

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 344/TL/2023

**Coram:
Shri Jishnu Barua, Chairperson
Shri Arun Goyal, Member
Shri P.K. Singh, Member**

Date of Order: 27th January, 2024

In the matter of

Application under Sections 14 & 15 of the Electricity Act, 2003 read with the Central Electricity Regulatory Commission (Procedure, Terms and Conditions for Grant of Transmission License and other related matters) Regulations, 2009 with respect to the transmission Licence to Bhadla III Transmission Limited.

And

In the matter of

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

Registered office: B-9, Qutab Institutional Area,
Katwaria Sarai, New Delhi-110 016

Address for correspondence: C/o ED (TBCB),
Power Grid Corporation of India Limited, Saudamini,
Plot no.2, Sector -29, Gurugram-122 001

....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. Adani Renewable Energy Holding Four Limited,
4th Floor, South Wing, Adani Corporate House,
Shantigram, S G Highway,
Ahmedabad 382421, Gujarat
4. Central Electricity Authority,
Sewa Bhawan,
R.K.Puram, New Delhi-110 066
5. Northern Regional Power Committee,

18A, Shaheed Jeet Singh Sansanwal Marg,
Katwaria Sarai, New Delhi-110 016

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

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

8. HPPTCL,
Himfed Bhawan, Panjari,
Shimla-171005, HP

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

10. Punjab State Transmission Corporation Limited,
The Mall, Patiala-147001, Punjab

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

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

15. 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 Kislav, CTUIL

ORDER

The Petitioner, Bhadla III Transmission Limited (now known as POWERGRID Bhadla III 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 “ the Transmission Licence Regulations”) to establish the Inter-State transmission system for “Transmission system for evacuation of power from REZ in Rajasthan (20GW) under Phase-III Part B1” on Build, Own, Operate and Transfer (BOOT) basis (hereinafter referred to as “the Project”) consisting of the following elements:

S. No.	Name of the Transmission Element	Scheduled COD in months from Effective Date	Element(s) which are pre-required for declaring the commercial operation (COD) of the respective Element
1.	<p>Establishment of 2x1500 MVA 765/400kV & 3x500 MVA 400/220 kV pooling station at Bhadla-3 along with 2x330 MVA (765kV) Bus Reactor & 2x125 MVA (420kV) Bus Reactor</p> <ul style="list-style-type: none">· 765/400kV 1500 MVA ICTs: 2 nos. (7x500 MVA including one spare unit)· 765kV ICT bays - 2 nos.· 400/220 kV, 500 MVA ICT – 3 nos.· 765kV line bays - 2 nos.· 400 kV ICT bays – 5 nos.	18 months	Elements marked at Sl. No. 1, 2 &3 are required to be commissioned simultaneously as their utilization is dependent on commissioning of each other.

	<ul style="list-style-type: none"> · 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. · 400kV Bus Reactor along with bays: 2 nos. · 400kV Sectionalization bay: 2 sets · 220 kV line bays: 12 nos. · 220kV sectionalization bay: 2 sets 		
2.	<p>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</p> <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. 		
3.	<p>765 kV line bays at Sikar -II</p> <ul style="list-style-type: none"> · 765 kV line bays – 2 nos. 		

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.

2. The Petitioner has made the following prayers:

“(a) Grant Transmission License to the Applicant; and

(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 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 & circumstances of the case”

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 served the copy of the Petitions on the BPC and CTUIL and has complied with all the requirements under the Transmission Licence Regulations, including publishing of notice on its website inviting suggestions/objections on its application for the grant of a transmission licence. However, no suggestion /objection has been received. The representative of CTUIL submitted that CTUIL vide letter dated 1.12.2023 has already recommended the grant of a transmission licence to the Petitioner.

4. Vide Record of Proceedings for the hearing dated 6.12.2023, notices were issued to the Respondents to file their replies. However, no reply has been filed by them.

