licensee who is already implementing the project defined under its scope under the RTM mechanism. The present Petition is consequent to the office order 28.10.2021 notified by the Ministry of Power Government of India wherein CTUIL has been authorized to determine the mode of implementation of ISTS projects costing up to Rs. 100 crores. Pursuant to the direction of the Ministry of Power, CTUIL, vide its Office Memorandum dated 22.3.2024 and recommendation letter dated 29.5.2024, has determined a list of Projects to be implemented through a Regulated Tariff Mechanism, which also includes the subject transmission system under the instant Petition.

*20. Since the Petitioner is already an inter-State transmission licensee and has already been granted an RTM transmission licence to implement the transmission projects under RTM mode and again has been identified as an agency to implement the project under the RTM, we hold that the Petitioner is eligible for the amendment of existing RTM transmission licence. We, hereby, 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 amendment of the existing RTM transmission licence aforesaid. The objections or suggestions, if any, shall be filed by any person before the Commission by **2.8.2024**.*

21. It is noted that the CTUIL, vide its letter dated 14.5.2024, has requested the Ministry of Power to clarify the requirement of approval of the Central Government to transmission schemes under the Transmission System Planning Rules, 2021 for the Projects costing up to Rs. 500 crores approved by NCT/CTUIL as per the Ministry's Order dated 28.10.2021. CTUIL is directed to place on record the response received from the Ministry of Power before the next date of hearing.”

7. A public notice under Sub-section (5) of Section 15 of the Act was published on 25.7.2024 in all editions of The Hindu (English) and Amar Ujala (Hindi). No suggestions/objections have been received from members of the public in response to the public notice.

8. The case was called out for a hearing on 8.8.2024. The representative of the Petitioner submitted that no objection had been received in response to the public notice published by the Commission under sub-section (5) of Section 15 of the Act. Accordingly, it was requested that the transmission licence be amended. The representative of CTUIL further submitted that CTUIL has already recommended amending the transmission licence.

9. In response to the Commission's query regarding the approval of the Central Government to the transmission schemes under the Transmission System Planning Rules, 2021 for the Projects costing up to Rs. 100 crores approved by the NCT/CTUIL as per the Ministry's Order dated 28.10.2021, the CTUIL's representative submitted that it had approached the Ministry of Power vide its letters dated 15.12.2023 and 3.5.2024 and continuously pursuing the matter with the Ministry of Power. However, no clarification has been received so far. CTUIL is directed to place on record the response received from the Ministry of Power as and when it is received. Meanwhile, we proceed to grant the transmission licence to the Petitioner Company so that the construction work of the transmission line may not be delayed.

10. As regards the grant/amendment of a transmission licence, Clauses (15) and (16) of Regulation 7 of the Transmission Licence Regulations provide as under:

“(15) The Commission may after consideration of the further suggestions and objections, if any, received in response to the public notice as aforesaid, grant licence as nearly as practicable in Form-III attached to these regulations or for

reasons to be recorded in writing, reject the application if such application is not in accordance with the provisions of the Act, the rules or regulations made thereunder or any other law for the time being in force or for any other valid reason.

(16) The Commission may, before granting licence or rejecting the application, provide an opportunity of hearing to the applicant, the Central Transmission Utility, the long-term customers, or the person who has filed suggestions and objections, or any other person: Provided further that the applicant shall always be given a reasonable opportunity of being heard before rejecting the application.”

11. Proviso of Regulation 19(1) provides as under:

“Provided that before ordering any alteration and amendments in the terms and conditions of the licence, proposed to be made otherwise than on the application of the licensee, the Commission shall publish a notice in two such daily newspapers as it considered necessary with the ...”

12. In our order dated 24.7.2024, we had proposed to amend a transmission licence to the Petitioner company and directed for the issuance of public notice. In response to the public notice, no suggestions/ objections have been received. CTUIL, vide its letter dated 29.5.2024, has recommended the grant of a transmission licence to the Petitioner. Considering the submissions of the Petitioner and CTUIL, we, accordingly, direct that the transmission licence granted to POWERGRID Ramgarh Transmission Limited be amended to establish the transmission scheme through the RTM route as per the details given in paragraph 1 above.

