

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 424/TL/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

Petition under Sections 14, 15 and 79(1)(e) of the Electricity Act, 2003 read with Central Electricity Regulatory Commission (Procedure, Terms and Conditions for Grant of Transmission Licence and other related matters) Regulations, 2024 with respect to grant of Transmission Licence to Jamnagar Transmission Limited.

And

In the matter of

**Jamnagar 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-122001.**

**2. PFC Consulting Limited,
Urjanidhi, 1, Barakhamba Lane,
Connaught Place, New 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, Amli 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.

...Respondents

Parties present:

Shri Prashant Kumar, NTL
Ms. Priyadrashini, Advocate, PFCCCL
Ms. HK Madhulika Murthy, PFCCCL
Shri Ranjeet Rajput, CTUIL
Shri Akshayvat Kislay, CTUIL

ORDER

The Petitioner, Jamnagar Transmission Limited (hereinafter referred to as “the Petitioner”), 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, 2024 (hereinafter referred to as “Transmission Licence Regulations”) to establish the transmission project for the “*Network Expansion scheme in Gujarat for drawl of about 3.6 GW load under Phase-I in Jamnagar area*” 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 in months from Effective Date
1	Establishment of 2x1500 MVA 765/400 kV Jamnagar (GIS) PS with 2x330 MVAR 765 kV bus reactor and 2x125 MVAR 420 kV bus reactor. • 765/400 kV, 1500 MVA ICT-2 Nos. • 765 kV ICT bays- 2 Nos.	

S. No.	Name of the Transmission Element	Scheduled COD in months from Effective Date
	• 400 kV ICT bays- 2 Nos. • 330 MVAR 765 kV bus reactor- 2 Nos. • 125 MVAR 420 kV bus reactor- 2 Nos. • 765 kV reactor bay- 2 Nos. • 765 kV line bay- 2 Nos. • 400 kV reactor bay- 2 Nos. • 400 kV line bay- 10 Nos. • 500 MVA, 765/400 kV 1-Ph Spare ICT-1 No. • 110 MVAR, 765 kV, 1-ph reactor (spare unit for line/bus reactor)-1 No. Future Provisions: Space for • 765/400 kV ICT along with bays- 4 no. • 765 kV line bays along with switchable line reactors – 10 nos. • 765 kV Bus Reactor along with bay: 2 no. • 765 kV Sectionalizer bay: 1 -set • 400 kV line bays along with switchable line reactor – 8 nos. • 400/220 kV ICT along with bays -6 nos. • 420 kV Bus Reactor along with bay: 2 no. • 400 kV Sectionalization bay: 1- set • 220 kV line bays: 14 nos. • 220 kV Sectionalization bay: 1 set • 220 kV BC: 1 no. • 80MVAR 1-ph spare reactor unit	24 months (14.10.2026)
2	Halvad – Jamnagar 765 kV D/c line	
3	2 nos. of 765 kV line bays at Halvad for termination of Halvad – Jamnagar 765 kV D/c line • 765 kV line bays– 2 Nos. (for Halvad end)	
4	330 MVA switchable line reactors on each ckt at Jamnagar end of Halvad – Jamnagar 765 kV D/c line (with NGR bypass arrangement) • 330 MVA, 765 kV switchable line reactor- 2 Nos. • Switching equipments for 765 kV line reactor- 2 Nos.	
5	LILO of Jam Khambhaliya PS – Lakadia 400 kV D/c (triple snowbird) line at Jamnagar.	
6	50 MVA, 420 kV switchable line reactors on each ckt at Jamnagar end of Jamnagar – Lakadia 400kV D/c line (with NGR bypass arrangement) • 50 MVA, 420 kV switchable line reactor- 2 Nos. • Switching equipments for 400 kV line reactor- 2 Nos.	
7	Jamnagar – Jam Khambhaliya 400 kV D/c (Quad ACSR/AAAC/AL59 moose equivalent) line	
8	2 nos. of 400kV line bays at Jam Khambhaliya for termination of Jamnagar – Jam Khambhaliya 400kV D/c (Quad ACSR/AAAC/AL59 moose equivalent) line • 400 kV line bays (GIS) - 2 Nos. (for Jam Khambhaliya end)	
9	LILO of CGPL – Jetpur 400kV D/c (triple snowbird) line at Jamnagar.	
10	80MVA, 420kV switchable line reactors on each ckt at Jamnagar end of Jamnagar – CGPL 400kV D/c line (with NGR bypass arrangement) • 80 MVA, 420 kV switchable line reactor- 2 Nos. • Switching equipments for 400 kV line reactor- 2 Nos	
11	LILO of both ckts of Kalavad – Bhogat 400kV D/c line (Twin AL-59) at Jam Khambhaliya PS	
12	4 nos. of 400kV line bays at Jam Khambhaliya for LILO of both ckts of Kalavad – Bhogat 400kV D/c line • 400 kV line bays (GIS) – 4 Nos. (for Jam Khambhaliya end)	
13	±400 MVA STATCOM with 3x125 MVA MSC & 2x125 MVA MSR at Jamnagar 400kV Bus section	