5. The Petitioner, vide Record of Proceedings for the hearing dated 6.12.2023 was directed to submit a copy of Form II posted on its website along with the date of the posting (required as per Regulation 7 of the Transmission Licence Regulations, read with the order dated 22.1.2022 in Petition No. 1/SM/2022. The Petitioner, vide its affidavit dated 16.12.2023, has submitted that the present Petition was filed on 5.10.2023, and the same was dispatched & e-mailed to all Respondents on 4.10.2023 & 5.10.2023, respectively. The application was also hosted on Petitioner's Order in Petition No. 344/TL/2023

website along with a notice for the grant of a transmission licence in the prescribed format of Form-II as per the Transmission Licence Regulations on 6.10.2023. The Petitioner has placed on the record a copy of Form-II (English and Hindi).

6. Vide Record of Proceedings for the hearing, CTUIL was directed to submit the following information on an affidavit within a week:

(i) As per the Electricity (Transmission System Planning, Development and Recovery of Inter-state Transmission Charges) Rules, 2021, notified by the Ministry of Power on 1.10.2021, NCT is required to recommend the scheme for approval of the Central Government, Ministry of Power which shall approve the scheme. Submit a copy of the approval of the Central Government as required under the above Rules; and

(ii) Status of the generators who have been granted connectivity at Bhadla-3 PS.

7. CTUIL, vide its affidavit dated 18.1.2024, has submitted as under:

(i) With regard to the (a) above, as per the Electricity (Transmission System Planning, Development and Recovery of Inter-state Transmission Charges) Rules, 2021, notified by the Ministry of Power on 1.10.2021, NCT is required to recommend the scheme for approval of the Central Government, Ministry of Power shall approve the scheme. Ministry of Power vide Gazette notification dated 6.12.2021 has notified the transmission scheme.

(ii) With regard to the status of the generators who have been granted connectivity at Bhadla-3 PS, the Implementation of the transmission system under the present Petition shall facilitate the transfer of about 3GW power proposed to be connected in Bhadla/Ramgarh Complex (Bhadla-III: 2.4MW & Ramgarh: 0.6GW). At present, 4400 MW connectivity is granted (in-principle issued) at Bhadla-III PS. Out of this, about 2400 MW of connectivity is to be evacuated through the transmission system covered under the present

Petition. Balance 2000 MW connectivity shall be evacuated through an additional transmission system (EHVAC as well as HVDC), which is currently under bidding. As per information provided by RE developers, about 2400 MW generation is expected to be commissioned progressively from March 2025 onwards with the following details:

S. No.	RE Developer at Bhadla-III PS	Connectivity Quantum (GW)	Schedule as informed by RE Developer in JCC
1	Prerak Greentech Solar Private Limited	400	31.3.2025
2	Abu Renewables India Private Limited	340	30.3.2026
3	Juniper Green Beta Pvt. Ltd.	300	150 MW: 30.6.2025 150 MW: 31.12.2025
4	Tepsol Sun Sparkle Pvt. Ltd.	300	150MW: 30.6.2025 150MW: 30.9.2025
5	ReNew Solar (Shakti Six) Private Limited	550	31.12.2025
6	ReNew Solar (Shakti Six) Private Limited	450	30.6.2025

In addition, the following RE generators at Bhadla-III PS shall also utilize the transmission system covered under the present Petition as well as Bhadla-III-Bikaner-III 765 kV D/C line (under bidding).

Sr. No.	RE Developer at Bhadla-III PS	Connectivity Quantum (GW)	Schedule as informed by RE Developer in JCC
1	Seven Renewable Power Pvt. Ltd.	300	31.03.2025
2	Frugal Energy Pvt. Ltd.	50	15.06.2025
3	Bhadla Three SKP Green Ventures Pvt. Ltd.	300	30.04.2026

8. In the light of the above, we proceed to grant the transmission licence to the Petitioner Company so that the construction work of the transmission line may not be hampered.

