

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 55/TL/2024

Coram:

Shri Jishnu Barua, Chairperson

Shri Arun Goyal, Member

Shri P.K. Singh, Member

Date of Order: 22nd April, 2024

In the matter of

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

And

In the matter of

Neemrana II Bareilly Transmission Limited,

(Now known as POWERGRID Neemrana Bareilly Transmission Limited)

Registered office: B-9, Qutab Institutional Area,

Katwaria Sarai, New Delhi 110 016

Address for correspondence: 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, Statesman House

Connaught Place, New Delhi-110001

3. ACME Cleantech Solutions Private Limited,

Plot No. 152, Sector 44, Gurugram-122002

4. Avada RJ Bikaner Private Limited,

C-11, Sector-65, Gautam Buddha Nagar- Noida

5. MRS Buildvision Private Limited,

306A, D-2, Sourthen Park, Saket District Centre,

Saket, New Delhi-110017.

- 6. Saimma Solar Private Limited,**
5th Floor, North Tower, M3M Tee point, Sector-65,
Golf Course Extension Road,
Gurugram, Haryana-122018
- 7. Sunbreeze Renewables Nine Private Limited,**
Office Ni 520, Urbtech Building Park,
Sector -153, Noida,
Gautam Buddha Nagar, UP-201301
- 8. Sunrise solar RJ one private Limited,**
1101A-1107, 11th floor, BPTP park centra,
Jal Vayu Vihar, Sector-30, Gurugram-122001
- 9. TP Saurya Limited,**
C/o The Tata power company limited,
Corporate Centre, 34 Sant Tuakaram Road,
Carnac Bunder, Mumbai-400009
- 10. Central Electricity Authority,**
Sewa Bhawan, R.K.Puram,
New Delhi-110 066
- 11. Northern Regional Power Committee,**
18A, Shaheed Jeet Singh Sansanwal Marg, Katwaria Sarai,
New Delhi – 110 016
- 12. Grid Controller of India Limited,
(erstwhile Power System Operation Corporation Ltd.)**
9th Floor, IFCI Towers, 61, Nehru Place,
New Delhi-110 016
- 13. HPPTCL,**
Head office, Himfed Bhawan, Panjari,
Shimla-171005
- 14. UP Power Transmission Company Limited,**
Shakti Bhawan Extn, 3rd floor, 14,
Ashok Marg, Lucknow-226001
- 15. Punjab State Transmission Corporation Limited,**
Head Office, The Mall,
Patiala – 147001, Punjab
- 16. Power Transmission Corporation of Uttarakhand Limited,**
Vidyut Bhawan, Near ISBT Crossing,
Saharanpur Road, Majra, Dehradun
- 17. Power Development Department,**

Grid Substation Complex, Janipur, Jammu

18. Rajasthan Raja Vidyut Prasaran Nigam Limited,
Vidyut Bhawan, Jaipur-302005, Rajasthan

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

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

....Respondents

Parties present:

Shri Rohit Jain, PVTL
Shri Shankalp Sharma, PVTL
Ms. Priyadarshini, Advocate, PFCCCL
Shri Anubhav Kansal, PFCCCL
Shri Siddharth Sharma, CTUIL
Shri Akshayvat Kislay, CTUIL

ORDER

The Petitioner, Neemrana II Bareilly Transmission Limited (now known as 'POWERGRID Neemrana Bareilly 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 Rajasthan REZ Ph-IV (Part-1) Bikaner Complex): Part-D" on a Build, Own, Operate and Transfer basis (hereinafter referred to as "the Project") consisting of the following elements:

S. No.	Name of the Transmission Element	Scheduled COD
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1	<p>Neemrana-II- Bareilly (PG) 765 kV D/c line along with 330 MVar switchable line reactor for each circuit at each end</p> <ul style="list-style-type: none"> • 765 kV, 330 MVar switchable line reactors at Neemrana-II S/s– 2 nos. • 765 kV, 330 MVar Switchable line reactors at Bareilly (PG) – 2 nos. • Switching equipment for 765 kV 330 MVar switchable line reactors at Neemrana-II S/s – 2 nos. • Switching equipment for 765 kV 330 MVar switchable line reactors at Bareilly (PG) S/s – 2 nos. 	24 Months from SPV transfer
2	2 no. of 765 kV line bays each at Neemrana-II & Bareilly (PG) S/s 765 kV line bays - 4 nos. (2 nos. each at Neemrana-II & Bareilly (PG) S/s)	

