

**CENTRAL ELECTRICITY REGULATORY COMMISSION  
NEW DELHI**

**Petition No. 344/TL/2023**

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

**Date of Order: 29<sup>th</sup> February, 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')  
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 Aditya Mahesh, BIITL  
Ms. Priyadarshini, Advocate, PFCCCL  
Shri Yatin Sharma, PFCCCL

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 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.	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  <ul style="list-style-type: none"> <li>· 765/400kV 1500 MVA ICTs: 2 nos. (7x500 MVA including one spare unit)</li> <li>· 765kV ICT bays - 2 nos.</li> <li>· 400/220 kV, 500 MVA ICT – 3 nos.</li> </ul>	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"> <li>· 765kV line bays - 2 nos.</li> <li>· 400 kV ICT bays – 5 nos.</li> <li>· 220 kV ICT bays - 3 nos.</li> <li>· 220 kV line bays: 5 nos.</li> <li>· 330 MVAR Bus Reactor-2 nos. (7x110 MVAR, including one spare unit)</li> <li>· 765kV reactor bay - 2 nos.</li> <li>· 125 MVAR, 420kV bus reactor - 2 nos.</li> <li>· 420 kV reactor bay - 2 nos.</li> </ul> <p>Future provisions: Space for</p> <ul style="list-style-type: none"> <li>· 765/400kV ICTs along with bays: 2 nos.</li> <li>· 765kV line bay along with switchable line reactor: 6 nos.</li> <li>· 765kV line bay: 4 nos.</li> <li>· 765kV Bus Reactor along with bays: 2 nos.</li> <li>· 400/220 kV ICTs along with bays: 10 nos.</li> <li>· 400 kV line bays: 8 nos.</li> <li>· 400 kV line bays along with switchable line reactor: 8 Nos.</li> <li>· 400kV Bus Reactor along with bays: 2 nos.</li> <li>· 400kV Sectionalization bay: 2 sets</li> <li>· 220 kV line bays: 12 nos.</li> <li>· 220kV sectionalization bay: 2 sets</li> </ul>		
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"> <li>· Switching equipment for 765 kV 330 MVAR switchable line reactor – 4 nos.</li> <li>· 765 kV, 330 MVAR Switchable line reactor - 4 nos.</li> </ul>		
3.	<p>765 kV line bays at Sikar -II</p> <ul style="list-style-type: none"> <li>· 765 kV line bays – 2 nos.</li> </ul>		

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. Based on the competitive bidding carried out by the PFC Consulting Limited (PFCCL), 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, Power Grid Corporation of India Limited was declared a successful bidder with the lowest quoted annual transmission charges of Rs. 2124.08 million per annum.

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 27.1.2024, *prima facie* proposed to grant a transmission licence to the Petitioner. The relevant extracts of the order dated 27.1.2024 are extracted as under:

*“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.”*

4. A public notice under Sub-section (5) of Section 15 of the Act was published on 10.2.2024 in all editions of the Hindustan Times (English) and Rashtriya Sahara (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 23.2.2024. 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 the present transmission system has been conceived through competitive bidding process and CTUIL has already recommended for the grant of the transmission licence to the subject transmission system. With regard to the approval

of the Central Government as required under the Electricity (Transmission System Planning, Development and Recovery of Inter-state Transmission Charges) Rules, 2021 (Planning Rules) notified by the Ministry of Power on 1.10.2021, the representative of the CTUIL submitted the Ministry of Power vide Gazette Notification dated 24.1.2020 has notified the scheme. As per Rule 3(5), Planning Rules, all Inter-State transmission projects, along with their timeline for implementation, are required to be approved by the Central Government. Subsequently, the National Committee on Transmission (NCT) was reconstituted *vide* Ministry of Power Office Order dated 28.10.2021 as per the decision taken in a meeting held under the Chairmanship of the Minister of Power & NRE on 5.10.2021 to discuss the transmission related issues for renewable energy. In the above order dated 28.10.2021, it was decided that (a) for the ISTS Projects costing more than Rs. 500 crore, NCT shall recommend to the Ministry of Power for the implementation of such projects along with their mode of implementation, (b) for ISTS Projects costing between Rs. 100 crore to Rs. 500 crore, NCT shall approve such projects along with their mode of implementation under intimation to the Ministry of Power, and (c) for ISTS Projects costing less than or equal to Rs. 100 crore, CTUIL will approve such projects along with their mode of implementation under intimation to NCT and the Ministry of Power. In line with the above decision, for the ISTS Projects costing more than Rs. 500 crore, the Central Government approves these transmission projects through various Gazette Notifications. The Central Government also appoints Bid Process Coordinators for the approved transmission projects in the same Gazette. Accordingly, the appointment of BPC by the Ministry of Power`s Gazette Notifications may be considered as approval of the transmission project.

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 27.1.2024, 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 1.12.2023, 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 at paragraph 1 of this order. Accordingly, we direct that a transmission licence be granted to the Petitioner, 'POWERGRID Bhadla III Transmission Limited' for the grant of an inter-State transmission licence for the establishment of the Inter-State Transmission System for the “Transmission system for evacuation of power from REZ in Rajasthan (20GW) under Phase-III Part B1” 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, 2023; 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. 344/TL/2023 is allowed in terms of the above.

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

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