9. The Petitioner has submitted that in accordance with the “Guidelines for Encouraging Competition in Development of Transmission Projects” and “Tariff Based Competitive Bidding Guidelines for Transmission Service” (hereinafter referred to as “the Guidelines”) issued under Section 63 of the Act, PFC Consulting Limited (PFCCL) was notified by the Ministry of Power, Government of India, vide Gazette Notification. No. CG-DL-E-08122021-231686 dated 6.12.2021 as the Bid Process Coordinator (BPC) for the purpose of selection of the bidder as Transmission Service Provider (TSP) to establish the Inter-State transmission system for “transmission system for evacuation of power from REZ in Rajasthan (20GW) under Phase-III Part B1”, through tariff based competitive bidding process on Build, Own Operate and Transfer (BOOT) basis.

10. PFCCL, in its capacity as the BPC, initiated the bid process on 4.2.2022 and completed the same on 27.9.2023 in accordance with the Guidelines. Power Grid Corporation of India Limited was selected as the successful bidder, having quoted the lowest transmission charges of Rs.2124.08 million per annum in order to provide the transmission services to the beneficiaries of the transmission system.

11. According to the BPC, the RfP was issued on 4.2.2022. At the RfP (Technical and Financial) stage, five bidders, namely, (i) Power Grid Corporation of India Limited, (ii) Megha Engineering & Infrastructures Limited, (iii) The Tata Power Company Limited, (iv) Sterlite Grid 6 Limited, and (v) Adani Transmission Limited submitted their offers. The RfP (Technical bids of the five bidders were opened by Bid Opening Committee in the Central Electricity Authority on 22.6.2023 in the presence of the representative of bidders. Based on the recommendation of the Bid Evaluation Committee (BEC), the RfP (Financial) Bids-Initial Price Offer of the five

bidders were opened on 19.7.2023. The lowest Initial Price Offer discovered (Best Deal) at the MSTC portal was Rs. 2301.40 million. The details of the quoted transmission charges by bidders are given below:

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	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
5.	Adani Transmission Limited	3120.00	L5

12. As per Clause 2.5 of the RfP document, Initial Offers shall be ranked on the basis of ascending order for determination of the qualified bidders. The bidders holding the first fifty per cent 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 and submit their final offer. Accordingly, the rank of the bidders qualified for participating in the electronic reverse (e-reverse) auction stage, in the ascending order of the Initial Offer, is as follows:

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	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

13. E-reverse auction of all four qualified bidders was carried out at the MSTC portal on 20.7.2023, and the following transmission charges for the bidders (in ascending order) emerged:

Sr. 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

14. As per the Bid Evaluation Report dated 25.7.2023, Power Grid Corporation of India Limited emerged as the successful bidder with the lowest quoted transmission charges of Rs. 2124.08 million per annum. BEC, vide its certificate dated 25.7.2023, has certified that the entire bid process has been carried out in accordance with the Guidelines issued by the Ministry of Power under Section 63 of the Act. BEC has further certified that the transmission charges discovered through the e-reverse auction are acceptable.

15. Consequent to its selection as the lowest bidder, a Letter of Intent (LoI) was issued to Power Grid Corporation of India Limited by the BPC on 28.7.2023 which was accepted by Power Grid Corporation of India Limited. Under the terms of RfP and the Letter of Intent (LoI), the successful bidder is obligated to accomplish the following tasks:

- (a) Provide Contract Performance Guarantee in favour of the Central Transmission Utility of India Limited (CTUIL);
- (b) Execute the Share Purchase Agreement and the Transmission Service Agreement;
- (c) Acquire, for the acquisition price, 100% share equity share holding of Bhadla III Transmission Limited from PFCCL along with all its related assets and liabilities;
- (d) Make an application to this Commission for adoption of the transmission charges, as required under Section 63 of the Act; and
- (e) Apply to this Commission for the grant of a transmission licence;

16. The Petitioner has furnished the Contract Performance Guarantee (CPG) in favour of Nodal Agency, i.e. CTUIL, for an aggregate value of Rs. 60.00 crore on 27.9.2023 and has acquired hundred per cent equity holding in Bhadla III Transmission Limited on 27.9.2023. The Petitioner entered into a Transmission Service Agreement (TSA) with CTUIL on 27.9.2023.