S. No.	Name of the Transmission Element	Scheduled COD in months from Effective Date
	• ± 400 MVar STATCOM (with MSC/MSR) • 400 kV bay – 2 no. (1 no. for STATCOM and 2nd for Dia. completion) *	

* The TSP shall implement one complete diameter (GIS) consisting of 2 main bays & 1 Tie bays in one and half breaker scheme.

Note:

- i Bay(s) required for completion of diameter (GIS) in one-and-half breaker scheme shall also be executed by the TSP.
- ii TSP (JKTL) shall enable Inter-tripping scheme on Jamnagar-Jam Khambhaliya 400 kV D/c line (for tripping of the 63 MVAR switchable line reactor at Jam Khambhaliya PS end along with the main line breaker) after commissioning of the above system.
- iii TSP of the present scheme shall implement Inter-tripping scheme on Jamnagar-Lakadia 400 kV D/c line (for tripping of the 50MVAR switchable line reactor at Jamnagar end along with the main line breaker) after commissioning of the above system.
- iv The line lengths mentioned above are approximate as the exact length shall be obtained after the detailed survey.”

2. The Petitioner has made the following prayers:

“(a) Issue / Grant the Transmission License to the Petitioner for establishing, operating and maintaining the Transmission System as provided for in the Transmission Service Agreement;

(b) Allow the **“Network Expansion scheme in Gujarat for drawl of about 3.6 GW load under Phase-I in Jamnagar area”** to be part of PoC Pool as per Hon'ble CERC (Sharing of Inter-State Transmission Charges and Losses) Regulations, 2020 and any other amendments thereon issued from time to time by Hon'ble 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.”

Hearing dated 10.12.2024

3. During the course of the hearing on 10.12.2024, the representative of the Petitioner submitted that the present Petition had been filed for the grant of a transmission licence to establish the transmission project for “Network Expansion scheme in Gujarat for drawl of about 3.6 GW load under Phase-I in Jamnagar area” discovered pursuant to the tariff based competitive bidding process.

4. Vide Record of Proceedings for the hearing 10.12.2024, the parties were directed to file their respective replies and rejoinder. However, no reply has been filed by the respondents despite the notice being issued.

5. CTUIL, vide Record of Proceedings dated 10.12.2024, was directed to file the following information on an affidavit within a week.

(i) The details of connectivity/ GNA granted and/ or applications received at Jamnagar PS as per the prescribed table format with relevant documents.

(ii) The details of identified 'necessary augmentation for providing connection to the ISTS' for the applicants at Jamnagar PS, in terms of Regulation 12.5 of the GNA Regulations.

