

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 343/AT/2023

Coram:

Shri Jishnu Barua, Chairperson

Shri Arun Goyal, Member

Shri P.K. Singh, Member

Date of order: 31st January, 2024

In the matter of:

Application under Section 63 of the Electricity Act, 2003 for the adoption of Transmission Charges with respect to the Transmission System being established by the Bhadla III Transmission Limited (a 100% wholly owned subsidiary of Power Grid Corporation of India Limited)

And

In the matter of:

Bhadla III Transmission Limited,

(Now known as **POWERGRID Bhadla III Transmission Limited**)

B-9, Qutab Institutional Area,

Katwaria Sarai, New Delhi-110 016

...Petitioner

Vs

- 1. Chief Operating Officer,**
Central Transmission Utility of India Limited,
Saudamini, Plot No.2, Sector -29,
Gurgaon 122 001
- 2. General Manager**
PFC Consulting Limited 9th Floor,
A-Wing, Statesman House Connaught Place,
New Delhi - 110001, India
- 3. General Manager**
Adani Renewable Energy Holding Four Limited,
4th Floor, South Wing, Adani Corporate House,
Shantigram, S G Highway Ahmedabad 382421
- 4. Chief Engineer (PSP&A- I)**
Central Electricity Authority Sewa Bhawan,
R.K.Puram, New Delhi-110 066
- 5. Member Secretary,**
Northern Regional Power Committee 18A,

Shaheed Jeet Singh Sansanwal Marg, Katwaria Sarai,
New Delhi – 110 016

6. Director (Operations)

Delhi Transco Limited,
Shakti Sadan, Kotla Road,
New Delhi-110 002.

7. Director (SO)

Grid Controller of India Limited
(erstwhile Power System Operation Corporation Ltd.)
9th Floor, IFCI Towers, 61, Nehru Place, New Delhi-110 016

8. Director (P&C) HPPTCL,

Head office, Himfed Bhawan, Panjari,
Shimla-171005

9. Director(W&P)

UP Power Transmission Company Limited,
Shakti Bhawan Extn, 3rd floor,
14, Ashok Marg, Lucknow-226001

10. Director (Technical),

Punjab State Transmission Corp. Ltd.
Head Office, The Mall,
Patiala-147001, Punjab

11. Director (Projects),

Power Transmission Corporation of Uttarakhand Limited,
Vidyut Bhawan, Near ISBT Crossing, Saharanpur Road,
Majra, Dehradun

12. Development Commissioner (Power) Power

Development Department Grid sub-station,
Complex, Janipur, Jammu

13. Director (Technical),

Rajasthan Rajya Vidyut Prasaran Nigam Limited,
Vidyut Bhawan, Jaipur-302005, Rajasthan

14. Director (Technical)

Haryana Vidyut Prasaran Nigam Limited,
Shakti Bhawan, Sector-6,
Panchkula-134109, Haryana

15. Chief Engineer (Operation),

Administration of Chandigarh Electricity Department,
UT Secretariat Sector-9 D,
Chandigarh-161009

....Respondents

Parties present:

Shri Mani Kumar, BIITL
Shri Venkatesh Karri, BIITL
Ms. Priyadarshini, Advocate, PFCCL
Shri Yatin Sharma, PFCCL
Shri Deepak Kumar, PFCCL
Shri Dheeraj Kumar, PFCCL
Shri Venakatesh, CTUIL
Shri Ranjeet S. Rajput, CTUIL
Shri Akshyvat Kislay, CTUIL

ORDER

The Petitioner, Bhadla III Transmission Limited (now known as POWERGRID Bhadla III Transmission Limited), 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 system for evacuation of power from REZ in Rajasthan (20GW) under Phase-III Part B1" (hereinafter referred to as 'the Transmission System' or 'the Project') to be established on a Build, Own, Operate and Transfer (BOOT) 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 REZ in Rajasthan (20GW) under Phase-III Part B1"** 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 REZ in Rajasthan (20GW) under Phase-III Part B1"** as per the 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."