17. Section 14 of the Act provides that the Appropriate Commission may, on an application made under Section 15 of the Act, grant a licence to any person to transmit electricity as a transmission licensee in any area as may be specified in the licence. The word "person" has been defined in Section 2(49) of the Act to include any company or body corporate or association or body of individuals, whether incorporated or not, or artificial juridical person. The Petitioner has been

incorporated under the Companies Act 2013. The main objective of the Petitioner company is 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 state, 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”

18. Section 15(1) of the Act provides that every application under Section 14 of the Act shall be made in such manner and in such form as may be specified by the Appropriate Commission and shall be accompanied by such fees as may be prescribed by the Central Government. The Commission has specified Transmission Licence Regulations in this regard. Regulation 3 of the Transmission Licence Regulations provides that the Empowered Committee shall identify the Projects included in the transmission plan to be developed under the Guidelines issued under Section 63 of the Act. Regulation 4 of the Transmission Licence Regulations provides that in case of projects identified for development under the Guidelines for competitive bidding, the selection of the project developer shall be made in accordance with the procedure laid down in the Guidelines. The Project under consideration has been identified for development under competitive bidding by competent authority in the Ministry of Power/CEA. The Central Electricity Authority, vide its letter No. CEA-PS-11-21(25)/1/2018-PSPA-I Division-Part(1)/375-376 dated 25.10.2022 had issued prior approval to the Project under Section 68 of the Act. The selection of the Project developer, Bhadla III Transmission Limited, has been certified to have been made in accordance with the Guidelines.

19. Regulation 7 of the Transmission Licence Regulations read with the order dated 22.1.2022 passed in Petition No.1/SM/2022 [whereby the Commission, in the exercise of 'Power to Relax' under Regulation 24 of the Transmission Licence Regulations, modified/amended Clause (4), Clause (7), Clause (9) and Clause (12) and dispensed with Clause (10) of Regulation 7] provide for the procedure for the grant of a transmission licence as under:

“(1) The application for grant of transmission licence shall be made to the Commission in Form-I appended to these regulations and shall be accompanied by such fees as may be prescribed by the Central Government from time to time.

(2) In case of the person selected for implementation of the project in accordance with the guidelines for competitive bidding, the application shall also contain such additional information, as may be required under these guidelines.

(3) The application shall be supported by affidavit of the person acquainted with the facts stated therein.

(4) Before making an application, the applicant shall submit the original application in electronic form along with annexures and enclosures on the e-filing portal of the Commission so that the same is served electronically on all the long-term customers of the project registered on the e-filing portal of the Commission. Also, a copy of the same be served through e-mail on the long term customers of the project not registered on the e-filing portal of the Commission. Further, the applicant shall also post the complete application along with annexures and enclosures in English and in the vernacular language, on its website.

(5) The application shall be kept on the website till such time the licence is issued or the application is rejected by the Commission.

(6) Immediately on making the application, the applicant shall forward a copy of the application to the Central Transmission Utility.

(7) The applicant shall, within 7 days after filing the application, post the application on the e-filing portal of the Commission and on its website in Form-II attached to these regulations in English language and in Vernacular language of the State or Union Territory where an element of the project or a long-term customer is situated, inviting comments from the general public.

(8) As far as possible, within 7 days of receipt of the application the Secretariat of the Commission shall convey defects, if any, if noticed on

preliminary scrutiny of the application for rectification and the defects conveyed shall be rectified by the applicant in such time as may be indicated in the letter conveying the defects.

(9) In the notice published on the e-filing portal of the Commission and on the applicant's website under clause (7) it shall be indicated that the suggestions and objections, if any, on the application, may be filed before the Secretary, Central Electricity Regulatory Commission, Third Floor, Chanderlok Building, Janpath, New Delhi-110001 (or the address where the office of the Commission is situated), with a copy to the applicant, by any person, including the long-term customers, within 30 days of publication of the notice

.....

(10) The Central Transmission Utility shall send its recommendations, if any, to the Commission on the proposal made in the application within a period of thirty days from the date of receipt of application by it:

Provided that copy of the recommendations, if any, made by the Central Transmission Utility shall always be forwarded to the applicant:

Provided further that these recommendations of the Central Transmission Utility shall not be binding on the Commission.