6. CTUIL, vide its affidavit dated 1.1.2025, has submitted as under:

(i) The details of the connectivity/ GNA granted and/ or applications received at the Jamnagar PS are as below:

S.No.	Applicant name	Type of applicant (generator/ bulk consumer/ distribution licensee etc.)	Quantum of Connectivity/ GNA granted/ applied for (in MW)	Start date of Connectivity/ GNA	Conn-BGs furnished
1	MFA Renewables Pvt. Ltd.	REGS	297	1-Aug-26	BG not available
2	Opwind Energy Pvt. Ltd.	REGS	254	31-Dec-26	BG not available
3	Kadodiya Wind Energy Pvt. Ltd.	REGS	100	30-Sep-26	BG not available
4	Satpura Renewable Pvt. Ltd.	REGS	349	31-Jul-26	BG not available
5	Reliance Industries Ltd.	Bulk consumer seeking to connect to ISTS	850	1-Sep-27	BG not available
6	Reliance Industries Ltd.	Bulk consumer seeking to connect to ISTS	900	1-Mar-28	BG not available
7	JSW Neo Energy Limited	REGS	300	30.11.26	BG not available

The following may be noted with respect to the above data:

- The applications from Sl. No.1-4 mentioned above were discussed and agreed upon for grant in the 34th CMETS-WR meeting held on 16.12.2024 & 17.12.2024. The Transmission System identified for the same was also discussed and agreed upon in the same meeting.
- It may be noted that the start date of the Connectivity/ GNA mentioned is as requested by the applicant. The actual start date will be subject to the availability of the Transmission System Augmentation, which is expected by Sept'27.

(ii) The details of the identified 'necessary augmentation for providing connection to the ISTS' for the applicants at Jamnagar PS, in terms of Regulation 12.5 of the GNA Regulations, are as under:

Under Implementation: (SCOD: 14.10.2026)

- Establishment of 2x1500MVA 765/400kV Jamnagar (GIS) PS
- Halvad – Jamnagar 765kV D/c line.
- LILO of Jam Khambhaliya PS – Lakadia 400 kV D/c (triple snowbird) line at Jamnagar.
- Jamnagar – Jam Khambhaliya 400 kV D/c (Quad ACSR/AAAC/AL59 moose equivalent) line.
- LILO of CGPL– Jetpur 400kV D/c (triple snowbird) line at Jamnagar.
- LILO of both ckts of Kalavad– Bhogat 400kV D/c line (Twin AL-59) at Jam Khambhaliya PS.

Under Approval:

- Creation of 220kV switchyard along with Installation of 3x500MVA, 400/220kV ICTs at Jamnagar (GIS) S/s.
- Establishment of 765/400 kV, 3x1500MVA & 400/220kV, 3x500MVA Nasik S/s (towards South of Nasik) with 2x330 MVAR 765kV bus reactor and 2x125 MVAR 400kV bus reactor.
- Navsari (New) – Nasik 765kV D/c line (190km.)
- Nasik – Pimpalgaon (MSETCL) 400kV D/c line (Quad ACSR/AAAC/AL59 moose equivalent) (~50km.).
- Establishment of 765/400 kV, 2x1500MVA & 400/220kV, 3x500MVA Alephata S/s with 2x330 MVAR 765kV bus reactor and 2x125 MVAR 400kV bus reactor.
- Alephata – Lonikand-I 400kV D/c line (Quad ACSR/AAAC/AL59 moose equivalent).
- LILO of A'bad – Pune (GIS)(Shikrapur) 765kV line and Padghe (GIS) – Pune (GIS) 765kV line at Alephata S/s (LILO route length ~ 20km.)
- Nasik – Alephata 765kV D/c line (~100km.)

7. Perusal of the above submissions of CTUIL reveals that the scope of works included under in the instant Petition is required to be augmented for providing connection to the ISTS to bulk consumers under Regulation 12.5 of the GNA Regulations. However, as per Regulation 12.5 of the GNA Regulations, in the case of an entity covered under Regulation 17.1(iii), the line to connect such an entity to the ISTS and necessary augmentation for providing connection to the ISTS is required to be constructed and maintained by a licensee at the cost of such entity. CTUIL is directed to clarify on an affidavit within a week whether the above conditions have been fulfilled in the instant Petition.

