

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 123/TL/2023

Coram:

Shri Arun Goyal, Member

Shri P.K. Singh, Member

Date of order: 6th April, 2024

In the matter of:

Application under Sections 14, 15, 79(1)(e) 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 seeking Transmission Licence for Kallam Transmission Limited for the Transmission Project to be constructed through Regulated Tariff Mechanism (RTM).

And

In the matter of

Kallam Transmission Limited,
Windsor, 1st Floor, Unit No. 101,
Kalina, Santacruz East-400 098,
Mumbai, Maharashtra

...Petitioner

Vs

1. Central Transmission Utility of India Limited,
CTU-Planning (1st Floor-A Wing), Saudamini,
Plot No. – 2, Sector- 29,
Near IFFCO Chowk Metro Station,
Gurugram-122 001

2. Veh Aarush Renewables Private Limited,
Plot No-38, Phase-2, 1st floor N-Heights,
Hitech City, Siddiq Nagar, Hyderabad,
India, 50008

3. JSW Neo Energy Limited,
JSW Center, BKC, Mumbai

4. Serentica Renewables India 4 Private Limited,
DLF Cyberpark, Tower-B, 9th Floor, Udyog Vihar,
Sector-20, Gurugram, Haryana-122008

- 5. Torrent Solar Power Private Limited,**
SUGEN Mega Power Project, Torrent Power Ltd,
Village -Akhakhhol, Dist-Surat-394155
- 6. Chhattisgarh State Power Distribution Company Limited,**
Post: Sundernagar, Dangania-492013, Raipur
- 7. Goa Electricity Department,**
Curti, Ponda-403401
- 8. Gujarat Urja Vikas Nigam Limited,**
Sardar Patel Vidyut Bhavan,
Racecourse, Vadodara-390007
- 9. Heavy Water Board,**
O Floor Vikram Sarabhai Bhavan,
Trombay, Anushaktinagar,
Mumbai-400094, Maharashtra
- 10. HVDC Bhadrawati, PGCIL,**
PGCIL RHQ, WR-1, Sampri Nagar,
Off National Highway No.8,
Taluka-Kamrej, Po: Uppalwadi,
Nagpur-440026, Maharashtra
- 11. HVDC Vindhyachal, PGCIL,**
PGCIL RHQ, WR-1, Sampri Nagar,
Off National Highway No.8,
Taluka-Kamrej, Po: Uppalwadi,
Nagpur-440026, Maharashtra
- 12. M.P. Power Management Company Limited,**
14, Shakti Bhavan, Rampur,
Jabalpur-482008
- 13. Maharashtra State Electricity Distribution Company Limited,**
Plot No-9, Prakashgad, A.K Marg, Bandra East,
Mumbai-400051
- 14. ACB India Limited,**
7th Floor, Corporate Tower, Ambience Mall,
NH-8, Gurugram-122001, Haryana
- 15. Torrent Power Limited,**
Naranpura Zonal Office,
Sola Road, Ahmedabad-380013

16. West Bengal State Electricity Distribution Company Limited,
6th floor, Vidyut bhavan, Karunamoyee,
Salt Lake, Kolkata-700091, West Bengal

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

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

19. GMR Warora Energy Limited,
Plot B-1, Mohabala MIDC Growth Centre,
Post-Warora, Dist-Chandrapur-442907,
Maharashtra

20. HVDC Champa,
PGCIL RHQ, WR-1, Sampriya Nagar,
Off National Highway No.8,
Taluka-Kamrej, Po: Uppalwadi, Nagpur,
440026, Maharashtra

21. West Central Railway Head Office,
General Manager's Office,
Electrical Branch, Jabalpur-482001

22. Western Railway,
CEDE, Office of Chief Electrical Engineer,
Mumbai

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

24. DB Power Limited-Untied,
Opp Dena Bank, C-31,
G-Block, Mumbai

25. Chhattisgarh State Power Trading Company Limited,
2nd floor, Vidyut Sewa Bhavan, Raipur

26. TRN Energy Private Ltd-Untied,
7th floor, Ambience Office Block, Gurugram

27. Adani Power (Mundra) Limited,
Adani Corporate House, Shantigram
Near Vaishnavdevi Circle, SG Road,
Ahmedabad

28. Raigarh HVDC Station,
RPT HVDC office, Hebbal,
Bangalore-560094

29. Arcelor Mittal Nippon Steel India Limited,
27, AMNS House, 2th Km Surat,
Hazira Road, Hazira-394270, Gujarat

30. Central Railway,
Pcee's office, 2nd Floor, Parcle Building,
Csmr, Mumbai-400001

**31. Dadra and Nagar Haveli and Daman and
Power Distribution Corporation Limited,**
1st & 2nd floor, Vidyut Bhavan,
Next Silvassa & Daman

