

**CENTRAL ELECTRICITY REGULATORY COMMISSION  
NEW DELHI**

**Petition No. 142/AT/2023**

**Coram:**

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

**Date of order: 20<sup>th</sup> 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 Khavda II-B Transmission Limited (a 100% wholly owned subsidiary of Power Grid Corporation of India Limited).

**And**

**In the matter of:**

**Khavda II-B Transmission Limited,**  
(Now known as POWERGRID Khavda II-B 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,**  
Goa Electricity DeptCurti,  
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, 4<sup>th</sup> 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: Uppalwadi, 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, Maharashtra

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

**21. DB Power Limited- Untied,**  
Opp Dena Bank, C-31, G- Block,  
Mumbai, Maharashtra.

**22. Chhattisgarh State Power Trading Company Limited,**  
2<sup>nd</sup> Floor, Vidyut Sewa Bhawan,  
Raipur, Chhattisgarh.

**23. TRN Energy Private Ltd-Untied,**  
7th Floor, Ambience Office Block,  
Gurugram, Haryana

**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. Gujarat State Electricity Corporation Limited,**  
Vidyut Bhavan, Racecourse,  
Vadodara, Gujarat.

**31. General Manager (RE Projects & IT),**  
Gujarat Industries Power Company Limited,  
PO: Ranoli, Distt-Vadodara,  
Gujarat.

**32. NTPC Renewable Energy Limited,**  
NETRA Building, E-3, Ecotech-II, Udyog Vihar,  
Greater Noida,  
Gautam Budh Nagar-201306, UP

....**Respondents**

**Parties present:**

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

**ORDER**

The Petitioner, Khavda II-B Transmission Limited (now known as POWERGRID Khavda II-B 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 "Transmission scheme for evacuation of 4.5GW RE injection at Khavda PS under Phase II- Part B" (hereinafter referred to as 'the Transmission System' or 'the Project') to be established on Build, Own, Operate and Transfer (BOOT) basis. The Petitioner has made the following prayers:

*"(a) Adoption of Transmission Charges for Inter-State Transmission System for "Transmission scheme for evacuation of 4.5GW RE injection at Khavda PS under Phase II - Part B" discovered through competitive bidding process.*

*(b) Allow the sharing and recovery of Transmission Charges for Inter-State Transmission System for "Transmission scheme for evacuation of 4.5GW RE injection at Khavda PS under Phase II - Part B" as per Sharing of Inter-state Transmission*

*Charges and Losses CERC Regulations 2020 and any other amendment thereon issued from time to time by CERC.*

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

2. On receipt of the present Petition, the Bid Process Coordinator (BPC), REC Power Development and Consultancy Limited (RECPDCL), 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 30.6.2023**

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

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

5. 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.”*

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

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

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

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

(d) For the procurement of transmission services under the guidelines, BPC

shall adopt a single stage two envelope tender process featuring Request for Proposal (RFP). The entire bidding process shall be conducted online through electronic medium under e-reverse bidding framework.

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

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

obtaining transmission licence from Appropriate Commission.

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

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

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



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

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

7. Therefore, we have to examine whether the Guidelines issued by the Central Government has been followed in the present case in a transparent process of bidding.

8. Ministry of Power, Government of India, vide its Gazette Notification No. F.No.15/3/2018-Trans-Pt (2) dated 23.9.2020 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 “Transmission scheme for evacuation of 4.5GW RE injection at Khavda PS under Phase II - Part B” on Build, Own, Operate and Transfer basis through tariff based competitive bidding process.

9. Khavda II-B Transmission Limited (the Petitioner) was incorporated on 21.4.2022 under the Companies Act, 2013 as a wholly owned subsidiary of RECPDCL with the objective to establish Inter-State Transmission System for “Transmission scheme for evacuation of 4.5 GW RE injection at Khavda PS under Phase II - Part B” and to act as the Transmission Service Provider after being acquired

by the successful bidder. The main objectives of the Petitioner Company in its Memorandum of Association are as under:

*“To plan, promote and develop an integrated and efficient power transmission system network in all its aspects including planning, investigation, research, design and engineering, preparation of preliminary, feasibility and definite project reports, construction, operation and maintenance of transmission lines, sub-stations, load dispatch stations and communication facilities and appurtenant works, coordination of integrated operation of regional and national grid system, execution of turn-key jobs for other utilities/organizations and wheeling of power in accordance with the policies, guidelines and objectives laid down by the Central Government from time to time”.*

10. BPC prepared the bidding document, namely RfP in accordance with the Standard Bid Documents issued by the Ministry of Power, Government of India.

11. BPC stated the process of selection of successful bidder with the publication of Global Invitation for Qualification for selection of developer on BOOT basis for the Project. The notice of RfP was published in National/International newspapers on 6.5.2022 with the last date of submission of response to RfP as 8.7.2022. Intimation regarding initiation of the bid process was given to this Commission in accordance with Clause 4.2 of the Guidelines vide letter No. RECPDCL/ISTS/TBCB/2021-22/400 dated 9.5.2022.

