

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 149/TL/2023

Coram:

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

Date of Order: 30th August, 2023

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, 2009 with respect to Transmission License to Bhadla Sikar Transmission Limited.

And

In the matter of

Bhadla Sikar Transmission Limited,

(Now known as POWERGRID Bhadla Sikar Transmission Limited')

B-9, Qutab Institutional Area,
Katwaria Sarai, New Delhi 110 016

....Petitioner

Vs

Chairman and Managing Director,

ACME Solar Holdings Private Limited,
Plot 152, Sector-44,
Gurgaon-122002, Haryana.

...Respondent

1. Chief Operating Officer,
Central Transmission Utility of India Limited,
Saudamini, Plot No.2, Sector -29,
Gurgaon-122001, Haryana

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

Proforma Respondents

Parties present:

Shri Ashwini Kumar Das, BSTL

Shri Mani Kumar, BSTL
Shri Yatin Sharma, CTUIL
Shri Ranjeet Rajput, CTUIL
Ms. Priyansi Jadiya, CTUIL

ORDER

The Petitioner, Bhadla Sikar Transmission Limited (now known as POWERGRID Bhadla Sikar Transmission Limited), 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, 2009 (hereinafter referred to as “Transmission Licence Regulations”) to establish the Inter-State Transmission System for “Transmission System Strengthening Scheme for Evacuation of Power from Solar Energy Zones in Rajasthan (8.1 GW) under Phase-II Part-E” on a Build, Own, Operate and Maintain (BOOM) basis (hereinafter referred to as “the Project”) consisting of the following elements:

S. No.	Name of the Transmission Element	Scheduled COD in months from Effective Date	Element(s) which are pre-required for declaring the commercial operation (COD) of the respective Element
1.	Bhadla-II PS- Sikar-II 765kV D/c line (2nd)	18 months	Elements marked at Sl. No. 1 to 4 are required to be commissioned simultaneously as their utilization is dependent on commissioning of each other
2.	2 no. of 765 kV line bays each at Bhadlall and Sikar-II for Bhadla-II PS- Sikar-II 765kV D/c line		
3.	1x330 MVAr switchable line reactor for each circuit at Sikar-II end of Bhadla-II PS-Sikar-II 765kV D/c line 330 MVAr, 765 kV reactor- 2 Switching equipment for 765 kV reactor - 2		

4.	1x240MVA switchable line reactor for each circuit at Bhadla-II end of Bhadla-II PS – Sikar-II 765kV D/c line 240 MVA, 765 kV reactor- 2 Switching equipment for 765 kV reactor - 2		
----	--	--	--

Note:

1. POWERGRID to provide space for 2 no of 765 kV bays and space for 2 no of line reactors at Bhadla-II sub-station.
 2. Developer of Sikar-II PS to provide space for 2 no of 765 kV bays and space for 2 no of line reactors at Sikar-II PS.
 3. Supply and Installation of Spare 1x80 MVAR 1-ph reactor unit at Bhadla-II S/S is not envisaged under present scope. TSP shall install the 765kV Line Reactor banks at Bhadla -II PS such that same is suitable for 1-ph switching whenever the separate spare 1-ph unit is provided in future. Further, all the associated equipment required for switching arrangement viz isolators, circuit breakers, Neutral bus, 765kV & 145kV auxiliary buses etc. at Bhadla-II PS shall be provided by TSP for the 765kV Reactor banks under present scope. TSP shall provide the equipment/facilities at Bhadla-II PS such that only supply & installation of 1x80 MVAR spare unit of Reactor, associated LA, 1-Ph Circuit Breaker and extension of 765kV & 145kV buses will be required for completion of switching arrangement in future.
 4. The spare unit of 765kV, 1x110 MVAR Reactor being provided at Sikar-II PS under 'Transmission system strengthening for evacuation of power from solar energy zones in Rajasthan (8.1 GW) under Phase II –Part C' shall be utilized as common spare for 6x110 MVAR Switchable Line Reactors to be provided at Sikar-II PS each under 'Transmission system strengthening for evacuation of power from solar energy zones in Rajasthan (8.1 GW) under Phase II-Part D' and 'Transmission system strengthening for evacuation of power from solar energy zones in Rajasthan (8.1 GW) under Phase II-Part E'.
2. Based on the competitive bidding carried out by PFC Consulting Limited (hereinafter referred to as "PFCCCL") in its capacity as the Bid Process Coordinator (BPC) in accordance with the Guidelines issued by the Ministry of Power, Government of India under Section 63 of the Act, Power Grid Corporation of India Limited (PGCIL) was declared a successful bidder with the lowest quoted annual transmission charges of Rs. 1352.15 million per annum.
 3. The Commission, after considering the application of the Petitioner in light of the provisions of the Act and the Transmission Licence Regulations, in its order dated