8. 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 (hereinafter referred to as “PFCCL”) was notified by the Ministry of Power, Government of India, vide Gazette Notification. No. CG-DL-E-07112023-249941 dated 7.11.2023 as the Bid Process Coordinator (BPC) for the purpose of selection of bidder as the Transmission Service Provider (TSP) to establish the Inter-State Transmission system "Network Expansion scheme in Gujarat for drawl of about 3.6 GW load under Phase-I in Jamnagar area" on a Build, Own, Operate and Transfer basis.

9. PFCCL, in its capacity as the BPC, initiated the bid process on 4.1.2024 and completed the same on 14.10.2024 in accordance with the Guidelines. Adani Energy Solutions Limited was selected as the successful bidder, having quoted the lowest

transmission charges of Rs. 3,917.57 million per annum in order to provide the transmission services of the transmission system.

10. The RfP was issued on 4.1.2024. At the RfP (Technical and Financial) stage, three bidders, namely, (i) Power Grid Corporation of India Limited, (ii) Adani Energy Solutions Limited (Formerly known as Adani Transmission Limited), (iii) Sterlite Grid 32 Limited, and; (iv) Reliance Industries Limited submitted their offers. The RfP (Technical bids) of the four bidders were opened by the Bid Opening Committee in the Central Electricity Authority on 16.8.2024 in the presence of the bidder's representatives. Based on the recommendation of the BEC, the RfP (Financial) Bids-Initial Price Offers of four bidders were opened on 11.9.2024. The lowest Initial Price Offer discovered (Best Deal) at the MSTC portal was Rs. 5,109.30 million per annum. The details of the quoted transmission charges by the bidders are given below:

Sr. No.	Name of the Bidder	Quoted Transmission charges (in Indian Rs. Million per annum)	Rank
1.	Power Grid Corporation of India Limited	5,109.30	L1
2.	Reliance Industries Limited	6,020.10	L2
3.	Adani Energy Solutions Limited	6,213.30	L3
4.	Sterlite Grid 32 Limited	8,690.00	L4

11. As per Clause 3.5.1 of the RfP document, Initial Offers shall be ranked on the basis of ascending order for the determination of the qualified bidders. The bidders holding the first fifty per cent 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 submitting their final offer.

12. The e-reverse auction was carried out at the MSTC portal on 12.9.2024, with the participation of three bidders only. The following transmission charges, as quoted by each bidder, emerged:

Sr. No.	Name of the Bidder	Quoted Transmission Charges (in Indian Rupees million per annum)	Rank
1.	Adani Energy Solution Limited	3,917.57	L1
2.	Power Grid Corporation of India Limited	3,927.39	L2
3.	Reliance Industries Limited	4,530.00	L3

13. As per the Bid Evaluation Report dated 18.9.2024, Adani Energy Solutions Limited as the successful bidder with the lowest quoted transmission charges of Rs. 3,917.57 million per annum. BEC, vide its certificate dated 18.9.2024, 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.

14. Consequent to its selection as the lowest bidder, a Letter of Intent (LoI) was issued to Adani Energy Solutions Limited by the BPC on 19.9.2024. 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% equity share of Jamnagar Transmission Limited from PFCCCL along with all its related assets and liabilities;
- (d) Make an application to this Commission for the adoption of transmission charges, as required under Section 63 of the Act; and

- (e) Apply to this Commission for the grant of a transmission licence.

15. The Petitioner has furnished the Contract Performance Guarantee (CPG) in favour of Nodal Agency, i.e. CTUIL, for Rs. 73.00 crores on 10.10.2024 and has acquired a hundred per cent equity holding in Jamnagar Transmission Limited on 14.10.2024. The Petitioner entered into a Transmission Service Agreement (TSA) with CTUIL on 14.10.2024.