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

<b>S. No.</b>	<b>Events</b>	<b>Date</b>
1	Publication of RFP	06.05.2022
2	Technical & Price Bid Submission	16.01.2023
3	Technical Bid Opening	16.01.2023
4	Initial Price Opening (IPO)	03.02.2023
5	e-Reverse Auction	04.02.2023
6	Final Bid Evaluation Committee Meeting	07.02.2023
7	Issuance of Lol	16.02.2023
8	Signing of Agreements & Transfer of SPV	21.03.2023

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

Sl. No.	Name of the Transmission Element	Scheduled COD in months from Effective Date	Element(s) which are pre-required for declaring the commercial operation (COD) of the respective Element
1.	Lakadia PS- Ahmedabad 765kV D/c line	24	Elements marked at Sl. No. 1, 2 & 3 are required to be commissioned simultaneously as their utilization is dependent on commissioning of each other.
2.	2 nos. of 765 kV line bays at Lakadia PS for Lakadia PS- Ahmedabad 765 kV D/c line 765 kV line bays- 2 nos		
3.	240 MVAR, 765 kV switchable line reactor for each circuit at Ahmedabad end of Lakadia PS- Ahmedabad 765kV D/c line  <ul style="list-style-type: none"> <li>• 1x240 MVAR, 765 kV switchable line reactor- 2 nos. (for each circuit at Ahmedabad end of Lakadia PS- Ahmedabad 765kV D/c line)</li> <li>• Switching equipments for 765 kV line reactor-2 nos.</li> <li>• 1x80 MVAR spare reactor-1 no. (for Ahmedabad end)</li> </ul>		

**Note:**

(i) Transmission system for evacuation of 3 GW RE injection at Khavda is being taken up under Phase-I. Phase-II RE scheme is for evacuation of additional 4.5 GW RE injection at Khavda .

(ii) Implementation of all the transmission packages proposed for evacuation of 4.5 GW RE injection at Khavda RE park under Phase-II (Part A to Part D) needs to be taken up in similar timeframe.

(iii) Developer of Lakadia P.S. shall provide space for 2 no. of 765 kV line bays alongwith Switchable Line Reactor at Lakadia PS end for termination of Lakadia PS – Ahmedabad 765kV D/c line.

(iv) 2 no. of 765 KV line bays at Ahmedabad sub-station for termination of Lakadia PS- Ahmedabad 765 kV D/C line is within the scope of developer of Ahmedabad S/S. Developer of Ahmedabad S/S is to provide 2 no. of 765 kV line bays along with space for installation of Switchable Line Reactor at Ahmedabad end of Lakadia-Ahmedabad 765 kV D/C line

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

1.	Sh. Umesh Kumar Madan, Head, SBI Capital Markets.	Chairman of the Committee
2.	Sh. N.P. Jadav, Chief Engineer(P&C) Gujarat Energy Transmission Corporation Limited (GETCO)	Member
3.	Sh. Rajan Joshi, Executive Engineer, Maharashtra State Electricity Transmission Company (MAHATRANSCO)	Member
4.	Shri.Y. K. Swarnkar, Director, PSETD, Central Electricity Authority	Member
5.	Smt. Manjari Chaturvedi, Director, PSPA-I, Central Electricity Authority	Member
6.	Shri Daljeet Singh Khatri, Chairman, Khavda II-B Transmission Limited,	Convener-Member of the Committee

15. Responses to RfP were received from the following four bidders:

Sr. No.	Name of Bidders
1	Adani Transmission Limited
2	Megha Engineering & Infrastructures Limited
3	Power Grid Corporation of India Limited
4	Dineshchandra R. Agrawal Infracon Private Limited

16. The responses of the bidders were opened on 16.1.2023 (1530 Hrs) in the presence of the representatives of the bidders. Based on the recommendations of the Bid Evaluation Committee, the Initial Offer of all the four bidders were opened on 3.2.2023 in the presence of Bid Evaluation Committee. In BEC meeting held on 3.2.2023 it was noted that the lowest transmission charges from the Initial Offer submitted by the bidders was Rs. 1223.10 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	Rank

		<b>Offer (Rs.in Million)</b>	
1.	Power Grid Corporation of India Limited	1223.10	L1
2.	Dineshchandra R. Agrawal Infracon Private Limited	1340.00	L2
3.	Adani Transmission Limited	1470.00	L3
4.	Megha Engineering & Infrastructures Limited	3830.00	L4

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

18. E-reverse auction was carried out at MSTC portal on 4.2.2023 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:

<b>S. No.</b>	<b>Name of the Bidder</b>	<b>Transmission Charges from the Initial Offer (in Rs. Million)</b>	<b>Transmission Charges from the Final Offer (in Rs. Million)</b>	<b>Rank</b>
1.	Power Grid Corporation of India Limited	1223.10	1106.38	L1
2.	Adani Transmission Limited	1470.00	1109.16	L2

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. 1106.38 million as the successful bidder.

20. Letter of Intent was issued by the BPC on 16.2.2023 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 Khavda II-B 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 the grant of transmission license and make an application to the Commission for the adoption of transmission charges, as required under Section 63 of Act.

