

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 131/AT/2023

Coram:

Shri I.S. Jha, Member

Shri Arun Goyal, Member

Shri P.K. Singh, Member

Date of order: 7th July, 2023

In the matter of:

Application under Section 63 of the Electricity Act, 2003 for Adoption of Transmission Charges with respect to the Transmission System being established by the ERWR Power Transmission Limited (a 100% wholly owned subsidiary of Power Grid Corporation of India Limited)

And

In the matter of:

ERWR Power Transmission Limited,
(now known as 'POWERGRID ERWR Power Transmission Limited')
B-9, Qutab Institutional Area,
Katwaria Sarai, New Delhi 110 016

.....Petitioner

Vs

1. Central Transmission Utility of India Limited,
Saudamini, Plot No.2, Sector-29,
Gurgaon-122 001
2. REC Power Development and Consulting Limited,
REC Corporate Head Quarter, D Block,
Plot No. I- 4,
Sector 29, Gurugram-122 001
3. Chhattisgarh State Power Distribution Company Limited,
P.O. Sunder Nagar, Dangania,
Raipur- 492013, Chhattisgarh
4. Goa Electricity Department-WR
Curti, Ponda-403401.
5. Gujarat Urja Vikas Nigam Limited,
Vidhyut Bhavan, Race Course,
Vadodara-390007
6. Heavy Water Board,

O Floor, Vikram Sarabhai Bhavan,
Trombay, Anushaktinagar,
Mumbai - 400094, Maharashtra

7. HVDC Bhadrawati, PGCIL,
PGCIL RHQ, WR-I, Sampriiti Nagar,
Off National Highway No. 8,
Taluka: Kamrej, PO: Uppalwadi,
Nagpur, 440026 Maharashtra

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

9. M.P. Power Management Company Limited,
14, Shakti Bhawan, Rampur,
Jabalpur - 482008

10. Maharashtra State Electricity Distribution Company Limited,
Prakashgad, 4th Floor,
Bandra (East), Mumbai-400051

11. ACB India Limited,
7th Floor, Corporate Tower, Ambience Mall,
NH-8, Gurgaon-122 001(Haryana)

12. Torrent Power Limited,
Naranpura Zonal Office,
Sola Road, Ahmedabad-380013

13. West Bengal State Electricity Distribution Company Limited,
6th Floor, Vidyut Bhawan, Karunamoyee, Salt Lake,
Kolkata-700091, West Bengal,

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

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

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

17. HVDC Champa,
PGCIL RHQ, WR-I, Sampriiti Nagar,

Off National Highway No. 8, Taluka: Kamrej,
PO: Uppal wadi, Nagpur-440026 Maharashtra

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

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

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

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 Ltd
1st & 2nd Floor, Vidyut Bhavan,
NexSilvassa & Daman

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

30. North Bihar Power Distribution Company Limited,

3rd Floor, Vidyut Bhawan, Bailey Road,
Patna - 800021, Bihar.

31. South Bihar Power Distribution Company Limited,
2nd Floor, Vidyut Bhawan, Bailey Road,
Patna - 800001, Bihar.

32. Jharkhand Bijli Vitran Nigam Limited,
Engineering Building, HEC Dhurwa, Dhurwa,
Ranchi- 834004, Jharkhand.

33. Damodar Valley Corporation,
DVC CAL CAO W A FP& WM SEC SR A/CS
Off Bhabani Bhaban, Kolkata- 700054 West Bengal

34. Tata Steel Limited,
2nd Floor, Commercial Complex,
Bistupur, Jamshedpur - 831001, Jharkhand

35. GRIDCO Limited,
Dy. General Manager(F), Janpath,
Bhubneshwar- 751022 (Odisha)

36. Energy and Power Department, Sikkim,
Office of the PCE cum Secretary Gangtok,
Top Floor, Power Secretariat, Kazi Road, Gangtok-737101

37. Sasaram HVDC, Power Grid,
5th & 6th Floors Alanka Place, Boring Road,
ER-I HQ, Power Grid Corporation of Patna, 800001

38. NTPC Vidyut Vyapar Nigam Limited,
CORE-5 3rd Floor, Scope Complex, Institutional Area,
Lodhi Road, New Delhi – 110003.

39. Dans Energy Pvt. Limited,
25/1 SKIP House, Museum Road, Museum Road,
Bangalore - 560025, Karnataka.

40. South Eastern Railway,
Kolkata-700043, West Bengal.

41. HVDC Alipurduar, Power Grid,
800 kV HVDC Alipurduar Converter Sta Falakata Road,
Topsikhata, P.O. Dist – Alipurduar-736121,
West Bengal.