Note:

Developer of Neemrana-II S/s shall provide space for 2 nos. of 765 kV line bays alongwith space for Switchable line reactor at Neemrana-II S/s for termination of Neemrana-II-Bareilly (PG) 765 kV D/c line. POWERGRID shall provide space for 2 nos. of 765 kV line bays alongwith space for Switchable line reactor at Bareilly (PG) S/s.

2. Based on the competitive bidding carried out by the PFC Consulting Limited (PFCCL), in its capacity as the Bid Process Coordinator (BPC), in accordance with the Guidelines issued by the Ministry of Power, Government of India under Section 63 of the Act, Power Grid Corporation of India Limited was declared a successful bidder with the lowest quoted annual transmission charges of Rs. 1945.62 million per annum.

3. The Commission, after considering the application of the Petitioner in light of the provisions of the Act and the Transmission Licence Regulations, in its order dated 30.3.2024, *prima facie* proposed to grant a transmission licence to the Petitioner. The relevant extracts of the order dated 30.3.2024 are extracted as under:

“22. 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 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 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 **17.4.2024.**”*

4. A public notice under Sub-section (5) of Section 15 of the Act was published on 5.4.2024 in all editions of the Indian Express (English) and Amar Ujala (Hindi). No suggestions/ objections have been received from members of the public in response to the public notice.

5. The case was called out for the hearing on 10.4.2024. It was submitted by the representative of the Petitioner that, in response to a public notice published by the Commission, no objection had been received.

6. As regards the grant of a transmission licence, Clauses (15) and (16) of Regulation 7 of the Transmission Licence Regulations provide as under:

“(15) The Commission may after consideration of the further suggestions and objections, if any, received in response to the public notice as aforesaid, grant licence as nearly as practicable in Form-III attached to these regulations or for reasons to be recorded in writing, reject the application if such application is not in accordance with the provisions of the Act, the rules or regulations made thereunder or any other law for the time being in force or for any other valid reason.

(16) The Commission may, before granting licence or rejecting the application, provide an opportunity of hearing to the applicant, the Central Transmission Utility, the long-term customers, or the person who has filed suggestions and objections, or any other person: Provided further that the applicant shall always be given a reasonable opportunity of being heard before rejecting the application.”

7. In our order dated 30.3.2024, we had proposed to grant a transmission licence to the Petitioner company and directed the issue of a public notice. In response to the public notice, no suggestions/objections have been received. CTUIL,

in its letter dated 23.1.2024, has recommended the grant of a transmission licence to the Petitioner. We find that the Petitioner company meets the requirements of the Act and the Transmission Licence Regulations for the grant of a transmission licence for the subject Transmission System mentioned in paragraph 1 of this order. Considering the submissions of the Petitioner and CTUIL, we direct that a transmission licence be granted to the Petitioner, 'POWERGRID Neemrana Bareilly Transmission Limited,' for the grant of an inter-State transmission licence to establish the "Transmission system for evacuation of power from Rajasthan REZ Ph-IV (Part-1) Bikaner Complex): Part-D" on a Build, Own, Operate and Transfer basis as per the details given in paragraph 1 above.

8. The grant of the transmission licence to the Petitioner (hereinafter referred to as "the licensee") is subject to the fulfilment of the following conditions throughout the period of licence:

- (a) The transmission licence shall, unless revoked earlier, remain in force for a period of 25 years from the date of issue;
- (b) The transmission licensee shall comply with the provisions of the Transmission Licence Regulations or any subsequent enactment thereof during the period of subsistence of the licence;
- (c) The licensee may make an application, two years before the expiry of the initial licence period, for the grant of the transmission licence for another term in accordance with Regulation 13 (2) of the Transmission Licence Regulations, which shall be considered by the Commission in accordance with law;

