

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 509/TL/2024

Coram:

Shri Jishnu Barua, Chairperson

Shri Ramesh Babu V., Member

Shri Harish Dudani, Member

Shri Ravinder Singh Dhillon, Member

Date of Order: 12th March, 2025

In the matter of

Application under Sections 14 & 15 of the Electricity Act, 2003 read with the Central Electricity Regulatory Commission (Procedure, Terms and Conditions for Grant of Transmission License and other related matters) Regulations, 2024 with respect to Transmission Licence to Barmer-I Transmission Limited.

And

In the matter of

Barmer I 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.

...Petitioner

Vs

1. **Central Transmission Utility of India Limited,**
Saudamini, Plot No.2, Sector -29,
Gurgaon-122001.

2. **PFC Consulting Limited,**
9th Floor, Wing-A, Statesman House,
Connaught Place, New Delhi – 110001.

3. **Acme Cleantech Solutions Private Limited,**
Plot No. 152, Sector-44,
Gurugram-22002, Haryana.

4. **Teq Green Power XV Private Limited,**
8th Floor, DLF Square, Jacaranda Marg,
DLF Phase-2, Sector-25,

Gurugram-122002, Haryana.

5. Eden Renewable Cadet Private Limited,

Unit No. 236 B & C, First Floor,
DLF South Court, Saket, New Delhi-110017

6. Enren-I Energy Private Limited,

Sixth Floor, Unit No. 3,4 & 5, Fountainhead Tower-2,
Viman Nagar, Phoenix City, Pune- 411014, Maharashtra

7. Avaada Energy Private Limited,

C-11, Sector-65, Gautam Buddha Nagar,
Noida, Uttar Pradesh

8. Anboto Solar Private Limited,

Level 1, Southern Park Building, D-2 District Centre Saket,
New Delhi -110017.

9. Gamma Renewables India Project One Private Limited

208, Tower B, Pioneer Urban Square, Sector 62,
Gurugram-122005, Haryana

10. ReNew Sun Power Pvt. Ltd.,

Auxo Sunlight Private Limited,
Commercial Block -1, Golf Course Road, DLF City,
Zone 6, Sector 43, Gurgaon- 122009

11. Juniper Green Energy Private Limited,

Plot No. 18, 1st Floor, Institutional Area, Sector 32,
Gurugram, Haryana

12. AMP Energy Green Pvt. Ltd.,

309, Rectangle One, Behind Sheraton Hotel,
Saket, New Delhi -110017.

13. Chandigarh Electricity Department,

UT-Chandigarh, Div-11, Opposite, Transport Nagar,
Industrial Area Phase - I, Chandigarh

14. BSES Rajdhani Power Limited,

AVP (PMG), PMG Office, 2nd Floor B-Block,
Nehru Place, New Delhi-110 019.

15. BSES Yamuna Power Limited,

Asstt. Vice President (PMG), Shakti Kiran Building,
Second Floor, Karkardooma,
New Delhi-110 032.

16. New Delhi Municipal Council,

AAO (Commercial), 19th Floor, NDMC,
Palika Kendra, Sansad Marg, New Delhi-110 001.

17. **Tata Power Delhi Distribution Limited,**
Power Management Group, Technology Centre,
Near PP-3 Grid Sub Station,
Opp. PP Jewellers, Netaji Shubhash Place,
Pitampura, New Delhi-110034.
18. **Himachal Pradesh State Electricity Board,**
PR&ALDC, HPSEB Ltd, 132 KV S/S Tutu,
Shimla-171011, Himachal Pradesh.
19. **Haryana Power Purchase Centre,**
Shakti Bhawan, Energy Exchange,
Panchkula, Haryana.
20. **Power Development Department,**
Jammu SLDC Building, 1st Floor, Gladni,
Power House Narwal, JAMMU, J&K.
21. **Punjab State Power Corporation Limited,**
Shed No. T-1A, Thermal Designs,
Patiala-147001, Punjab.
22. **HVDC Dadri, POWERGRID,**
B-9, Qutub Institutional Area, Katwaria Sarai,
New Delhi-110016.
23. **HVDC Rihand, POWERGRID,**
B-9, Qutub Institutional Area, Katwaria Sarai,
New Delhi-110016.
24. **Ajmer Vidyut Vitran Nigam Limited,**
Rajasthan Urja Vikas Nigam Limited,
132 KV, Sub- Station Building,
Calgiri Road Malviya Nagar,
Jaipur-302017, Rajasthan.
25. **Jodhpur Vidyut Vitran Nigam Limited,**
Rajasthan Urja Vikas Nigam Limited, 132 KV,
Sub- Station Building,
Calgiri Road Malviya Nagar,
Jaipur-302017, Rajasthan.
26. **Jaipur Vidyut Vitran Nigam Limited,**
Rajasthan Urja Vikas Nigam Limited, 132 KV,
Sub- Station Building,
Calgiri Road Malviya Nagar,
Jaipur-302017, Rajasthan.
27. **North Central Railway**
DRM Office, Nawab Yusuf Road-211011.

