

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 148/AT/2023

Coram:

**Shri I. S. Jha, Member
Shri Arun Goyal, Member
Shri P. K. Singh, Member**

Date of order: 16th July, 2023

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 Raipur Pool Dhamtari Transmission Limited (a 100% wholly owned subsidiary of Power Grid Corporation of India Limited).

And

In the matter of:

Raipur Pool Dhamtari Transmission Limited,
(Now known as POWERGRID Raipur Pool Dhamtari Transmission Limited),
B-9, Qutab Institutional Area,
Katwaria Sarai,
New Delhi 110 016

.....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. Gujarat Energy Transmission Corporation Limited,
Sardar Patel Vidyut Bhawan,
Race Course, Vadodara -390 007
4. Maharashtra State Electricity Transmission Company Limited,
4th Floor, "Prakashganga", Plot No. C-19,
E-Block, Bandra – Kurla Complex,
Bandra (East),
Mumbai- 400051
5. Chhattisgarh State Power Transmission Company Limited,
Dangania, Raipur- 492 013,
Chhattisgarh.

6. Madhya Pradesh Power Transmission Company Limited,
Block No. 3, Shakti Bhawan,
Rampur, Jabalpur-482 008
7. Administration of Union Territory of Dadra & Nagar Haveli and Daman & Diu
Secretariat, Moti Daman - 395 220
8. Electricity Department,
Government of Goa, Panaji
9. Chhattisgarh State Power Distribution Company Limited.
CSPDCL, Post: Sundernagar,
Dangania, Raipur-492013
10. Gujarat Urja Vikas Nigam Limited,
Sardar Patel Vidyut Bhavan, Race Course
Vadodara - 390007
11. Heavy Water Board
O Floor, Vikram Sarabhai Bhavan, Trombay,
Anushaktinagar, Mumbai- 400094, Maharashtra
12. HVDC Bhadrawati, PGCIL,
PGCIL RHQ, WR-I, Sampriti Nagar,
Off National Highway No. 8,
Taluka: Kamrej, PO: Uppalwadi,
Nagpur, 440026 Maharashtra
13. HVDC Vindhyachal, PGCIL,
PGCIL RHQ, WR-I, Sampriti Nagar,
Off National Highway No. 8, Taluka: Kamrej,
PO: Uppalwadi, Nagpur, 440026 Maharashtra
14. M.P. Power Management Company Limited,
14, Shakti Bhawan, Rampur,
Jabalpur – 482008.
15. Maharashtra State Electricity Distribution Company Limited,
Prakashgad, 4th Floor,
Bandra (East), Mumbai-400051
16. ACB India Limited,
7th Floor, Corporate Tower, Ambience Mall,
NH-8, Gurgaon-122 001(Haryana)
17. Torrent Power Limited,
Naranpura Zonal Office,
Sola Road, Ahmedabad-380013
18. West Bengal State Electricity Distribution Company Limited,
6th Floor Vidyut Bhawan, Karunamoyee, Salt Lake,

Kolkata-700091, West Bengal,

19. Thermal Powertech Corporation India,
6-3-1090, Clock C, Level 2, TSR, Towers,
Raj Bhavan Road, Somajiguda,
Hyderabad- 500082, Telangana

20. Bhabha Atomic Research Centre,
Anushakti Nagar,
Mumbai- 400085, Maharashtra

21. GMR Warora Energy Limited,
Plot B-1, Mohabala MIDC Growth Centre,
Post – Warora, Dist – Chandrapur-442907,
Maharashtra.

22. HVDC Champa,
PGCIL RHQ, WR-I, Sampriti Nagar,
Off National Highway No. 8, Taluka: Kamrej,
PO: Uppalwadi , Nagpur- 440026, Maharashtra

23. West Central Railway Head Office,
General Manager's Office, Electrical Branch,
Jabalpur-482 001

24. Western Railway,
Office of Chief Electrical Engineer,
Mumbai

25. East Central Railway,
CEDE, Office of Chief Electrical Engineer, ECR,
Zonal Head Quarter, Dighikala-844101, Bihar

26. DB Power Limited- Untied,
Opp Dena Bank, C-31, G- Block, Mumbai

27. Chhattisgarh State Power Trading Company Limited,
2nd Floor, Vidyut Sewa Bhawan, Raipur

28. TRN Energy Private Ltd-Untied,
7th Floor, Ambience Office Block, Gurugram

29. Adani Power (Mundra) Limited.
Adani Corporate House, Shantigram,
Near Vaishnavdevi Circle,
S G Road Ahmedabad - 382421