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

...Respondents

The following were present:

Ms. Sakshi Kapoor, Advocate, KTL
Shri Ritam Biswas, RBCPDCL
Shri Ranjeet Singh Rajput, CTUIL
Shri Shashank, CTUIL
Ms. Kavya Bhardwaj, CTUIL

ORDER

The Petitioner, Kallam Transmission Limited (KTL), has filed the present Petition under Sections 14 and 15 of the Electricity Act, 2003 (hereinafter referred to as 'the Act') read with the provisions of the Central Electricity Regulatory Commission (Terms and Conditions for grant of Transmission Licence and other related matters) Regulations, 2009 (hereinafter referred to as 'the Transmission Licence Regulations') for the grant of

a separate transmission licence under the Regulated Tariff Mechanism (RTM) mode. The scope of the project for which a separate transmission licence has been sought is as under:

(a) *“Augmentation of Transformation Capacity at Kallam PS by 2x500 MVA, 400/220 kV ICTs (3rd & 4th) along with 220 kV bays for RE interconnection” (hereinafter referred to as “**Kallam Augmentation Part-1**”); and*

(b) *“Implementation of 1 no. 400 kV bay at Kallam PS for interconnection of RE project of Torrent Solar Power Pvt. Ltd.” (hereinafter referred to as “**Kallam Augmentation Part-2**”)*

2. The Petitioner has made the following prayers:

“(a) Issue/Grant the Transmission Licence to the Applicant/ Petitioner in terms of Sections 14, 15 and 79 (1) (e) of the Electricity Act for establishing, operating and maintaining the Transmission System comprising:

i. Augmentation of Transformation Capacity at Kallam PS by 2x500 MVA, 400/220 kV ICTs (3rd & 4th) along with 220 kV bays for RE interconnection, comprising of elements as detailed in the present petition; and

ii. Implementation of 1 no. 400 kV bay at Kallam PS for interconnection of RE project of Torrent Solar Power Pvt. Ltd. comprising of elements as detailed in the present petition.

(b) Condone any inadvertent errors omissions/ errors / shortcomings and permit the Applicant to add/change/modify/alter these pleadings and make further submissions as may be required at a future date.”

3. KTL was incorporated as a Special Purpose Vehicle (SPV) by the REC Project Development and Consultancy Limited (RECTPCL) as part of the Tariff Based Competitive Bidding ('TBCB') process for the implementation of the “Transmission System for evacuation of power from RE Projects in Osmanabad area (1 GW) in Maharashtra’, on a Build, Own, Operate and Maintain (BOOM) basis. A consortium of IndiGrid 1 Limited and IndiGrid 2 Limited participated in the competitive bidding process conducted by RECTPCL, and upon emerging as the successful bidder, a Letter of Intent

(Lol) was issued by RECTPCL to Consortium on 30.11.2021. In accordance with the bidding documents, Consortium acquired 100% of the shareholding in KTL by executing a Share Purchase Agreement (SPA) with RECTPCL on 28.12.2021. KTL entered into a Transmission Service Agreement (TSA) with LTTCs on 30.9.2021. The Commission, in its order dated 18.7.2022 in Petition No. 30/TL/2022, granted the transmission licence to KTL to establish the 'Transmission System for evacuation of power from RE Projects in Osmanabad area (1 GW) in Maharashtra' on Build, Own, Operate and Maintain (BOOM) basis (hereinafter referred to "Transmission System" or "Project") consisting of the following elements:

Transmission System for evacuation of power from RE Projects in Osmanabad area (1 GW) in Maharashtra		
SL. No.	Scope of Transmission Elements	Scheduled COD in Months from Effective Date
1	Establishment of 2x500 MVA, 400/220kV substation near Kallam PS 2x500MVA, 400/220kV 400kV ICT bays-2 220kV ICT bay-2 400kV line bay-4 220kV line bay-4 Space for Future Provisions: 400/220 kV ICTs along with bays: 2 nos. 400kV line bays, including the space for switchable line reactor: 6 nos. 220kV line bays: 4 nos. 400 kV bus reactor along with bays: 1 no	18 Months
2	1x125MVA bus reactor at Kallam PS 400 kV reactor bay -1	18 Months
3	LILO of both circuits of Parli(PG) – Pune(GIS) 400kV D/c line at Kallam PS	18 Months
4	Provision of new 50MVA switchable line reactor with 400 ohms NGR at Kallam PS end of Kallam – Pune (GIS) 400kV D/C line 2x50 MVA, 400 kV Reactor bay - 2	18 Months

4. The Petitioner has submitted that the estimated completion cost of the transmission scheme as per Office Memorandums (OM) dated 15.11.2022 and 8.6.2023 issued by the Central Transmission Utility of India Limited (CTUIL) is Rs. 156.89 crore (for Kallam Augmentation Part-1) and Rs.17.1 crore (for Kallam Augmentation Part-2). After completion of the transmission scheme, the Petitioner shall approach the Commission for the determination of the transmission charges in accordance with Sections 61 and 62 of the Act and as per Regulation 8 (2) of the Transmission Licence Regulations.

