

**CENTRAL ELECTRICITY REGULATORY COMMISSION  
NEW DELHI**

**Petition No. 61/TL/2024**

**Coram:  
Shri Jishnu Barua, Chairperson  
Shri Arun Goyal, Member**

**Date of Order: 24<sup>th</sup> May, 2024**

**In the matter of**

Application under Sections 14, 15, 79(1)(e) of the Electricity Act, 2003 read with the Central Electricity Regulatory Commission (Procedure, Terms and Conditions for Grant of Transmission License and other related matters) Regulations, 2009 with respect to the grant of the transmission Licence to Halvad Transmission Limited.

**And  
In the matter of**

**Halvad Transmission Limited,**  
C 105, Anand Niketan,  
New Delhi 110021

**....Petitioner**

**Vs**

- 1. Central Transmission Utility of India Limited,**  
Saudamini, Plot No.2, Sector-29,  
Gurgaon-122 001
- 2. PFC Consulting Limited,**  
Urjanidhi, 1, Barakhamba Lane, Connaught Place,  
New Delhi, DELHI - 110001
- 3. Madhya Pradesh Power Management Company Limited,**  
Block No.-11, Ground Floor, Shakti Bhavan,  
Vidhyut Nagar, Rampur,  
Jabalpur – 482008, Madhya Pradesh
- 4. Chhattisgarh State Power Distribution Company Limited,**  
P.O. Sunder Nagar, Dangania,  
Raipur- 492013, Chhattisgarh
- 5. Maharashtra State Electricity Distribution Company Limited,**  
Prakashgad, 4th Floor, Bandra (East),  
Mumbai – 400051
- 6. Gujarat Urja Vikas Nigam Limited,**  
Vidhyut Bhavan, Race Course,

Vadodara – 390007

**7. DNH Power Distribution Corporation Limited,**  
66 kV, Amlī Ind. Estate, Silvāsa – 396230  
Dadar Nagar Haveli

**8. Electricity department, Government of Goa,**  
Vidyut Bhavan, Near Mandvi Hotel,  
Panaji, Goa – 403001

**9. Electricity Department, Administration of Daman and Diu,**  
Plot No. 35, OI DC Complex, Near Fire Station,  
Daman – 396210

....Respondents

**Parties present:**

Shri Bhavesh Kundalia, HTL  
Ms. Priyadarshini, Advocate, PFCCL  
Shri Deepak Kumar, PFCCL  
Shri Siddharth Sharma, CTUIL  
Shri Akshyvat Kislay, CTUIL

**ORDER**

The Petitioner, Halvad Transmission Limited, has filed the present Petition for the grant of a transmission licence under Sections 14, 15 and 79 (1) (e) 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 scheme for evacuation of additional 7 GW of RE Power from Khavda RE Park under Phase III Part A” on a Build, Own, Operate and Transfer basis (hereinafter referred to as “the project”) consisting of the following elements:

<b>S. No.</b>	<b>Name of the Transmission Element</b>	<b>Scheduled COD in months from Effective Date</b>
1.	Establishment of 765 kV Halvad switching station with 765 kV, 2x330 MVar bus reactors	24 months
2.	KPS2(GIS) - Halvad 765 kV D/c line	

S. No.	Name of the Transmission Element	Scheduled COD in months from Effective Date
3.	240 MVAr switchable line reactor on each ckt at both ends of KPS2- Halvad 765 kV D/c line.	
4.	2 nos. of 765 kV GIS line bays at KPS2 for termination of KPS2 - Halvad 765 kV D/c line	
5.	LILO of Lakadia - Ahmedabad 765 kV D/c line at Halvad	

*Note: Developer of KPS2 shall provide space for implementation of 2 no. of 765 kV line bays along with switchable line reactors for termination of KPS2 (GIS) – Halvad 765 kV D/c line.*

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, Adani Energy Solutions Limited was declared a successful bidder with the lowest quoted annual transmission charges of Rs. 2710.54 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 24.4.2024, *prima facie* proposed to grant a transmission licence to the Petitioner. The relevant extracts of the order dated 24.4.2024 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 grant of transmission licence aforesaid. The objections or suggestions, if any, be filed by any person before the Commission, by **13.5.2025.**”

4. A public notice under sub-section (5) of Section 15 of the Act was published on 1.5.2024 in all editions of the Hindustan Times (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 hearing on 22.5.2024. 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. CTUIL, in its letter dated 10.1.2024, 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, 'Halvad Transmission Limited,' to establish the "Transmission scheme for evacuation of an additional 7 GW of RE Power from Khavda RE Park under Phase III Part A" 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. Let an extract copy of this order be sent to CTUIL, CEA and BPC for information and necessary action.

12. Petition No. 61/TL/2024 is allowed in terms of the above.

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

sd/-  
**(Jishnu Barua)**  
Chairperson