

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No.427/AT/2024

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

Date of Order: 18th January, 2025

In the matter of

Application under Section 63 of the Electricity Act, 2003, for the adoption of Transmission Charges with respect to the Transmission System being established by Navinal Transmission Limited.

**And
In the matter of**

Navinal Transmission Limited,
C-105, Anand Niketan,
New Delhi-110021.

.... **Petitioner**

Versus

- 1. Central Transmission Utility of India Limited,**
Saudamini, Plot No.2, Sector-29,
Gurgaon-122001.
- 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, Amla Ind. Estate,
Silvasa – 396230, Dadar Nagar Haveli.

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

**9. Dadra and Nagar Haveli and Daman and Diu
Power Distribution Corporation Limited,**
1st & 2nd Floor, Vidyut Bhavan, Silvassa,
Dadra and Nagar Haveli–396230.

10. MPSEZ Utilities Limited,
Adani Corporate House, Shantigram,
S.G. Highway, Ahmedabad – 382421, Gujarat.

....Respondents

Parties present:

Shri Prashant Kumar, NTL
Shri Deepak Kumar, PFCCL
Shri Dharmender Kumar, PFCCL

ORDER

The Petitioner, Navinal Transmission Limited (hereinafter referred to as “Petitioner/ NNTL”), has filed the present Petition under Section 63 of the Electricity Act, 2003 (hereinafter referred to as ‘the Act’) for the adoption of transmission charges in respect of “Network Expansion Scheme in Navinal (Mundra) area of Gujarat for drawal of power in the area” (hereinafter referred to as ‘the Transmission System’ or ‘the Project’) to be established on a Build, Own, Operate and Transfer (BOOT) basis.

The Petitioner has made the following prayers:

“(a) Adopt Transmission Charges for the Project discovered through competitive bidding process.

“(b) Allow the Transmission Charges of “Network Expansion Scheme in Navinal (Mundra) area of Gujarat for drawal of power in the area” to be part of POC pool under CERC (Sharing of Inter-state Transmission Charges and Losses Regulations) Regulation, 2020 and its amendment thereof issued from time to time by the Commission.

(c) Condone any inadvertent errors omissions/errors/shortcomings and permit the Petitioner to add/change/modify/alter these filings and make further submissions as may be required at a future date.

(d) Pass any 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 (BPC), PFC Consulting Limited (hereinafter referred to as” PFCCL”), vide letter dated 11.12.2024, was directed to submit the relevant documents regarding the complete process of competitive bidding. The necessary details have been filed by the BPC vide affidavit dated 12.12.2024.

Hearing dated 10.12.2024

3. The matter was heard on 10.12.2024. The Petitioner was directed to implead MPSEZ Utilities Limited (MUL) as a party to the Petition and filed a revised memo of parties. Further, notices were issued to the Respondents to file their respective replies.

Hearing dated 6.1.2025

4. During the course of the hearing on 6.1.2025, the representative of the Petitioner submitted that the Petitioner has also filed its compliance affidavit furnishing the information called for by the Commission vide Record of Proceedings for hearing dated 10.12.2024. He further submitted that no reply had been received from the Respondents.

Analysis and Decision

5. We have considered the submissions of the Petitioner and perused the documents 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 Ministry of Power, Government of India 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 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 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 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 transmission services under the guidelines, BPC shall adopt a single stage two envelope tender process featuring the Request for

Proposal (RFP). The entire bidding process shall be conducted online through electronic medium under e-reverse bidding framework.

(e) The 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 the International Competitive Bidding (ICB). For the purpose of issue of the 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 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 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 the 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 CEA by a bid committee comprising of at least one member from the CEA and one member from the 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 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 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 the 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) The 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 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 a transparent process of bidding as per the Guidelines issued by the Central Government has been followed in the present case for selection of the successful bidder.

8. The Ministry of Power, Government of India, vide Gazette notification. CG-DL-E-01032024-252546 dated 1.3.2024 notified the PFC Consulting Limited (“PFCCL”) as a Bid Process Coordinator (BPC) for the purpose of selection of the bidder as Transmission Service Provider (TSP) to establish the Transmission System for the “Network Expansion Scheme in Navinal (Mundra) area of Gujarat for drawal of power in the area” on a Build, Own Operate and Transfer (BOOT) basis through tariff based competitive bidding process.