28. **Uttarakhand Power Corporation Limited,**
Urja Bhjawan, Kanwali Road,
Dehradun-248001.
29. **Uttar Pradesh Power Corporation Limited,**
Fund Management, Shakti Bhawan,
14 Ashok Marg, Lucknow, UP.
30. **AD Hydro,**
AD Hydro Power Limited, Bhilwara Towers,
A-12, Sector-1, Noida-201301.
31. **GMR Kamalanga Energy Limited,**
25/1 Skip House, 25/1 Skip House, Museum Road,
Museum Road, Bangalore-560025,
Karnataka.
32. **MB Power (Madhya Pradesh) Limited,**
239, Okhla Industrial Estate, Phase–III,
New Delhi-110020.
33. **HVDC Agra, POWERGRID,**
B-9, Qutub Institutional Area, New Delhi.
34. **HVDC Balia, POWERGRID,**
POWERGRID B-9, Qutub Institutional Area,
Katwaria Sarai, New Delhi-110016.
35. **HVDC Bhiwadi, POWERGRID,**
POWERGRID B-9, Qutub Institutional Area,
Katwaria Sarai, New Delhi-110016.
36. **HVDC Kurukshetra, POWERGRID,**
POWERGRID B-9, Qutub Institutional Area,
Katwaria Sarai, New Delhi-110016.
37. **Northern Indian Railway,**
Sr. DEE, TRD, Delhi Division
Central Delhi.
38. **Noida Power Company Limited,**
Electric Sub Station Knowledge Park IV,
Greater Noida-201310.
39. **Northern Railways,**
Sr. DEE/ TRD, DRM Office, Hazratgan,
Lucknow–226001.

....Respondents

Parties present:

Shri Vikas Kumar, BITL
Ms. Priyadarshini, Advocate, PFCCL
Shri Deepak Kumar, PFCCL
Shri Ranjeet S. Rajput, CTUIL
Shri Akshayvat Kislay, CTUIL

ORDER

The Petitioner, Barmer I 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 “the Transmission Licence Regulations”) to establish the ‘Transmission system for evacuation of power from Rajasthan REZ Ph -IV (Part-2: 5.5 GW) (Jaisalmer/Barmer Complex): Part F (By clubbing Part F1 & F2) on a Build, Own, Operate and Transfer basis (hereinafter referred to as “the Project”). The scope of work as per Schedule 2 of the TSA is as under:

S. No	Name of the Transmission Element	Scheduled COD in months from Effective Date	Percentage of Quoted Transmission Charges recoverable on Scheduled COD of the Element of the Project	Element(s) which are pre-required for declaring the commercial operation (COD) of the respective Element
1.	Establishment of 3x1500 MVA, 765/400 kV and 2x500 MVA, 400/220 kV Barmer-I Pooling Station along with 2x240 MVAR (765 kV) Bus Reactor and 2x125 MVAR (420 kV) Bus Reactor. • 765/400 kV, 1500 MVA ICT- 3 Nos. (10x500 MVA including one spare unit) • 765 kV ICT bays-3 Nos. • 240 MVAR, 765 kV Bus Reactor- 2 Nos. (7x80 MVAR including one spare unit)	7.11.2026	28.45 %	All elements of the scheme are required to be commissioned simultaneously as their utilization is dependent on each other.

