

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 352/TL/2024

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

Date of Order: 25th November, 2024

In the matter of

Petition under Sections 14 & 15 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, 2024 with respect to the transmission licence to Bhadla-III Power Transmission Limited.

**And
In the matter of**

Bhadla-III Power Transmission Limited,
(A 100% wholly owned subsidiary of Power Grid Corporation of India Limited),
B-9, Qutub Institutional Area,
Katwaria Sarai, New Delhi- 110016

Address for correspondence: C/o ED (TBCB),
Power Grid Corporation of India Limited, Saudamini, Plot No.2,
Sector -29, Gurgaon 122001.

...Petitioner

Vs

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

2. REC Power Development and Consultancy Limited,
D Block, Plot No. I – 4, Sector–29,
Gurugram – 122001, Haryana.

3. Frugal Energy Private Limited,
D59, Sector 63, Noida, Uttar Pradesh.

4. Bhadla Three SKP Green Ventures Private Limited,
First floor, B2/18, Gandhi Path,

Chitrakoot scheme Vaishali Nagar,
Jaipur, Rajasthan.

5. Seven Renewable Power Private Limited,
S2904, 29th Floor, World Trade Centre,
Brigade Gateway Campus, Karnataka.

6. ReNew Solar (Shakti Six) Private Limited,
Commercial Block -1, Golf Course Road,
DLF City, Zone 6, Sector 43,
Gurgaon- 122009. Haryana.

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

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

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

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

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

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

13. Himachal Pradesh State Electricity Board,
PR&ALDC, HPSEB Limited,
132 KV S/S Tutu, Shimla-171011 (H.P).

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

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

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

17. HVDC Dadri, POWERGRID,
B-9, Qutub Institutional Area, Katwaria Sarai,
New Delhi-110016.

18. HVDC Rihand, POWERGRID,
B-9, Qutub Institutional Area, Katwaria Sarai,
New Delhi-110016.

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

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

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

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

23. Uttarakhand Power Corporation Limited,
Urja Bhjawan, Kanwali Road,
Dehradun-248001.

24. Uttar Pradesh Power Corporation Limited,
Fund Management,
Shakti Bhawan, 14 Ashok Marg,
Lucknow (U.P).

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

26. GMR Kamalanga Energy Limited,
25/1 Skip House, 25/1 Skip House,
Museum Road, Bangalore - 560025,

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

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

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

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

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

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

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

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

Parties present:

Shri Rohit Jain, BPTL
Shri Vikas Kumar, BPTL
Ms. Priyadarshini, Advocate, PFCCCL
Ms. Madhulika, PFCCCL
Shri Akshayvat Kislay, CTUIL
Shri Shashank Singh, RECPDCL
Shri Ritam Biswas, RECPDCL

ORDER

The Petitioner, Bhadla-III Power Transmission Limited (hereinafter referred to as the “Petitioner”), 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, 2024 (hereinafter referred to as “Transmission Licence Regulations”) to establish the “Additional Transmission system for evacuation of power from Bhadla-III PS as part of Rajasthan REZ Phase-III scheme (20 GW)” on a Build, Own, Operate and Transfer basis (hereinafter referred to as “the Project”) consisting of the following elements:

Sl. No.	Name of the Transmission Element	Schedule d COD in months from the 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.	Augmentation of 2x500 MVA (4th and 5th), 400/220 kV ICTs at Bhadla-III PS <ul style="list-style-type: none">• 500 MVA 400/220 kV ICTs at Bhadla-III PS- 2 nos• 400 kV ICT bays-2 nos.• 220 kV ICT bays- 2 nos.	18 months from date of SPV transfer	66.65%	Elements (S.No.1,2 and 3) of scheme are required to be commissioned simultaneously as their utilization is dependent on each other.
2.	Augmentation of 1x1500 MVA, 765/400 kV (3rd) ICT at Bhadla-III PS* <ul style="list-style-type: none">• 1500 MVA 765/400 kV ICTs at Bhadla-III PS – 1 No.• 765 kV ICT bays-1 no.• 400 kV ICT bays- 1 no.			
3.	220 kV bus sectionalizer (1 set) along with 220 kV BC bay (1 no.) and 220 kV TBC bay (1 No.) at Bhadla-III PS <ul style="list-style-type: none">• 220 kV Sectionalizer bay: 1 set• 220 kV BC bay (1 No.) and 220			

