

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 353/AT/2024

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

Date of Order: 27th December, 2024

In the matter of

Application under Section 63 of the Electricity Act, 2003 for Adoption of Transmission Charges with respect to the Transmission System being established by the Bhadla-III Power Transmission Limited (a 100% wholly owned subsidiary of Power Grid Corporation of India 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 Building, 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 Aditya Mahesh, BPTL
Shri Akshayvat Kislay, CTUIL
Shri Ranjeet Rajput, CTUIL

ORDER

The Petitioner, Bhadla-III Power Transmission Limited (hereinafter referred to as “the Petitioner”), has filed the present Petition under Section 63 of the Electricity Act,

2003 (hereinafter referred to as "the Act") to establish the Inter-State Transmission System for 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. The Petitioner has made the following prayers:

(a) Adoption 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)" discovered through competitive bidding process.

(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 and circumstances of the case."

2. On receipt of the present Petition, the Bid Process Coordinator (hereinafter referred to as 'the BPC'), REC Power Development & Consultancy Limited (RECPDCL) (hereinafter referred to as 'RECPDCL') vide letter dated 18.10.2024, was directed to submit the relevant documents regarding the complete process of the competitive bidding. The necessary details have been filed by the BPC vide affidavit dated 4.11.2024.

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 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. The representative of the Petitioner further

prayed to adopt the transmission tariff. After hearing the representative of the Petitioner, the order in the instant Petition was reserved.

4. Vide Record of Proceedings for the hearing dated 12.11.2024, the Respondent Beneficiaries were directed to file their replies/comments on the Petition, if any. However, no response has been received from them.

5. We have considered the submissions of the Petitioner and BPC 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 the 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 the 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 No. 170 [ADVT.-IIV4IExty.I826/2023-24] dated 13.03.2024, has notified the REC Power Development and Consultancy Limited (RECPDCL) as a Bid Process Coordinator (BPC) for the purpose of selection of bidder as the Transmission Service Provider 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 through the tariff based competitive bidding process.

9. Bhadla-III Power Transmission Limited (the Petitioner) was incorporated on 19.4.2024 under the Companies Act, 2013 as a wholly owned subsidiary of RECPDCL with the objective to establish the Inter-State transmission system for 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 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, substations, 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 4.4.2024 with the last date of submission of response to RfP as 18.7.2024. 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. RECPDCL/TBCB/Bhadla-III/2023-24/8687 dated 8.4.2024.

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

| S. No. | Events | Date |
|--------|---|-----------|
| 1 | Publication of RfP | 4.4.2024 |
| 2 | RfP (Technical)& Price Bid Submission | 18.7.2024 |
| 3 | RfP (Technical) Bid Opening | 18.7.2024 |
| 4 | Initial Bid Opening (IPO) | 1.8.2024 |
| 5 | e-Reverse Auction | 2.8.2024 |
| 6 | Final Bid Evaluation Committee Meeting | 7.8.2024 |
| 7 | Issuance of Lol | 12.8.2024 |
| 8 | Signing of Agreements & transfer of SPV | 28.8.2024 |

13. The scope of the Project as per the Request for Proposal and the Transmission Service Agreement is as under:

| SI. No. | Name of the Transmission Element | Scheduled 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. | Augmentation of 2x500 MVA (4th and 5 th), 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. | 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 |

| | | | | |
|----|--|------------|--------|---|
| | • 220 kV ICT bays- 2 nos. | | | their utilization is dependent on each other. |
| 2. | Augmentation of 1x1500 MVA, 765/400 kV (3rd) ICT at Bhadla-III PS* • 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 • 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 • 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

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

| | | |
|----|--|-----------------------------------|
| 1. | Sh. Rajesh Kumar Singh, General Manager, SBI, CCGRO-II, New Delhi | Chairman of the Committee |
| 2. | Shri B. S. Bairwa, Chief Engineer (I/C) PSPA-II, CEA | Member |
| 3. | Sh. Bhanwar Singh Meena, Director, PSETD Division, Central Electricity Authority | Member |
| 4. | Shri V.A. Kale, Superintending Engineer, RVPN | Member |
| 5. | Sh. D.K. Meena, SE (Operations), NRPC | Member |
| 6. | Sh. Kuntala Venugopal, Chairman, SPV | Convener- Member of the Committee |

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

| Sr. No. | Name of Bidders |
|---------|---|
| 1. | Power Grid Corporation of India Limited |
| 2. | Sterlite Grid 32 Limited |

16. The responses of the bidders were opened on 18.7.2024 in the presence of the representatives of the bidders. Based on the recommendations of the Bid Evaluation Committee, the Initial Offers of all two bidders were opened on 1.8.2024 in the presence of the Bid Evaluation Committee. In the BEC meeting held on 1.8.2024, it was noted that the lowest transmission charge from the Initial Offer submitted by the bidders was Rs. 750.00 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 the Bidder | Quoted Transmission Charges from the Initial Offer (in Rupees Million) | Rank |
|----------------|---|---|-------------|
| 1. | Power Grid Corporation of India Limited | 750.00 | L-1 |
| 2. | Sterlite Grid 32 Limited | 787.20 | L-2 |

17. As per the provisions of the RfP documents, BEC recommended the two 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 2.8.2024 after intimating the bidders regarding the lowest initial price offer. The transmission charges for the bidders (in ascending order) emerged as under:

| Sr. No. | Name of the Bidder | Quoted Transmission Charges from the Initial Offer (in Rupees Million) | Rank |
|----------------|---|---|-------------|
| 1. | Power Grid Corporation of India Limited | 661.52 | L-1 |
| 2. | Sterlite Grid 32 Limited | 663.18 | L-2 |

19. Based on e-reverse bidding, BEC, in its meeting held on 7.8.2024, recommended Power Grid Corporation of India Limited, with the lowest transmission charges of Rs. 661.52 million, as the successful bidder.