16. 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”

17. Section 15(1) of the Act provides that every application under Section 14 of the Act shall be made in such manner and 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 4(1) of the Transmission Licence Regulations provides that eligibility for the grant of a licence for inter-State transmission of electricity

is contingent upon the entity being selected either through the competitive bidding process under Section 63 of the Electricity Act, 2003 or by the Central Government or its authorized agency to implement a project under the regulated tariff mechanism. Regulation 10(1) of the Transmission Licence Regulations provided that in case the licensee has been selected for implementation of the project in accordance with the competitive bidding guidelines, the transmission tariff in terms of the Transmission Service Agreement shall be adopted by the Commission under Section 63 of the Act. The Project under consideration has been identified for development under competitive bidding by a competent authority, and the selection of the project developer, Jamnagar Transmission Limited, has been certified to have been made in accordance with the Guidelines for competitive bidding.

18. Regulation 5 of the Transmission Licence Regulations, 2024 provides for the procedure for the grant of a transmission licence as under:

“(1) The application for the grant of licence shall be made to the Commission in Form-I appended to these regulations and shall be accompanied by such fee as may be prescribed by the Central Government from time to time under sub-section (1) of section 15 of the Act.

(2) The application shall be supported with an affidavit in accordance with Regulation 17 of the Central Electricity Regulatory Commission (Conduct of Business) Regulations, 2023.

(3) The applicant shall submit the original application in electronic form along with enclosures on the e-filing portal of the Commission and electronically serve a copy of such application on all the concerned DICs of the project and the Central Transmission Utility. The application shall be served through e-mail on the concerned DICs of the project who are not registered on the e-filing portal of the Commission.

(4) The applicant shall also upload the complete application along with annexures on its website, in English. The applicant shall also upload on its website, the details as per Form-I and Form-II appended to these regulations in the Indian language of the State or the Union Territory where an element of the project or concerned transmission line is situated or proposed to be situated. The application shall be kept posted on the website of the applicant till such time the application is disposed of by the Commission.

(5) The applicant shall, within 3 working days of filing the application, publish a notice of its application in Form-II appended to these regulations in at least two leading daily digital newspapers, one in English language and another in the Indian language of the State or Union Territory where an element of the project or concerned transmission line is situated or proposed to be situated, inviting comments from the general public. The notice shall also be kept posted on the website of the applicant.

(6) The Registry of the Commission shall carry out a preliminary scrutiny of the application and convey the defects, if any, as far as possible within 7 days of receipt of the application. The defects shall be rectified by the applicant within a period of 7 days from the date of such intimation from the Registry of the Commission.

(7) In the notice published in the digital newspapers and on the applicant's website under this Regulation, it shall be indicated that the suggestions and objections to the application, if any, may be filed by any person within 15 days of publication of the notice to The Secretary, Central Electricity Regulatory Commission at the address where the office of the Commission is situated and at email id: registry@cercind.gov.in. Any suggestion or objection received in response to the public notice shall be shared with the applicant and the respondents by the Registry of the Commission.

(8) The applicant shall within 3 working days from the date of publication of the notice in terms of Clause (5) of this Regulation submit to the Commission on affidavit the details of the notice published, names of the digital newspapers in which the notice has been published, the dates and places of their publication and enclosing the relevant pages of the publication of notice.

(9) The CTUIL shall send its recommendations, if any, to the Commission on the proposal for grant of licence made in the application as far as practicable within a period of 10 (ten) days from the date of receipt of the application with a copy to the applicant:

Provided that if CTUIL is unable to submit its recommendations within a period of 10 days, it shall inform the Commission the reasons for the same and submit its recommendations within a period of 30 (thirty) days from the date of receipt of the application:

Provided further that along with its recommendations, CTUIL shall submit the copy of approval of the transmission project by the Central Government in terms of Electricity (Transmission System Planning, Development and Recovery of Inter-state Transmission Charges) Rules, 2021 as amended from time to time. Explanation: The recommendations of the Central Transmission Utility shall not be binding on the Commission.