18.7.2023, *prima facie* proposed to grant a transmission licence to the Petitioner.

Relevant extracts of the order dated 18.7.2023 are extracted as under:

“22. Considering the material on record, we are prima-facie of the view that the Petitioner satisfies the conditions for the grant of inter-State transmission licence under Section 15 of the Act read with 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 under clause (a) of sub-section (5) of Section 15 of the Act be published to invite suggestions or objections to grant of the transmission licence aforesaid. The objections or suggestions, if any, be filed by any person before the Commission, by 7.8.2022.”

4. A public notice under Sub-section (5) of Section 15 of the Act was published on 22.7.2023 in all editions of The Hindu (English) and Amar Ujala (Hindi). No suggestions/ objections have been received from members of the public in response to the public notice.

5. Vide the order dated 18.7.2023, CTUIL was directed to clarify the intent of ‘Notes’ under the scope of the instant project, viz., about the spare 1x80 MVAR 1-ph reactor unit at Bhadla-II and the spare unit of 765kV, 1x110 MVAR Reactor at Sikar-II PS, vis-a-vis the 240 MVAR reactor at Bhadla-II and the 330 MVAR reactor at Sikar-II. CTUIL vide its affidavit dated 9.8.2023 has submitted as under:

(a) 330 MVAR switchable line reactor for each circuit at the Sikar-II end of Bhadla-II PS – Sikar-II 765kV D/c line (2nd) shall be implemented with the 3-phase bank formation consisting of 3 nos. 110MVAR single phase units.

(b) 240 MVAR switchable line reactor for each circuit at the Bhadla-II end of the Bhadla-II PS -Sikar-II 765kV D/c line (2nd) shall be implemented with the 3-phase bank formation consisting of 3 nos. 80 MVAR single phase units.

(c) Regarding the supply of 1x80MVAR 1-Ph Spare Reactor unit at Bhadla-II, the same is not envisaged under the present scope. 1x80 MVAR Reactor

unit, being provided separately under RTM at Bhadla-II PS, shall be utilized as a common spare for switchable line reactors to be provided at Bhadla-II PS for the *'Transmission system strengthening for evacuation of power from solar energy zones in Rajasthan (8.1 GW) under Phase II –Part B'*, *'Transmission system strengthening for evacuation of power from solar energy zones in Rajasthan (8.1 GW) under Phase II-Part C'* and present project *'Transmission system strengthening for evacuation of power from solar energy zones in Rajasthan (8.1 GW) under Phase II –Part E'*.

(d) However, 240 MVAR (bank of 3x80MVAR), 765kV Line Reactor banks at Bhadla II PS shall be installed such that the same is suitable for the 1-ph switching for the spare 1-ph unit mentioned above. Further, all the associated equipment required for switching arrangements, namely, isolators, circuit breakers, neutral bus, 765 kV & 145 kV auxiliary buses, etc. at Bhadla II PS shall be provided under the present scope. The above equipment/facilities at Bhadla II PS are required to be provided in such a way that the installation of 1x80 MVAR spare unit of reactor along with associated LA, 1-Ph Circuit Breaker and extensions of 765 kV & 145 kV buses required for the completion of switching arrangements can be done in the future.

