

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 491/TL/2024

Coram:

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

Date of Order: 28th February, 2025

In the matter of

Application under Sections 14 & 15 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 POWERGRID Kurawar Transmission Limited (erstwhile Rajasthan IV H1 Power Transmission Limited).

And

In the matter of

**POWERGRID Kurawar Transmission Limited,
(erstwhile Rajasthan IV H1 Power Transmission Limited),
(A 100% wholly owned subsidiary of Power Grid Corporation of India Limited),**

Registered office:

B-9, Qutab Institutional Area,
Katwaria Sarai, New Delhi-110016.

Address for correspondence:

C/o ED (TBCB), Power Grid Corporation of India Limited,
Saudamini, Plot no.2, Sector -29,
Gurgaon-122001, Haryana.

....Petitioner

Vs

- 1. Central Transmission Utility of India Limited,
Saudamini, Plot no.2, Sector -29,
Gurgaon-122001.**
- 2. REC Power Development and Consultancy Limited,
REC Corporate Head Quarter,
D Block, Plot No. I – 4,
Sec-29 Gurugram-12201.**
- 3. Greenko MP01 IREP Pvt. Limited,
15th Floor, Hindustan Times House,
18-20 KG Marg, Delhi.**

4. **Juniper Green Energy Pvt. Limited,**
Plot No. 18, 1st Floor, Institutional Area,
Sector-32, Gurgaon-122001, Haryana.
5. **Chhatisgarh State Power Distribution Co. Limited,**
CSPDCL, Post: Sundernagar, Dangania,
Raipur-492013.
6. **Goa Electricity Department-WR,**
Goa Electricity Dept. Curti.,
Ponda-403401.
7. **Gujarat Urja Vikas Nigam Limited,**
Sardar Patel Vidyut Bhavan,
Racecourse Vadodara-390007.
8. **Heavy Water Board,**
O Floor, Vikram Sarabhai Bhavan,
Trombay, Anushaktinagar,
Mumbai-400094, Maharashtra.
9. **HVDC Bhadrawati, PGCIL**
PGCIL RHQ, WR-I, Sampriti Nagar,
Off National Highway No. 8,
Taluka: Kamrej, PO: Uppalwadi,
Nagpur-440026, Maharashtra.
10. **HVDC Vindhyachal, PGCIL,**
PGCIL RHQ, WR-I, Sampriti Nagar,
Off National Highway No. 8,
Taluka: Kamrej,
PO: Uppalwadi,
Nagpur-440026, Maharashtra.
11. **M.P. Power Management Company Limited,**
14, Shakti Bhawan, Rampur,
Jabalpur-482008.
12. **MSEDCL,**
Plot No. 9, "Prakashgad",
A K Marg, Bandra East,
Mumbai-400051.
13. **ACB India Limited,**
7th Floor, Corporate Tower,
Ambience Mall, NH-8,
Gurgaon-122001, Haryana.

14. **Torrent Power Limited,**
Torrent Power Ltd. Naranpura Zonal Office,
Sola Road-380013, Ahmedabad.
15. **Thermal Powertech Corporation India,**
6-3-1090, Clock C, Level 2, TSR,
Towers, Rajbhavan Road, Somajiguda,
Hyderabad-500082, Telangana.
16. **BARC,**
Bhabha Atomic Research Centre, Anushakti Nagar,
Mumbai-400085, Maharashtra.
17. **GMR Warora Energy Limited,**
Plot B-1, GMR Warora Energy Ltd,
Mohabala MIDC Growth Centre,
Post – Warora, Dist–Chandrapur-442907,
Maharashtra.
18. **HVDC Champa,**
PGCIL RHQ, WR-I, Sampriiti Nagar,
Off National Highway No. 8,
Taluka: Kamrej, PO: Uppalwadi,
Nagpur-440026, Maharashtra.
19. **West Central Railway Head Office,**
General Manager's Office, Electrical Branch,
Jabalpur-482001.
20. **Western Railway,**
Office of Chief Electrical Engineer,
Mumbai.
21. **DB Power Limited- Untied,**
Opp. Dena Bank, C-31, G- Block,
Mumbai.
22. **Chhattisgarh State Power Trading Company Limited,**
2nd floor Vidyut Sewa Bhawan, Raipur.
23. **TRN Energy Private Ltd-Untied,**
7th Floor, Ambience Office Block,
Gurugram.
24. **Adani Power (Mundra) Limited,**
Adani Corporate House, Shantigram,
Near Vaishnavdevi Circle,
S G Road Ahmedabad-382421.