9. Navinal Transmission Limited (the Petitioner) was incorporated on 4.4.2024 under the Companies Act 2013 as a wholly owned subsidiary of PFCCL with the objective of establishing the Project and acting 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:

“1. To develop Power System Network, 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.”

10. BPC prepared the bidding document, namely Request of Proposal (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 the developer on a BOOT basis for the Project. The notice for RfP was published on 8.5.2024 in all editions of The Indian Express (English), Jansatta (Hindi), and Financial Express (Worldwide), with the last date of submission of response to the RfP as 12.7.2024. Intimation regarding the initiation of the bid process was given to the Commission vide letter dated 14.5.2024 in accordance with Clause 4.2 of the Guidelines dated 10.8.2021.

12. Factual Matrix of the bidding process are as under:

| S. No. | Events | Date |
|---------------|--|---------------|
| 1 | Publication of Request for Proposal | 8.5.2024 |
| 2 | Intimation to the Hon'ble Commission | 14.5.2024 |
| 3 | RFP (Technical)& Price Bid Submission | 28.3.2024 |
| 4 | RFP (Technical) Bid Opening | 9.8.2024 |
| 5 | RFP (Financial) Initial Price Offer -Opening | 20.8.2024 |
| 6 | e-Reverse Auction | 21.8.2024 |
| 7 | No. of Bidders in E-Reverse Auction | Three Bidders |
| 8 | Rounds of E-Reverse Auction | 137 |
| 9 | Final Bid Evaluation Committee Meeting | 18.9.2024 |
| 10 | Issuance of Letter of Intent (LoI) | 19.09.2024 |
| 11 | Signing of Agreements & Transfer of SPV | 14.10.2024 |

| S. No. | Events | Date |
|--------|-------------------------------|---------------------|
| 12 | Estimated Cost of the Project | Rs. 1,852.89 crores |

13. The scope of the Project as per the Transmission Service Agreement is as under:

| S. No | Name of the Transmission Element | Scheduled COD in months from the Effective Date |
|-------|--|---|
| 1 | <p>Establishment of 4x1500 MVA, 765/400 kV Navinal (Mundra) S/s (GIS) with 2x330 MVA, 765 kV and 1x125 MVA, 420 kV bus reactors:</p> <ul style="list-style-type: none"> ➤ 765/400 kV, 1500 MVA ICT – 4 Nos. (13x500 MVA single phase units including one spare ICT Unit) ➤ 765 kV ICT bays – 4 Nos. ➤ 400 kV ICT bays – 4 Nos. ➤ 765 kV Line bays – 4 Nos. ➤ 1x330 MVA, 765 kV bus reactor- 2 Nos. (7x110 MVA single phase Reactors including one spare Unit for bus /line reactor) ➤ 765 kV Bus reactor bay – 2 Nos. ➤ 125 MVA, 420 kV reactor- 1 Nos. ➤ 400 kV Reactor bay- 1 No. <p>Future provision (space for):</p> <ul style="list-style-type: none"> ➤ 765/400 kV ICT along with bays- 5 Nos. ➤ 765 kV line bays along with switchable line reactors – 6 Nos. ➤ 765 kV Bus Reactor along with bay: 2 Nos. ➤ 765 kV Sectionalizer: 1 -set ➤ 400 kV line bays along with switchable line reactors– 10 Nos. (in addition to 4 Nos. bays for MUL – Navinal (Mundra) (GIS) 400 kV 2xD/C line mentioned under Note) ➤ 400/220 kV ICT along with bays -6 Nos. ➤ 400 kV Bus Reactor along with bays: 3 Nos. ➤ 400 kV Sectionalization bay: 1- set ➤ 220 kV line bays: 10 Nos. ➤ 220 kV Sectionalization bay: 1 set ➤ 220 kV BC and TBC: 2 Nos. ➤ STATCOM (\pm 300 MVA) along with MSC (2x125 MVA) and MSR (1x125 MVA) and associated bays- 2 Nos. | 21 months (14.7.2026) |
| 2 | LILO of Bhuj-II – Lakadia 765 kV D/C line at Navinal (Mundra) (GIS) S/s with associated bays at Navinal (Mundra) (GIS) S/s | |
| 3 | <p>Installation of 1x330 MVA switchable line reactor on each ckt at Navinal end of Lakadia – Navinal 765 kV D/C line (formed after above LILO)</p> <ul style="list-style-type: none"> ➤ 1x330 MVA, 765 kV switchable line reactor – 2 Nos. ➤ Switching equipment for 765 kV line reactor – 2 Nos. | |

Note:

- (1) Bay(s) required for completion of diameter (GIS) in one-and-half breaker scheme shall also be executed by the TSP.
- (2) The TSP shall implement five complete diameters at 765 kV level of Navinal (Mundra) (GIS) consisting of 2 Main Bays and 1 Tie Bay required for completion of diameter (GIS) in one-and-half breaker scheme. (4 ICT bays + 4 Line Bays + 2 Bus Reactor Bays).

