

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 323/AT/2024

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

Date of Order: 19th December, 2024

In the matter of

Application under Section 63 of the Electricity Act, 2003 for adoption of transmission charges with respect to the Transmission System being established by Beawar – Mandsaur Transmission Limited.

And

In the matter of

Beawar - Mandsaur Transmission Limited,
(A 100% wholly owned subsidiary of Power Grid Corporation of India Limited).
B-9, Qutab Institutional Area,
Katwaria Sarai, New Delhi-110016.

Address for Correspondence:

C/o ED (TBCB), Power Grid Corporation of India Limited,
Saudamini, Plot no.2, Sector -29, Gurgaon-122001.

...Petitioner

Vs

1. Central Transmission Utility of India Limited,
Saudamini, Plot no.2, Sector -29,
Gurgaon-122001.

2. PFC Consulting Limited,
9th Floor, A-Wing, Statesman House,
Connaught Place, New Delhi-110001.

3. Acme Cleantech Solutions Private Limited,
Plot No. 152, Sector-44,
Gurugram-122002, Haryana.

4. Teq Green Power XV Private Limited,
8th Floor, DLF Square, Jacaranda Marg,
DLF Phase-2, Sector-25,
Gurugram-122002, Haryana.

5. Eden Renewable Cadet Private Limited,
Unit No. 236 B & C, First Floor,
DLF South Court, Saket, Delhi-110017.

6. Enren-I Energy Private Limited,
Sixth Floor, Unit No. 3,4 & 5, Fountainhead Tower-2,
Viman Nagar, Phoenix City, Pune- 411014, Maharashtra.

7. Avaada Energy Private Limited,
C-11, Sector-65, Gautam Buddha Nagar,
Noida, Uttar Pradesh.

8. Anboto Solar Private Limited,
Level 1, Southern Park Building,
D-2 District Centre Saket, New Delhi -110017.

9. Gamma Renewables India Project One Private Limited,
208, Tower B, Pioneer Urban Square,
Sector 62, Gurugram-122005, Haryana.

**10. ReNew Sun Power Pvt. Limited,
Auxo Sunlight Private Limited,**
Commercial Block -1, Golf Course Road,
DLF City, Zone 6, Sector 43, Gurgaon-122009.

11. Juniper Green Energy Private Limited,
Plot No. 18, 1st Floor, Institutional Area,
Sector 32, Gurugram, Haryana.

12. AMP Energy Green Private Limited,
309, Rectangle One, Behind Sheraton Hotel,
Saket, New Delhi -110017.

**13. ABREL (RJ) Projects Limited,
Aditya Birla Renewables Subsidiary Limited,**
8th Floor, Parsvnath Capital Towers,
Bhai Vir Singh Marg,
New Delhi.

**14. ReNew Solar Power Pvt. Limited,
Auxo Sunlight Private Limited,**
Commercial Block -1, Golf Course Road,
DLF City, Zone 6,
Sector 43, Gurgaon- 122009.

15. Radiant Star Solar Park Private Limited,
D59, Sector 63, Noida, Uttar Pradesh.

16. Helia Energy Park Private Limited,

Order in Petition No. 323/AT/2024

C/o Provoltus Energy,
Corporatedge, Level 6, Two Hoizon Centre,
Golf Course Road Gurugram, Haryana.

17. EG Saur Urja Pvt. Limited,
D.No.8-2-610/68/1,2,3, Accord Blu,
5th Floor Road.No.10, Banjara Hills,
Hyderabad, Telangana.

**18. SPRNG Pavana Urja Private Limited,
SPRNG Power Pvt. Limited,
SPRNG Akshaya Urja Private Limited,
SPRNG Energy Private Limited,**
A -001, Upper Ground, P-5,
Pentgaon Tower, Magarpatta City Hadapsar,
Pune-411028, Maharashtra.

**19. Green Infra Clean Wind Technology Limited,
Green Infra Clean Solar Farms Limited,**
5th Floor, Tower C, Building No. 8,
DLF Cybercity, Gurugram-122002, Haryana.