25. **Raigarh HVDC Station,**
RPT HVDC Office, Hebbal,
Bangalore-560094.
26. **Arcelor Mittal Nippon Steel India Limited,**
27, AMNS House, 2TH KM Surat Hazira road,
Hazira-394270, Gujarat.
27. **Central Railway,**
Pcee's office, 2nd floor Parcle Building CSMT,
Mumbai-400001.
28. **Dadra and Nagar Haveli and Daman and Power Distribution
Corporation Limited,**
1st & 2nd Floor, Vidyut Bhavan,
NexSilvassa & Daman.
29. **MPSEZ Utilities Limited,**
3rd Floor, Adani Corporate House,
Ahmedabad.

Parties present:

Shri Vikas Kumar, RIVH1PTL

Shri Ranjeet Rajput, CTUIL

Shri Akshayvat Kislay, CTUIL

ORDER

The Petitioner, POWERGRID Kurawar Transmission Limited (erstwhile Rajasthan IV H1 Power 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 Inter-State Transmission system for evacuation of power from Rajasthan REZ Ph-IV (Part-2 :5.5 GW) (Jaisalmer/ Barmer Complex): Part H1” on a Build, Own, Operate and Transfer Basis (hereinafter referred to as “the Project”) consisting of the following

elements:

Sr. 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.	Establishment of 765/400 kV (2x1500 MVA), 400/220 kV (2x500 MVA) & 220/132 kV (3x200 MVA) Kurawar S/s with 2x330 MVAR 765 kV bus reactor and 1x125 MVAR, 420 kV bus reactor. • 765/400 kV, 1500 MVA ICT – 2 (7 single units of 500 MVA including one spare unit) • 400/220 kV, 500 MVA ICT – 2 • 220/132 kV, 200 MVA ICT – 3 • 765 kV ICT bays- 2 • 400 kV ICT bays- 4 • 220 kV ICT bays – 5 • 132 kV ICT bays - 3 • 330 MVAR 765 kV bus reactor-2 • 125 MVAR 420 kV bus reactor-1 • 765 kV reactor bay- 2 • 765 kV line bays- 4 • 400 kV line bays- 4 • 400 kV reactor bay- 1 • 220 kV BC – 1 • 220 kV TBC – 1 132 kV TBC – 1 • 110 MVAR, 765 kV, 1-ph reactor (spare unit)-1 • 80 MVAR, 765 kV, 1-ph reactor (spare unit)-1 Future Provisions: Space for • 765/400 kV ICT along with bays- 4 no. • 765 kV line bays along with switchable line reactors – 8 nos. • 765 kV Bus Reactor along with bay: 2 no. • 765 kV Sectionaliser 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: 3no.	24 months from SPV transfer (15/10/2026)	All elements of the scheme are required to be commissioned simultaneously as their utilization is dependent on each other.

