

**CENTRAL ELECTRICITY REGULATORY COMMISSION  
NEW DELHI**

**Petition No. 228/AT/2024**

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

**Date of Order: 21<sup>st</sup> August, 2024**

**In the matter of**

Petition under Section 63 of the Electricity Act, 2003 seeking adoption of Transmission Tariff discovered pursuant to tariff based competitive bidding with respect to the development and operation of "Transmission Scheme for North Eastern Region Expansion Scheme-XVI (NERES-XVI)".

**And  
In the matter of**

**NERES XVI Power Transmission Limited,  
Core-4, Scope Complex 7  
Lodhi Road, New Delhi-110003**

**...Petitioner**

**Vs**

- 1. Central Transmission Utility of India Limited,  
Saudamini, Plot No.2, Sector-29,  
Gurgaon-122 001, Haryana.**
- 2. REC Power Development & Consultancy Limited,  
D-Block, REC Headquarter, Plot No. I-4, Sector-29,  
Gurgaon-122001.**
- 3. Department of Power, Government of Arunachal Pradesh,  
Vidyut Bhawan, Zero Point Tinali,  
Itanagar- 791111, Arunachal Pradesh.**
- 4. Manipur State Power Distribution Company Limited,  
3<sup>rd</sup> Floor, New Directorate Building, Near 2<sup>nd</sup> MR Gate,  
Imphal Dimapur Road,  
Imphal West-795001, Manipur.**
- 5. Power and Electricity Department, Mizoram,  
P&ED, Govt. of Mizoram,  
Kawlphetha Building, MINECO,  
Aizawl-796001.**

6. **Department of Power, Government of Nagaland,**  
Electricity House, AG Colony,  
Kohima-797001, Nagaland.

7. **Tripura State Electricity Corporation Limited,**  
Office of The Deputy General Manager (Commercial & Tariff),  
TSECL, Agartala-799001.

8. **Powergrid, Assam,**  
Powergrid, Biswanath Chariali 800 kV HVDCS/S,  
Biswanath Ghat Road, P.O.: Burigang,  
Dist.: Sonitpur-784176, Assam.

9. **Assam Power Dist. Co. Limited,**  
Bijulee Bhawan, Paltan Nagar,  
Guwahati-781001, Assam.

10. **Meghalaya Energy Corporation Limited,**  
Lumjingshai, Short Round Road,  
Shillong-793001.

....Respondents

**Parties present:**

Ms. Poonam Verma Sengupta, Advocate, NERESXVI  
Shri Saunak Kumar Rajguru, Advocate, NERESXVI  
Shri Pradyuman Amit Sharma, Advocate, NERESXVI  
Shri Jitendra Singh, RECPDCL  
Shri Sidharth Sharma, CTUIL  
Shri Akshayvat Kislal, CTUIL

**ORDER**

The Petitioner, NERES XVI Power Transmission Limited (hereinafter referred to as 'NERES/Petitioner'), 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 North-Eastern Region Expansion Scheme-XVI (NERES-XVI)" on a Build, Own, Operate and Transfer (BOOT) basis. The Petitioner has made the following prayers:

*“(a) Admit the present Petition;*

*(b) Adopt the annual Transmission Charges of Rs. 490.15 million as discovered through a TBCB route for development and operation of*

*“Transmission Scheme for North Eastern Region Expansion Scheme-XVI (NERES-XVI)”;*

- (c) *Allow the “Transmission Scheme for North Eastern Region Expansion Scheme-XVI (NERES-XVI)” to be part of the Inter-State Transmission System; and*
- (d) *Hold that the recovery of Transmission Charges by NERES shall be in accordance with the terms of CERC (Sharing of Inter-state Transmission Charges and Losses) Regulations, 2020 and any other amendment thereto issued from time to time by the Commission;*

2. On receipt of the present Petition, the Bid Process Coordinator (BPC), REC Power Development and Consultancy Limited (hereinafter referred to as “RECPDCL”) vide letter dated 1.7.2024, 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 9.7.2024.

3. The matter was called out for the hearing on 25.7.2024, and notices were issued to the Respondents, to file their respective replies. However, no reply has been filed by the Respondents.

4. 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.”*

5. 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 the transmission of electricity through tariff based competitive bidding for the 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. 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 the 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 an electronic medium under an 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 issuing 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.

6. 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.