20. Utkrisht Solar Energy Private Limited,
Unit No 208 & 209, Tower B,
Pioneer Urban Square, Second Floor,
Sector 62, Gurugram-122005, Haryana.

**21. Juniper Green Stellar Private Limited,
Juniper Green Beta Private Limited,
Juniper Green Energy Private Limited,**
Plot No. 18, 1st Floor, Institutional Area,
Sector 32, Gurugram, Haryana.

**22. BN Hybrid Power-1 Private Limited,
BN Dispatchable-1 Private Limited,**
Unit 4A, 2nd Floor, Infinity Tower A,
DLF Cyber City,
Gurugram-122002, Haryana.

23. Cannice Renewables Energy Private Limited,
401, D-1, 4th Floor, Salcon Rasvillas,
Saket District Centre, Saket, Delhi.

24. NTPC Renewable Energy Limited,
NETRA Building, E-3, Ecotech-II, Udyog Vihar,
Greater Noida-201306.

25. Luceo Solar Private Limited,
Office 203, Pentagon P-3, Level 2,
Magarpatta City Hadapsar,

Pune– 411028, Maharashtra.

26. Serentica Renewables India Private Limited,
DLF Cyber Park, 9th Floor,
Udyog Vihar Sector 20,
Phase 3, Gurugram, Haryana.

27. Abu Renewables India Private Limited,
14th Floor, Tower B, Vatika Towers,
Suncity Sector-54, Gurgaon, Haryana.

28. Frugal Energy Private Limited,
D-59, Sector 63, Noida, Uttar Pradesh.

29. Seven Renewable Power Private Limited,
S-2904, 29th Floor, World Trade Centre,
Brigade Gateway Campus, Karnataka.

30. Bhadla Three SKP Green Ventures Private Limited,
First floor, B2/18, Gandhi Path,
Chitrakoot scheme,
Vaishali Nagar, Jaipur, Rajasthan.

31. TP Saurya Limited,
C/o The Tata Power Company Limited,
Corporate center A,
Sant Tukaram Road,
Carnac Bunder,
Mumbai-400009, Maharashtra.

32. Sourya Manthan Renewable Energy Private Limited,
401, D-1, 4th Floor, Salcon Rasvillas,
Saket District Centre, Saket, Delhi.

33. Proteus Energy Private Limited,
9th Floor, My Home Twitza, Plot No.30/A,
TSIIC Hyderabad Knowledge City,
Raidurg, Hyderabad-500081, Telangana.

34. Juniper Green Cosmic Private Limited,
Plot No. 18, 1st Floor, Institutional Area,
Sector 32, Gurugram, Haryana.

35. MRS Buildvision Private Limited,
306A, D-2, Southern Park,
Saket District Centre,
Saket-110017, New Delhi.

36. Sunbreeze Renewables Nine Private Limited,
Office No 520, P-5 Floor,

Order in Petition No. 323/AT/2024

Urbtech Building Park, Sector-153, Noida,
Gautam Buddha Nagar- 201301, Uttar Pradesh.

**37. Sunsure Solarpark RJ One Private Limited,
Sunsure Solarpark Fourteen Private Limited,**
1101A-1107, 11th Floor,
BPTP Park Centra Jal Vayu Vihar,
Sector 30, Gurugram-122001, Haryana.

38. Saimaa Solar Private Limited,
5th Floor, North Tower,
M3M Tee Point, Sector-65,
Golf Course Extension Road,
Gurgaon-122018, Haryana.

**39. SPRNG Power Private Limited,
SPRNG Urja Private Limited,
SPRNG Akshaya Urja Private Limited,
SPRNG Energy Private Limited,
SPRNG Pavana Urja Private Limited,**
Off A -001, Upper Ground, P-5,
Pentgaon Tower, Magarpatta City Hadapsar,
Pune-411028, Maharashtra.

40. Adani Solar Energy AP Three Limited,
4th Floor, South Wing, Adani Corporate House Shantigram,
S G Highway, Ahmedabad-382421, Gujarat.