	• 400 kV Sectionalization bay: 1- set • 220 kV line bays: 12 nos. • 220 kV Sectionalization bay: 1set • 220 kV BC and TBC: 1 no. • 220/132 kV ICT along with bays: 5 Nos. • 132 kV line bays: 16 nos. • 132 kV Sectionalization bay: 1 set • 132 kV TBC– 1 no. • STATCOM (± 300 MVAR) along with MSC (2x125 MVAR) & MSR (1x125 MVAR) along with 400 kV bay.		
2.	Mandsaur – Kurawar 765 kV D/c line		
3.	240 MVAR switchable line reactors on each ckt at both ends of Mandsaur – Kurawar 765 kV D/c line • 240 MVAR, 765 kV switchable line reactor- 4 (2 for Mandsaur end and 2 for Kurawar end) • Switching equipment for 765 kV line reactor- 4 (2 for Mandsaur end and 2 for Kurawar end) • 80 MVAR, 765 kV, 1-ph reactor (spare unit)-1 No. for Mandsaur end		
4.	2 nos. of 765 kV line bays at Mandsaur S/s for termination of Mandsaur - Kurawar 765 kV D/c line • 765 kV line bays - 2 Nos. (for Mandsaur end)		
5.	LILO of Indore – Bhopal 765 kV S/c line at Kurawar		
6.	Kurawar – Ashta 400 kV D/c (Quad ACSR/AAAC/AL59 moose equivalent) line		
7.	2 nos. of 400 kV line bays at Ashta (MP) S/s for termination of Kurawar – Ashta 400 kV D/c line • 400 kV line bays - 2 Nos. [for Ashta (MP) end]		
8.	LILO of one circuit of Indore – Itarsi 400 kV D/c line at Ashta		
9.	2 nos. of 400 kV line bays at Ashta (MP) S/s for LILO of one circuit of Indore – Itarsi 400 kV D/c line at Ashta • 400 kV line bays - 2 Nos. [for Ashta (MP) end]		
10.	Shujalpur – Kurawar 400 kV D/c (Quad ACSR/AAAC/AL59 moose equivalent) line		

11.	2 nos. of 400 kV line bays at Shujalpur (PG) S/s for termination of Shujalpur- Kurawar 400 kV D/c line • 400 kV line bays - 2 Nos. [for Shujalpur (PG) end]		

Note:

- a) MPPTCL has confirmed availability of space for 2 nos. 400 kV bays at Ashta (MP) S/s and for 2 nos. additional bays, MPPTCL has informed that adjacent land is private land and may be purchased by the project developer at their cost as per requirement.
- b) Implementation of A, B, C, D, E, F, H1 and H2 packages shall be aligned.
- c) TSP of the subject scheme shall implement Inter-tripping scheme on Mandsaur-Kurawar 765 kV D/c line (for tripping of the switchable line reactor at Mandsaur/Kurawar end along with the main line breaker).
- d) Switchable line reactors shall be implemented with NGR bypass arrangement.
- e) Developer of Mandsaur S/s shall provide space for 2 Nos. 765 kV line bays for Mandsaur - Kurawar 765 kV D/c line along with space for 2 nos. of 240 MVAR switchable line reactor and space for spare 80 MVAR single phase reactor unit.
- f) POWERGRID shall provide space for 2 Nos. 400 kV line bays at Shujalpur S/s for Shujalpur – Kurawar 400 kV D/c line.
- g) Implementation timeframe: 24 months from date of SPV acquisition.”

2. The Petitioner has made the following prayers:

“(a) Grant Transmission Licence to to the Applicant; and

(b) Allow the sharing and recovery of Transmission Charges for Inter-State Transmission System for “Transmission system for evacuation of power from Rajasthan REZ Ph-IV (Part-2 :5.5 GW) (Jaisalmer/ Barmer Complex): Part H1” 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 & circumstances of the case.”

Hearing dated 23.1.2025

3. During the course of the hearing on 23.1.2025, the representative of the Petitioner mainly reiterated the submissions made in the Petition.

4. Vide Record of Proceedings for the hearing 23.1.2025, the parties were directed to file their respective replies and rejoinder. However, no reply has been filed by the Respondents despite notice.

5. In addition, vide Record of Proceedings for the hearing dated 23.1.2025, the CTUIL was directed to file the following information/clarification on an affidavit:

i) The status of Mandsaur, Ashta and Shujalpur substations, Indore-Bhopal 765 kV S/c line, Kurawar- Ashta 400 kV D/c line, and Indore- Itarsi 400 kV D/c line, implementing agency of the respective sub-stations and the transmission lines; and

(ii) Status of alignment of Rajasthan REZ Ph-IV (Part-2: 5.5 GW) (Jaisalmer/Barmer Complex) part A, B, C, D, E, F, H1, and H2.