7. The Central Electricity Authority (CEA), Government of India, vide its Gazette Notification dated 24.1.2023, has notified the RECPDCL as a Bid Process Coordinator (“BPC”) for the purpose of selection of the bidder as the Transmission Service Provider to establish the Inter-State Transmission System for “North Eastern Region Expansion Scheme-XVI (NERES-XVI)” on a Build, Own, Operate and Transfer basis through the tariff based competitive bidding process.

8. NERES XVI Power Transmission Limited (the Petitioner) was incorporated on 11.1.2023 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 North-Eastern Region Expansion Scheme-XVI (NERES-XVI)” 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”.*

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

10. 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 29.3.2023. Intimation regarding the initiation of the bid process was given to this Commission in accordance with Clause 4.2 of the Guidelines dated 10.8.2021.

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

S. No.	Events	Date
1.	Publication of RfP	29.3.2023
2.	Technical & Price Bid Submission	12.3.2024
3.	Technical Bid Opening	12.3.2024
4.	Initial Bid Opening (IPO)	19.3.2024
5.	e-Reverse Auction	20.3.2024
6.	Final Bid Evaluation Committee Meeting	22.3.2024
7.	Issuance of Lol	15.4.2024
8.	Signing of Agreements & transfer of SPV	30.5.2024

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

Sl. No.	Scope of Transmission Scheme	SCOD Effective Date
1.	<ul style="list-style-type: none"> <li>▪ Establishment of Gogamukh substation 400/220/132kV               <ul style="list-style-type: none"> <li>○ 500MVA, 400/220kV ICT: 2 nos.</li> <li>○ 200MVA, 220/132kV ICT: 2 nos.</li> <li>○ 420kV, 125MVAr Bus reactor: 2 nos.</li> <li>○ 400kV ICT bays: 2 nos.</li> <li>○ 220kV ICT bays: 4 nos.</li> <li>○ 132kV ICT bays: 2 nos.</li> <li>○ 400kV Bus reactor bays: 2 nos.</li> <li>○ 220kV Bus coupler bay: 1 no.</li> <li>○ 220kV Transfer bus coupler bay: 1 no.</li> <li>○ 132kV Transfer Bus coupler bay: 1 no.</li> </ul> </li> </ul>	30 months from date of signing of SPA  (30.11.2026)



Sl. No.	Scope of Transmission Scheme	SCOD Effective Date
	<ul style="list-style-type: none"> <li>▪ 400kV line bays: 4 nos. [for termination of LILO of one D/c line (ckt-1 &amp; ckt-2 of line-1) of Lower Subansiri - Biswanath Chariali 400kV (Twin Lapwing) 2xD/c lines]</li> <li>▪ 220kV line bays: 2 nos. [for termination of Bihpuria – Gogamukh 220kV D/c line (line to be implemented by AEGCL)]</li> <li>▪ 132kV line bays: 4 nos. [2 no. for termination of LILO of one circuit of North Lakhimpur – Dhemaji 132kV new D/c line (LILO to be implemented by AEGCL) &amp; 2 no. for termination of Gogamukh (ISTS) – Gerukamukh (Arunachal Pradesh) 132kV D/c line]</li> </ul> <p><b>Additional space for future expansion:</b></p> <ul style="list-style-type: none"> <li>▪ 400/220kV, 1x500MVA ICT-1 no. (along with associated bays at both levels)</li> <li>▪ 220/132kV, 1x200MVA ICT- 1 no. (along with associated bays at both levels)</li> <li>▪ 420kV, 1x125MVA r bus reactor along with associated bays</li> <li>▪ 12 nos. of 400kV line bays for future lines <ul style="list-style-type: none"> <li>○ 4 nos. of 400kV line bays for termination of Dibang – Gogamukh 2xD/c lines</li> <li>○ 2 nos. of 400kV line bays (along with 2x80MVA switchable line reactor) for termination of Gogamukh – Biswanath Chariali 400kV D/c (Quad) line</li> <li>○ 6 nos. of 400kV line bays (along with switchable line reactor) for future lines</li> </ul> </li> <li>▪ 6 nos. of 220kV line bays for future lines</li> <li>▪ 6 nos. of 132kV line bays for future lines</li> <li>▪ 220kV Bus sectionalizer bay :1 set</li> <li>▪ 220kV Bus coupler bay: 1 no.</li> <li>▪ 220kV Transfer bus coupler bay: 1 no.</li> <li>▪ 132kV Bus sectionalizer bay :1 set</li> <li>▪ 132kV Transfer Bus coupler bay: 1 no.</li> </ul>	
2.	<ul style="list-style-type: none"> <li>▪ Extension works at Gerukamukh (Arunachal Pradesh) 132kV S/s</li> </ul>	