41. Shudh Solar Power Private Limited,
Shop No. 303, City Pearl, Opp. Ganguar Hotel,
M.I. Road,
Jaipur-302001, Rajasthan.

**42. Hazel Hybren Private Limited,
Furies Solren Private Limited,**
B-Block, 6th Floor, Embassy 247,
Vikhroli West, Mumbai-400083, Maharashtra.

43. Solarcraft Power India 4 Private Limited,
109, First Floor, Rishabh IPEX Mall,
IP Extension Patparganj, Delhi-110092.

44. AM Green Energy Private Limited,
MyHome Twitza, 5th Floor, Plot No. 30/A,
Survey No. 83/1 APIIC Knowledge,
city of Rai Durg, Rangareddy district,
Hyderabad-500081, Telangana.

45. Iraax International (OPC) Private Limited,
R-3, Tilak Marg, civil Lines,

Jaipur-302005, Rajasthan.

46. Clean Max Gamma Private Limited,
First Floor, Clean Max Enviro Energy Solutions Private Limited,
The Peach Tree Complex, Sushant Lok Phase I,
Gurugram-122009, Haryana.

47. Deshraj Solar Energy Private Limited,
Plot no 51 & 51, M-Powered Building,
Phase-IV, Udyog Vihar, Gurgaon.

48. First Energy Private Limited,
Unit No. 601, 6th Floor, Cello Platina,
Fergusson College Road, Shivajinagar,
Pune-411005, Maharashtra.

49. Project Nine Renewable Power Private Limited,
S 2904, 29th Floor, World Trade Center,
Brigade Gateway Campus, #26/1,
Dr. Rajkumar Road,
Malleswaram–Rajaji Nagar,
Bangalore–560055.

50. Chandigarh Electricity Department,
UT-Chandigarh, Div-11, Opposite, Transport Nagar,
Industrial Area Phase - I, Chandigarh.

51. BSES Rajdhani Power Limited,
AVP (PMG), PMG Office, 2nd Floor B-Block,
Nehru Place-110019, New Delhi.

52. BSES Yamuna Power Limited,
Asstt. Vice President (PMG),
Shakti Kiran Bldg, Second Floor,
Karkardooma-110032, New Delhi.

53. New Delhi Municipal Council,
AAO (Commercial), 19th Floor, NDMC,
Palika Kendra,
Sansad Marg-110001, New Delhi.

54. Tata Power Delhi Distribution Limited,
Power Management Group,
Technology Centre, Near PP-3 Grid Sub Station,
Opp. PP Jewellers, Netaji Shubhash Place,
Pitampura-110034, New Delhi.

55. Himachal Pradesh State Electricity Board,
PR&ALDC, HPSEB Ltd., 132 KV S/S Tutu,
Shimla-171011, Himachal Pradesh.

56. Haryana Power Purchase Centre,
Shakti Bhawan, Energy Exchange, Panchkula.

57. Power Development Department,
Jammu Jammu SLDC Buliding, 1st Floor, Gladni,
Power House Narwal, Jammu, J&K.

58. Punjab State Power Corporation Limited,
Shed No. T-1A, Thermal Designs,
Patiala-147001, Punjab.

59. HVDC Dadri, POWERGRIDPOWERGRID,
B-9, Qutub Institutional Area,
Katwaria Sarai-110016, New Delhi.

60. HVDC Rihand, POWERGRIDPOWERGRID,
B-9, Qutub Institutional Area,
Katwaria Sarai-110016, New Delhi.

61. Ajmer Vidyut Vitran Nigam Limited,
Rajasthan Urja Vikas Nigam Limited, 132 KV,
Sub- Station Building,
Calgiri Road Malviya Nagar,
Jaipur-302017, Rajasthan.

62. Jodhpur Vidyut Vitran Nigam Limited,
Rajasthan Urja Vikas Nigam Limited,
132 KV, Sub- Station Building,
Calgiri Road Malviya Nagar,
Jaipur-302017, Rajasthan.