6. CTUIL, in compliance to the RoP dated 23.1.2025, vide affidavit dated 10.2.2025, submitted as under:

(a) The status of Mandsaur, Ashta, and Shujalpur substations, Indore-Bhopal 765 kV S/c line, Kurawar- Ashta 400 kV D/c line, and Indore- Itarsi 400 kV D/c line, implementing agency of the respective sub-stations and the transmission lines. The details are as below:

Sr. No.	Elements	Status	Implementing Agency
1	Mandsaur PS	To be established as part of Rajasthan SEZ PH-IV Part-2 Part-C with SCoD as 22.08.2026	Rajasthan IV C Power Transmission Ltd. (a subsidiary of Power Grid Corporation of India Ltd.)
2	Astha S/s	Existing	MPPTCL
3	Shujalpur S/s	Existing	POWERGRID
4	Indore-Bhopal 765kV S/c line	Existing	Bhopal Dhule Transmission Company Limited (owned by Indigrid)
5	Kurawar-Ashta 400 kV D/c line	To be established as part of Rajasthan SEZ PH-IV Part-2 Part-H1 with SCoD as 15.10.2026	Rajasthan IV H1 Power Transmission Ltd. (a subsidiary of Power Grid Corporation of India Ltd.)

6	Indore- Itarsi 400kV D/c line	Existing	POWERGRID
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(b) With respect to the *Status of alignment of Rajasthan REZ Ph-IV (Part-2: 5.5 GW) (Jaisalmer/Barmer Complex) part A, B, C, D, E, F, H1, and H2*, the matter of alignment of Rajasthan REZ Ph-IV (Part-2: 5.5 GW) (Jaisalmer/Barmer Complex) part A, B, C, D, E, F, H1, and H2 was put up and agreed in 26th NCT meeting held on 6.1.2025. Signing of supplementary Transmission Service Agreement for alignment of the Rajasthan REZ Ph-IV (Part-2: 5.5 GW) (Jaisalmer/Barmer Complex) part A, B, C, D, E is under process.

7. We have considered the above submissions of the CTUIL. The CTUIL is directed to align the transmission project as agreed in the 26th meeting held on 6.1.2025 and sign the supplementary transmission Service Agreement in letter and spirit in the interest of stakeholders.

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, REC Power Development and Consultancy Limited (hereinafter referred to as “RECPDCL”) was notified by the Ministry of Power, Government of India, vide Gazette Notification. No. 3733 [F. No. 15/3/2018- Trans-Part (1)] dated 4.9.2023 as the Bid Process Coordinator (BPC) for the purpose of selection of bidder as Transmission Service Provider (TSP) to establish the Inter-State transmission system for “Evacuation of Power from Rajasthan REZ Ph-IV (Part-2: 5.5 GW) (Jaisalmer/Barmer Complex): Part H1” on a Build, Own, Operate and Transfer basis.

9. RECPDCL, in its capacity as the BPC, initiated the bid process on 8.11.2023 and completed the same on 15.10.2024 in accordance with the Guidelines. Power Grid Corporation of India Limited was selected as the successful bidder, having quoted the lowest transmission charges of Rs. 2,734.85 million in order to provide the transmission services to the beneficiaries of the transmission system.

10. The RfP was issued on 8.11.2023. At the RfP (Technical and Financial) stage, 4 bidders, namely, (i) Adani Energy Solutions Limited (Formerly known as Adani Transmission Limited), (ii) Power Grid Corporation of India Limited; (iii) Sterlite Grid 39 Limited and (iv) The Tata Power Company Limited submitted their offers. The RfP (Technical bids of the bidders were opened by the Bid Opening Committee in the Central Electricity Authority on 19.4.2024 in the presence of the representative of the bidders, and the same was concluded on 6.9.2024. Based on the recommendation of the Bid Evaluation Committee (BEC), the RfP (Financial) Bids-Initial Price Offers of the bidders were opened on 9.9.2024. The lowest Initial Price Offer discovered (Best Deal) at the MSTC portal was Rs. 3350.00 million. The details of the quoted transmission charges by bidders are given below:

Sr. No.	Name of the Bidder	Quoted Transmission Charges from the Initial Offer (in Rs. Million)	Rank
1.	The Tata Power Company Limited	3350.00	L1
2.	Power Grid Corporation of India Limited	3489.75	L2
3.	Adani Energy Solutions Limited	3752.10	L3
4.	Sterlite Grid 39 Limited	3802.20	L4