- (3) Further, the TSP shall also implement four complete diameters at 400 kV level of Navinal (Mundra) (GIS) consisting of 2 Main Bays and 1 Tie Bay required for completion of diameter (GIS) in one-and-half breaker scheme. (4 ICT bays +1 Bus Reactor Bay + 3 for dia completion).
- (4) The following scope of works for interconnection of 400/220 kV MUL (Distribution Licensee) S/s with Navinal (Mundra) S/s (GIS) is under the scope of MUL (shall be constructed and maintained by a licensee at the cost of such entity) and is required to be implemented in the same time frame
- MUL – Navinal (Mundra) (GIS) 400 kV 2xD/C (Twin HTLS - Quad Moose equivalent) and KCL, MPL shall get interconnected with 400/220 kV Substation of MUL for drawal of power.
 - MUL shall implement one complete diameter (GIS) consisting of 2 main bays and 1 Tie bay in one and half breaker scheme at Navinal end as 3 line bays can be terminated in spare bays being implemented by TSP for completion of dia.
 - 4 Nos. 400 kV Line bays at the Distribution Licensee MUL end.”

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

| | | |
|----|--|-----------------|
| a) | Sh. Rajesh Kumar Singh, General Manager, SBI Commercial Client Group Regional Office-II, New Delhi | Chairman |
| b) | Sh. Deepak Gawali, Superintending Engineer (Operation), WRPC | Member |
| c) | Sh. S.M. Soni, Superintending Engineer, GETCO | Member |
| d) | Sh. Bhanwar Singh Meena, Director (PSE&TD), CEA | Member |
| e) | Sh. B.S. Bairwa, Chief Engineer, (PSPA-II Division), CEA | Member |
| f) | Sh. Sachin Shukla, Chairman, Navinal Transmission Limited, New Delhi | Convener Member |

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

| S. No. | Name of Bidders |
|--------|---|
| 1 | Power Grid Corporation of India Limited |
| 2 | Adani Energy Solutions Limited (Formerly known as Adani Transmission Limited) |
| 3 | Sterlite Grid 32 Limited |

16. The responses of the three bidders were opened on 9.8.2024 in the office of CEA in the presence of the representative of the bidders. Based on the recommendation of the Bid Evaluation Committee (BEC), the Initial Offer of all three bidders was opened on 20.8.2024 in the presence of the Bid Evaluation Committee. In the BEC meeting held

on 20.8.2024, it was noted that the lowest transmission charges from the initial offers submitted by the bidders were Rs. 4,210.00 million per annum, which shall be the initial price for quoting the final offer during the e-reverse auction. Accordingly, the following three bidders were qualified to participate in the e-reverse auction:

| Sr. No. | Name of the Bidder | Quoted Transmission Charges from the Initial Offer (in Rs. Million per annum) | Rank |
|---------|---|---|------|
| 1. | Power Grid Corporation of India Limited | 4,210.00 | L1 |
| 2. | Adani Energy Solutions Limited | 4,221.30 | L2 |
| 3. | Sterlite Grid 32 Limited | 5,363.20 | L3 |

17. As per the provisions of the RfP documents, BEC recommended the above three qualified bidders participate in the electronic reverse auction stage and submit their final offer.

18. The e-reverse auction was carried out at the MSTC portal on 21.8.2024 in the presence of members of the BEC after intimating to the above three bidders regarding the lowest initial price offer i.e., Rs. 4210.00 million per annum. After the e-reverse auction, the transmission charges for three bidders (in ascending order) emerged as under:

| S. No. | Name of the Bidder | Quoted Transmission Charges from the Initial Offer (in Rs. Million) | Rank |
|--------|---|---|------|
| 1. | Adani Energy Solutions Limited | 2,987.14 | L1 |
| 2. | Power Grid Corporation of India Limited | 2,994.63 | L2 |
| 3. | Sterlite Grid 32 Limited | 4,116.17 | L3 |

19. Based on the e-reverse bidding, BEC, in its meeting held on 18.9.2024, recommended Adani Energy Solutions Limited, with the lowest annual transmission charges of Rs. 2987.14 million per annum, as the successful bidder.