63. Jaipur Vidyut Vitran Nigam Limited,
Rajasthan Urja Vikas Nigam Limited,
132 KV, Sub- Station Building,
Calgiri Road Malviya Nagar,
Jaipur-302017, Rajasthan.

64. North Central Railway,
DRM Office Nawab Yusuf Road-211011.

65. Uttrakhand Power Corporation Limited,
Urja Bhjawan, Kanwali Road,
Dehradun-248001.

66. Uttar Pradesh Power Corporation Limited,
Fund Management,
Shakti Bhawan, 14 Ashok Marg,
Lucknow, UP.

67. AD Hydro Power Limited,
Bhilwara Towers, A-12, Sector-1,
Noida-201301.

68. GMR Kamalanga Energy Limited,
25/1 Skip House, Museum Road,
Museum Road, Bangalore – 560025, Karnataka.

69. MB Power (Madhya Pradesh) Limited,
239, Okhla Industrial Estate, Phase –III,
New Delhi-110020.

70. HVDC Agra, POWERGRID,
B-9, Qutub Institutional Area, New Delhi.

71. HVDC Balia, POWERGRID,
B-9, Qutub Institutional Area,
Katwaria Sarai, New Delhi-110016.

72. HVDC Bhiwadi, POWERGRID,
B-9, Qutub Institutional Area,
Katwaria Sarai, New Delhi-110016.

73. HVDC Kurukshetra, POWERGRID,
B-9, Qutub Institutional Area,
Katwaria Sarai, New Delhi-110016.

74. Northern Indian Railway,
Sr. DEE, TRD,
Delhi Division, Central Delhi.

75. Noida Power Company Limited,
Electric Sub Station Knowledge Park IV,
Greater Noida-201310.

76. Northern Railways,
Sr. DEE/ TRD, DRM Office,
Hazratgan, Lucknow–226001.

77. Chhatisgarh State Power Distribution Co. Limited,
CSPDCL, Post: Sundernagar, Dangania,
Raipur-492013.

78. Goa Electricity Deparement-WR,
Goa Electricity DeptCurti,
Ponda-403401.

79. Gujarat Urja Vikas Nigam Limited,
Sardar Patel Vidyut Bhavan,
Racecourse, Vadodara–390007.

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

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

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

83. M.P. Power Management Company Limited,
14, Shakti Bhawan,
Rampur, Jabalpur- 482008.

84. MSEDCL
Plot No 9, "Prakashgad",
A K Marg, Bandra East,
Mumbai-400051.

85. ACB India Limited,
7th Floor, Corporate Tower,
Ambience Mall, NH-8,
Gurgaon-122001, Haryana.

86. Torrent Power Limited,
Torrent Power Limited,
Naranpura Zonal Office, Sola Road,
Ahmedabad-380013.

87. Thermal Powertech Corporation India,
6-3-1090, Clock C, Level 2, TSR, Towers,
Rajbhavan Road,
Somajiguda,
Hyderabad-500082, Telangana.

88. BARC,
Bhabha Atomic Research Centre,
Anushakti Nagar,
Mumbai- 400085, Maharashtra.

89. GMR Warora Energy Limited,
Plot B-1, GMR Warora Energy Ltd,

Mohabala MIDC Growth Centre,
Post – Warora,
Dist – Chandrapur-442907, Maharashtra.

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

91. West Central Railway Head Office,
General Manager's Office,
Electrical Branch, Jabalpur–482001.

92. Western Railway,
Office of Chief Electrical Engineer Mumbai.

93. DB Power Limited- Untied,
Opp. Dena Bank, C-31,
G- Block Mumbai.

94. Chhattisgarh State Power Trading Co. Limited,
2nd floor Vidyut Sewa Bhawan Raipur.

95. TRN Energy Private Limited-Untied,
7th Floor, Ambience Office Block Gurugram.

96. Adani Power (Mundra) Limited,
Adani Corporate House,
Shantigram, Near Vaishnavdevi Circle,
S G Road, Ahmedabad–382421.