- (d) The licensee shall not enter into any contract for or otherwise engage in the business of trading in electricity during the period of subsistence of the transmission licence;
- (e) The licensee shall have the liability to pay the license fee in accordance with the provisions of the Central Electricity Regulatory Commission (Payment of Fees) Regulations, 2012, as amended from time to time or any subsequent enactment thereof. Delay in payment or non-payment of licence fee or a part thereof for a period exceeding sixty days shall be construed as a breach of the terms and conditions of the licence;
- (f) The licensee shall comply with the directions of the National Load Despatch Centre under Section 26 of the Act, or the Regional Load Despatch Centre under sub-section (3) of Section 28 or sub-section (1) of Section 29 of the Act, as may be issued from time to time for maintaining the availability of the transmission system;
- (g) The licensee shall remain bound by the provisions of Central Electricity Regulatory Commission (Standard of Performance of inter-State transmission licensees) Regulations, 2012 or subsequent enactment thereof;
- (h) The licensee shall provide the non-discriminatory open access to its Transmission System for use by any other licensee, including a distribution licensee or an electricity trader, or generating company or any other person in accordance with the Act; the Central Electricity Regulatory Commission (Open Access in inter-State Transmission) Regulations, 2008; the Central Electricity Regulatory Commission (Connectivity and General Network Access to the

inter-State Transmission System) Regulations, 2023; the Central Electricity Regulatory Commission (Indian Electricity Grid Code) Regulations, 2023, as amended from time to time or any subsequent re-enactments thereof;

- (i) The licensee shall not undertake any other business for optimum utilization of the Transmission System without prior intimation to the Commission and shall comply with the provisions of the Central Electricity Regulatory Commission (Sharing of Revenue Derived from Utilization of Transmission Assets for other business) Regulations, 2020;
- (j) The licensee shall remain bound by provisions of the Central Electricity Regulatory Commission (Sharing of inter-State Transmission Charges and Losses) Regulations, 2020 as amended from time to time;
- (k) The licensee shall remain bound by the provisions of the Act, the Rules and Regulations framed thereunder, in particular the Transmission Licence Regulations, the Grid Code, the Standards specified by the Central Electricity Authority, orders and directions of the Commission issued from time to time;
- (l) The licensee shall ensure the execution of the Project as per the Technical Standards and Grid Standards of CEA;
- (m) The licensee shall submit all such report or information as may be required under Transmission Licence Regulations, Standard of Performance Regulations or any other regulation of the Commission or as per the directions of the Commission as may be issued from time to time;

(n) The licensee shall ensure that the EPC contract for the execution of work under the scope of the project is awarded through a competitive bidding process.

9. CTUIL / its appointed Independent Engineer and the Central Electricity Authority shall monitor the execution of the Project and bring to the Commission's notice any lapse on the part of the licensee in meeting the schedule for further appropriate action in accordance with the provisions of the Transmission Service Agreement executed between the licensee and the Nodal Agency, the Act and the Transmission Licence Regulations.

10. It is expected that while carrying out the survey, the Petitioner has complied with the provisions of clauses 2.5.7.3, 2.5.7.4, and 2.5.7.5 of the RfP. The Petitioner will comply with the provisions of the bidding documents and the TSA for the commissioning of the Project within the SCOD in letter and spirit.

11. The Petitioner has informed that the name of the Petitioner company has been changed from 'Neemrana II Bareilly Transmission Limited' to 'POWERGRID Neemrana Bareilly Transmission Limited' with effect from 21.3.2024. The certificate of change of name from 'Neemrana II Bareilly Transmission Limited' to 'POWERGRID Neemrana Bareilly Transmission Limited' dated 21.3.2024 issued by the Registrar of Companies, Delhi has been placed on record. Accordingly, the name of the Petitioner has been changed to 'POWERGRID Neemrana Bareilly Transmission Limited' on the record of the Commission.

12. Let an extract copy of this order be sent to CTUIL, CEA and BPC for information and necessary action.

13. Petition No. 55/TL/2024 is allowed in terms of the above.

Sd/-
(P.K. Singh)
Member

sd/-
(Arun Goyal)
Member

sd/-
(Jishnu Barua)
Chairperson