(11) The applicant may file its comments, duly supported by an affidavit, on the recommendations made by the Central Transmission Utility and the suggestions and objections, if any, received in response to the notice posted on the e-filing portal of the Commission and on the applicant's website by him, within 45 days of service of copy of the application on the Central Transmission Utility or publication of notice posted on the e-filing portal of the Commission and on the applicant's website, with an advance copy to the Central Transmission Utility or the person who has filed the suggestions and objections on the proposal made in the application, as the case may be.

(12) The Commission after considering the suggestions and objections received in response to the public notice published by the applicant and the recommendations, if any, of the Central Transmission Utility may, propose to grant transmission licence or for reasons to be recorded in writing, reject the application.”

20. The Petitioner has approached the Commission with a separate application for the adoption of transmission charges in respect of the transmission system, which is presently under consideration of the Commission, and the order in that Petition will be issued separately. The Petitioner has filed the present Petition for the

grant of a transmission licence in accordance with the Transmission Licence Regulations. The Petitioner has submitted proof of service of the copies of the application on the BPC and CTUIL and proof of web posting of the complete application. The Petitioner has further undertaken to pay the applicable licence fee upon the grant of a transmission licence in terms of the Central Electricity Regulatory Commission (Payment of Fees) Regulations, 2012. The Petitioner has prayed for the grant of a transmission licence to Bhadla III Transmission Limited with respect to the transmission system as per the details given in paragraph 1 above.

21. The Petitioner has made the Application as per Form-I and paid a fee of Rs. one lakh as prescribed by the Central Government. As per the direction of the Commission, the Petitioner has served a copy of the Application on the beneficiaries of the transmission project for the Project. The transmission charges quoted by the Petitioner, which have been recommended by the Bid Evaluation Committee for acceptance, is Rs. 2124.08 million per annum. The Petitioner has also enclosed copies of the recommendations of the Bid Evaluation Committee.

22. The Petitioner has published the notices on the e-filing portal of the Commission and on its website in Form-II in English language and in Hindi (Vernacular) language. No objection has been received from the general public in the notices.

23. The Petitioner has served the copy of the Application on the Central Transmission of Utility of India Limited (CTUIL) as required under Section 15(3) of the Act and Regulation 7(6) of the Transmission Licence Regulations. CTUIL vide its letter dated 1.12.2023 has recommended the grant of a transmission licence to the

Petitioner. The relevant portion of the said letter dated 1.12.2023 is extracted as under:

“This is with reference to petition having diary no. 445/TL/2023 filed by M/s Bhadla III Transmission Limited before Hon’ble Commission for grant of Transmission License to facilitate implementation of Transmission System for Evacuation of Power from REZ in Rajasthan (20 GW) under Phase III- Part B1. In this regard, following is submitted:

- In order to integrate and evacuate power from additional 20 GW renewable potential of Renewable Energy Zones (Fatehgarh: 9.1 GW, Bhadla: 8 GW, Ramgarh: 2.9 GW) in Rajasthan, various transmission alternatives were evolved and deliberated in the 3rd NRPC-TP meeting held on 19.02.21. Based on the discussion, Transmission System for Evacuation of Power from REZ in Rajasthan (20 GW) under Phase III (hybrid EHVAC & HVDC) transmission system) was agreed in above meeting for evacuation of power from above zones. Extract of the minutes of 3rd NRPC-TP meeting are enclosed at **Annexure-I**. The subject transmission project was also agreed as part of above-mentioned transmission scheme. The detailed scope of the subject scheme is attached at **Annexure-II**.*
- Subsequently transmission scheme was agreed in the 5th meeting of National Committee of Transmission (NCT) held on 25.08.2021 & 02.09.2021. Extract of minutes of meeting are attached at **Annexure-III**. Transmission Scheme was also agreed in the 49th NRPC meeting held on 27/09/2021. Extract of the 49th NRPC minutes are enclosed at **Annexure-IV**.*
- Ministry of Power Govt. Of India vide gazette notification dated 06.12.2021 has identified M/s. PFC Consulting Ltd. (PFCCCL) as Bid Process Coordinator (BPC) for the purpose of selection of bidder as Transmission Service Provider (TSP) to establish the above referred project through TBCB route.*
- Subsequently, due to non-receipt of GIB clearance from Hon’ble SC GIB Committee, Fatehgarh-II PS – Bhadla-III PS 400kV D/c line along with bays at both ends was deleted from the scope subject transmission scheme. Extract of the minutes of 14th NCT meeting in this regard are enclosed at **Annexure-V**.*
- Accordingly, for revised scope of works, Bid Evaluation Committee appointed by the BPC has selected Power Grid Corporation of India Ltd. (POWERGRID) as successful bidder. POWERGRID has subsequently acquired Bhadla III Transmission Ltd. After execution of the requisite Share Purchase Agreement (SPA) on 27.09.2023.*
- As part of subject scheme, 765/400/220kV Bhadla-III Pooling Station (765/400kV: 2x1500MVA & 400/220kV: 3x500MVA) and Bhadla-3 PS-Sikar-II*