11. As per Clause 2.5 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 of bidders was carried out at the MSTC portal on 10.9.2024. The e-reverse auction concluded on 11.9.2024. The following transmission charges, as quoted by each bidder, emerged:

Sr. No.	Name of the Bidder	Transmission Charges from the Initial Offer (in Rs. Million)	Transmission Charges from the Final Offer (in Rs. Million)	Rank
1.	Power Grid Corporation of India Limited	3,489.75	2,734.85	L1
2.	The Tata Power Company Limited	3,350.00	2,741.71	L2
3.	Adani Energy Solutions Limited	3,752.10	3,250.81	L3
4.	Sterlite Grid 39 Limited	3,802.20	Not participated in e-RA	L4

13. As per the Bid Evaluation Report dated 12.9.2024, Power Grid Corporation of India Limited emerged as the successful bidder with the lowest quoted transmission charges of Rs. 2,734.85 million. BEC, vide its certificate dated 12.9.2024, has certified that 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 Power Grid Corporation of India Limited by the BPC on 18.9.2024 which was accepted by Power Grid Corporation of India Limited. In terms of the 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% share equity share of Rajasthan IV H1 Power Transmission Limited from RECPDCL along with all its related assets and liabilities;
- (d) Make an application to this Commission for 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. Rs 89.00 crores on 15.10.2024 and acquired a hundred percent equity holding in Rajasthan IV H1 Power Transmission Limited on 15.10.2024. The Petitioner entered into a Transmission Service Agreement (TSA) with CTUIL on 15.10.2024.

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 in 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, POWERGRID Kurawar Transmission Limited (erstwhile Rajasthan IV H1 Power 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, 2024. 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 the grant of transmission licence to POWERGRID Kurawar Transmission Limited with respect to the transmission system as per details given in paragraph 1 above.

20. The Petitioner has made the Application as per Form-I and paid fee of Rs. one lakh as prescribed by the Central Government. As per direction of the Commission, the Petitioner has served 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. 2,734.85 million. 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 on its website in Form-II in English and Hindi. The Petitioner has also published the notice digitally in the Times of India and Patrika on 25.10.2024. In response, no objection has been received from the general public to the notices.

22. The Petitioner has served the 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 for 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 Petition with Dairy No. 775/24 dated 22.10.2024 filed by Rajasthan IV H1 Power Transmission Ltd. before Hon’ble Commission vide which M/s Rajasthan IV H1 Power Transmission Ltd. has requested CTU for issuance of recommendation for grant of Transmission License for implementation of subject transmission scheme. In this regard, the following is submitted:

1 M/s Rajasthan IV H1 Power Transmission Ltd. has filed a petition under Section-14 & 15 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 implementation of "Transmission system for evacuation of power from Rajasthan REZ Ph-IV (Part-2:5.5 GW) (Jaisalmer/Barmer Complex): Part H1" project on Build, Own, Operate and Transfer (BOOT) basis as ISTS under

TBCB. The detailed scope of the transmission scheme is enclosed at Annexure-I.

2 M/s Rajasthan IV H1 Power Transmission Ltd. 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 5(3) of Transmission License Regulations, 2024 for recommendation required u/s 15(4) of the Electricity Act, 2003 and Regulation 5(9) of Transmission License Regulations, 2024.

3 In reference to "Transmission system for evacuation of power from Rajasthan REZ Ph-IV (Part-2:5.5 GW) (Jaisalmer/Barmer Complex): Part H1", the following is submitted:

i) The government of India has set a target for establishing 500GW non-fossil generation capacity by 2030, which also includes 75GW RE potential in the state of Rajasthan under ISTS. The Rajasthan Ph-IV Part-2 transmission scheme has been planned to enable evacuation of 5500MW RE power from Jaisalmer/ Barmer complex of Rajasthan.

ii) The subject transmission scheme involves Establishment of 765/400kV (2x1500 MVA), 400/220 kV (2x500 MVA) & 220/132 kV (3x200 MVA) Kurawar S/s alongwith Mandsaur - Kurawar 765 kV D/c line, LILO of Indore - Bhopal 765 kV S/c line at Kurawar, Kurawar - Ashtha 400 kV D/c line, LILO of one circuit of Indore - Itarsi 400 kV D/c line at Astha & Shujalpur - Kurawar 400 kV D/c line.

