

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 374/TL/2023

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

Date of Order: 12th March, 2024

In the matter of

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

**And
In the matter of**

Beawar Dausa Transmission Limited,
(Now known as Powergrid Beawar Dausa 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,
Gurgaon 122001, Haryana

....Petitioner

Vs

1. Central Transmission Utility of India Limited,
Saudamini, Plot No.2, Sector-29,
Gurgaon-122 001
2. PFC Consulting Limited
9th Floor, A-Wing, Stateman House,
Connaught Place, New Delhi – 110001, India
3. Renew Dinkar Jyoti Pvt limited
Commercial Block -1, Golf course Road, DLF City,
Zone 6, Sector-43, Gurugram, Haryana-122009
4. Azure Power India Private Limited
Southern Park, 5th Floor,D-II, Saket Place,
Saket, New Delhi -110017, India

5. Juniper Green Stellar Private Limited,
Plot No. 18, Forst Floor, Institutional Area,
Sector-32, Gurugram, Haryana
6. IB Vogt Solar Seven Private Limited,
225-229, JMD Empire, Golf Course Ext Road,
Sector 62, Gurugram, Haryana
7. XL Xergi Power Private Limited,
8th floor, DLF Square, Jacaranda Marg,
DLF Phase -2, Sector 25, Gurugram, Haryana
8. Central Electricity Authority,
Seva Bhawan, R.K. Puram,
New Delhi-110016
9. Northern Regional Power Committee,
18A, Shaheed Jeet Singh Sansanwal Marg,
Katwaria Sarai, New Delhi – 110 016
10. Delhi Transco Limited,
Shakti Sadan, Kotla Road,
New Delhi-110 002
11. Grid Controller of India Limited,
erstwhile Power System Operation Corporation Ltd.),
9th Floor, IFCI Towers, 61, Nehru Place,
New Delhi-110 016
12. HPPTCL
Head office, Himfed Bhawan, Panjari,
Shimla-171005, Himachal Pradesh
13. UP Power Transmission Company Limited,
Shakti Bhawan Extn, 3rd Floor,
14, Ashok Marg, Lucknow-226001, U.P.
14. Punjab State Transmission Corporation Limited,
Head Office, The Mall,
Patiala – 147001, Punjab
15. Power Transmission Corporation of Uttrakhand Limited,
Vidyut Bhawan, Near ISBT Crossing,
Saharanpur Road, Majra, Dehradun
16. Power Development Department,
Grid Substation Complex, Janipur, Jammu
17. Rajasthan Rajya Vidyut Prasaran Nigam Limited,
Vidyut Bhawan, Jaipur-302005, Rajasthan.

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

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

....Respondents

Parties present:

Shri Mani Kumar, BIITL
Shri Laditya Mahesh, BIITL
Ms.Pridarshini, Advocate, PFCCL
Shri Harish Bkakuni, Advocate, PFCCL
Shri Ranjeet S. Rajput, CTUIL
Ms. Priyansi Jadiya, CTUIL

ORDER

The Petitioner, Beawar Dausa 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 “Transmission Licence Regulations”) to establish the “Transmission system for evacuation of power from REZ in Rajasthan (20 GW) under Phase-III Part H” on a Build, Own, Operate and Transfer basis (hereinafter referred to as “the Project”) consisting of the following elements:

S. No.	Name of theTransmission Element	Scheduled COD
1.	Establishment of 2x1500 MVA 765/400kV substation at suitable location near Dausa along with 2x330 MVA, 765 kV Bus Reactor & 2x125 MVA, 420 kV bus Reactor <ul style="list-style-type: none">765/400kV 1500 MVA ICTs: 2 nos. (7x500 MVA, including one spare unit)	18 months from date of SPV acquisition

	<ul style="list-style-type: none"> • 330 MVAR, 765 kV bus reactors: 2 nos. (7x110 MVAR, including one spare unit) • 765kV ICT bays – 2 nos • 400 kV ICT bays – 2 nos. • 765 kV line bays – 6 nos. • 400kV line bay- 4 nos. • 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: 4 nos. • 765kV Bus Reactor along with bays: 2 nos. • 400/220 kV ICTs along with bays: 2 nos. • 400 kV line bays along with switchable line reactor: 4 nos. • 400kV Bus Reactor along with bays: 1 no. • 220 kV line bays: 4 nos. 	
2.	<p>LILO of both circuits of Jaipur (Phagi)-Gwalior 765 kV D/c at Dausa along with 240 MVAR Switchable line reactor for each circuit at Dausa end of Dausa – Gwalior 765 kV D/c line</p> <ul style="list-style-type: none"> • Switching equipment for 765 kV 240MVAR switchable line reactors - 2 nos. • 240 MVAR 765 kV Switchable line reactors - 2 nos. (7x80 MVAR considering one spare unit) (also to be used as spare reactor at Dausa end for 765kV Beawar – Dausa D/c line) 	
3.	<p>LILO of both circuits of Agra-Jaipur(south) 400kV D/c at Dausa along with 50 MVAR Switchable line reactor for each circuit at Dausa end of Dausa – Agra 400kV D/c line.</p> <ul style="list-style-type: none"> • Switching equipment for 420kV, 50MVAR switchable line reactor –2 • 420kV, 50MVAR Switchable line reactor-2 nos. 	
4.	<p>Beawar-Dausa 765 kV D/c line along with 240 MVAR Switchable line reactor for each circuit at each end</p>	