	kV TBC bay (1 No.)			
4.	Augmentation of 1x1500 MVA, 765/400 kV (4th) ICT at Bhadla-III PS <ul style="list-style-type: none"> • 1500 MVA 765/400 kV ICTs at Bhadla-III PS – 1 No. • 765 kV ICT bays-1 no. • 400 kV ICT bays- 1 no. 	30.12.2025	33.35%	NA

**efforts may be made to commission the 765/400 kV ICT (3rd ICT in S.No.2) by Jun'25.*

2. The Petitioner has made the following prayers:

“(a) Grant transmission licence to the Applicant; and

(b) Allow the sharing and recovery of Transmission Charges for Inter-State Transmission System for “Additional Transmission System for Evacuation of Power from Bhadla-III PS as Part of Rajasthan REZ Phase-III Scheme (20 GW)” 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 12.11.2024

3. During the course of the hearing on 12.11.2024, the representative of the Petitioner submitted that the Petitioner has complied with the requirements including the publication of notice(s) under the provisions of the Transmission Licence Regulations. Additionally, CTUIL has submitted its recommendations for the grant of a transmission licence to the Petitioner under Section 15(4) of the Electricity Act, 2003. The representative of CTUIL confirmed that CTUIL has already issued its recommendations for the grant of a transmission licence to the Petitioner Company.

4. Vide Record of Proceedings for the hearing dated 12.11.2024, the Respondents were directed to file their respective replies within a week. However, no reply has been filed by the Respondents.

5. 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 by the Ministry of Power, Government of India, under Section 63 of the Act, REC Power Development and Consultancy Limited (hereinafter referred to as “RECPDCL”) was notified by the Ministry of Power, Government of India, vide Gazette Notification dated 13.3.2024 as the Bid Process Coordinator (BPC) for the purpose of selection of bidder as the Transmission Service Provider (TSP) to establish the Inter-State transmission system for “Additional Transmission System for Evacuation of Power from Bhadla-III PS as Part of Rajasthan REZ Phase-III Scheme (20 GW)” on a Build, Own, Operate and Transfer basis.

6. RECPDCL, in its capacity as the BPC, initiated the bid process on 4.4.2024 and completed the same on 28.8.2024 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. 661.52 million in order to provide the transmission services of the transmission system.

7. The RfP was issued on 4.4.2024. At the RfP (Technical and Financial) stage, two bidders, namely, (i) Power Grid Corporation of India Limited and (ii) Sterlite Grid 32 Limited, submitted their offers. The RfP (Technical bids) of the two bidders were opened by the Bid Opening Committee in the Central Electricity Authority on Order in Petition No. 352/TL/2024

18.7.2024 in the presence of the bidder's representatives. Based on the recommendation of the BEC, the RfP (Financial) Bids-Initial Price Offers of the two bidders were opened on 1.8.2024. The lowest Initial Price Offer discovered (Best Deal) at the MSTC portal was Rs. 750.00 million. The details of the quoted transmission charges by the bidders are given below:

S. No.	Name of the Bidder	Quoted Transmission Charges from the Initial Offer (in Rs. Million)	Rank
1.	M/s Power Grid Corporation of India Limited	750.00	L1
2.	M/s Sterlite Grid 32 Limited	787.20	L2

8. As per Clause 2.5 of the RfP document, initial Offers shall be ranked on the basis of ascending order for the 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 submitting their final offer.