iii) The transmission scheme was agreed upon in the 46th WRPC & 65th NRPC meetings held on 03.02.2023 & 21.04.2023 respectively. Extracts of the minutes of 46th WRPC & 65th NRPC meetings are enclosed at Annexure-IIA & IIB.

iv) The transmission system was discussed and agreed upon in the 14th NCT & 15th NCT meeting held on 09.06.2023 & 25.08.2023 respectively, wherein, the scheme was recommended for implementation under TBCB route. Extract of the minutes of the 14th & 15th NCT meetings are enclosed at Annexure-IIIA & IIIB.

v) The Government of India, Ministry of Power, vide Gazette notification dated 04.09.2023 had appointed REC Power Development and Consultancy Ltd. (RECPDCL) as the Bid Process Coordinator (BPC) for the purpose of selection of Bidder as Transmission Service Provider (TSP) to establish the subject transmission scheme through Tariff Based Competitive Bidding (TBCB) process. Copy of Gazette notification is enclosed at Annexure-IV.

4. Pursuant to the process of competitive bidding conducted by the BPC, Power Grid Corporation of India Ltd. emerged as the successful bidder. Thereafter, the BPC issued a Letter of Intent in favour of Power Grid

Corporation of India Ltd. on 18.09.2024. Subsequently, Power Grid Corporation of India Ltd. acquired Rajasthan IV H1 Power Transmission Ltd. on 15.10.2024, after execution of the Share Purchase Agreement (SPA) and completing all procedural requirements as specified in the RFP documents. The scheduled COD for the proposed ISTS scheme shall be 24 months from the effective date as per TSA i.e. 15.10.2026.

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 Rajasthan IV H1 Power Transmission Ltd., CTU recommends the grant of transmission license to M/s Rajasthan IV H1 Power Transmission Ltd. 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 the acquisition of the SPVs, by 28.9.2024. Though the Lol was issued on 18.9.2024, BPC, vide its letter dated 15.10.2024 in terms of Clauses 2.15.2 of the RfP, extended the date up to 22.10.2024 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. 89.00 crores on 15.10.2024 and acquired a hundred per cent equity holding in the applicant company on 15.10.2024 after execution of the Share Purchase Agreement. As per clause 2.15.4 of the RfP, the 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 Power Grid Corporation of India Limited, acquired the SPV on 15.10.2024. Accordingly, the TSP has filed the instant Petition through e-filing for the grant of a transmission licence on 22.10.2024.

24. Considering the material on record, we are *prima-facie* of the view that the Petitioner satisfies the conditions for the grant of an inter-State transmission licence under Section 15 of the Act read with the Transmission Licence Regulations for construction, operation, and maintenance of the transmission system as described in para 1 of this order. We, therefore, direct that a public notice 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 a transmission licence aforesaid. The objections or suggestions, if any, be filed by any person before the Commission by **13.3.2025**.

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, including Article 16.4, Article 5.1.1, and Article 5.4 of the TSA. It is expected that while carrying out the survey, the Petitioner has complied with the provisions of clause 2.5.7.3, clause 2.5.7.4 and clause 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 Petitioner, vide its affidavit dated 30.1.2025, has informed that the name of the Petitioner company has been changed from 'Rajasthan IV H1 Power Transmission Limited' to 'POWERGRID Kurawar Transmission Limited' with effect from 7.1.2025. The certificate of change of name from 'Rajasthan IV H1 Power Transmission Limited' to 'POWERGRID Kurawar Transmission Limited' dated 7.1.2025 issued by Registrar of Companies, IMT Manesar, Haryana, has been placed on record. Accordingly, the name of the Petitioner has been changed to 'POWERGRID Kurawar Transmission Limited', and the same has been taken on record.

28. The Petition shall be listed for the hearing on **19.3.2025**.

Sd/-
(Harish Dudani)
Member

sd/-
(Ramesh Babu V.)
Member

sd/-
(Jishnu Barua)
Chairperson