97. Raigarh HVDC Station,
RPT HVDC Office, Hebbal,
Bangalore–560094.

98. Arcelor Mittal Nippon Steel India Limited,
27, AMNS House, 2nd KM Surat Hazira road,
Hazira-394270, Gujarat.

99. Central Railway,
Pcee's Office 2nd Floor Parcle Building,
CSMT, Mumbai-400001.

**100. Dadra and Nagar Haveli and Daman and
Power Distribution Corporation Limited,**
1st & 2nd Floor, Vidyut Bhavan,
NexSilvassa & Daman.

101. MPSEZ Utilities Limited,

Order in Petition No. 323/AT/2024

Parties present:

Shri Rohit Jain, BMTL
Shri Vikas Kumar, BMTL
Ms. Priyadarshini, Advocate, PFCCL
Ms. Madhulika Murthy, PFCCL

ORDER

The Petitioner, Beawar- Mandsaur Transmission Limited (hereinafter referred to as “the 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 “Transmission system for evacuation of power from Rajasthan REZ Ph -IV (Part-2: 5.5 GW) (Jaisalmer/Barmer Complex) Part D” on a Build, Own, Operate and Transfer Basis. The Petitioner has made the following prayers:

*“a) Adoption of Transmission Charges for **Inter-State Transmission System for “Transmission system for evacuation of power from Rajasthan REZ Ph -IV (Part-2: 5.5 GW) (Jaisalmer/Barmer Complex) Part D” discovered through competitive bidding process.***

*b) Allow the sharing and recovery of Transmission Charges for **Inter-State Transmission System for “Transmission system for evacuation of power from Rajasthan REZ Ph -IV (Part-2: 5.5 GW) (Jaisalmer/Barmer Complex) Part D” as per Sharing of Inter-state Transmission Charges and Losses CERC Regulations 2020 and any other amendment thereon issued from time to time by CERC.***

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

Submission of the Petitioner

2. On receipt of the present Petition, the Bid Process Coordinator (hereinafter referred to as “the BPC”), PFC Consulting Limited (hereinafter referred to as “PFCCL”) vide letter dated 24.9.2024, 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 3.10.2024.

Hearing dated 17.10.2024 and 12.11.2024

3. The matter was initially listed for the hearing on 17.10.2024; however, it could not be taken up due to paucity of time. Subsequently, the matter was re-listed for hearing on 12.11.2024. During the course of the hearing on 12.11.2024, the representative of the Petitioner reiterated the submissions made in the pleadings and requested the Commission for the adoption of the tariff for the establishment of a Transmission system for evacuation of power from Rajasthan REZ Ph -IV (Part-2: 5.5 GW) (Jaisalmer/Barmer Complex) Part D.

4. Vide Record of Proceedings for the hearing dated 12.11.2024, the Respondents/Beneficiaries were directed to file their replies/comments on the Petitions, if any. However, no reply has been filed by them.

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, the 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 vide Resolution No. 15/1/2017-Trans dated 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 International Competitive

Bidding (ICB). For the purpose of issue of 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 CEA and

one member from 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 the 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 the 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 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 (5) working days from the date of execution of the Share Purchase Agreement for acquisition of the SPV.
- (k) BPC shall make the final result of evaluation of all bids public. The final TSA, along with the certification by the bid evaluation committee, shall be forwarded to the Appropriate Commission, for the adoption of tariff discovered from the

quoted annual transmission charges during the e-reverse bidding process in terms of Section 63 of the Act.

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

8. The Ministry of Power, Government of India, vide its Gazette Notification No. CG-DL-E-06092023-248580, dated 4.9.2023, has notified the PFCCL as a Bid Process Coordinator (BPC) for the purpose of selection of bidder as the Transmission Service Provider to establish the Inter-State Transmission System for “Transmission system for evacuation of power from Rajasthan REZ Ph -IV (Part-2: 5.5 GW) (Jaisalmer/Barmer Complex) Part D” on a Build, Own, Operate and Transfer Basis through tariff based competitive bidding process.