30. Raigarh HVDC Station,
RPT HVDC Office, Hebbal, Bangalore-560094

31. Arcelor Mittal Nippon Steel India Limited,

27, AMNS House, 2th KM Surat Hazira road,
Hazira-394270, Gujarat

32. Central Railway
Pcee's office, 2nd Floor,
Parcle Building, CSMT Mumbai-400001

33. Dadra and Nagar Haveli and Daman and Power Distribution Corporation Ltd.,
1st & 2nd Floor, Vidyut Bhavan,
NexSilvassa & Daman

34. MPSEZ Utilities Limited,
3rd Floor, Adani Corporate House,
Ahmedabad

....Respondents

Parties present:

Shri D Sudharshan, KIIBTL
Shri Mani Kumar, KIIBTL
Shri Shashank Shekhar, CTUIL
Shri Ranjeet Rajput, CTUIL
Shri Ashish Kr Singh, RECPDCL

ORDER

The Petitioner, Raipur Pool Dhamtari Transmission Limited (now known as POWERGRID Raipur Pool Dhamtari Transmission Limited), has filed the present Petition under Section 63 of the Electricity Act, 2003 (hereinafter referred to as 'the Act') for adoption of transmission charges in respect of "Western Region Expansion Scheme- XXVII (WRES-XXVII)" (hereinafter referred to as 'the Transmission System' or 'the Project') to be established on Build, Own, Operate and Transfer (BOOT) basis.

The Petitioner has made the following prayers:

(a) Adoption of Transmission Charges for Inter-State Transmission System for "Western Region Expansion Scheme- XXVII (WRES-XXVII)" discovered through competitive bidding process.

(b) Allow the sharing and recovery of Transmission Charges for Inter-State Transmission System for "Western Region Expansion Scheme- XXVII (WRES-XXVII)" 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 (BPC), PFC Consulting Limited, vide letter dated 9.5.2023 was directed to submit the relevant documents regarding complete process of competitive bidding. The necessary details have been filed by the BPC under affidavit dated 30.5.2023.

Hearing dated 30.6.2023

3. During the course of hearing on 30.6.2023, the representative of the Petitioner submitted that owing to certain issue relating to the acknowledgment of the Petition filing fees, there has been a little delay in filing of the Petition as against the timeline prescribed in RfP and as extended by the BPC, which may be condoned. The representative of the Petitioner submitted that the Petitioner has already impleaded the Western Region beneficiaries as party to the Petition and has also served copy of Petitions on them. However, no response has been received from them.

4. Vide Record of proceedings for the hearing dated 30.6.2023, the Respondents were directed to file their replies/comments on the Petition. However, no reply has been filed by the Respondents beneficiaries despite notice.

5. We have considered the submissions of the Petitioner, BPC and CTUIL 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. 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 Order in Petition No. 148/AT/2023

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 Transmission Service Provider (TSP) for new transmission system on 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 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 requirements including brief description of the Project, commissioning milestones to be achieved by the bidders, Qualification requirements to be met by 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 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 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 transmission licence from Appropriate Commission.

(g) The TSP on the date of acquisition of 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 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 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 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 grant of transmission licence to the Appropriate Commission within five (5) working days from the date of execution of share purchase agreement for acquisition of 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 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 has been followed in the present case in a transparent process of bidding.

8. Ministry of Power, Government of India, vide its Gazette Notification No. CG-DL-E 25072022-237560 dated 25.7.2022 has notified PFC Consulting Limited (PFCCL) as Bid Process Coordinator (BPC) for the purpose of selection of bidder as Transmission Service Provider to establish Inter-State Transmission System for “Western Region Expansion Scheme- XXVII (WRES-XXVII)” on Build, Own, Operate and Transfer basis through tariff based competitive bidding process.