	• 765 kV Bus reactor bays-2 Nos. • 765 kV line bays- 2 Nos. [for D/c line to Sirohi S/s] • 400/220 kV, 500 MVA ICT -2 Nos. • 400 kV ICT bays- 5 Nos. • 125 MVAR, 420 kV Bus Reactor- 2 Nos. • 400 kV Bus reactor bays- 2 Nos. • 400 kV line bays - 2 Nos. [for D/c line to Fatehgarh-III (Section-2) PS] • 220 kV ICT bays- 2 Nos. • 220 kV line bays: 4 Nos. (for RE connectivity) • 220 kV BC (1 No.) and TBC (1 No.) Future provisions: Space for • 765/400 kV ICT along with bays- 3 Nos. • 765 kV line bays along with switchable line reactors -4 Nos. • 765 kV Bus Reactor along with bay: 1 Nos. • 400 kV line bays -4 Nos. • 400 kV line bays along with switchable line reactor-4 Nos. • 400/220 kV ICT along with bay - 8 Nos. • 400 kV Bus Reactor along with bay: 1 No. • 400 kV Sectionalization bay: 2 sets • 220 kV line bays for Connectivity of RE Applications-10 Nos. • 220 kV Sectionalization bay: 3 sets • 220 kV BC (3 Nos.) and TBC (3 Nos.) • STATCOM (2x±300 MVAR) along with MSC (4x125 MVAR) and MSR (2x125 MVAR) along with two number 400 kV bays.			
2.	• Fatehgarh-III (Section-2) PS-Barmer-I PS 400 kV D/c line (Quad) • 2 No. of 400 kV line bays at Fatehgarh-III (Section-2) PS		6.65 %	
3.	• Barmer-I PS-Sirohi PS 765 kV D/c line along with 240 MVAR switchable line reactor for each circuit at each end • 2 No. of 765 kV line bays at Sirohi PS		64.90 %	

	• 765 kV, 240 MVAR switchable line reactors at Barmer-I PS- 2 Nos. • 765 kV, 240 MVAR switchable line reactors at Sirohi PS-2 Nos			
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Note:

i) Developer of Sirohi PS to provide space for 2 Nos. of 765 kV line bays at Sirohi PS along with the space for switchable line reactor.

ii) Developer of Fatehgarh-III PS (Section-2) to provide space for 2 Nos. of 400 kV line bays at Fatehgarh-III PS (Section-2).

iii) Switchable line reactors to be implemented with NGR bypass arrangement.”

2. The Petitioner has made the following prayers:

“(a) Grant Transmission Licence 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 F (By clubbing Part F1 & F2)” 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 11.2.2025

3. During the course of the hearing on 11.2.2025, the representative of the Petitioner submitted that the Petitioner has complied with the requirements, including publication of notice(s) under the provisions of the Transmission Licence Regulations. Additionally, the representative of the Respondent, CTUIL, has submitted that CTUIL has filed its recommendations for the grant of a transmission licence to the Petitioner under Section 15(4) of the Electricity Act, 2003.

4. Vide Record of Proceedings for the hearing 11.2.2025, the parties were directed to file their respective replies and rejoinder. However, no reply has been filed by the Respondents despite notice.

6. In addition, vide Record of Proceedings for the hearing dated 11.2.2025, the CTUIL was directed to file the details of the Inter-Connecting Upstream and Downstream Transmission System and the details of connectivity/GNA granted and/or applications received at Barmer-I PS.

7. CTUIL, in compliance with the RoP dated 11.2.2025, vide affidavit dated 3.3.2025, has submitted as under:

a) Details of the upstream/downstream transmission system are as below:

S. No.	Particulars	Details of Transmission System	STU/ISTS	Implementing Agency	Implementation Mode (RTM/TBCB)	Commissioning Schedule/Status
1	Upstream Transmission System	Fatehgarh-III PS (Sec-II)	ISTS	POWERGRID Ramgarh Transmission Ltd. (Subsidiary of POWERGRID)	TBCB	Under Construction with expected CoD as Apr'25
2	Downstream Transmission System	Sirohi S/s	ISTS	Sirohi Transmission Ltd. (Subsidiary of POWERGRID)	TBCB	Under Construction with SCoD as 22.08.2026

b) The details of the connectivity/GNA granted and/or applications received at Barmer-I PS:

Sr. No.	Applicant Name	Appl. Nos.	Type of applicant (Generator/Bulk Consumer/Distribution Licensee etc.)	Quantum of Connectivity/ GNA Granted/Applied for (MW)	Start Date of Connectivity/GNA	Conn BGs Furnished	Remarks, if any
1	ACME Cleantech Solutions Private Limited	2200000161	Generator	400	07-Nov-26	Conn-BG1 for Rs.0.5 Cr. Conn-BG2 for Rs. 3 Cr. Conn-BG3 for Rs.8 Cr.	
2	Anboto Solar Private Limited	2200000281	Generator	250	30-Jun-26 (Interim)	Conn-BG1 for Rs.0.5 Cr. Conn-BG2 for Rs. 3 Cr. Conn-BG3 for Rs.5 Cr.	
3	Anboto Solar Private Limited	2200000492	Generator	50	30-Nov-26 (Interim)	Conn-BG1 for Rs.0.5 Cr. Conn-BG3 for Rs.1 Cr.	Bay in sharing with applicant mentioned at Sr. No. 2
4	Auxo Sunlight Private Limited	2200000312	Generator	300	30-Sep-26 (Interim)	Conn-BG1 for Rs.0.5 Cr. Conn-BG2 for Rs. 3 Cr. Conn-BG3 for Rs.6 Cr.	
5	Eden Renewable Cadet Private Limited	2200000181	Generator	300	07-Nov-26	Conn-BG1 for Rs.0.5 Cr. Conn-BG2 for Rs. 3 Cr. Conn-BG3 for Rs.6 Cr.	
6	Enren-I Energy Private Limited	2200000286	Generator	300	25-Feb-26 (Interim)	Conn-BG1 for Rs.0.5 Cr. Conn-BG2 for Rs. 3 Cr. Conn-BG3 for Rs.6 Cr.	

Sr. No.	Applicant Name	Appl. Nos.	Type of applicant (Generator/Bulk Consumer/Distribution Licensee etc.)	Quantum of Connectivity/ GNA Granted/Applied for (MW)	Start Date of Connectivity/GNA	Conn BGs Furnished	Remarks, if any
7	Enfinity Global Surya Kiran Private Limited	2200000411	Generator	300	30-Dec-26	Conn-BG1 for Rs.0.5 Cr. Conn-BG3 for Rs.6 Cr.	
8	EG Mega Urja Pvt. Ltd.	2200000412	Generator	300	30-Dec-26	Conn-BG1 for Rs.0.5 Cr. Conn-BG3 for Rs.6 Cr.	
9	Green Infra Renewable Projects Limited	2200000410	Generator	600	01-Jun-27	Conn-BG1 for Rs.0.5 Cr. Conn-BG2 for Rs. 6 Cr. Conn-BG3 for Rs.12 Cr.	
10	Hinduja Renewables Energy Private Limited	2200000425	Generator	250	30-Dec-26	Conn-BG1 for Rs.0.5 Cr. Conn-BG2 for Rs. 3 Cr. Conn-BG3 for Rs. 5 Cr.	
11	Hexa Climate Solutions Private Limited	2200001396	Generator	50 (Agreed)	31-Mar-27 (Interim)		Bay in sharing with applicant mentioned at Sr. No. 10 In- principle intimation not issued.
12	Juniper Green Energy Private Limited	2200000305	Generator	300	31-Mar-27 (Interim)	Conn-BG1 for Rs.0.5 Cr. Conn-BG2 for Rs. 3 Cr. Conn-BG3 for Rs.6 Cr.	
13	ReNew Sun Power Private Limited	2200000316	Generator	300	30-Dec-26	Conn-BG1 for Rs.0.5 Cr. Conn-BG2 for Rs. 3 Cr. Conn-BG3 for Rs.6 Cr.	
14	Teq Green Power XV Private Limited	2200000123	Generator	300	07-Nov-26	Conn-BG1 for Rs.0.5 Cr. Conn-BG3 for Rs.1.9 Cr.	

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-06092023-248580 dated 4.9.2023 as the Bid Process Coordinator (BPC) for the purpose of selection of bidder as the Transmission Service Provider (TSP) to establish the “Transmission system for evacuation of power from Rajasthan REZ Ph -IV (Part-2: 5.5 GW) (Jaisalmer/Barmer Complex): Part F (By clubbing Part F1 & F2)” on a Build, Own, Operate and Transfer (BOOT) basis.

9. PFCCL, in its capacity as the BPC, initiated the bid process on 28.10.2023 and completed the same on 7.11.2024 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. 2473.60 million per annum in order to provide the transmission services to the beneficiaries of the transmission system.