Sl. No.	Scope of Transmission Scheme	SCOD Effective Date
	<ul style="list-style-type: none"> <li>▪ 132kV line bays: 2 nos. (for termination of Gogamukh (ISTS)-Gerukamukh (Arunachal Pradesh) 132kV D/c line)</li> </ul>	
3.	Gogamukh (ISTS)-Gerukamukh (Arunachal Pradesh) 132kV D/c (Zebra) line	
4.	LILO of one D/c (ckt-1 & ckt-2 of line-1) of Lower Subansiri-Biswanath Chariali 400kV (Twin Lapwing) 2xD/c lines at Gogamukh S/s	
<p><b>Note:</b></p> <p>(a) DoP, Arunachal Pradesh to provide space at Gerukamukh (Arunachal Pradesh) S/s for implementation of 2 no. 132kV line bays. TSP to provide Rs. 39.36 Lakhs to DoP, Arunachal Pradesh pertaining to additional land acquisition at Gerukamukh (Arunachal Pradesh) S/s and dismantling and erection of already installed structures with the associated civil works in Gerukamukh (Arunachal Pradesh) S/s.</p> <p>(b) Bihpuria (AEGCL)-Gogamukh (ISTS) 220kV D/C line is to be implemented by AEGCL.</p> <p>(c) LILO of one circuit of North Lakhimpur (AEGCL)-Dhemaji (AEGCL) 132kV new D/C line is to be implemented by AEGCL.</p>		

13. 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, SBI Commercial Clients Group Regional Office-II, New Delhi	Chairman
2	Sh. Bhanwar Singh Meena Director, PSETD Division, Central Electricity Authority	Member
3	Sh. B. S. Bairwa Director, PSPA-II Division, Central Electricity Authority	Member
4	Smt. P Sun Addl. CE, MePTCL	Member
5	Sh. Balabanta Basumatary CGM, PPD, AEGCL	Member
6	Sh. Harsh Baweja Chairman, NERES XVI Power Transmission Limited	Convener-Member

14. Responses to the RfP were received from the following three bidders:

S.No.	Name of the Bidder/ Consortium
1	M/s Power Grid Corporation of India Limited
2	M/s Sterlite Grid 12 Limited
3	M/s Techno Electric & Engineering Company Limited

15. The Initial Offer of all three bidders was opened on 19.3.2023 in the presence of the Bid Evaluation Committee.

Sr. No.	Name of the Bidder	Quoted Transmission Charges as per the Initial Offer (in Rs. Million)	Rank
1.	M/s Techno Electric & Engineering Company Limited	580.00	L1
2.	M/s Power Grid Corporation of India Limited	608.50	L2
3.	M/s Sterlite Grid 12 Limited	675.90	L3

16. BEC noted that the lowest quoted transmission charges from the Initial Offer submitted by the bidders was Rs. 580.00 million which shall be the ceiling for quoting the Final Offers during electronic reverse auction. As per the provision of the RfP document, the bidders holding the first fifty percent 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, in the ascending order of Initial Offer. As per the provisions of the RfP documents, BEC recommended the three qualified bidders participate in the e-reverse auction stage and submit their final offer.

17. The e-reverse auction was carried out at the MSTC portal on 20.3.2024 after intimating the bidders regarding the lowest initial price offer. The following transmission charges for the bidders (in ascending order) emerged:

Sr. No.	Name of the Bidder	Quoted Transmission Charges as per the Initial Offer (in Rs. Million)	Final Transmission Charges as per the Initial Offer (in Rs. Million)	Rank
1.	M/s Techno Electric & Engineering Company Limited	580.00	490.15	L1

2.	M/s Power Grid Corporation of India Limited	608.50	491.38	L2
3.	M/s Sterlite Grid 12 Limited	675.90	571.33	L3

18. Based on the e-reverse bidding, BEC, in its meeting held on 22.3.2024, recommended M/s Techno Electric & Engineering Company Limited, with the lowest transmission charges of Rs. 490.15 million, as the successful bidder.

19. Letter of Intent was issued by the BPC on 15.4.2024 to the successful bidder, i.e., M/s Techno Electric & Engineering Company 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.

20. In accordance with the provisions of the bid documents and upon the issuance of Lol to the successful bidder, M/s Techno Electric & Engineering Company 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.