9. Beawar - Mandasaur Transmission Limited (the Petitioner) was incorporated on 19.1.2024 under the Companies Act, 2013 as a wholly owned subsidiary of PFCCL with the objective to establish the inter-State Transmission System for the “Transmission system for evacuation of power from Rajasthan REZ Ph -IV (Part-2: 5.5 GW) (Jaisalmer/Barmer Complex) Part D” (“Project”) and to act as the Transmission Service Provider after being acquired by the successful bidder. The main objectives of the Petitioner Company in its Memorandum of Association are as under:

“To develop Power System Network. 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 19.10.2023, with the last date of submission of response to RfP as 28.12.2023. Intimation regarding the initiation of the bid process was given to this Commission in accordance with Clause 4.2 of the Guidelines dated 10.8.2021.

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

S. No.	Events	Date
1	Publication of RfP	19.10.2023
2	Intimation to the Commission	23.10.2023
3	RfP (Technical)& Price Bid Submission	28.3.2024
4	RfP (Technical) Bid Opening	28.3.2024
5	RfP (Financial) Initial Price Offer -Opening	30.4.2024
6	e-Reverse Auction	1.5.2024
7	Final Bid Evaluation Committee Meeting	3.5.2024
8	Issuance of Lol	9.5.2024
9	Signing of Agreements & transfer of SPV	22.8.2024

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

Sl. No.	Name of the Transmission Element	Scheduled COD in months from Effective Date	Percentage of Quoted Transmission Charges recoverable on Scheduled COD of the Element of the Project	Element(s) which are pre-required for declaring the commercial operation (COD) of the respective Element
1.	<p>Beawar- Mandsaur PS 765 kV D/c line along with 240 MVAR switchable line reactor for each circuit at each end</p> <ul style="list-style-type: none"> • 765 kV, 240 MVAR switchable line reactors at Beawar – 2 Nos. • 765 kV, 240 MVAR switchable line reactors at Mandsaur PS – 2 Nos • Switching equipment for 765 kV, 240 MVAR switchable line reactors at Beawar – 2 Nos. • Switching equipment for 765 kV, 240 MVAR switchable line reactors at Mandsaur PS – 2 Nos. • Spare Reactor (1-ph, 1x80 MVar) unit at 765/400 kV Beawar S/s 	24 months from SPV acquisition	100%	All elements of the scheme are required to be commissioned simultaneously as their utilization is dependent on each other.

2.	2 No. of 765 kV line bays each at Beawar S/s & Mandsaur S/s			
	<ul style="list-style-type: none"> 765 kV line bays - 4 Nos. (2 Nos. each at Beawar S/s and Mandsaur PS) 			

Note:

- i. Developer of Mandsaur PS to provide space for 2 Nos. of 765 kV line bays at Mandsaur S/s along with the space for switchable line reactor.*
- ii. Developer of Beawar S/s to provide space for 2 Nos. of 765 kV line bays at Beawar S/s along with the space for switchable line reactor.*
- iii. Switchable line reactors to be implemented with NGR bypass arrangement.*

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

1.	Sh. Rajesh Kumar Singh, General Manager, SBI, CCGRO-II, New Delhi	Chairman of the Committee
2.	Sh. Bhanwar Singh Meena, Director, PSETD Division, Central Electricity Authority	Member
3.	Shri B. S. Bairwa, Director (PSP&A-II), CEA	Member
4.	Shri D. K. Meena, SE, NRPC	Member
5.	Shri V. A. Kale, SE, RVPN	Member
6.	Shri Milind M. Dafade, Chairman, Beawar-Mandsaur Transmission Limited, New Delhi	Convener-Member of the Committee

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

Sr. No.	Name of Bidders
1.	Power Grid Corporation of India Limited
2.	The Tata Power Company Limited
3.	Sterlite Grid 11 Limited

