

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 332/TL/2023

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

Date of Order: 2nd March, 2024

In the matter of

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

**And
In the matter of**

Beawar Transmission Limited,
DLF Cyber Park, Tower-B, 9th Floor,
Udyog Vihar, Phase-III, Sector 20,
Gurugram, Haryana-122 008

....Petitioner

Vs

1. Central Transmission Utility of India Limited,
Saudamini, Plot No.2, Sector-29,
Gurgaon-122 001
2. REC Power Development and Consultancy Limited,
D Block, REC Headquarter,
Plot No. 1-4, Sector- 29,
Gurugram, Haryana- 122001
3. Central Electricity Authority,
Seva Bhawan, R.K. Puram,
New Delhi-110016
4. Union Territory of Jammu & Kashmir,
Power Development Department,
SLDC Building, Pt Floor,
Gladani Power House,
Narwal, Jammu-180006
5. Union Territory of Ladakh,
Superintending Engineer, Distribution Circle,

Power Development Department,
Choglamsar, Leh-194101

6. Powergrid Corporation of India Limited,
B-9, Qutab Institutional Area,
Katwaria Sarai, New Delhi-110016

7. HVDC Dadri, Powergrid Corporation of India Limited,
B-9, Qutab Institutional Area,
Katwaria Sarai, New Delhi-110016

8. HVDC Rihand, Powergrid Corporation of India Limited,
B-9, Qutab Institutional Area,
Katwaria Sarai, New Delhi-110016

9. Union Territory of Chandigarh,
Electricity Wing of Engineering Department,
Room No. 511, 5th Floor,
UT Secretariat (Deluxe) Building,
Sector 9D, Chandigarh-160009

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

11. BSES Yamuna Power Limited,
B-Block, Shakti Kiran Building,
Near Karkadooma Court, Karkadooma,
New Delhi-110092

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

13. Tata Power Delhi Distribution Limited,
NDPL house, Hudson Lines Kingsway Camp,
New Delhi -110009

14. Himachal Pradesh State Electricity Board,
Vidyut Bhawan, Kumar House Complex Building II,
Shimla, Himachal Pradesh-171004

15. Haryana Power Purchase Centre,
Shakti Bhawan, Sector-6,
Panchkula-161009, Haryana.

16. Punjab State Power Corporation Limited,
PP&R, Shed T-1, Thermal Design, Patiala-147001, Punjab.

17. Ajmer Vidyut Vitran Nigam Limited,
132 kV, GSS RVPNL Sub-station Building,

Caligiri Road, Malviya Nagar,
Jaipur-302017, Rajasthan.

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

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

20. North Central Railway,
DRM Office, Nawab Yusuf Road,
Prayagraj-211011, Uttar Pradesh

21. Uttaranchal Power Corporation Limited,
Urja Bhawan, Kanwali Road,
Dehradun-248001, Uttarakhand.

22. Uttar Pradesh Power Corporation Limited,
(Formerly Uttar Pradesh State Electricity Board)
Shakti Bhawan, 14, Ashok Marg,
Lucknow-226001, Uttar Pradesh.

23. A.D. Hydro Power Limited,
Bhilwara Towers, A-12,
Sector 1, Noida-201301, Uttar Pradesh.

....Respondents

Parties present:

Shri Gaurav Dudeja, Advocate, BTL
Shri Dhruval Singh, Advocate, BTL
Shri Sandeep Rajpurohit, BTL
Shri Anil Kumar Perala, RECPDCL
Shri Yatin Sharma, CTUIL
Shri Ranjeet S Rajput, CTUIL
Shri Akshayvrat Kislay, CTUIL

ORDER

The Petitioner, Beawar Transmission Limited, has filed the present Petition for the grant of a transmission licence under Sections 14 and 15 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 establish the Inter-State Transmission System in respect to the "Transmission System for Evacuation of Power from REZ in Rajasthan (20 GW under Phase III-Part F" ("the Project") on Build, Own, Operate and Transfer (BOOT) basis (hereinafter referred to as “the Project”) consisting of the following elements:

Transmission System Evacuation of Power from REZ in Rajasthan (20GW) under Phase III Part F		
S. No.	Name of Transmission Element	Scheduled COD in months from Effective Date
1.	<p>Establishment of 2x1500MVA 765/400kV Substation at suitable location near Beawar along with 2x330 MVAr 765kV Bus Reactor & 2x125 MVAr 420kV Bus Reactor.</p> <ul style="list-style-type: none"> • 765/400kV 1500 MVA ICTs: 2 nos. • (7x500 MVA, including one spare unit) • 330 MVAr, 765 kV bus reactor- 2 nos. • (7x110 MVAr, including one spare unit) • 765kV ICT bays – 2 nos. • 400 kV ICT bays – 2 nos. • 765 kV line bays – 6 nos. • 400kV line bay – 2 nos. • 765kV reactor bay – 2 nos. • 125 MVAr, 420kV bus reactor – 2 nos. • 420 kV reactor bay – 2 nos. <p>Future provisions: Space for</p> <ul style="list-style-type: none"> • 765/400kV ICTs along with bays: 2 nos. • 765kV line bay along with switchable line reactor: 8 nos. • 765kV Bus Reactor along with bays: 2 nos. • 400/220 kV ICTs along with bays: 2nos. • 400 kV line bays along with switchable line reactor: 4 nos. • 400kV Bus Reactor along with bays: 1 no. • 220 kV line bays: 4 nos. 	18 months
2.	LILO of both circuit of Ajmer-Chittorgarh 765 kV D/c at Beawar	
3.	LILO of 400kV Kota –Merta line at Beawar	
4.	Fatehgarh-3– Beawar 765 kV D/c along	