21. 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 NERES XVI Power Transmission Limited from RECPDCL, along with all its related assets and liabilities.

22. 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.

23. 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 25.4.2024. Though Lol was issued on 15.4.2024, BPC, vide its letter dated 30.5.2024 in terms of Clauses 2.15.2 of RfP, extended the date up to 6.6.2024 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. 8.10 crore on 28.5.2024 and acquired a hundred per cent equity-holding in the applicant company on 30.5.2024 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, M/s Techno Electric & Engineering Company Limited, acquired the SPV on 30.5.2024. Accordingly, the TSP has filed the instant Petition through e-filing for the grant of a transmission licence on 6.6.2024.

24. The Petitioner has approached the Commission with a separate application for

the grant of a transmission licence. The Commission, vide order dated 20.8.2024 in Petition No. 229/TL/2024, on being satisfied that the Petitioner, *prime facie*, qualifies for the grant of a 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.

25. 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 Third Meeting of the Bid Evaluation Committee meeting held on 22.3.2024, the following have been recorded:

*“... As per provisions of RFP document, following three (03) bidders were qualified to participate in the electronic reverse auction stage and submit their Final Offer:*

<i>Sr. No.</i>	<i>Name of the Bidder</i>	<i>Quoted Transmission Charges as per the Initial Offer (in Rs. Million)</i>	<i>Rank</i>
1.	<i>M/s Techno Electric &amp; Engineering Company Limited</i>	<i>580.00</i>	<i>L1</i>
2.	<i>M/s Power Grid Corporation of India Limited</i>	<i>608.50</i>	<i>L2</i>
3.	<i>M/s Sterlite Grid 12 Limited</i>	<i>675.90</i>	<i>L3</i>

- *To start electronic reverse auction on 20.03.2024 at 1100 Hrs (1ST) 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 19.03.2024 (duly acknowledged by them) regarding the electronic reverse auction start time and lowest initial offer.*
4. *The electronic reverse auction started on 20.03.2024 at 1100 Hrs (1ST) on MSTC portal and 67 bids have been received during electronic reverse auction. Accordingly Quoted Transmission Charges for each bidder (in ascending order) is as under:*

Sr. No.	Name of the Bidder	Quoted Transmission Charges as per the Initial Offer (in Rs. Million)	Final Transmission Charges as per the Initial Offer (in Rs. Million)	Rank
1.	M/s Techno Electric & Engineering Company Limited	580.00	490.15	L1
2.	M/s Power Grid Corporation of India Limited	608.50	491.38	L2
3.	M/s Sterlite Grid 12 Limited	675.90	571.33	L3

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

5. As per above table, M/s Techno Electric & Engineering Company Limited emerged as the successful Bidder after the conclusion of electronic reverse auction with the lowest annual transmission charges of Rs. 490.15 Million which is also the Final Offer.

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

- a) Lowest annual transmission charges of Rs. 490.15 Million discovered through electronic reverse auction is less than the estimated annual transmission charges of Rs. 616.0423 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 Techno Electric & Engineering Company Limited has submitted original hard copies of Annexure-3 and Annexure-14 and the same are found to be in order.
- c) 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 as amended from time to time.

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

- a) M/s Techno Electric & Engineering Company Limited, with the lowest annual transmission charges of Rs. 490.15 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.

8. In view of para 7 above, BEC recommended to issue the Letter of Intent (LOI) to M/s Techno Electric & Engineering Company 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.***

26. Bid Evaluation Committee (BEC), vide its certificate dated 22.3.2024, 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 as amended from time to time.*

*b. M/s Techno Electric & Engineering Company Limited, with the lowest annual transmission charges of Rs. 490.15 Million, emerged as the successful Bidder after the conclusion of electronic reverse auction.*

*c. The transmission charges of Rs. 490.15 Million discovered after electronic reverse auction is acceptable.”*

27. 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 22.3.2024, has certified that M/s Techno Electric & Engineering Company Limited has emerged as the successful bidder after the conclusion of the e- reverse auction with the lowest transmission charges of Rs. 490.15 million. Based on the certification of the BEC, we approve and adopt the single annual transmission charges of Rs. 490.15 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.



28. 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.

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

30. Petition No. 228/AT/2024 is disposed of in terms of the above.

**Sd/-**  
**(Ramesh Babu V.)**  
**Member**

**sd/-**  
**(Jishnu Barua)**  
**Chairperson**