16. The responses of the bidders were opened on 28.3.2024 in the presence of the representatives of the bidders. Based on the recommendations of the Bid Evaluation Committee, the Initial Offer of all the three bidders was opened on

30.4.2024 in the presence of the Bid Evaluation Committee. In the BEC meeting held on 30.4.2024, it was noted that the lowest transmission charge from the Initial Offer submitted by the bidders was Rs. 2196.10 million per annum, which shall be the initial ceiling for quoting the final offer during the e-Reverse Auction. Accordingly, the rank of the bidders for participation in the e-reverse auction is as under:

Sr. No.	Name of the Bidder	Quoted Transmission Charges from the Initial Offer (in Rs. million per annum)	Rank
1.	Power Grid Corporation of India Limited	2196.10	L-1
2.	The Tata Power Company Limited	2300.00	L-2
3.	Sterlite Grid 11 Limited	2311.10	L-3

17. 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.

18. The e-reverse auction was carried out at the MSTC portal on 1.5.2024 after intimating to the bidders regarding the lowest initial price offer. The transmission charges for the bidders (in ascending order) emerged as under:

Sr. No.	Name of the Bidder	Final Quoted Transmission Charges (in Rs. million per annum)	Rank
1.	Power Grid Corporation of India Limited	1819.81	L-1
2.	The Tata Power Company Limited	1824.38	L-2
3.	Sterlite Grid 11 Limited	1903.78	L-3

19. Based on the e-reverse bidding, BEC, in its meeting held on 3.5.2024, recommended Power Grid Corporation of India Limited, with the lowest transmission charges of Rs. 1819.81 million per annum, as the successful bidder.

20. Letter of Intent was issued by the BPC on 9.5.2024 to the successful bidder, i.e., Power Grid Corporation of India Limited. In accordance with Clause 12.3 of the Guidelines, the BPC has hosted on the website of PFCCL, the final result of the evaluation of the bids for the selection of a developer for the Project.

21. In accordance with the provisions of the bid documents and upon the issuance of Lol to the successful bidder (Power Grid Corporation of India Limited) and acquisition of the SPV (the Petitioner) by the successful bidder, the Petitioner has prayed for the adoption of transmission charges for the Project which has been discovered through the competitive bidding process.

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

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

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

24. The proviso to Clause 2.15.2 of the RfP provides that "if for any reason attributable to the BPC, the said activities are not completed by the Selected Bidder within the above period of ten (10) days as mentioned in this clause, such period of 10 days shall be extended, on a day to day basis till the end of the Bid validity period". As per the above provision, the selected bidder was required to complete all the activities, including the acquisition of SPV, by 19.5.2024. Though Lol was issued on 9.5.2024, BPC, vide its letter dated 22.8.2024 in terms of Clauses 2.15.2 of RfP extended the date up to 22.8.2024 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. 52 crores on 22.8.2024 and acquired a hundred per cent equity-holding in the applicant company on 22.8.2024 after execution of the Share Purchase Agreement. As per clause 2.15.4 of the RfP, TSP is required to apply to the Commission for the adoption of transmission charges within five working days of the issuance of the acquisition of the SPV to the successful bidder. The successful bidder, namely Power Grid Corporation of India Limited, acquired the SPV on 22.8.2024. Accordingly, the TSP has filed the instant Petition through e-filing for the adoption of transmission charges on 30.8.2024.

25. The Petitioner has approached the Commission with a separate application for the grant of a transmission license. The Commission, vide order dated 3.12.2024 in Petition No. 324/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.

26. In accordance with the Guidelines, BEC has to certify that the tariff has been discovered through a transparent process of bidding and the tariff discovered is in line with prevailing market prices. In the minutes of the third Meeting of the Bid Evaluation Committee meeting held on 3.5.2024, the following have been recorded:

"1. The third meeting of the Bid Evaluation Committee (BEC) for evaluation of RFP (Financial) bids for the transmission scheme "Transmission system for evacuation of power from Rajasthan REZ Ph-IV (Part-2:5.5 GW) (Jaisalmer/Barmer Complex) Part D was held on May 03, 2024 at 1030 hrs (IST) through Video Conferencing (VC). All the members of BEC were present.