(e) Regarding the 1x110MVAR 1-Ph Spare Reactor unit at Sikar-II, the same is not envisaged under the present scope. However, 1x110 MVAR Reactor units being provided at Sikar-II PS, under *'Transmission system strengthening for evacuation of power from solar energy zones in Rajasthan (8.1 GW) under Phase II –Part C'* shall be utilized as common spares for the switchable line reactors to be provided at Sikar-II PS each under *'Transmission system strengthening for evacuation of power from solar energy zones in Rajasthan (8.1 GW) under Phase II –Part D'* as well as present project i.e. *'Transmission system strengthening for evacuation of power from solar energy zones in Rajasthan (8.1 GW) under Phase II –Part E'*.

6. From the above submissions of CTUIL, we observe that the spare 1x80 MVAR 1-Ph reactor unit at Bhadla-II is not within the scope of the Petitioner in the present

Petition. However, the 240 MVAR (bank of 3x80MVA), 765kV Line Reactor banks at Bhadla-II PS which are in the scope of the Petitioner shall be installed in such a way that the same is suitable for the 1-ph switching for the spare 1-ph unit of 1x80 MVAR, along with the associated LA, 1-Ph Circuit Breaker, and extension of 765 kV & 145 kV buses which can be done in the future. Further, the 1x110 MVAR Reactor being provided at Sikar-II PS is also not within the scope of Petitioner in the present Petition.

7. The case was called out for the hearing on 11.8.2023. It was submitted by the representative of the Petitioner in response to the public notice published by the Commission, no objection has been received. In response to the query of the Commission regarding the date of commissioning of the transmission project, the representative of the Petitioner submitted that the SCOD of the transmission project is 27.9.2024.

8. As regards the grant of a transmission licence, Clauses (15) and (16) of Regulation 7 of the Transmission Licence Regulations provide as under:

“(15) The Commission may after consideration of the further suggestions and objections, if any, received in response to the public notice as aforesaid, grant licence as nearly as practicable in Form-III attached to these regulations or for reasons to be recorded in writing, reject the application if such application is not in accordance with the provisions of the Act, the rules or regulations made thereunder or any other law for the time being in force or for any other valid reason.

(16) The Commission may, before granting licence or rejecting the application, provide an opportunity of hearing to the applicant, the Central Transmission Utility, the long-term customers, or the person who has filed suggestions and objections, or any other person: Provided further that the applicant shall always be given a reasonable opportunity of being heard before rejecting the application.”

9. In our order dated 18.7.2023, we proposed to grant a transmission licence to the Petitioner company and directed the issue of public notice. In response to the

public notice, no suggestions/objections have been received. CTUIL, in its letter dated 4.7.2023, has recommended the grant of a transmission licence to the Petitioner. We find that the Petitioner company meets the requirements of the Act and the Transmission Licence Regulations for the grant of a transmission licence for the subject Transmission System mentioned at paragraph 1 of this order. Accordingly, we direct that a transmission licence be granted to the Petitioner, 'POWERGRID Bhadla Sikar Transmission Limited', to establish the inter-State Transmission System for "Transmission System Strengthening Scheme for Evacuation of Power from Solar Energy Zones in Rajasthan (8.1 GW) under Phase-II Part-E" on a Build, Own, Operate and Maintain (BOOM) basis as per the details given in paragraph 1 above.

10. The grant of a transmission licence to the Petitioner (hereinafter referred to as "the licensee") is subject to the fulfilment of the following conditions throughout the period of licence:

- (a) The transmission licence shall, unless revoked earlier, remain in force for a period of 25 years from the date of issue;
- (b) The transmission licensee shall comply with the provisions of the Transmission Licence Regulations or any subsequent enactment thereof and the terms and condition of the TSA during the period of subsistence of the licence;
- (c) Since the expiry date as per the TSA is 35 years from the scheduled COD of the Project, the licensee may make an application, two years before the expiry of initial licence period, for the grant of transmission licence for another term in accordance with Regulation 13(2) of the Transmission Licence Regulations which shall be considered by the Commission in accordance with law;

(d) The licensee shall not enter into any contract for or otherwise engage in the business of trading in electricity during the period of subsistence of the transmission licence;