24. The proviso to Clause 2.15.2 of the RfP provides that "if for any reason attributable to the BPC, the said activities are not completed by the Selected Bidder within the above period of ten (10) days as mentioned in this clause, such period of

10 days shall be extended, on a day to day basis till the end of the Bid validity period". As per the above provision, selected bidder was required to complete all the activities including acquisition of SPVs by 26.2.2023. Lol was issued on 16.2.2023. The selected bidder furnished the Contract Performance Guarantee in favour of Nodal Agency (CTUIL) for an amount of Rs. 30 crore on 21.3.2023 and has acquired hundred percent equity-holding in the applicant company on 21.3.2023 after execution of the Share Purchase Agreement. As per clause 2.15.4 of the RfP, TSP is required to apply to the Commission for grant of transmission licence within five working days of the issuance of the acquisition of the SPV to the successful bidder. Successful bidder, namely Power Corporation of India Limited acquired the SPV on 21.3.2023. 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 the application was filed online on 3.4.2023. The Petitioner has prayed to condone the delay in filing of the Petition. Since the Petitioner could not file the Petition due to procedural laps, the same is condoned. However, the Petitioner is directed to comply with the provisions of the Transmission Licence Regulations in future in letter and spirit.

25. The Petitioner has approached the Commission by a separate application for the grant of transmission licence. The Commission vide order dated 13.7.2023 in Petition No. 141/TL/2023 on being satisfied that the Petitioner, *prime facie*, qualifies for the grant of transmission licence 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 provisions of RFP document, following four (4) bidders were qualified to participate in the electronic reverse auction stage and submit their Final Offer:

<b>Sr. No.</b>	<b>Name of the Bidder</b>	<b>Transmission Charges from Initial Offer (in Rs. Million)</b>	<b>Rank</b>
1.	M/s Power Grid Corporation of India Limited	1223.10	L1
2.	M/s Dineshchandra R. Agrawal Infracon Private Limited	1340.00	L2
3.	M/s Adani Transmission Limited	1470.00	L3
4.	M/s Megha Engineering & Infrastructures Limited	3830.00	L4

- To start e-Reverse auction on 04.02.2023 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 03.02.2023 (duly acknowledged by them) regarding the electronic reverse auction start time and lowest initial offer.

4. The electronic reverse auction started on 04.02.2023 at 1030 Hrs (IST) on MSTC portal. After 40 rounds of bidding, following transmission charges, as quoted by each bidder, emerged:

<b>S. No.</b>	<b>Name of the Bidder</b>	<b>Transmission Charges from the Initial Offer (in Rs. Million)</b>	<b>Transmission Charges from the Final Offer (in Rs. Million)</b>	<b>Rank</b>
1.	Power Grid Corporation of India Limited	1223.10	1106.38	L1
2.	Adani Transmission Limited	1470.00	1109.16	L2
3.	Dineshchandra R. Agrawal Infracon Private Limited	1340.00	No bid received in electronic reverse auction	L3
4.	Megha Engineering & Infrastructures Limited	3830.00	No bid received in electronic reverse auction	L4

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 electronic reverse auction with the lowest annual transmission charges of Rs. 1106.38 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. 1106.38 Million discovered through electronic reverse auction is less than the estimated annual transmission charges of Rs. 2020.96 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. 1106.38 Million, is the successful Bidder after the conclusion of the electronic 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 has 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. 1106.38 Million, emerged as the successful bidder after the conclusion of electronic reverse auction.*

3. *Thus, transmission charges of Rs. 1106.38 Million discovered through electronic 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. 1106.38 million. Based on the certification of the BEC, we approve and adopt the single annual transmission charges of Rs. 1106.38 million as per the final offer of the successful bidder subject to the grant of transmission licence 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 'Khavda II-B Transmission Limited' to 'POWERGRID Khavda II-B Transmission Limited' with effect from 23.5.2023. The

certificate of change of name from 'Khavda II-B Transmission Limited' to 'POWERGRID Khavda II-B Transmission Limited' dated 23.5.2023 issued by Registrar of Companies, Delhi has been placed on record. Accordingly, the name of the Petitioner has been changed to 'POWERGRID Khavda II-B Transmission Limited' on the record of the Commission.

31. CTUIL is directed to clarify on affidavit within two weeks of issuance of the order the 'Notes' under scope of the project which provides that 'Developer of Lakadia P.S. shall provide space for 2 no. of 765 kV line bays alongwith Switchable Line Reactor at Lakadia PS end for termination of Lakadia PS – Ahmedabad 765kV D/c line", while the scope of the instant project developer doesn't include Switchable Line Reactors at Lakadia PS end.

32. Let an extract copy of this order be sent to the Nodal Agency, CTUIL.

33. The Petition No. 142/AT/2023 is disposed of in terms of the above.

Sd/-  
**(P.K. Singh)**  
Member

Sd/-  
**(Arun Goyal)**  
Member

Sd/-  
**(I.S. Jha)**  
Member