(10) The applicant may file its comments, duly supported by an affidavit, on the recommendations made by CTUIL and the suggestions and objections, if any, received in response to the public notice within 7 working days of receipt of such suggestions and objections, with an advance copy to the CTUIL and the person, if any, who has filed the suggestions and objections on the proposal made in the application.

(11) The Commission after considering the suggestions and objections received from the DICs and in response to the public notice published by the applicant,

and the recommendations, if any, received from CTUIL may either propose to grant the licence to the applicant or for reasons to be recorded in writing, reject the application.

(12) Before granting a licence, the Commission shall publish a notice of its proposal on the Commission's website and in two daily digital newspapers, having wide circulation, as the Commission may consider appropriate, stating the name and address of the person to whom it proposes to grant the licence, details of the project for which it proposes to grant a licence, location or route of the elements of the project, and any other details that the Commission may consider appropriate, to invite further suggestions and objections on its proposal within 15 days of the publication of the notice.

(13) The Commission may, after consideration of the further suggestions and objections, if any, received in response to the public notice in terms of Clause (12) of this Regulation, grant licence to the applicant in Form-III appended to these regulations or for reasons to be recorded in writing, reject the application.

(14) The Commission shall before granting licence or rejecting the application under the provisions of this Regulation provide an opportunity of hearing to the applicant, CTUIL, the concerned DICs, or the person who has filed suggestions and objections, or any other interested person.

(15) The Commission shall, within 7 days of making the order to grant the licence to an applicant send a copy of the licence to the Central Government, the Central Electricity Authority, the Central Transmission Utility, the applicant and the concerned DIC(s)."

19. 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 the 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 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 granting of a transmission licence to Jamnagar Transmission Limited with respect to the transmission system as per the details given in paragraph 1 above.

20. 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. 3,917.57 million per annum. The Petitioner has also enclosed copies of the recommendations of the Bid Evaluation Committee.

21. The Petitioner has published the notices on the e-filing portal of the Commission and its website in Form-II in English and Gujarati. The Petitioner published the notice digitally in all editions of The Times of India (English) and Nobat (Gujarati) on 22.10.2024. In response, no objection has been received from the general public to the notices.

22. The Petitioner has served a 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 5(3) of the Transmission Licence Regulations. CTUIL, vide its letter dated 6.11.2024, has recommended the grant of a transmission licence to the Petitioner. The Relevant portions of the said letter dated 6.11.2024 are extracted as under:

“This has reference to the Transmission License Petition having Diary no. 760/2024 dated 18.10.2024 filled by M/s Jamnagar Transmission Limited (JTL) before Hon’ble Commission vide which M/s JTL has requested CTU for issuance of its recommendation for grant of Transmission License for subject transmission scheme. In this regard, the following is submitted:

- 1. M/s Jamnagar Transmission Limited (JTL) has filed a petition under Section 14, 15 and 79(1)(e) of the Electricity Act, 2003 read with CERC (Procedure, Terms and Conditions for Grant of Transmission License and other related matters) Regulations, 2024 for grant of transmission license for “Network Expansion scheme in Gujarat for drawl of about 3.6 GW load under Phase-I in Jamnagar area” project on Build, Own, Operate and Transfer (BOOT)*

basis as ISTS. The detailed scope of the transmission scheme is enclosed at Annexure-I.

2. **M/s Jamnagar Transmission Limited (JTL)** has mapped Nodal Agency i.e., CTUIL on the e-portal of Hon'ble Commission, to serve a copy of the application for the grant of Transmission License, for the above transmission system as per section 15(3) of the Electricity Act, 2003 and Regulation 7(6) of Transmission License Regulations, 2024 for recommendation required u/s 15(4) of the Electricity Act, 2003 and Regulation 7(11) of Transmission License Regulations, 2024.