42. Shiga Energy Private Limited,
5TH Floor, Tower C, Building No 8,
DLF Cybercity Phase II,

Gurgaon - 122002, Haryana

43. Sembcorp Energy India Limited,
6-3-1090, Level-5, Block-A,
TSR Tower, Hyderabad

... Respondents

Parties present:

Shri D. Sudharshan, EPTL
Shri Mani Kumar, EPTL
Shri Prashant Kumar, EPTL
Shri Swapnil Verma, CTUIL
Shri Ajay Kumar, CTUIL
Shri Ranjeet Rajput, CTUIL
Ms. Kavya Bhardwaj, CTUIL
Shri Anil Kumar Yadav, RECPDCL

ORDER

The Petitioner, ERWR Power Transmission Limited, has filed the present Petition under Section 63 of the Electricity Act, 2003 (hereinafter referred to as 'the Act') for adoption of transmission charges in respect of "Inter-regional ER-WR Interconnection" (hereinafter referred to as 'the Transmission System' or 'the Project') to be established on Build, Own, Operate and Transfer (BOOT) basis.

2. The Petitioner has made the following prayers:

"a) Adoption of Transmission Charges for Inter-State Transmission System for "Inter-regional ER-WR Interconnection" discovered through competitive bidding process.

b) Allow the sharing and recovery of Transmission Charges for Inter-State Transmission System for "Inter-regional ER-WR Interconnection" as per Sharing of Inter-state Transmission Charges and Losses CERC Regulations 2020 and any other amendment thereon issued from time to time by CERC.

c) Pass such other order / orders, as may be deemed fit and proper in the facts and circumstances of the case."

3. On receipt of the present Petition, the Bid Process Coordinator (BPC), REC Power Development and Consultancy Limited, vide letter dated 9.5.2023 was

directed to submit the relevant documents regarding complete process of competitive bidding. The necessary details have been filed by the BPC under affidavit dated 5.6.2023.

Hearing dated 20.6.2023

4. During the course of the hearing on 20.6.2023, the representative of the Petitioner submitted that the Petitioner has already served the copy of the Petitions on the BPC, CTUIL and the Western & Eastern Regions beneficiaries. However, no reply has been filed by the Respondents beneficiaries.

5. The representative of CTUIL submitted that CTUIL vide letter dated 1.5.2023 has already recommended the grant of transmission licence to the Petitioner. He further submitted that the SCOD of the Project, as per Transmission Service Agreement, is 21.3.2025.

6. We have considered the submissions of the Petitioner and perused the documents available on record. Section 63 of the Act provides as under:

“Section 63: Determination of tariff by bidding process: Notwithstanding anything contained in section 62, the Appropriate Commission shall adopt the tariff if such tariff has been determined through transparent process of bidding in accordance with the guidelines issued by the Central Government.”

7. Government of India, Ministry of Power has notified the “Tariff based Competitive-bidding Guidelines for Transmission Service” and “Guidelines for Encouraging Competition in Development of Transmission Projects” (hereinafter referred to as “the Guidelines”) under Section 63 of the Act vide Resolution No. 15/1/2017-Trans dated 10.8.2021 as amended from time to time. The salient features of the Guidelines are as under:

(a) The Guidelines are applicable for procurement of transmission services for transmission of electricity through tariff based competitive bidding for selection of Transmission Service Provider (TSP) for new transmission system on Build, Own, Operate and Transfer basis.

(b) For procurement of transmission services, required for any inter-State transmission Project, the Central Government shall notify the CTUIL or any Central Government Organization/ Central Public Sector Undertaking or its wholly owned subsidiary (Special Purpose Vehicle) to be the Bid Process Coordinator (BPC) who would be responsible for coordinating the bid process.

(c) The BPC shall prepare the bid documents in accordance with the Guidelines and obtain approval of the Appropriate Government or alternatively, the BPC can use the Standard Bid Documents notified by the Ministry of Power. Any material deviation from the Standard Bidding Documents shall be made only with the prior approval of the Appropriate Government. Intimation about initiation of the bidding process shall be sent by the BPC to the Appropriate Commission.

(d) For the procurement of transmission services under the guidelines, BPC shall adopt a single stage two envelope tender process featuring Request for Proposal (RFP). The entire bidding process shall be conducted online through electronic medium under e-reverse bidding framework.