2. On receipt of the present Petition, the Bid Process Coordinator (BPC), PFC Consulting Limited, (PFCCL), vide letter dated 21.11.2023, 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 14.11.2023.

Hearing dated 6.12.2023

3. During the course of the hearing on 6.12.2023, the representative of the Petitioner submitted that the Petitioner has already impleaded the beneficiaries as parties to the Petition and has also served a copy of the Petition on them. However, no response has been received from them.

4. Vide Record of Proceedings for the hearing dated 6.12.2023, the Respondent beneficiaries were directed to 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, 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 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 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 dated 6.12.2021, has notified the PFC Consulting Limited (PFCCL) as a Bid Process Coordinator (BPC) for the purpose of selection of bidder as Transmission Service Provider to establish the Inter-State Transmission System for the “Transmission system for evacuation of power from REZ in Rajasthan (20GW) under Phase-III Part B1” on a Build, Own, Operate and Transfer basis through tariff based competitive bidding process.

9. Bhadla III Transmission Limited (the Petitioner) was incorporated on 27.5.2022 under the Companies Act, 2013 as a wholly owned subsidiary of PFCCL with the objective to establish the Inter-State Transmission System for “Transmission system for evacuation of power from REZ in Rajasthan (20GW) under Phase-III Part B1” 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”.

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 29.12.2022, with the last date of submission of response to RfP as 8.4.2022. Intimation regarding the initiation of the bid process was given to this Commission in accordance with Clause 4.2 of the Guidelines vide letter No. 09/ITP-49/21-22/RFP dated 7.2.2022.

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

S. No.	Events	Date
1	Publication of RfP	4.2.2022
2	Intimation to the Commission	7.2.2022
3	RfP (Technical)& Price Bid Submission	22.6.2023
4	RfP (Technical) Bid Opening	22.6.2023
5	RfP (Financial) Initial Price Offer -Opening	19.7.2023
6	e-Reverse Auction	20.7.2023
7	Final Bid Evaluation Committee Meeting	25.7.2023
8	Issuance of Lol	28.7.2023
9	Signing of Agreements & transfer of SPV	27.9.2023

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	Schedule d 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.	Establishment of 2x1500 MVA 765/400kV & 3x500 MVA 400/220 kV pooling station at	18 months	20.08%	Elements marked at Sl. No. 1, 2 &3 are required to be

	<p>Bhadla-3 along with 2x330 MVar (765kV) Bus Reactor & 2x125 MVar (420kV) Bus Reactor</p> <p>.765/400kV 1500 MVA ICTs: 2 nos. (7x500 MVA including one spare unit)</p> <ul style="list-style-type: none"> . 765kV ICT bays - 2 nos. .400/220 kV, 500 MVA ICT – 3 nos. .765kV line bays - 2 nos. .400 kV ICT bays – 5 nos. .220 kV ICT bays - 3 nos. .220 kV line bays: 5 nos. .330 MVar Bus Reactor-2 nos. (7x110 MVar, including one spare unit) . 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: 6 nos. . 765kV line bay: 4 nos. .765kV Bus Reactor along with bays: 2 nos. .400/220 kV ICTs along with bays: 10 nos. .400 kV line bays: 8 nos. . 400 kV line bays along with switchable line reactor: 8 Nos. .400 kV Bus Reactor along with bays: 2 nos. .400 kV Sectionalization bay: 2 			<p>commissioned simultaneously as their utilization is dependent on commissioning of each other.</p>
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	sets · 220 kV line bays: 12 nos. · 220kV sectionalization bay: 2 sets		
2.	Bhadla -3 PS- Sikar - II S/s 765 kV D/c line along with 330 MVAR Switchable line reactor for each circuit at each end of Bhadla -3 PS-Sikar -II S/s 765 kV D/c line ·Switching equipment for 765 kV 330 MVAR switchable line reactor-4 nos. · 765 kV, 330 MVAR Switchable line reactor - 4 nos.		78.16%
3.	765 kV line bays at Sikar - II ·765 kV line bays-2 nos.		1.76%

Note:

- i. Provision of suitable sectionalization shall be kept at Bhadla-3 at 400 kV & 220 kV level to limit short circuit level.
- ii. Developer of Sikar-II S/s to provide space for 2 nos. of 765 kV line bays at Sikar-II S/s along with space for switchable line reactors.
- iii. Space provision for future 2 nos. 220kV Bus Coupler bay and 2 nos. Transfer Bus Coupler Bay shall be kept for bus switching scheme requirements.