10. The RfP was issued on 28.10.2023. At the RfP (Technical and Financial) stage, three bidders, namely, (i) Adani Energy Solutions Limited, (ii) Power Grid Corporation of India Limited); and (iii) Sterlite Grid 31 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. Based on the recommendation of the Bid Evaluation Committee (BEC), the RfP (Financial) Bids-Initial Price Offer of the bidders were opened on 23.9.2024. The lowest Initial Price Offer discovered (Best Deal) at the MSTC portal was Rs. 2707.05 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 from the Initial Offer (in Rs. Million per annum)	Rank
1.	Power Grid Corporation of India Limited	2707.05	L1
2.	Sterlite Grid 31 Limited	3152.2	L2
3.	Adani Energy Solutions Limited	3246.03	L3

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 24.9.2024. 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 per annum)	Rank
1.	Power Grid Corporation of India Limited	2473.60	L1
2.	Adani Energy Solutions Limited	2479.80	L2

13. As per the Bid Evaluation Report dated 1.10.2024, Power Grid Corporation of India Limited emerged as the successful bidder with the lowest quoted transmission charges of Rs. 2473.60 million per annum. BEC, vide its certificate dated 1.10.2024, 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 Power Grid Corporation of India Limited by the BPC on 9.10.2024, which was accepted by Power Grid Corporation of India Limited. 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 the Central Transmission Utility of India Limited (CTUIL);
- b) Execute the Share Purchase Agreement and Transmission Service Agreement;
- c) Acquire, for the Acquisition Price, 100% share equity share of Barmer I 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 the Nodal Agency, i.e., CTUIL, for Rs. 73.50 crores on 7.11.2024 and has acquired hundred percent equity holding in Barmer I Transmission Limited on 7.11.2024. The Petitioner entered into a Transmission Service Agreement (TSA) with CTUIL on 7.11.2024.

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, Barmer I 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 granting 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 a transmission licence to Barmer I 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 the 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. 2473.60 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 on its website in Form-II in English and Hindi. The Petitioner has also published the notice digitally in the Times of India and Rashtradoot on 19.11.2024. 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 22.11.2024, has recommended the grant of a transmission licence to the Petitioner. The Relevant portions of the said letter dated 22.11.2024 are extracted as under:

“This is with reference to Petition having diary no. 509/2024 filed by M/s Barmer I Transmission Limited (BITL) before Hon'ble Commission for grant of Transmission License to facilitate implementation of “Transmission system for evacuation of power from Rajasthan REZ Ph-IV (Part-2:5.5 GW) (Jaisalmer/ Barmer Complex): Part F (By clubbing Part F1 & F2)”. In this regard, following is submitted:

- *Renewable Energy Zones (REZs) were identified by MNRE/SECI with a total capacity of 181.5 GW for likely benefits by the year 2030 in eight states. This includes 75 GW REZ potential in Rajasthan comprising of 15 GW Wind and 60 GW Solar. In this regard, a comprehensive transmission scheme for evacuation of 75 GW RE potential (45GW evacuation capacity) from Rajasthan is already evolved, which includes transmission scheme for total evacuation requirement of 5.5 GW (Ph-IV: Part-2) from Jaisalmer/Barmer Complex (Fatehgarh-IV: 4 GW, Barmer-I: 1.5 GW). Above transmission scheme was agreed in the 14th and 18th CMETS-NR meeting held on 23.12.2022 & 28.4.2023 respectively. Extracts of the minutes of 18th CMETS-NR meetings are enclosed at **Annexure-I**. The subject transmission project was also agreed as part of above-mentioned transmission scheme. The detailed scope of the subject scheme is attached at **Annexure-II**.*
- *Subsequently the scheme was agreed in 61st & 65th NRPC and 46th WRPC meeting held on 26.12.2022, 21.4.2023 & 3.2.2023 respectively as well as in 14th National Committee on Transmission (NCT) held on 9.6.2023. Extract of minutes of 65th NRPC and 46th WRPC meetings are attached at **Annexure-III**. Extract of the minutes of 14th NCT minutes are enclosed at **Annexure-IV**.*
- *Ministry of Power, Govt. of India vide gazette notification dated 4.9.2023 has identified M/s PFC Consultancy Ltd. (PFCCL) as Bid Processing Coordinator (BPC) for the purpose of selection of bidder as Transmission Service Provider (TSP) to establish the above referred project through TBCB route. Extracts of Gazette Notification are enclosed at Annexure-V.*
- *As part of Rajasthan REZ Ph-IV (Part-2:5.5 GW) comprehensive transmission scheme, 765/400/220kV Fatehgarh-IV (Sec-2) and 765/400/220kV Barmer-I PS are to be established for RE injection. For evacuation of power from above pooling stations, 765/400kV Sirohi & Rishabdeo Sis are to be established along with interconnections through 765kV lines i.e. 765kV Fatehgarh-IV-Sirohi, 765kV Barmer-I PS — Sirohi PS, 765kV Sirohi PS-Rishabdeo Sis & LILO of both ckts of 765 kV Fatehgarh-III - Beawar D/c line at Fatehgarh-IV (Sec-2) PS as well as 400kV interconnections i.e. Fatehgarh- IV (Sec-2) PS — Bhinmal (PG). For further dispersal of power towards load centers, 765kV high capacity corridor i.e. Rishabdeo -Mandsaur (WR), Beawar -Mandsaur (WR), LILO of one circuit of 765 kV Chittorgarh - Banaskanta D/c line at Rishabdeo as well as 400kV interconnections i.e. Sirohi PS-Chittorgarh (PG) is also being implemented. Further, 765/400/220kV Mandsaur & 765/400kV Kurawar Sis and associated transmission scheme in Western region is also being implemented as part of above comprehensive scheme.*
- *As part of subject transmission scheme, 765/400/220kV Barmer-I PS along with Barmer-I PS— Sirohi PS 765 kV D/c line & Fatehgarh-III (Section-2) PS — Barmer-I PS 400 kV D/c line (Quad) is to be established with completion schedule as 24 months from effective date i.e. 07.11.2024. Implementation*

of this project shall facilitate onward transfer of power from RE generation proposed to be connected at Barmer-I PS and Fatehgarh-IV PS in Western Rajasthan. Fatehgarh-III PS (Section-2) is under implementation substations with expected commissioning schedule as 01.02.2025 whereas 765/400kV Sirohi S/s is to be established as part of Rajasthan REZ Ph-IV Part-2 Part-B scheme by M/s Sirohi Transmission Limited with expected commissioning schedule as 22.8.2026.

- It is also to mention that as per the Gazette notification dated 4.9.2023, implementation of A, B, C, D, E, F, H1, H2 packages of Ph-IV Part-2 shall be aligned. The matter was discussed in the meeting chaired by Secretary (Power) on 2.8.2024 and it was decided that BPCs to proceed with the handing over of SPVs. Further, as per MOP minutes of meeting to review the under-bidding projects held on 14.8.2024, Part A, B, C, D, E to be transferred by 16.8.2024. As per the deliberations in above meeting, it was decided that since bidding process of Part A, B, C, D, E has been completed in May'2024, awaiting for other parts, i.e. F1, F2 and H1 to complete, is not appropriate as these parts are taking considerable time. Accordingly, now for Part-F transmission scheme, SPV was transferred on 7.11.2024.*

Keeping above in view and based on details furnished by M/s Barmer I Transmission Limited, CTU in line with Section 15(4) of the Electricity Act, 2003, recommends grant of transmission license to M/s Barmer I Transmission Limited for executing the subject transmission scheme."

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 SPVs, by 19.10.2024. Though the LoI was issued on 9.10.2024, BPC, vide its letter dated 7.11.2024 in terms of Clauses 2.15.2 of the RfP, extended the date up to 7.11.2024 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. 73.50 crores on 7.11.2024 and acquired a hundred per cent equity holding in the applicant company on 7.11.2024 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 7.11.2024. Accordingly, the TSP has filed the instant Petition through e-filing for the grant of a transmission licence on 14.11.2024. It is noted that there is a two day delay in the filing of the Petition, which occurred due to the non-reflection of the filing fees of the Petition on the e-portal. Since the Petitioner could not file the Petition due to procedural lapse, we condone the said delay.

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 **21.3.2025**.

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 Petition shall be listed for the hearing on **25.3.2025**.

sd/-
(Ravinder Singh Dhillon)
Member

sd/-
(Harish Dudani)
Member

sd/-
(Ramesh Babu V.)
Member

sd/-
(Jishnu Barua)
Chairperson