(e) RFP notice should be published in at least two national newspapers,

website of the BPC and preferably in trade magazines also, so as to accord it wide publicity. The bidding shall necessarily be by way of International Competitive Bidding (ICB). For the purpose of issue of RFP, minimum conditions to be met by the bidder shall be specified in the RFP.

(f) Standard documentation to be provided in the RFP shall include definitions of requirements including brief description of the Project, commissioning milestones to be achieved by the bidders, Qualification requirements to be met by bidders including, minimum net-worth, etc. with necessary proof of the same, as outlined in the bid documents, Specified target dates/months for commissioning and commercial operations, Standard Transmission Service Agreement (TSA), agreement(s) under Central Electricity Regulatory Commission (Sharing of Inter State Transmission Charges and Losses) Regulations as amended from time to time, period of validity of offer of bidder, TSA proposed to be entered with the SPV including amendments, bid evaluation methodology to be adopted by the BPC, specification regarding bid bond as well as the Contract Performance Guarantee to be furnished by the bidders, proposed indemnification agreement between the TSP and the Nodal Agency, liquidated damages that shall apply in event of delay in start of providing the transmission services and technical, operational and safety criteria to be met by the bidder/TSP and requirement of obtaining transmission Licence from Appropriate Commission.

(g) The TSP on the date of acquisition of SPV from the BPC will enter into a Transmission Service Agreement with the Nodal Agency.

(h) To ensure competitiveness, the minimum number of qualified bidders

shall be two. For inter-State transmission system, bids shall be opened in the office of CEA by a bid committee comprising of at least one member from CEA and one member from BPC. For inter-State transmission system, CEA shall constitute a committee for evaluation of the bids with at least one representative from CEA and not less than two representatives from the concerned Regional Power Committees and one independent member. Further, in case project is inter-regional, there shall be at least one representative from every concerned RPC. The technical bids shall be examined to ensure that the bids submitted meet minimum eligibility criteria set out in the bid documents on all technical evaluation parameters. Only the bids that meet all elements of the minimum technical criteria set out in the bid documents shall be considered for further evaluation on the transmission charges bids. The online initial price bids shall be electronically opened by the bid opening committee in presence of the bid evaluation committee. The bidder, who has quoted the lowest transmission charge as per the evaluation procedure, shall be considered for the award.

(i) BPC is required to complete e-reverse bidding after opening of the initial offer within 75 days. The procurer may give extended time-frame indicated herein based on the prevailing circumstances and such alterations shall not be construed to be deviation from these guidelines.

(j) The TSP shall make an application for grant of transmission licence to the Appropriate Commission within five (5) working days from the date of execution of share purchase agreement for acquisition of SPV.

(k) BPC shall make the final result of evaluation of all bids public. The final TSA, along with the certification by the bid evaluation committee, shall be forwarded to the Appropriate Commission, for adoption of tariff discovered from the quoted annual transmission charges during the e-reverse bidding process in terms of Section 63 of the Act.

8. Therefore, we have to examine whether the process as per the provisions of the Guidelines has been followed in the present case for arriving at the lowest annual transmission charges and for selection of the successful bidder.

9. Ministry of Power, Government of India, vide its Gazette Notification No. ADVT.-III/4/Ext./189/2022-23 dated 25.7.2022 has notified REC Power Development and Consultancy Limited (RECPDCL) as Bid Process Coordinator (BPC) for the purpose of selection of bidder as Transmission Service Provider to establish Inter-State Transmission System for “Inter-regional ER-WR Interconnection” on Build, Own, Operate and Transfer basis through tariff based competitive bidding process.

10. ERWR Power Transmission Limited (the Petitioner) was incorporated on 27.9.2022 under the Companies Act, 2013 as a wholly owned subsidiary of RECPDCL with the objective to establish Inter-State Transmission System for “Inter-regional ER-WR Interconnection” and to act as the Transmission Service Provider after being acquired by the successful bidder. The main objectives of the Petitioner Company in its Memorandum of Association are as under:

“To plan, promote and develop an integrated and efficient power transmission system network in all its aspects including planning, investigation, research, design and engineering, preparation of preliminary, feasibility and definite project reports, construction, operation and maintenance of transmission lines, sub-stations, load dispatch stations and communication facilities and appurtenant works, coordination of integrated operation of regional and

national grid system, execution of turn-key jobs for other utilities/organizations and wheeling of power in accordance with the policies, guidelines and objectives laid down by the Central Government from time to time”.