3. In reference to the Transmission Scheme **“Network Expansion scheme in Gujarat for drawl of about 3.6 GW load under Phase-I in Jamnagar area”**, the following is submitted:

i) The Jam Khambhaliya - Lakadia 400 kV D/c line radially caters to the evacuation of RE generation and bulk consumers at the Jam Khambhaliya end. Accordingly, to enhance the transfer capability and to strengthen the transmission network in the Jam Khambhaliya area and to facilitate drawl/injection of power by GETCO as well as by other drawees/ RE applicants at Jam Khambhaliya PS, network expansion scheme in Gujarat for drawl of load by bulk consumers in the Jamnagar area was evolved. The subject scheme broadly includes Establishment of 765/400kV (2x1500 MVA) Jamnagar (GIS) PS with the LILO of Jam Khambhaliya PS - Lakadia 400 kV D/c line at Jamnagar along with Halvad - Jamnagar 765 kV D/c line, Jamnagar - Jam Khambhaliya 400 kV D/c line, LILO of CGPL - Jetpur 400kV D/c line at Jamnagar and LILO of Kalavad - Bhogat 400kV D/c line at Jam Khambhaliya PS.

The scheme would be able to cater to drawl of up to 3.6 GW load under Phase-I in Jamnagar area of Gujarat. The detailed scope of the transmission scheme is enclosed at Annexure-I.

ii) The subject transmission scheme was agreed upon in the 15th Consultation meeting for Evolving Transmission Schemes in WR (CMETS-WR) meeting held on 27/02/2023. Extract of the minutes of the above meeting is enclosed at Annexure-II.

iii) The subject transmission system was discussed in the 47th WRPC meetings held on 15/06/2023. Extracts of the minutes of the WRPC meeting is enclosed at Annexure-III.

iv) The subject transmission system was discussed and agreed upon in the 15th NCT meeting held on 25/08/2023. The extract of the minutes of the NCT meeting is enclosed at Annexure-IV.

v) The Government of India, Ministry of Power, vide Gazette notification dated 07/11/2023 had appointed PFC Consulting Limited (PFCCL) as the Bid Process Coordinator (BPC) for the purpose of selection of Bidder as Transmission Service Provider (TSP) to establish the subject ISTS

through Tariff Based Competitive Bidding (TBCB) process on build, own operate & transfer basis. Copy of Gazette notification is enclosed at Annexure-A1 of the application filed by M/s JTL.

- 4. Pursuant to the process of competitive bidding conducted by the BPC, Adani Energy Solutions Limited emerged as the successful bidder. Thereafter, the BPC issued a Letter of Intent in favour of Adani Energy Solutions Limited on 19/09/2024. Subsequently, Adani Energy Solutions Limited acquired Jamnagar Transmission Limited on 14/10/2024, after execution of the Share Purchase Agreement (SPA) and completing all procedural requirements specified in the bid documents. The scheduled COD for the proposed ISTS scheme is 24 months from the effective date as per TSA, i.e. by 14/10/2026.*
- 5. In line with Section 15(4) of the Electricity Act, 2003 and Regulation 5(9) of Transmission License Regulations, 2024, based on details furnished by M/s Jamnagar Transmission Limited, CTU recommends the grant of transmission license to M/s Jamnagar Transmission Limited for executing the transmission scheme as mentioned in Para-1 above."*

23. We have considered the submissions of the Petitioner, BPC, and CTUIL. 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 acquiring SPVs, by 29.9.2024. Though Lol was issued on 19.9.2024, BPC, vide its letter dated 14.10.2024 in terms of Clauses 2.15.2 of RfP, extended the date up to 14.10.2024 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. 73.00 crores on 10.10.2024 and acquired a hundred per cent 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, Adani Energy Solutions Limited, acquired the SPV on 14.10.2024. Accordingly, the TSP has filed the

instant Petition through e-filing for the grant of transmission licence on 18.10.2024.

24. 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 in two daily digital newspapers and on the Commission`s website 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 **4.2.2025**.

25. 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.

26. 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, i.e., Article 16.4. 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.

27. The Petition shall be listed for the hearing on **6.2.2025**.

Sd/-
(Harish Dudani)
Member

sd/-
(Ramesh Babu V.)
Member

sd/-
(Jishnu Barua)
Chairperson