9. Raipur Pool Dhamtari Transmission Limited (the Petitioner) was incorporated on 18.11.2022 under the Companies Act, 2013 as a wholly owned subsidiary of PFCCL with the objective to establish Inter-State Transmission System for “Western Region Expansion Scheme- XXVII (WRES-XXVII)” 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, sub-stations, 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, namely, 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 successful bidder with the publication of Global Invitation for Qualification for selection of developer on BOOT basis for the Project. The notice of RfP was published on 21.10.2022 in all editions of Hindustan

Times (English), Mint (English), Hindustan (Hindi) and Financial Times (English) with the last date of submission of response to RfP as 23.12.2022. Intimation regarding initiation of the bid process was given to this Commission in accordance with Clause 4.2 of the Guidelines vide letter No. 04/22-23/ITP-54/RFP dated 28.10.2022.

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

S. No.	Events	Date
1	Publication of RFP	21.10.2022
2	Intimation to the Hon'ble Commission	28.10.2022
3	RFP (Technical) & Price Bid Submission	10.01.2023
4	RFP (Technical) Bid Opening	10.01.2023
5	RFP (Financial) Initial Price Offer -Opening	15.02.2023
6	e-Reverse Auction	16.02.2023
7	Final Bid Evaluation Committee Meeting	24.02.2023
8	Issuance of Lol	01.03.2023
9	Signing of Agreements & Transfer of SPV	28.03.2023

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

Sl. No.	Name of the Transmission Element	Scheduled COD in months from Effective Date	Element(s) which are pre-required for declaring the commercial operation (COD) of the respective Element
1.	Raipur Pool – Dhamtari 400 kV D/c line (Quad ACSR/AAAC/AL59 Moose equivalent)	18 months	Elements marked at S. No. 1,2 & 3 are required to be commissioned simultaneously as their utilization is dependent on the commissioning of each other.
2.	400 kV line bays at Raipur Pool (POWERGRID) S/s for termination of Raipur Pool – Dhamtari 400kV D/c line (Quad ACSR/AAAC /AL59 Moose equivalent) • 400 kV line Bays: 2 nos.		
3.	400 kV line bays at Dhamtari (CSPTCL) S/s for termination of Raipur Pool – Dhamtari 400kV D/c line (Quad ACSR/AAAC/AL59 Moose equivalent) • 400 kV line Bays: 2 nos.		

Note:

(i) Power Grid to provide space for 400 kV bays at Raipur PS for termination of Raipur Pool-Dhamtari 400 kV D/c Line (Quad ACSR/AAAC/AL59 Moose equivalent).

(ii) CSPTCL to provide space for 400 kV bays at Dhamtari S/s for termination of Raipur Pool-Dhamtari 400 kV D/c Line (Quad ACSR/AAAC/AL59 Moose equivalent).

(iii) Downstream system associated with the scheme to be implemented by CSPTCL as an intrastate scheme:

- Dhamtari (Kurud) - Gurur 220kV D/c (2nd) line.
- 3rd 400/220kV, 315 MVA ICT at Dhamtari S/s.

(iv) The schedule of implementation would be 18 months from SPV Transfer.

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

1.	Sh. Umesh Kumar Madan, Head, SBI Capital Market	Chairman
2.	Smt. Kalpana Ghate, Additional Chief Engineer (Planning), Chhattisgarh State Power Transmission Company Limited (CSPTCL)	Member
3.	Sh. Prasanna Gosavi, Superintendent Engineer, O/o ED (Project), Chhattisgarh State Power Transmission Company Limited (CSPTCL)	Member
4.	Shri Y. K. Swarnkar, Director, PSETD Division, Central Electricity Authority	Member
5.	Ms. Manjari Chaturvedi, Director, PSPA-I Division, Central Electricity Authority	Member
6.	Sh. Milind M Dafade, Chairman, Raipur Pool Dhamtari Transmission Limited, New Delhi	Convener-Member

15. Responses to 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.	Sterlite Grid 8 Limited
3.	Adani Transmission Limited

16. The responses of the bidders were opened on 10.1.2023 in the presence of the representatives of the bidders. Based on the recommendations of the Bid Evaluation Committee, the Initial Offer of all the three bidders were opened on 15.2.2023 in the presence of Bid Evaluation Committee. In BEC meeting held on

15.2.2023 it was noted that the lowest transmission charges from the Initial Offer submitted by the bidders was Rs. 297.18 million per annum which shall be the initial ceiling for quoting the final offer during e-Reverse Auction. Accordingly, the rank of the bidders for participation in e-reverse auction is as under:

Sr. No.	Name of Bidder	Single Annual Transmission Charges from Initial Offer (Rs.in million)	Rank
1.	Power Grid Corporation of India Limited	297.18	L1
2.	Sterlite Grid 8 Limited	340.50	L2
3.	Adani Transmission Limited	358.00	L3

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

18. E-reverse auction was carried out at MSTC portal on 16.2.2023 in the presence of members of BEC after intimating to the bidders regarding lowest initial price offer. However, no bidder participated in e-reverse auction. The transmission charges for three bidders (in ascending order) emerged as under:

Sr. No.	Name of Bidder	Single Annual Transmission Charges from the Final Offer (Rs.in Million)	Rank
1.	Power Grid Corporation of India Limited	297.18	L-1
2.	Sterlite Grid 8 Limited	340.50	L-2
3.	Adani Transmission Limited	358.00	L-3

19. Based on e-reverse bidding, BEC in its meeting held on 24.2.2023 recommended Power Grid Corporation of India Limited with the lowest transmission charges of Rs. 297.18 million per annum as the successful bidder.

20. Letter of Intent was issued by the BPC on 1.3.2023 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 PFCCL, the final result of the evaluation of the bids for selection of developer for the Project.

21. In accordance with the provisions of the bid documents and upon issuance of Lol to the successful bidder (Power Grid Corporation of India Ltd.) and acquisition of SPV (the Petitioner) by the successful bidder, the Petitioner has prayed for adoption of transmission charges for the Project which has been discovered through the process of competitive bidding.

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

- a) Provide the Contract Performance Guarantee in favour of the Nodal Agency, CTUIL;
- b) Execute the Share Purchase Agreement and the Transmission Service Agreement;
- c) Acquire, for the Acquisition Price, one hundred percent (100%) equity shareholding of Raipur Pool Dhamtari Transmission Limited from PFC Consulting 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 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, selected bidder was required to complete all the activities including acquisition of SPVs by 11.3.2023. Lol was issued on 1.3.2023. The selected bidder furnished the Contract Performance Guarantee in favour of Nodal Agency (CTUIL) for an amount of Rs. 4.80 crore on 28.3.2023 and has acquired hundred percent equity-holding in the applicant company on 28.3.2023 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 transmission licence within five working days of the issuance of the acquisition of the SPV to the successful bidder. Successful bidder, namely, Power Grid Corporation of India Limited acquired the SPV on 28.3.2023. The Petitioner has submitted that it had paid the transmission license fees on 28.3.2023, however, the same was reflected on on-line filing portal on 3.4.2023 and the Petition was filed online on 10.4.2023. The Petitioner has prayed to condone the delay in filing of the Petition. Since the Petitioner could not file the Petition due to procedural laps, the same is condoned. However, the Petitioner is directed to comply with the provisions of the Transmission Licence Regulations in future in letter and spirit.

25. The Petitioner has approached the Commission by a separate application for grant of transmission license. The Commission vide order dated 13.7.2023 in Petition No. 147/TL/2023 on being satisfied that the Petitioner, *prime facie*, qualifies for grant of transmission license 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 Fourth Meeting of Bid Evaluation Committee meeting held on 24.2.2023, the following has been recorded:

“..... Accordingly, following three (03) bidders were qualified to participate in the reverse auction:

- i. Adani Transmission Limited*
- ii. Power Grid Corporation of India Limited*
- iii. Sterlite Grid 8 Limited*

5. The lowest Initial Offer at MSTC portal, i.e. Rs. 297.18 million per annum was communicated (duly acknowledged by bidders) to the above three (03) bidders qualified for participating in the e-reverse bidding process.

6. The e-reverse bidding process was carried out MSTC Portal on February 16, 2023 at 10.00 hrs (IST) and closed on same day i.e. February 16, 2023 at 12.00 hrs (IST). No bid was received during the e-reverse bidding process. The Evaluation Report is attached at Annexure-A.

7. The para 2 of clause 3.6.1. of RFP document stipulates..... “if no bid is received during the e-reverse bidding stage then the Bidder with lowest quoted initial transmission charges (“Initial Offer”) during e-bidding stage shall be declared as the Successful Bidder, subject to verification of the original hard copies of Annexure 3, Annexure 4 (if applicable), Annexure 6 (if applicable) and Annexure 14.....”