	with 330 MVar Switchable line reactor for each circuit at each end of Fatehgarh-3–Beawar 765 kV D/c line <ul style="list-style-type: none"> • Switching equipment for 765 kV 330 MVAR switchable line reactor –4 nos. • 765 kV, 330 MVar Switchable line reactor- 4 nos. 	
5.	± 2x300MVar STATCOM, 4x125 MVar MSC, 2x125 MVar MSR at Fatehgarh- 3 PS along with 2 nos. of 400 kV bays at Fatehgarh-3 PS	24 Months

Note:

- (i) POWERGRID to provide space for 765kV switchable line reactors at Fatehgarh-3 S/s (for 765kV Fatehgarh-3 PS – Beawar D/c line) for which no cost is envisaged. Two (02) nos. 765 KV line bays at Fatehgarh-III PS for interconnection of Fatehgarh-3– Beawar 765 kV D/c line is under the scope of M/s POWERGRID.
- (ii) ±300 MVar STATCOM should be placed in each 400-kV bus section of Fatehgarh-3 PS (Phase-III Part E1).
- (iii) POWERGRID shall provide space at Fatehgarh-3 S/s for STATCOM along with MSC & MSR and associated 400kV bays.

2. Based on the competitive bidding carried out by the REC Power Development and Consultancy Ltd. (RECPDCL), in its capacity as the Bid Process Coordinator (BPC), in accordance with the Guidelines issued by the Ministry of Power, Government of India under Section 63 of the Act, Beawar Transmission Limited was declared a successful bidder with the lowest quoted annual transmission charges of Rs. 2749.39 million.

3. The Commission, after considering the application of the Petitioner in light of the provisions of the Act and the Transmission Licence Regulations, in its order dated 5.2.2024, *prima facie* proposed to grant a transmission licence to the Petitioner. The relevant extracts of the order dated 5.2.2024 are extracted as under:

“24. 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 Transmission Licence Regulations for construction, operation and maintenance of 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 20.2.2023.”

4. A public notice under Sub-section (5) of Section 15 of the Act was published on 13.2.2023 in all editions of the Hindustan Times (English) and Dainik Jagran (Hindi). No suggestions/ objections have been received from members of the public in response to the public notice.

5. The case was called out for the hearing on 27.2.2024. It was submitted by the learned counsel for the Petitioner that, in response to a public notice published by the Commission, no objection has been received. The representative of the CTUIL submitted that CTUIL has already recommended for the grant of a transmission licence to the Petitioner company.

6. As regards the grant 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.”

7. In our order dated 5.2.2024, we had proposed to grant a transmission licence to the Petitioner company and directed the issue of a public notice. In response to the public notice, no suggestions/objections have been received. CTUIL, in its letter dated 31.10.2023, has recommended the grant of a transmission licence to the Petitioner. We find that the Petitioner Company meets the requirements of the Act

and the Transmission Licence Regulations for the grant of a transmission licence for the subject Transmission System mentioned in paragraph 1 of this order. Accordingly, we direct that a transmission licence be granted to the Petitioner, 'Beawar Transmission Limited,' for the grant of an inter-State transmission licence for the establishment of the "Transmission System for Evacuation of Power from REZ in Rajasthan (20 GW) under Phase III-Part F" ("the Project") on Build, Own, Operate and Transfer (BOOT) basis as per the details given in paragraph 1 above.

8. The grant of the transmission licence to the Petitioner (hereinafter referred to as "the licensee") 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 Transmission Licence Regulations 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 13 (2) of the Transmission Licence Regulations, 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 sub-section (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 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, 2022; 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, 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, 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.

9. CTUIL / its appointed Independent Engineer and the Central Electricity Authority shall monitor the execution of the Project and bring to the notice of the Commission any lapse on the part of the licensee to meet the schedule for further appropriate action in accordance with the provisions of the Transmission Service Agreement executed between the licensee & Nodal Agency, the Act and the Transmission Licence Regulations.

10. It is expected that while carrying out the survey, the Petitioner has complied with the provisions of clauses 2.5.7.3, 2.5.7.4 and 2.5.7.5 of the RfP. The Petitioner will comply with the provisions of the bidding documents and the TSA for the commissioning of the Project within the SCOD in letter and spirit.

11. Let an extract copy of this order be sent to CTUIL, CEA and BPC for information and necessary action.

12. Petition No. 332/TL/2023 is allowed in terms of the above.

sd/-
(Arun Goyal)
Member

sd/-
(Jishnu Barua)
Chairperson