9. The e-reverse auction of two bidders was carried out at the MSTC portal on 2.8.2024. The following transmission charges, as quoted by each bidder, 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	750.00	661.52	L1
2.	Sterlite Grid 32 Limited	787.20	663.18	L2

10. As per the Bid Evaluation Report dated 7.8.2024, Power Grid Corporation of India Limited emerged as the successful bidder with the lowest quoted transmission charges of Rs. 661.52 million. BEC, vide its certificate dated 7.8.2024, 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.

11. 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 12.8.2024, which was accepted by Power Grid Corporation of India Limited. Under the terms of RfP and the Letter of Intent, the successful bidder is obligated to accomplish the following tasks:

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

12. The Petitioner has furnished the Contract Performance Guarantee (CPG) in favour of Nodal Agency, i.e. CTUIL, for Rs. 21 crores on 22.8.2024 and has acquired a hundred per cent equity holding in Bhadla-III Power Transmission Limited on 28.8.2024. The Petitioner entered into a Transmission Service Agreement (TSA) with CTUIL on 28.8.2024.

13. 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”

14. 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 the Transmission Licence Regulations in this regard. Regulation 4 (1) of the Transmission Licence Regulations, 2024 provides that eligibility for the grant of a licence for inter-State transmission of electricity is contingent upon the entity being selected either through the competitive bidding process under Section 63 of the Electricity Act, 2003 or by the Central Government or its authorized agency to implement a project under the regulated tariff mechanism. Regulation 10(1) of the Transmission Licence Regulations, 2024 provided that in case the licensee has been selected for

implementation of the project in accordance with the competitive bidding guidelines, the transmission tariff in terms of the Transmission Service Agreement shall be adopted by the Commission under Section 63 of the Act. The Project under consideration has been identified for development under competitive bidding by a competent authority, and the selection of the project developer, Bhadla-III Power Transmission Limited, has been certified to have been made in accordance with the Guidelines for competitive bidding.

15. Regulation 5 of the Transmission Licence Regulations, 2024 provides for the procedure for the grant of a transmission licence as under:

“1) The application for the grant of licence shall be made to the Commission in Form-I appended to these regulations and shall be accompanied by such fee as may be prescribed by the Central Government from time to time under subsection (1) of section 15 of the Act.

(2) The application shall be supported with an affidavit in accordance with Regulation 17 of the Central Electricity Regulatory Commission (Conduct of Business) Regulations, 2023.

(3) The applicant shall submit the original application in electronic form along with enclosures on the e-filing portal of the Commission and electronically serve a copy of such application on all the concerned DICs of the project and the Central Transmission Utility. The application shall be served through e-mail on the concerned DICs of the project who are not registered on the e-filing portal of the Commission.

(4) The applicant shall also upload the complete application along with annexures on its website, in English. The applicant shall also upload on its website, the details as per Form-I and Form-II appended to these regulations in the Indian language of the State or the Union Territory where an element of the project or concerned transmission line is situated or proposed to be situated. The application shall be kept posted on the website of the applicant till such time the application is disposed of by the Commission.

(5) The applicant shall, within 3 working days of filing the application, publish a notice of its application in Form-II appended to these regulations in at least two leading daily digital newspapers, one in English language and another in the Indian language of the State or Union Territory where an element of the project or concerned transmission line is situated or proposed to be situated, inviting

comments from the general public. The notice shall also be kept posted on the website of the applicant.

(6) The Registry of the Commission shall carry out a preliminary scrutiny of the application and convey the defects, if any, as far as possible within 7 days of receipt of the application. The defects shall be rectified by the applicant within a period of 7 days from the date of such intimation from the Registry of the Commission.

(7) In the notice published in the digital newspapers and on the applicant's website under this Regulation, it shall be indicated that the suggestions and objections to the application, if any, may be filed by any person within 15 days of publication of the notice to The Secretary, Central Electricity Regulatory Commission at the address where the office of the Commission is situated and at email id: registry@cercind.gov.in. Any suggestion or objection received in response to the public notice shall be shared with the applicant and the respondents by the Registry of the Commission.