Further, the definition of final offer in the RFP document stipulates “Final Offer” shall mean the Quoted Transmission Charges, required to be submitted as part of the Financial Bid on the electronic bidding platform during the e-reverse bidding stage. In case, no Final Offer is received during the e-reverse bidding stage then the lowest “Initial Offer” shall be deemed to be the Final Offer.

8. As no bid was received during the e-reverse bidding stage, the lowest initial offer of Rs. 297.18 million per annum of ‘Power Grid Corporation of India Limited’ was considered as final offer. The ranking of the bidders as per initial offer is given below:

Sr. No.	Name of Bidder	Single Annual Transmission Charges from the Final Offer (Rs.in Million)	Rank
1.	Power Grid Corporation of India Limited	297.18	L-1

2.	Sterlite Grid 8 Limited	340.50	L-2
3.	Adani Transmission Limited	358.00	L-3

9. As per the provisions of RFP document, 'Power Grid Corporation of India Limited' vide letter dated 20.02.2023 has submitted the original hard copies of Annexure 3 (Power of Attorney) and Annexure 14 (Bid Bond) to BPC on 21.02.2023.

10. BPC has confirmed that the original hard copies of Annexure-3 and Annexure-14 submitted by 'Power Grid Corporation of India Limited' are in order and there is no discrepancy between the online submission and hard copies submitted by M/s Power Grid Corporation of India Limited.

11. In view of above, 'Power Grid Corporation of India Limited' with the Final Offer Quoted Transmission Charges of Rs. 297.18 million per annum, may be declared as the successful bidder.

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

- i. The levelised tariff for this said project as per CERC norms works out to Rs. 487.20 million per annum. This has been computed based on the estimated cost as communicated by cost committee by CEA and methodology for calculation of tariff as per prevailing 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 Ministry of Power, Govt. of India under Section 63 of the Electricity Act, 2003 and as amended from time to time.

13. After detailed discussions on the evaluation report prepared by BPC (Annex-A), the BEC decided the following:

- i. "M/s Power Grid Corporation of India Limited" is the successful bidder after the conclusion of the e-reverse bidding process with the lowest annual transmission charges of Rs. 297.18 million per annum.
- ii. The quoted tariff is lower than the Levelized Tariff estimated as per CERC norms. The quoted tariff discovered through e-reverse bidding process is acceptable.
- iii. In view of (i) and (ii) above, 'Power Grid Corporation of India Limited' may be issued Letter of Intent (LoI).

27. Bid Evaluation Committee (BEC) vide its certificate dated 24.2.2023 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. Power Grid Corporation of India Limited, emerged as the successful Bidder after the conclusion of e-reverse bidding process with the lowest Transmission Charges of Rs. 297.18 million per annum.

3. The quoted tariff is lower than the Levelized Tariff calculated based on CERC norms considering the Capital Cost as assessed by Cost Committee for the Project ‘Western Region Expansion Scheme- XXVII (WRES-XXVII). The quoted tariff discovered through e-reverse bidding process is acceptable.”

28. In the light of the discussions in preceding paragraphs, it emerges that 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 24.2.2023 has certified that Power Grid Corporation of India Limited has emerged as the successful bidder after conclusion of e-reverse auction with lowest transmission charges of Rs. 297.18 million per annum. Based on the certification of the BEC, we approve and adopt the single annual Transmission Charges of Rs. 297.18 million per annum as per the final offer of the successful bidder subject to the grant of transmission license 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. The Petitioner, vide its affidavit dated 2.6.2023, has informed that the name of the Petitioner company has been changed from 'Raipur Pool Dhamtari Transmission Limited' to 'POWERGRID Raipur Pool Dhamtari Transmission Limited' with effect from 23.5.2023. The certificate of change of name from 'Raipur Pool Dhamtari Transmission Limited' to 'POWERGRID Raipur Pool Dhamtari Transmission Limited' dated 23.5.2023 issued by Registrar of Companies, Delhi has been placed on record. Accordingly, the name of the Petitioner has been changed to 'POWERGRID Raipur Pool Dhamtari Transmission Limited' on the record of the Commission.

31. Let an extract copy of this order be sent to the Nodal agency.

32. The Petition No. 148/AT/2023 is disposed of in terms of the above.

Sd/-
(P.K. Singh)
Member

Sd/-
(Arun Goyal)
Member

Sd/-
(I.S. Jha)
Member