11. BPC prepared the bidding document, Request of Proposal (RfP) in accordance with the Standard Bid Documents issued by the Ministry of Power, Government of India.

12. BPC started the process of selection of successful bidder with the publication of Global Invitation for Qualification for selection of developer on BOOT basis for the Project. The notice for RfP was published on 21.9.2022 in national and international newspapers with the last date of submission of response to RfP as 23.11.2022. Intimation regarding the initiation of the bid process was given to this Commission in accordance with Clause 4.2 of the Guidelines vide letter No. RECPDCL/ISTS/TBCB/2022-23/1709 dated 21.9.2022.

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

S. No.	Events	Date
1	Publication of Request for Proposal	21.09.2022
2	Technical & Price Bid Submission	06.01.2023
3	Technical Bid Opening	06.01.2023
4	Initial Price Opening (IPO)	30.01.2023
5	e-Reverse Auction	31.01.2023
6	Final Bid Evaluation Committee Meeting	07.02.2023
7	Issuance of Lol	15.02.2023
8	Signing of Agreements & Transfer of SPV	21.03.2023

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

S. 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.	Jeypore - Jagdalpur 400kV D/c line (Quad ACSR/AAAC/AL59 Moose equivalent)	24 months from the date of SPV Transfer or September 2024, whichever is later	Elements marked at Sl. No. 1,2 & 3 are required to be commissioned simultaneously as their utilization is dependent on the commissioning of each other.
2.	400kV GIS line bays at 400/220 kV Jeypore (POWERGRID) S/s)-2 Nos		
3.	400kV line bays at Jagdalpur (CSPTCL) S/s)-2 Nos		

Note:

a) POWERGRID to provide space for 2 no. of 400 kV line bays at Jeypore 400 kV substation for termination of Jeypore- Jagdalpur 400kV D/c line (Quad ACSR/AAAC/AL59 Moose equivalent).

b) CSPTCL to provide space for 2 no. of 400 kV line bays at Jagdalpur 400 kV substation for termination of Jeypore-Jagdalpur 400kV D/c line (Quad ACSR/AAAC/AL59 Moose equivalent).

c) The line lengths mentioned above are approximate as the exact length shall be obtained after the detailed survey

d) The schedule of implementation would be 24 months from the date of SPV Transfer or September 2024, whichever is later.

15. For the purpose of evaluation of bids, the Bid Evaluation Committee (BEC)

comprising of the following was constituted:

1.	Sh. Umesh Kumar Madan, Head, SBI Capital Markets,	Chairman
2.	Smt. Kalpana Ghate, Addl. Chief Engineer (Planning), Chhattisgarh State Power Transmission Company Limited	Member
3.	Shri Shyam Kejriwal, SE (Comm. &IT), Eastern Regional Power Committee (ERPC)	Member
4.	Shri.Y. K. Swarnkar, Director, PSETD, Central Electricity Authority	Member

5.	Shri B.S. Bairwa, Director (PSPA-II), Central Electricity Authority	Member
6.	Shri Kishor Kumar Ram, Chairman, ERWR Power Transmission Limited	Convener

16. Responses to RfP were received from the four bidders as per details given below:

Sr. No.	Name of Bidders
1	Adani Transmission Limited
2	G R Infraprojects Limited
3	Power Grid Corporation of India Limited
4	Sterlite Grid 19 Limited

17. The responses of the Bidders (list as per table below) were opened on 6.1.2023 in the presence of the Bidders' representatives. Based on the recommendations of the Bid Evaluation Committee, the Initial Offer of all the four bidders were opened on 30.1.2023 in the presence of Bid Evaluation Committee. In BEC meeting held on 30.1.2023 it was noted that the lowest transmission charges from the Initial Offer submitted by the bidders was Rs. 297.47 million which shall be the initial ceiling for quoting the final offer during e-Reverse Auction. Accordingly, the rank of the bidders for participation in e-reverse auction is as under:

Sr. No.	Name of Bidder	Single Annual Transmission Charges from Initial Offer (Rs.in Million)	Rank
1.	Power Grid Corporation of India Limited	297.47	L1
2.	Sterlite Grid 19 Limited	334.30	L2
3.	Adani Transmission Limited	349.60	L3
4.	G R Infraprojects Limited	391.17	L4

18. As per the provisions of RfP documents, BEC recommended four (4) qualified bidders to participate in the electronic reverse auction stage and submit their Final Offer. E-reverse auction was carried out at MSTC portal on 31.1.2023 in the presence of members of BEC after intimating to the bidders regarding lowest initial price offer. However, only two bidders participated in e-reverse auction. The

transmission charges for two bidders (in ascending order) emerged as under:

Sr. No.	Name of Bidder	Single Annual Transmission Charges from the Final Offer (Rs.in Million)	Rank
1.	Power Grid Corporation of India Limited	290.07	L-1
2.	Sterlite Grid 19 Limited	290.80	L-2

19. Based on e-reverse bidding, BEC in its meeting held on 7.2.2023 recommended Power Grid Corporation of India Limited with the lowest transmission charges of Rs. 290.07 million as the successful bidder.