	<ul style="list-style-type: none"> • Switching equipment for 765kV 240MVAR switchable line reactor –4 • 765kV, 240MVAr Switchable line reactor- 4 nos 	
5.	2 nos. of 765kV line bays at Beawar for Beawar – Dausa 765 kV D/c line <ul style="list-style-type: none"> • 765kV line bays – 2 nos 	

Note:

- i. Developer of Beawar S/s to provide space for 2 nos. of 765 kV line bays along with space for 765kV switchable line reactors at their substations.”

2. The Petitioner has made the following prayers:

“(a) Grant Transmission License to the Applicant;

(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 (20 GW) under Phase-III Part H” 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; and

(c) Pass such other order / orders, as may be deemed fit and proper in the facts & circumstances of the case.”

Hearing dated 23.2.2024

3. During the course of the hearing on 23.2.2024, the representative of the Petitioner submitted that the Petitioner has complied with the requirements, including publication of notice(s) under the Transmission Licence Regulations and CTUIL has submitted its recommendations for the grant of a transmission licence to the Petitioner under Section 15(4) of the Electricity Act, 2003. He added that there has been a change in the name of the Petitioner company from Beawar Dausa Transmission Limited to Power Grid Beawar Dausa Transmission Limited and the Petitioner has also filed a certificate of incorporation pursuant to the Change of Name, as issued by the Registrar of Companies, Delhi. The representative of the Petitioner submitted that the Petitioner has already impleaded the Northern Region beneficiaries as party to the present Petitions.

4. The representative of CTUIL confirmed that CTUIL has already issued its recommendations for the grant of a transmission licence to the Petitioner company.

5. In response to the specific query of the Commission with regard to the approval of the Central Government for the Project under Electricity (Transmission System Planning, Development and Recovery of Inter-state Transmission Charges) Rules, 2021, the representative of CTUIL submitted that in the present case, the Project has been notified by the Ministry of Power, Government of India itself - for awarding under TBCB route - vide Notification dated 3.12.2021. Therefore, there is no need to the approval of the Central Government separately.

6. Vide Record of Proceedings for the hearing dated 23.2.2024, the Respondents were directed to file their reply, within a week with a copy to the Petitioner, who may file its rejoinder within a week thereafter. However, no reply has been filed by the Respondents.

7. 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, 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 bidder as Transmission Service Provider (TSP) to establish the “Transmission system for evacuation of power from REZ in Rajasthan (20 GW) under Phase-III Part H” on a Build, Own, Operate and Transfer basis.

8. PFCCCL, in its capacity as the BPC, initiated the bid process on 3.3.2022 and completed the same on 30.10.2023 in accordance with the provisos of the Guidelines. Power Grid Corporation of India Limited was selected as the successful bidder, having quoted the lowest transmission charges of Rs. 2002.84 million per annum in order to provide transmission services to the beneficiaries of the transmission system.

9. RfP was issued on 3.3.2022. At the RfP (Technical and Financial) stage, four bidders, namely, (i) Power Grid Corporation of India Limited, (ii) The Tata Power Company Limited, (iii) Sterlite Grid 30 Limited and (iv) Indi Grid 1 Limited submitted their offers. The RfP (Technical bids) of the four bidders were opened by the Bid Opening Committee on 27.7.2023 in the presence of a representative of the bidders. Based on the recommendation of the Bid Evaluation Committee (BEC), the RfP (Financial) Bids-Initial Price Offer of the four bidders were opened on 28.8.2023. The lowest Initial Price Offer discovered (Best Deal) at the MSTC portal was Rs. 2293.00 million per annum. The details of the quoted transmission charges by bidders are given below:

Sr. No.	Name of the Bidder	Quoted Transmission Charges as per the Initial Offer (in Rs. million per annum)	Rank
1.	The Tata Power Company Limited	2293.00	L1
2.	Sterlite Grid 30 Limited	2445.63	L2
3.	Power Grid Corporation of India Limited	2482.15	L3
4.	Indigrd 1 Limited	2600.00	L4

10. As per Clause 3.5.1 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 percent 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.

11. The e-reverse auction of four bidders was carried out at the MSTC portal on 29.8.2023. The following transmission charges, as quoted by each bidder, emerged:

Sr. No.	Name of the Bidder	Transmission Charges as per the Initial Offer (in Rs. Million)	Transmission Charges as per the Final Offer (in Rs. Million)	Rank
1.	Power Grid Corporation of India Limited	2482.15	2002.84	L1
2.	The Tata Power Company Limited	2293.00	2007.86	L2
3.	Sterlite Grid 30 Limited	2445.63	2202.90	L3
4.	Indigrd 1 Limited	2600.00	Not participated in e-RA	L4

12. As per the Bid Evaluation Report dated 31.8.2023, Power Grid Corporation of India Limited emerged as the successful bidder with the lowest quoted transmission charges of Rs. 2002.84 million per annum. BEC, vide its certificate dated 31.8.2023, 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.