(e) The licensee shall have the liability to pay the license fee in accordance with the provisions of the Central Electricity Regulatory Commission (Payment of Fees) Regulations, 2012, as amended from time to time, or any subsequent enactment thereof. A delay in payment or non-payment of licence fee or a part thereof for a period exceeding sixty days shall be construed as a breach of the terms and conditions of the licence;

(f) The licensee shall comply with the directions of the National Load Despatch Centre under Section 26 of the Act, or the Regional Load Despatch Centre under sub-section (3) of Section 28 or sub-section (1) of Section 29 of the Act, as may be issued from time to time for maintaining the availability of the transmission system;

(g) The licensee shall remain bound by the provisions of the Central Electricity Regulatory Commission (Standard of Performance of inter-State transmission licensees) Regulations, 2012, or subsequent enactment thereof;

(h) The licensee shall provide non-discriminatory open access to its Transmission System for use by any other licensee, including a distribution licensee or an electricity trader, or generating company or any other person in accordance with the Act; the Central Electricity Regulatory Commission (Open Access in inter-State Transmission) Regulations, 2008; the Central Electricity Regulatory Commission (Grant of Connectivity, Long-term Access and Medium-

term Open Access in inter-State Transmission and related matters) Regulations, 2009; the Central Electricity Regulatory Commission (Indian Electricity Grid Code) Regulations, 2010, as amended from time to time or any subsequent re-enactments thereof; and the Central Electricity Regulatory Commission (Connectivity and General Network Access to the inter-State Transmission System) Regulations, 2022;

(i) The licensee shall not undertake any other business for optimum utilization of the Transmission System without prior intimation to the Commission and shall comply with the provisions of the Central Electricity Regulatory Commission (Sharing of Revenue Derived from Utilization of Transmission Assets for other business) Regulations, 2020;

(j) The licensee shall remain bound by provisions of the Central Electricity Regulatory Commission (Sharing of inter-State Transmission Charges and Losses) Regulations, 2020 as amended from time to time;

(k) The licensee shall remain bound by the provisions of the Act, the rules and regulations framed thereunder, in particular the Transmission Licence Regulations, the Grid Code, the Standards specified by the Central Electricity Authority, orders and directions of the Commission issued from time to time;

(l) The licensee shall ensure execution of the Project within the timeline specified in the Schedule 3 of the TSA and as per the Technical Standards and Grid Standards of CEA prescribed in Article 5.1.1 and Article 5.4 of the TSA;

(m) The licensee shall coordinate with the licensees (including deemed licensees) executing the upstream or downstream transmission projects, the

Central Electricity Authority, and CTUIL to ensure smooth execution and commissioning of the Project; and

(n) The licensee shall submit all such reports or information as may be required under the Transmission Licence Regulations, Standard of Performance Regulations, Transmission Service Agreement, or any other regulation of the Commission or as per the directions of the Commission as may be issued from time to time.

(o) The licensee shall ensure compliance with the Crisis Management Plan of the Government of India prepared by the Cabinet Secretariat under Section 37 of the Disaster Management Act, 2005.

(p) The licensee shall upload the asset-wise information and regularly update the status of the assets on the transmission e-portal of the Commission.

11. It is expected that while carrying out the survey, the Petitioner has complied with the provisions of clauses 2.5.7.3, 2.5.7.4, and 2.5.7.5 of the RfP. The Petitioner will comply with the provisions of the bidding documents and TSA for the commissioning of the Project within the SCOD.

12. CTUIL / its appointed Independent Engineer and Central Electricity Authority shall monitor the execution of the Project and bring to the notice of the Commission any lapse on the part of the licensee to meet the schedule for further appropriate action in accordance with the provisions of the Transmission Service Agreement executed between the licensee & Nodal Agency, the Act, and the Transmission Licence Regulations.

13. Let an extract copy of this order be sent to CTUIL and CEA for information and necessary action.

14. Petition No. 149/TL/2023 is allowed in terms of the above.

Sd/-
(P.K. Singh)
Member

sd/-
(Arun Goyal)
Member

sd/-
(I.S. Jha)
Member

sd/-
(Jishnu Barua)
Chairperson