20. Letter of Intent was issued by the BPC on 15.2.2023 to the successful bidder i.e. Power Grid Corporation of India Limited. In accordance with Clause 12.3 of the Guidelines, the BPC has hosted on the website of RECPDCL, the final result of the evaluation of the bids for selection of developer for the Project.

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

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

(a) Provide the Contract Performance Guarantee in favour of the Nodal Agency, CTUIL;

(b) Execute the Share Purchase Agreement and the Transmission Service

Agreement;

(c) Acquire, for the Acquisition Price, one hundred percent (100%) equity shareholding of ERWR Power Transmission Limited from REC Power Development and Consultancy Limited, along with all its related assets and liabilities;

23. In accordance with Clause 2.15.4 of RfP, the selected bidder shall within five (5) working days of the issue of the acquisition of the SPV by the Successful Bidder, the TSP shall apply to the Commission for adoption of the transmission charges, as required under Section 63 of the Act.

24. The proviso to Clause 2.15.2 of the RfP provides that "if for any reason attributable to the BPC, the above activities are not completed by the Selected Bidder within the above period of ten (10) days as mentioned in this Clause, such period of ten (10) days shall be extended, on a day for day basis till the end of the Bid validity period.". Though Lol was issued on 15.2.2023, BPC, vide its letter dated 21.3.2023 in terms of Clause 2.15.2 of RfP extended the date upto 28.3.2023 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. 4.80 crore and has acquired hundred percent equity-holding in the applicant company on 21.3.2023 after execution of the Share Purchase Agreement. The Petitioner entered Transmission Service Agreement with the Nodal Agency (CTUIL) on 21.3.2023. The TSP filed the Petition through e-filing for adoption of tariff on 3.4.2023. The Petitioner has submitted that it had paid the transmission license fees on 28.3.2023, however, the same was reflected on online filing portal on 3.4.2023 and it filed the application online on 3.4.2023. The Petitioner has prayed for

the condoning the delay in filing of application. Since the Petitioner could not file the Petitioner due to procedural lapse, the delay in filing the Petition is condoned.

25. The Petitioner has approached the Commission by a separate application for grant of transmission license. The Commission vide order dated 5.7.2023 in Petition No. 130/TL/2023 on being satisfied that the Petitioner, *prime facie*, qualifies for grant of transmission license as prayed for, directed publication of notices under clause (a) of sub-section (5) of Section 15 of the Act, inviting suggestions/ objections to the proposal of the Commission.

26. In accordance with the Guidelines, BEC has to certify that the tariff has been discovered through a transparent process of bidding and the tariff discovered is in line with prevailing market prices. In the minutes of Fourth Meeting of Bid Evaluation Committee meeting held on 7.2.2023, the following has been recorded:

“..... As per the provisions of RFP document, following four (4) bidders were qualified to participate in the electronic reverse auction stage and submit their Final Offer:

Sr. No.	Name of the Bidder	Transmission Charges from Initial Offer (in Rs. Million)	Rank
1.	M/s Power Grid Corporation of India Limited	297.47	L1
2.	M/s Sterlite Grid 19 Limited	334.30	L2
3.	M/s Adani Transmission Limited	349.60	L3
4.	M/s G R Infraprojects Limited	391.17	L4

- *To start e-Reverse auction on 31.01.2023 at 1030 Hrs (IST) after intimation to all the four (04) qualified bidders regarding lowest initial price offer.*

3. *Pursuant to the above, BPC confirmed to BEC that all the above four (04) qualified bidders were informed on 30.1.2023 (duly acknowledged by them) regarding the e-reverse auction start time and lowest initial offer.*

4. *The e-Reverse Auction started on 31.01.2023 at 1030 Hrs (IST) on*

MSTC portal. After 50 rounds of bidding, 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.	M/s Power Grid Corporation of India Limited	297.47	290.07	L-1
2.	M/s Sterlite Grid 19 Limited	334.30	290.80	L-2
3.	M/s Adani Transmission Limited	349.60	No bid received in electronic reverse auction	L-3
4.	M/s G R Infraprojects Limited	391.17	No bid received in electronic reverse auction	L-4

The system generated bid history of e-reverse auction is enclosed at Annex-1.