2. The RFP (Financial) Bid - Initial Offer for the following three (03) 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 April 30, 2024 at 1045 hrs (IST):

- i. Power Grid Corporation of India Limited*
- ii. Sterlite Grid 11 Limited*
- iii. The Tata Power Company Limited*

3. The lowest Quoted Transmission Charges from the Initial Offer discovered was Rs. 2196.10 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 three (03) bidders were qualified to participate in the e-reverse auction:

- i. Power Grid Corporation of India Limited*
- ii. Sterlite Grid 11 Limited*
- iii. The Tata Power Company Limited*

5. The lowest Initial Offer at MSTC portal i.e., Rs. 2196.10 million per annum was communicated (duly acknowledged by bidders) to the above three (03) bidders qualified for participating in the e-reverse auction process which was held at MSTC Portal on May 01, 2024 at 1000 hrs (IST) onwards:

6. The e-reverse auction process was carried out at MSTC Portal on 01.05.2024 at 1000 hrs (IST) and was closed after sixty-nine (69) rounds, on same day Le, on 01.05.2024 at 2015 hrs (IST). All the three (03) 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 at Annexure-B):

Sr. No.	Name of the Bidder	Quoted transmission charges (in Rs. million per annum)	Rank
1.	Power Grid Corporation of India Limited	1819.81	L1
2.	The Tata Power Company Limited	1824.38	L2
3.	Sterlite Grid 11 Limited	1903.78	L3

8. As per the provisions of the 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, Power Grid Corporation of India Limited' (the Bidder with lowest Final Offer) vide letter dated 02.05.2024 has submitted the original hard copies of Annexure 3 and Annexure 14 to BPC on 02.05.2024. 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 'Power Grid Corporation of India 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, Power Grid Corporation of India Limited' with the Final Offer (Quoted Transmission Charges) of Rs. 1819.81 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. 2838,63 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 Power Grid Corporation of India Limited is the successful Bidder after the conclusion of the e-reverse auction process with the lowest Quoted Transmission Charges of Rs. 1819.81 million per annum.

ii. The quoted tariff is lower than the Levelized Tariff estimated cost as per CERC norms. The quoted tariff discovered through e-reverse auction process is acceptable.

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

27. Bid Evaluation Committee (BEC), vide its certificate dated 3.5.2024, 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. Power Grid Corporation of India Limited, has emerged as the Successful Bidder after the conclusion of e-reverse bidding process with the lowest Quoted Transmission Charges of Rs. 1819.81 million per annum.*
- 3. The quoted tariff is lower than the Levelised Tariff calculated based on CERC norms considering the Capital Cost for the Project 'Transmission system for evacuation of power from Rajasthan REZ Ph -IV (Part-2: 5.5 GW) (Jaisalmer/Barmer Complex) Part D' as assessed by Cost Committee. The quoted tariff discovered through e-reverse bidding process is acceptable."*

28. In the light of the discussions in the preceding paragraphs, it emerges that the selection of the successful bidder and the discovery of the annual transmission charges of the Project has been carried out by the BPC through a transparent process of competitive bidding in accordance with the Guidelines issued by the Ministry of Power, Government of India under Section 63 of the Act. BEC has certified that the process is in conformity with the Ministry of Power Guidelines. BEC in its certificate dated 3.5.2024, has certified that Power Grid Corporation of India Limited has

emerged as the successful bidder after the conclusion of the e-reverse auction with the lowest transmission charges of Rs. 1819.81 million per annum. Based on the certification of the BEC, we approve and adopt the single annual transmission charges of Rs. 1819.81 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.

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

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

31. Petition No. 323/AT/2024 is disposed of in terms of the above.

Sd/-
(Harish Dudani)
Member

sd/-
(Ramesh Babu V.)
Member

sd/-
(Jishnu Barua)
Chairperson