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

1.	Sh. Umesh Kumar Madan, EVP & Regional Head, SBI Capital Markets	Chairman of the Committee
2.	Sh. Santosh Kumar, SE, NRPC	Member
3.	Sh. V.A. Kale, SE(P&P), RVPNL	Member
4.	Sh. Bhanwar Singh Meena, Director (PSE&TD), Central Electricity Authority	Member
5.	Smt. Manjari Chaturvedi, Director, PSPA-I, Central Electricity Authority	Member
6.	Sh. Milind M Dafade, Chairman, Bhadla III Transmission Limited	Convener-Member of the Committee

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

Sr. No.	Name of Bidders
1.	Power Grid Corporation of India Limited
2.	Megha Engineering & Infrastructures Limited
3.	The Tata Power Company Limited
4.	Sterlite Grid 6 Limited
5.	Adani Transmission Limited

16. The responses of the bidders were opened on 22.6.2023 in the presence of the representatives of the bidders. Based on the recommendations of the Bid Evaluation Committee, the Initial Offer of all the five bidders was opened on 19.7.2023 in the presence of the Bid Evaluation Committee. In the BEC meeting held on 19.7.2023, it was noted that the lowest transmission charge from the Initial Offer submitted by the bidders was Rs. 2301.40 million, 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 Bidder	Single Annual Transmission Charges from Initial Offer (Rs.in Million)	Rank
1.	Power Grid Corporation of India Limited	2301.40	L1
2.	The TATA Power Company Limited	2421.00	L2
3.	Megha Engineering & Infrastructures Limited	2750.00	L3
4.	Sterlite Grid 6 Limited	2843.00	L4

17. As per the provisions of the RfP documents, BEC recommended the four 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 20.7.2023 after intimating to the bidders regarding the lowest initial price offer. The transmission

charges for the bidders (in ascending order) emerged as under:

S. No.	Name of the Bidder	Transmission Charges from the Initial Offer (in Rs. Million)	Transmission Charges from the Final Offer (in Rs. Million)	Rank
1.	Power Grid Corporation of India Limited	2301.40	2124.08	L1
2.	Megha Engineering & Infrastructures Limited	2750.00	2129.41	L2
3.	Sterlite Grid 6 Limited	2843.00	2156.27	L3
4.	The TATA Power Company Limited	2421.00	2183.45	L4

19. Based on e-reverse bidding, BEC, in its meeting held on 25.7.2023, recommended Power Grid Corporation of India Limited, with the lowest transmission charges of Rs. 2124.08 million per annum as the successful bidder.

20. Letter of Intent was issued by the BPC on 28.7.2023 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 Ltd.) and acquisition of 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 Bhadla III Transmission Limited from PFC Consulting Limited, 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 SPVs, by 7.8.2023. Though Lol was issued on 28.7.2023, BPC, vide its letters dated 27.9.2023 in terms of Clauses 2.15.2 of RfP extended the date up to 27.9.2023 for completion of all activities by the successful bidder. The selected bidder furnished the Contract Performance Guarantee in favour of Nodal Agency (CTUIL) for an amount of Rs. 60.00 crore on 27.9.2023 and acquired a hundred per cent equity-holding in the applicant company on 27.9.2023 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 Power Grid Corporation of India Limited, acquired the SPV on 27.9.2023. Accordingly, the TSP has filed the instant Petition through e-filing for the adoption of transmission charges on 5.10.2023.

25. The Petitioner has approached the Commission with a separate application for a grant of transmission license. The Commission, vide order dated 28.1.2024 in Petition No. 344/TL/2023, on being satisfied that the Petitioner, prime facie, qualifies for grant of 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.