13. 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 4.9.2023, 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% share equity share Beawar Dausa Transmission Limited from PFCCCL along with all its related assets and liabilities;
- (d) Make an application to this Commission for adoption of transmission charges, as required under Section 63 of the Act; and
- (e) Apply to this Commission for a grant of transmission licence;

14. The Petitioner has furnished the Contract Performance Guarantee (CPG) in favour of Nodal Agency, i.e. CTUIL, for Rs. 44.40 crore on 30.10.2023 and has acquired hundred per cent equity holding in Beawar Dausa Transmission Limited on 30.10.2023. The Petitioner entered into a Transmission Service Agreement (TSA) with the CTUIL on 30.10.2023.

15. 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”

16. 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 a competent authority in the Ministry of Power/CEA. vide its letter CEA-PS-11-21(25)/1/2018-PSAP-I-Division-Part(2)/377-378 dated 25.10.222 had issued prior approval to the Project under Section 68 of the Act. The selection of the project developer, Beawar Dausa Transmission Limited, has been certified to have been made in accordance with the Guidelines for competitive bidding.

17. 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 grant of 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."

18. 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 grant of a transmission licence in accordance with the provisions of the Transmission Licence Regulations. The Petitioner has submitted proof of service of the copies of the application on the BPC, CTUIL and the Northern Region 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 Beawar Dausa Transmission Limited with respect to the transmission system as per the details given in paragraph 1 above.

19. 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. 2002.84 million per annum. The Petitioner has also enclosed copies of the recommendations of the Bid Evaluation Committee.

20. 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 to the notices.

21. 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 13.12.2023 has recommended for the grant of a transmission licence to the Petitioner. The Relevant portions of the said letter dated 13.12.2023 are extracted as under:

“This is with reference to Petition having diary no. 484/TL/2023 filed by M/s BDTL 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 H. 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: 8GW, 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, a hybrid transmission system (EHVAC& HVDC) 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 abovementioned 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 Processing Coordinator (BPC) for the purpose of selection of bidder as Transmission Service Provider (TSP) to establish the above referred project through TBCB route. Bid Evaluation Committee appointed by the BPC has selected Power Grid Corporation of India Ltd. (POWERGRID) as successful bidder. POWERGRID has subsequently acquired Beawar Dausa Transmission Ltd. after execution of the requisite Share Purchase Agreement (SPA) on 30.10.2023.*
- As part of subject scheme, 2x1500MVA, 765/400kV Dausa S/s, LILO of both circuits of Jaipur (Phagi) - Gwalior 765kV D/c line at Dausa, LILO of both circuits of Agra - Jaipur (South) 400kV D/c line at Dausa and Beawar - Dausa 765kV D/c line is to be established with completion schedule as 18 months from effective date. Jaipur (Phagi), Gwalior, Agra and Jaipur (South) are existing substations. 765/400kV Beawar S/s is to be established as part of Ph-III Part-F by Beawar Transmission Ltd. with expected commissioning schedule as 19.03.2025 which is earlier than Part-H schedule. Implementation of this project shall facilitate transfer of power from RE generation (About 3GW) proposed to be connected at Fatehgarh-III/Fatehgarh-IV PS in Western Rajasthan.*

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

22. We have considered the submissions of the Petitioner, BPC and CTUIL. The proviso to Clause 2.15.2 of the RfP provide 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 14.9.2023. Though Lol was issued on 4.9.2023, BPC, vide its letter dated 25.10.2023 in terms of Clauses 2.15.2 of RfP, extended the date up to 30.10.2023 for completion of all activities by the successful bidder. The selected bidder furnished the Contract Performance Guarantee in favour of Nodal Agency (CTUIL) for an amount of Rs. 44.40 crore on 30.10.2023 and acquired a hundred per cent equity-holding in the applicant company on 30.10.2023 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 30.10.2023. Accordingly, the TSP has filed the instant Petition through e-filing for the adoption of transmission charges on 3.11.2023.

23. 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 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 27.3.2024.

24. 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.

25. 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, including Articles 16.4, 5.1.1 and 5.4 of the TSA. 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.

26. The Petitioner, vide its affidavit dated 23.1.2024, has informed that the name of the Petitioner company has been changed from 'Beawar Dausa Transmission Limited' to 'POWERGRID Beawar Dausa Transmission Limited' with effect from 14.12.2023. The certificate of change of name from 'Beawar Dausa Transmission Limited' to 'POWERGRID Beawar Dausa Transmission Limited' dated 14.12.2023 issued by Registrar of Companies, Delhi has been placed on record. Accordingly, the name of the Petitioner has been changed to 'POWERGRID Beawar Dausa Transmission Limited' on the record of the Commission.

27. The Petition shall be listed for the hearing on **3.4.2024**.

Sd/-
(P.K. Singh)
Member

sd/-
(Arun Goyal)
Member