20. Letter of Intent (LoI) was issued by the BPC on 19.9.2024 to the successful bidder, i.e., Adani Energy Solutions Limited. In accordance with Clause 12.3 of the Guidelines, BPC has hosted on its website 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 issuance of the LoI to the successful bidder (Adani Energy Solutions Limited) and acquisition of the 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 process of competitive bidding.

22. In accordance with Clauses 2.15.2 of RfP, the selected bidder shall, within 10 days of the issue of LoI, accomplish the following tasks:

- a) Provide 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 percent equity shareholdings of Navinal Transmission 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 (5) working days of the issue of the acquisition of the SPV by the Successful Bidder, apply to the Commission for grant of a transmission licence and make an application to the Commission for the adoption of transmission charges, as required under Section 63 of 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 29.9.2024. Though Lol was issued on 19.9.2024, BPC vide its letter dated 14.10.2024, in terms of Clause 2.15.2 of RfP extended the date to 14.10.2024 for completion of all activities by the successful bidder. The selected bidder furnished the Contract Performance Guarantee in favour of the Nodal Agency (CTUIL) for an amount of Rs. 46.50 crores on 10.10.2024 and acquired hundred percent equity-holding in the applicant company on 14.10.2024 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 Adani Energy Solutions Limited, acquired the SPV on 14.10.2024. The TSP filed the Petition through e-filing for adoption of tariff on 18.10.2024.

25. The Petitioner has approached the Commission with a separate application for the grant of a transmission licence. The Commission vide order dated 17.1.2025 in Petition No. 424/TL/2024, on being satisfied that the Petitioner, *prime facie*, qualifies for the grant of a 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. Accordingly, notices have been published.

26. In accordance with the Guidelines, BEC has to certify that the tariff has been discovered through a transparent process of bidding and that the tariff discovered is in

line with the prevailing market prices. In the minutes of the Bid Evaluation Committee meeting held on 18.9.2024, the following has been recorded:

"The fourth meeting of the Bid Evaluation Committee (BEC) for evaluation of the Final Offer (Financial Bid) for the transmission scheme "NETWORK EXPANSION SCHEME IN NAVINAL (MUNDRA) AREA OF GUJARAT FOR DRAWAL OF POWER IN THE AREA" was held on September 18, 2024 at 1530 hrs (IST) through Video Conferencing (VC).

II. BPC informed BEC the following:

- 1. The RFP (Financial) Bid - Initial Offer for the following three (03) qualified bidders were opened online on the MSTC portal by the Bid Opening Committee in the office of Central Electricity Authority (CEA) in presence of BEC members through VC on August 27, 2024, at 1500 hrs (IST):*
 - a. Adani Energy Solutions Limited*
 - b. Power Grid Corporation of India Limited*
 - c. Sterlite Grid 32 Limited*
- 2. The lowest Quoted Transmission Charges from the Initial Offer discovered was Rs. 4,210 million per annum which was declared as the initial price for quoting the final offers during the e-reverse auction process.*
- 3. As per Clause No. 3.5.1 of the RFP document,*
"....Quoted Transmission Charges of such Initial Offer shall be ranked on the basis of the ascending Initial Offer submitted by each Qualified Bidder. Based on such ranking of the Qualified Bidders, first fifty per cent of the ranking (with any fraction rounded off to higher integer) or four Qualified Bidders, whichever is higher, shall qualify for participating in the electronic reverse auction".
- 4. Accordingly, the following three (03) bidders were qualified to participate in the e-reverse auction:*
 - a. Adani Energy Solutions Limited*
 - b. Power Grid Corporation of India Limited*
 - c. Sterlite Grid 32 Limited*
- 5. The lowest Initial Offer at the MSTC portal i.e. Rs. 4,210 million per annum was communicated (duly acknowledged by bidders) to the above three (03) bidders qualified for participating in the e-reverse auction process which was held at MSTC Portal on August 21, 2024 at 1000 hrs (IST) onwards.*
- 6. On the conclusion of the e-Reverse Auction on August 22, 2024, at 1434 hrs (IST), "Adani Energy Solutions Limited" has emerged as a successful bidder with the lowest Quoted Transmission Charges during the e-bidding stage. The Evaluation Report is attached at Annexure-A.*
- 7. The Final Offer (Quoted Transmission Charges) of each bidder as quoted at the time of closing of the e-reverse auction is as under (a copy of the e-reverse bidding statement generated at the MSTC portal is attached in Annexure-B):*