S/s 765kV D/c line is to be established with completion schedule as 18 months from effective date. 765/400kV Sikar-II S/s is under implementation by POWERGRID Sikar Transmission Ltd. with expected commissioning schedule as 31.07.2024. Implementation of this project shall facilitate transfer of power from RE generation (About 3GW) proposed to be connected in Bhadla/Ramgarh Complex.

- *It is also to mention that part (about 40%) of Bhadla-III – Sikar-II 765kV D/c line falls in GIB Potential area. Further, the Committee constituted by Hon'ble Supreme Court, comprising of members from MNRE, WII and Corbett Foundation vide its letter dated 31.01.2023 has ratified overhead laying of Bhadla-III-Sikar-II 765kV D/c line (under present application) with the stipulated conditions including installation of bird diverters.*

Keeping above in view and based on details by M/s Bhadla III Transmission Ltd., CTU, in line with Section 15 (4) of the Electricity Act, 2003, recommends grant of transmission license to M/s. Bhadla III Transmission Ltd, for executing the subject transmission project.”

24. We have considered the submissions of the Petitioner, BPC and CTUIL. 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 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 letter dated 27.9.2023 in terms of proviso to Clause 2.15.2 of RfP, had extended the date up to 27.9.2023 for completion of 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 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 grant of the transmission licence on 5.10.2023.

25. Considering the material on record, we are prima facie of the view that the Petitioner satisfies the conditions for the grant of an inter-state transmission licence under Section 15 of the Act read with the Transmission Licence Regulations 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 15.2.2024.

26. 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 TSA for commissioning of the Project within the SCOD.

27. The Petitioner has undertaken that it shall implement the Project as per the provisions of the TSA. The Petitioner has also undertaken that the time overrun and cost overrun, if applicable, shall be claimed by the Petitioner in accordance with the applicable provisions of the TSA read with the provisions of the Act, the bidding documents and the regulations of the Central Electricity Regulatory Commission.

28. It is observed that as per Article 5.1.1 of the TSA, the TSP, at its own cost and expense, shall be responsible for designing, constructing, erecting, testing and

commissioning each element of the Project by scheduled COD in accordance with the various regulations of the Central Electricity Authority regarding Technical Standards and Grid Standards, Prudent Utility Practices and other applicable laws. Further, Article 5.4 of the TSA provides that the TSP shall ensure that the Project is designed, built and completed in a good workman like manner using sound engineering and construction practices and using only materials and equipment that are new and of international utility-grade quality such that the useful life of the Project will be till the expiry date. Further, the design, construction and testing of all equipment, facilities, components and systems of the Project shall be in accordance with Indian Standards and Codes issued by Bureau of India Standards. In this regard, the Petitioner, has submitted that it would implement the Project as per the provisions of the TSA including the Articles 16.4, 5.1.1 and 5.4 of the TSA.

29. 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.

30. The Petition shall be listed for the hearing on **19.2.2024**.

**Sd/-
(P.K. Singh)
Member**

**sd/-
(Arun Goyal)
Member**

**sd-
(Jishnu Barua)
Chairperson**