5. As per above table, M/s Power Grid Corporation of India Limited emerged as the successful Bidder after the conclusion of e-Reverse Auction with the lowest annual transmission charges of Rs. 290.07 Million which is also the Final Offer.

6. BPC, in their evaluation report (Annex-2) has confirmed the following:

a. Lowest annual transmission charges of Rs. 290.07 Million discovered through electronic reverse auction is less than the estimated annual transmission charges of Rs. 476.88 Million, which is computed based on the estimated cost as communicated by cost committee and as per prevailing CERC norms.

b. As per provision of RFP document, successful bidder i.e. M/s Power Grid Corporation of India Limited has submitted original hard copies of Annexure-3 and Annexure-14 and the same are found to be in order.

c. The entire bid process has been carried out in accordance with the "Tariff based Competitive Bidding Guidelines for Transmission Service" and "Guidelines for encouraging competition in development of the Transmission Projects" issued by Ministry of Power, Govt. of India under Section 63 of the Electricity Act, 2003 and as amended from time to time.

7. After detailed discussions on the evaluation report prepared by BPC (Annex-2), the Bid Evaluation Committee decided the following:

“a. M/s Power Grid Corporation of India Limited” with the lowest annual transmission charges of Rs. 290.07 Million, is the successful Bidder after the conclusion of the e-reverse auction.

b. The transmission charges discovered after electronic reverse auction is lower than the transmission charges estimated by BPC (para 6(a)) and is acceptable.

8. In view of para 7 above, BEC recommends to issue the Letter of Intent (LOI) to M/s Power Grid Corporation of India Limited.

27. Bid Evaluation Committee (BEC) vide its certificate dated 7.2.2023 certified as under:

“It is hereby certified that:

1. The entire bid process has been carried out in accordance with the “Tariff based Competitive Bidding Guidelines for Transmission Service” and “Guidelines for encouraging competition in development of the Transmission Projects” issued by Ministry of Power, Govt. of India under Section 63 of the Electricity Act, 2003 and as amended from time to time.

2. M/s Power Grid Corporation of India Limited, with the lowest annual transmission charges of Rs. 290.07 Million, emerged as the successful bidder after the conclusion of e-Reverse Auction.

3. Thus, transmission charges of Rs. 290.07 Million discovered through e-reverse auction is acceptable.”

28. In the light of the discussions in preceding paragraphs, it emerges that selection of the successful bidder and the discovery of the annual transmission charges of the Project has been carried out by the BPC through a transparent process of competitive bidding in accordance with the Guidelines issued by the Ministry of Power, Government of India under Section 63 of the Act. BEC has certified that the process is in conformity with the Ministry of Power Guidelines. BEC in its certificate dated 7.2.2023 has certified that Power Grid Corporation of India Limited has emerged as the successful bidder after conclusion of e-reverse auction with lowest transmission charges of Rs. 290.07 million per annum. Based on the certification of the BEC, we approve and adopt the single annual Transmission

Charges of Rs. 290.07 million as per the final offer of the successful bidder subject to the grant of transmission license to the Petitioner. The transmission charges shall remain valid throughout the period covered in the TSA.

29. The sharing of the transmission charges by the designated ISTS customers (DICs) shall be governed by the provisions of the Central Electricity Regulatory Commission (Sharing of inter-State Transmission Charges and Losses) Regulations, 2020 as amended from time to time.

30. The Petitioner, vide its affidavit dated 2.6.2023, has informed that the name of the Petitioner company has been changed from 'ERWR Power Transmission Limited' to 'POWERGRID ERWR Power Transmission Limited' with effect from 12.5.2023. The certificate of change of name from 'ERWR Power Transmission Limited' to 'POWERGRID ERWR Power Transmission Limited' dated 12.5.2023 issued by Registrar of Companies, Delhi has been placed on record. Accordingly, the name of the Petitioner has been changed to 'POWERGRID ERWR Power Transmission Limited' on the record of the Commission.

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

32. The Petition No. 131/AT/2023 is disposed of in terms of the above.

Sd/-
(P.K. Singh)
Member

Sd/-
(Arun Goyal)
Member

Sd/-
(I.S. Jha)
Member