20. Letter of Intent was issued by the BPC on 12.8.2024 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 RECPDCL, 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 Limited) 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 Power Transmission Limited from REC Power Development and Consultancy 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 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 28.8.2024 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 adoption of the transmission tariff on 4.9.2024.

25. The Petitioner has approached the Commission with a separate application for a grant of a transmission licence. The Commission, vide order dated 25.11.2024 in Petition No. 352/TL/2024, on being satisfied that the Petitioner, prime facie, qualifies for grant of transmission licence 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 Fourth Meeting of the Bid Evaluation Committee meeting held on 1.8.2024, the following have been recorded:

“.... following two (02) bidders were qualified to participate in the electronic reverse auction stage and submit their Final Offer:

| Sr. No. | Name of the Bidder | Transmission Charges from the Initial Offer (in Rupees Million) | Rank |
|----------------|--|--|-------------|
| 1. | <i>M/s Power Grid Corporation of India Limited</i> | 750.00 | L-1 |
| 2. | <i>M/s Sterlite Grid 32 Limited</i> | 787.20 | L-2 |

- *To start electronic reverse auction on 2.8.2024 at 1030 Hrs (IST) after intimation to all the two (2) qualified bidders regarding lowest initial price offer.*

3. Pursuant to the above, BPC confirmed to BEC that all the above two (2) qualified bidders were informed on 1.8.2024 (duly acknowledged by them) regarding the electronic reverse auction start time and lowest initial offer.

4. The electronic reverse auction started on 2.8.2024 at 1030 Hrs (IST) on MSTC portal and 50 bids have been received during electronic reverse auction. Accordingly Quoted Transmission Charges for each bidder (in ascending order) is 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. | M/s Power Grid Corporation of India Limited | 750.00 | 661.52 | L1 |
| 2. | M/s Sterlite Grid 32 Limited | 787.20 | 663.18 | L2 |

The system generated bid history of electronic reverse auction is enclosed at Annexure-1.

5. As per above table, M/s Power Grid Corporation of India Limited emerged as the Successful Bidder after the conclusion of electronic reverse auction with the lowest annual transmission charges of Rs. 661.52 million which also the Final Offer.

6. BPC, in their evaluation report (Annexure 2) has confirmed the following:

- a) Lowest annual transmission charges discovered through electronic reverse auction is Rs. 661.52 million and the estimated annual transmission charges computed based on the estimated cost as communicated by cost committee and as per prevailing CERC norms is Rs. 606.50 million. Hence, discovered tariff is -9% higher than the estimated tariff.
- b) As per provisions of RFP Document, successful bidder i.e., M/s Power Grid Corporation of India Limited has submitted original hard copies of Annexure-3 and Annexure-14 and the same are found to be in order.
- c) The entire bidding process has been carried out in accordance with the "Tariff based Competitive 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 as amended from time to time.

7. After detailed discussions on the evaluation report prepared by BPC (Annexure-2), the Bid Evaluation Committee observed the following:

- a) M/s Power Grid Corporation of India Limited, with the lowest annual transmission Charges of **Rs. 661.52 Million**, is the successful Bidder after the conclusion of the electronic reverse auction.
 - b) The above transmission charges discovered after electronic reverse auction is acceptable.
8. In view of para 7 above, BEC recommended to issue Letter of Intent (LoI) to M/s Power Grid Corporation of India Limited.

9. *The certificate by BEC to be forwarded to CERC for adoption of tariff in terms of Section 63 of the Electricity Act, 2003 is attached at **Annexure-3.***

27. Bid Evaluation Committee (BEC), vide its certificate dated 7.8.2024, certified as under:

“It is certified that:

- a. 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.*
- b. M/s Power Grid Corporation of India Limited, with the lowest annual transmission Charges of Rs. 661.52 million, emerged as the successful Bidder after the conclusion of electronic reverse auction.*
- c. The transmission charges of Rs. 661.52 million discovered after electronic reverse auction 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 7.8.2024, 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. 661.52 million. Based on the certification of the BEC, we approve and adopt the single annual transmission charges of Rs. 661.52 million as per the final offer of the successful bidder subject to the grant of a 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. Extract copy of this order shall be sent to the Nodal agency, CTUIL.

31. Petition No. 353/AT/2024 is disposed of in terms of the above.

sd/-
(Harish Dudani)
Member

sd/-
(Ramesh Babu V)
Member

sd/-
(Jishnu Barua)
Chairperson