| S. No. | Name of the Bidder | Quoted Transmission Charges (in Indian Rupees million per annum) | Rank |
|---------------|---|---|-------------|
| i | Adani Energy Solutions Limited | 2,987.14 | L-1 |
| ii. | Power Grid Corporation of India Limited | 2,994.63 | L-2 |
| iii. | Sterlite Grid 32 Limited | 4,116.17 | L-3 |

8. Further as per the provisions of the RFP document, only one value for annual Transmission Charges is to be quoted by the bidder. In addition to the online submission, the Bidder with the lowest Final Offer is required to submit original hard copies of Annexure 3-Power of Attorney, Annexure 4- Power of Attorney from Consortium Members (if applicable), Annexure 6- Consortium Agreement (if applicable) and Annexure 14- Bid Bond, before issuance of Lol.
9. Accordingly, as per the requirement, 'Adani Energy Solutions Limited' (the Bidder with the lowest Final Offer) vide letter dated 22.08.2024 had submitted the original hard copies of Annexure 3 and Annexure 14 to BPC on 23.08.2024. The other annexures were not applicable to the bidder.
10. The original hard copies of Annexure 3 and Annexure 14 submitted by Adani Energy Solutions Limited are in order. There is no discrepancy between the online submission and physical documents submitted by Adani Energy Solutions Limited.
11. According to the Gujarat Government Gazette notification dated March 01 2024, the land compensation to be paid is double the circle rate.

III. In view of the above, BPC proposed that Adani Energy Solutions Limited with the Final Offer (Quoted Transmission Charges) of Rs. 2987.14 million per annum, may be declared as the successful bidder.

IV. BPC, in their evaluation report (Annexure-A) has again confirmed the following:

- i. The levelised tariff for the project has been computed based on the estimated cost as communicated by the Cost Committee constituted by CEA and the methodology for the calculation of tariff as per CERC norms.
- ii. 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 the Ministry of Power, Govt. of India under Section 63 of the Electricity Act, 2003 and as amended from time to time.

V. After detailed discussions on the final levelised tariff prepared by BPC, the BEC recommended the following:

- i. *The quoted tariff is five Percent higher than the estimated CERC Levelised Tariff.*
- ii. *Considering the Gujarat Government Gazette regarding land compensation, the quoted tariff discovered through the e-reverse bidding process is considered as reasonable and acceptable to all BEC members.*
- iii. *In view of (i) and (ii) above Adani Energy Solutions Limited, may be issued Letter of Intent (LoI).*

VI. BEC has also issued a separate certificate (copy at Annexure C) in this regard.”

27. Bid Evaluation Committee, vide its certificate dated 18.9.2024, has certified as under:

“It is hereby certified that:

1. 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.

2. Adani Energy Solutions Limited emerged as the Successful Bidder after the conclusion of e-reverse bidding process with the lowest Quoted Transmission Charges of Rs.2,987.14 million per annum.

3. The quoted tariff is higher than the Levelised Tariff calculated based on CERC norms considering the Capital Cost for the Project 'Network Expansion Scheme in Navinal (Mundra) area of Gujarat for drawal of power in the area' as assessed by Cost Committee. The quoted tariff discovered through e-reverse bidding process, 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 18.9.2024, has certified that Adani Energy Solutions Limited has emerged as the successful bidder after the conclusion of the e-reverse auction with the lowest annual

transmission charges of Rs. 2987.14 million per annum. Based on the certification of the BEC, we approve and adopt the single annual transmission charges of Rs. 2987.14 million per annum, subject to the grant of a transmission licence to the Petitioner. 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. An extract copy of this order be sent to the Nodal Agency, CTUIL.

30. The Petition No. 427/AT/2024 is disposed of in terms of the above.

sd/-
(Harish Dudani)
Member

sd/-
(Ramesh Babu V.)
Member

sd/-
(Jishnu Barua)
Chairperson