(8) The applicant shall within 3 working days from the date of publication of the notice in terms of Clause (5) of this Regulation submit to the affidavit the details of the notice published, names of the digital newspapers in which the notice has been published, the dates and places of their publication and enclosing the relevant pages of the publication of notice.

(9) The CTUIL shall send its recommendations, if any, to the Commission on the proposal for grant of licence made in the application as far as practicable within a period of 10 (ten) days from the date of receipt of the application with a copy to the applicant: Provided that if CTUIL is unable to submit its recommendations within a period of 10 days, it shall inform the Commission the reasons for the same and submit its recommendations within a period of 30 (thirty) days from the date of receipt of the application: Provided further that along with its recommendations, CTUIL shall submit the copy of approval of the transmission project by the Central Government in terms of Electricity (Transmission System Planning, Development and Recovery of Inter-state Transmission Charges) Rules, 2021 as amended from time to time. Explanation: The recommendations of the Central Transmission Utility shall not be binding on the Commission.

(10) The applicant may file its comments, duly supported by an affidavit, on the recommendations made by CTUIL and the suggestions and objections, if any, received in response to the public notice within 7 working days of receipt of such suggestions and objections, with an advance copy to the CTUIL and the person, if any, who has filed the suggestions and objections on the proposal made in the application.

(11) The Commission after considering the suggestions and objections received from the DICs and in response to the public notice published by the applicant, and the recommendations, if any, received from CTUIL may either propose to grant the licence to the applicant or for reasons to be recorded in writing, reject the application.

(12) Before granting a licence, the Commission shall publish a notice of its proposal on the Commission's website and in two daily digital newspapers, having wide circulation, as the Commission may consider appropriate, stating the name and address of the person to whom it proposes to grant the licence, details of the project for which it proposes to grant a licence, location or route of the elements of the project, and any other details that the Commission may consider appropriate, to invite further suggestions and objections on its proposal within 15 days of the publication of the notice.

(13) The Commission may, after consideration of the further suggestions and objections, if any, received in response to the public notice in terms of Clause (12) of this Regulation, grant licence to the applicant in Form-III appended to these regulations or for reasons to be recorded in writing, reject the application.

(14) The Commission shall before granting licence or rejecting the application under the provisions of this Regulation provide an opportunity of hearing to the applicant, CTUIL, the concerned DICs, or the person who has filed suggestions and objections, or any other interested person.

(15) The Commission shall, within 7 days of making the order to grant the licence to an applicant send a copy of the licence to the Central Government, the Central Electricity Authority, the Central Transmission Utility, the applicant and the concerned DIC(s)."

16. 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 provisions of the Transmission Licence Regulations, 2024. The Petitioner has submitted proof of service of the copies of the application on the BPC, CTUIL and the beneficiaries 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 Power Transmission Limited with respect to the transmission system as per the details given in paragraph 1 above.

17. 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. 661.52 million. The Petitioner has also enclosed copies of the recommendations of the Bid Evaluation Committee.

18. 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 language. The Petitioner has also published the notice digitally in Times of India (English) and Rajasthan Patrika (Hindi) on 9.9.2024. In response, no objection has been received from the general public to the notices.

19. 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 5(3) of the Transmission Licence Regulations. CTUIL, vide its letter dated 11.9.2024, has recommended the grant of a transmission licence to the Petitioner. The Relevant portions of the said letter dated 11.9.2024 are extracted as under:

“This is with reference to Petition having diary no. 568/24 filed by M/s Bhadla-III Power Transmission Ltd. before Hon’ble Commission for grant of Transmission License to facilitate implementation of “Additional Transmission system for evacuation of power from Bhadla-III PS as part of Rajasthan REZ Phase-III scheme (20 GW)”. In this regard, following is submitted:

- *Transmission System for additional 20 GW REZ in Northern Region (Phase-III) was approved in 5th NCT meeting held on 25.08.21 and 02.09.21. As part of the above scheme, establishment of 765/400/220kV Bhadla-III PS (765/400kV:2x1500 MVA, 400.220kV:3x500 MVA) was approved under*

Phase-III Part B1 package, which is under implementation. Further, 7x500 MVA ICTs (incl. 10 nos. of 220 kV line bays and 220kV Sectionalizer) was also approved as part of Phase-III Part B2 package to be taken up based on receipt of stage-II connectivity and commensurate LTA respectively. It was also agreed that above 220 kV line bays and Transformer augmentations shall be reviewed based on Stage-II connectivity at 220 kV voltage level and LTA applications respectively. Detailed scope is enclosed at Annexure-I.

- Subsequently, based on RE connectivity applications and grant process, total 5 nos. of 400/220kV ICTs and 4 nos. of 765/400kV ICTs are required. Out of this, 3nos. of 400/220kV ICTs and 2nos. of 765/400kV ICTs are already under implementation as part of Phase-III Part B1 and balance 2nos. of 400/220kV ICTs (4th and 5th) and 2 nos. of 765/400kV ICTs (3rd and 4th) are additionally required as par of present scheme.*
- The above transmission scheme was agreed in the 27th CMETS-NR meeting held on 10.01.2024. The Transmission System was further agreed in 17th National Committee on Transmission (NCT) held on 31.01.2024. Subsequently, NCT vide its Gazette notification dated 13.03.2024 declared establishment of “Additional Transmission system for evacuation of power from Bhadla-III PS as part of Rajasthan REZ Phase-III scheme (20 GW)” through tariff based competitive bidding route. Extracts of the minutes of 27th CMETS-NR meetings are enclosed at Annexure-II. Extract of the minutes of 17th NCT meeting are enclosed at Annexure-III. Copy of Gazette Notification dated 13.03.2024 is enclosed at Annexure-IV.*
- The subject transmission scheme involves installation of 2x500 MVA, 400/220kV ICTs (4th and 5th) and 2x1500 MVA, 765/400 kV ICTs (3rd and 4th) at Bhadla-III PS with completion schedule as 18 months from effective date i.e. 28.08.2024 for 400/220kV ICTs as well as 1x1500 MVA, 765/400kV ICT (3rd). However, for 1x1500 MVA, 765/400kV ICT (4th), completion schedule is 30.12.2025. Implementation of this project shall facilitate onward transfer of power from RE generation proposed to be connected at Bhadla-III PS in western Rajasthan. Bhadla-III PS and its interconnections are under construction with expected commissioning schedule as Mar’25.*

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

20. 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 (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 22.8.2024. Though Lol was issued on 12.8.2024, BPC, vide its letter dated 28.8.2024 in terms of Clauses 2.15.2 of RfP, extended the date up to 4.9.2024 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. 21 crores on 22.8.2024 and acquired a hundred per cent equity-holding in the applicant company on 28.8.2024 after execution of the Share Purchase Agreement. As per clause 2.15.4 of the RfP, TSP is required to apply to the Commission for the 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 28.8.2024. Accordingly, the TSP has filed the instant Petition through e-filing for the grant of transmission licence on 4.9.2024.

21. 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 the 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 in two daily digital newspapers and on the Commission`s website 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 **4.12.2024**.

22. 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.

23. 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 the Bureau of India Standards. In this regard, the Petitioner has submitted that it would implement the Project as per the provisions of the TSA. It is expected that while carrying out the survey, the Petitioner has complied with the provisions of clause 2.5.7.3, clause 2.5.7.4 and clause 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.

24. The Petition shall be listed for the hearing on **9.12.2024**.

Sd/-
(Harish Dudani)
Member

sd/-
(Ramesh Babu V)
Member

sd/-
(Jishnu Barua)
Chairperson