13. The amendment of the existing RTM transmission licence to the Petitioner is subject to the fulfilment of the following conditions throughout the period of licence:

(a) The transmission licence shall, unless revoked earlier, remain in force for a period of 25 years from the date of issue;

(b) The transmission licensee shall comply with the provisions of the Central Electricity Regulatory Commission (Terms and Conditions for grant of

Transmission Licence and other related matters) Regulations, 2024 (hereinafter referred to as 'the Transmission Licence Regulations, 2024') or any subsequent enactment thereof during the period of subsistence of the licence;

- (c) The licensee may make an application, two years before the expiry of the initial licence period, for the grant of the transmission licence for another term in accordance with Regulation 9 (2) of the Transmission Licence Regulations, 2024, which shall be considered by the Commission in accordance with law;
- (d) The licensee shall not enter into any contract for or otherwise engage in the business of trading in electricity during the period of subsistence of the transmission licence;
- (e) The licensee shall have the liability to pay the license fee in accordance with the provisions of the Central Electricity Regulatory Commission (Payment of Fees) Regulations, 2012, as amended from time to time or any subsequent enactment thereof. Delay in payment or non-payment of licence fee or a part thereof for a period exceeding sixty days shall be construed as a breach of the terms and conditions of the licence;
- (f) The licensee shall comply with the directions of the National Load Despatch Centre under Section 26 of the Act, or the Regional Load Despatch Centre under subsection (3) of Section 28 or sub-section (1) of Section 29 of the Act, as may be issued from time to time for maintaining the availability of the transmission system;

- (g) The licensee shall remain bound by the provisions of the Central Electricity Regulatory Commission (Standard of Performance of inter-State transmission licensees) Regulations, 2012 or subsequent enactment thereof;
- (h) The licensee shall provide the non-discriminatory open access to its Transmission System for use by any other licensee, including a distribution licensee or an electricity trader, or generating company or any other person in accordance with the Act; the Central Electricity Regulatory Commission (Open Access in inter-State Transmission) Regulations, 2008; the Central Electricity Regulatory Commission (Connectivity and General Network Access to the inter-State Transmission System) Regulations, 2023; the Central Electricity Regulatory Commission (Indian Electricity Grid Code) Regulations, 2023, as amended from time to time or any subsequent re-enactments thereof;
- (i) The licensee shall not undertake any other business for optimum utilization of the Transmission System without prior intimation to the Commission and shall comply with the provisions of the Central Electricity Regulatory Commission (Sharing of Revenue Derived from Utilization of Transmission Assets for other business) Regulations, 2020;
- (j) The licensee shall remain bound by provisions of the Central Electricity Regulatory Commission (Sharing of inter-State Transmission Charges and Losses) Regulations, 2020, as amended from time to time;
- (k) The licensee shall remain bound by the provisions of the Act, the Rules and Regulations framed thereunder, in particular the Transmission Licence Regulations, 2024, the Grid Code, the Standards specified by the Central

Electricity Authority, orders and directions of the Commission issued from time to time;

(l) The licensee shall ensure the execution of the Project as per the Technical Standards and Grid Standards of CEA;

(m) The licensee shall submit all such report or information as may be required under Transmission Licence Regulations, 2024, Standard of Performance Regulations or any other regulation of the Commission or as per the directions of the Commission as may be issued from time to time;

(n) The licensee shall ensure that the EPC contract for the execution of work under the scope of the project is awarded through a competitive bidding process.

14. The Central Electricity Authority/ CTUIL shall monitor the execution of the Project and bring to the Commission's notice any lapse on the part of the licensee in meeting the schedule for further appropriate action in accordance with the provisions of the Act and the Transmission Licence Regulations, 2024.

15. An extract of a copy of this order/licence be sent to the Central Government in the Ministry of Power and the Central Electricity Authority in terms of sub-section (7) of Section 15 of the Electricity Act, 2003, for their information and record.

16. Petition No. 215/TL/2024 is allowed in terms of the above.

Sd/-
(Harish Dudani)
Member

sd/-
(Ramesh Babu V.)
Member

sd/-
(Jishnu Barua)
Chairperson