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 25.7.2023, the following have been recorded:

“..... Accordingly, following four (04) bidders were qualified to participate in the e-reverse auction:

- i. Power Grid Corporation of India Limited*
- ii. The Tata Power Company Limited*
- iii. Megha Engineering & Infrastructures Limited*
- iv. Sterlite Grid 6 Limited*

5. The lowest Initial Offer at MSTC portal i.e. Rs. 2301.40 million per annum was communicated (duly acknowledged by bidders) to the above four (04) bidders qualified for participating in the e-reverse bidding process which was held at MSTC Portal on July 20, 2023 at 10:00 hrs (IST) onwards.

6. The e-reverse bidding process was closed after 31 rounds, on same day i.e. July 20, 2023 at 19:02 hrs (IST). All the qualified bidders have participated in e-reverse bidding. 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 bidding is as under (copy of e-reverse bidding statement generated at MSTC portal is attached at Annexure-B):

Sr. No.	Name of the Bidder	Final Quoted Transmission Charges (in Indian Rupees million per annum)	Rank
1.	Power Grid Corporation of India Limited	2124.08	L1
2.	Megha Engineering & Infrastructures Limited	2129.41	L2
3.	Sterlite Grid 6 Limited	2156.27	L3
4.	The TATA Power Company Limited	2183.45	L4

8. As per Clause 3.6.1 of RFP “.....The Bidder with the prevailing lowest Quoted Transmission Charges discovered from Final Offers at the close of the scheduled or extended period of e-reverse bidding as mentioned in clause 2.5 shall be declared as the Successful Bidder, subject to verification of the original hard copies of Annexure 3, Annexure 4 (if applicable), Annexure 6 (if applicable) and Annexure 14. The Letter of intent shall be issued to such Successful Bidder in two (2) copies”

9. Accordingly, as per the requirement, ‘Power Grid Corporation of India Limited’ (the Bidder with lowest Final Offer) vide letter dated 21.07.2023 has submitted the original hard copies of Annexure 3 and Annexure 14 to BPC on 21.07.2023. 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 by ‘Power Grid Corporation of India Limited’.

11. In view of above, ‘Power Grid Corporation of India Limited’ with the Final Offer (Quoted Transmission Charges) of Rs. 2124.08 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. 3369.23 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. "Power Grid Corporation of India Limited" is the successful Bidder after the conclusion of the e-reverse bidding process with the lowest Quoted Transmission Charges of Rs. 2124.08 Million per annum.*
- ii. The quoted tariff is lower than the Levelised Tariff estimated as per CERC norms. The quoted tariff discovered through e-reverse bidding 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 25.7.2023 certified as under:

"It is hereby 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 emerged as the Successful Bidder after the conclusion of e-reverse bidding process with the lowest Quoted Transmission Charges of Rs. 2124.08 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 REZ in Rajasthan (20GW) under Phase-III Part B1' 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 25.7.2023, 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. 2124.08 million per annum. Based on the certification of the BEC, we approve and adopt the single annual transmission charges of Rs. 2124.08 million per annum as per the final offer of the successful bidder subject to the grant of 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. The Petitioner, vide its affidavit dated 22.11.2023, has informed that the name of the Petitioner company has been changed from 'Bhadla III Transmission Limited' to 'POWERGRID Bhadla III Transmission Limited' with effect from 20.11.2023. The certificate of change of name from 'Bhadla III Transmission Limited' to 'POWERGRID Bhadla III Transmission Limited' dated 20.11.2023 issued by the Registrar of Companies, Delhi has been placed on record. Accordingly, the name of the Petitioner has been changed to 'POWERGRID Bhadla III Transmission Limited' on the record of the Commission.

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

32. Petition No. 343/AT/2023 is disposed of in terms of the above.

Sd/-

(P.K. Singh)
Member

sd/-

(Arun Goyal)
Member

sd/-

(Jishnu Barua)
Chairperson