5. The Commission, after considering the application of the Petitioner in light of the provisions of the Act and the Transmission Licence Regulations, vide its order dated 4.1.2024, prima facie proposed to grant a transmission licence to the Petitioner. The relevant extracts of the order dated 4.1.2024 are extracted as under:

“33. After evaluating the submissions made in the minutes of the meeting provided by CTUIL as well as the recommendation submitted by CTUIL, the Commission is of the view that the Petitioner shall complete the Kallam Augmentation Part-1 & Part-2 in the following manner:

S No.	ISTS Scheme	Original Commissioning time frame	Availability of Generator from	Revised commissioning timeframe to match generation
1.	Kallam Augmentation Part-1:			
1(a)	1 no. 220 kV line bay for SRI4PL	14.05.2024	10.06.2024	10.06.2024
1(b)	1 no. 220 kV line bay for Veh Arush	14.05.2024	31.12.2024	31.12.2024
1(c)	1 no. 220 kV line bay for JSW Neo	14.05.2024	31.12.2024	31.12.2024
1(d)	2 nos. ICTs	14.05.2024	31.12.2024	31.12.2024
2.	Kallam Augmentation Part-2:			
2(a)	1 no. 400kV line bay for Torrent	31.12.2024	31.12.2024	31.12.2024

34. Further, the Commission is of the view that the generators and the Petitioner should develop the system in an integrated manner and should strictly adhere to the commissioning schedules provided in the table above so that there is no mismatch

between the respective commissioning schedules of the generators and the Petitioner (ISTS licensee).

38. *Regulation 24 of the Transmission Licence Regulations dealing with the power to relax in appropriate cases, provides as under:*

“24. The Commission may, when it considers necessary or expedient to do so and for reasons to be recorded in writing, relax or depart from any of the provisions of these regulations”.

39. *It is an established principle of law that the power to relax has to be strictly construed and is to be exercised judiciously and with caution. Further, the power to relax is to be exercised only when undue hardship is caused by the application of the rules or regulations. In the present case, the Petitioner is a transmission licensee who is already implementing the project defined under its scope through the TBCB mechanism. The present Petition is consequent to the office order 28.10.2021 notified by the Ministry of Power Government of India wherein CTUIL has been authorized to determine the mode of implementation of ISTS projects less than or equal to Rs.100 crore. Pursuant to the direction of the Ministry of Power, CTUIL, vide its Office Memorandums dated 21.4.2023 & 8.6.2023, has determined a list of Projects to be implemented or through Regulated Tariff Mechanism, which also includes the instant Petition for the subject transmission scheme.*

40. *It is noticed that as per the Electricity (Transmission System Planning, Development and Recovery of Inter-state Transmission Charges) Rules, 2021, notified by the Ministry of Power on 1.10.2021, NCT is required to recommend the scheme for approval of the Central Government, Ministry of Power which shall approve the scheme. CTUIL is directed to submit a copy of the approval of the Central Government as required under the above Rules within two weeks.*

41. *Since the Petitioner is already an inter-State transmission licensee and has been identified as an agency to implement the project as per RTM, the Commission, in the exercise of power under Regulation 24, hereby relaxes the provision of Regulation 6 of the Transmission Licence Regulations and holds that the Petitioner is eligible for the grant of a transmission licence. We, hereby, direct that a public notice under clause (a) of subsection (5) of Section 15 of the Act be published to invite suggestions or objections to the grant of transmission licence aforesaid. The objections or suggestions, if any, be filed by any person before the Commission, by **17.1.2024**.”*

6. A public notice under Sub-section (5) of Section 15 of the Act was published on 7.2.2023 in all editions of the Indian Express (English) and Amar Ujala (Hindi). No suggestions/objections have been received from members of the public in response to the public notice.

7. The case was called out for hearing on 23.2.2024. The learned counsel for the Petitioner submitted that no objection had been received in response to the public notice published by the Commission under sub-section (5) of Section 15 of the Act. Accordingly, it was requested that a transmission licence be granted to the Petitioner Company. The representative of the CTUIL further submitted that CTUIL has already recommended the grant of the transmission licence.

8. The representative of Respondent, CTUIL, sought liberty to file an additional affidavit in order to bring on record the subsequent development regarding the changes in the implementation schedule and re-arrangement exercise of the project. In response to the specific query of the Commission regarding the mismatch in the timelines of the project, the representative of CTUIL submitted that the present scope of work has been identified for the implementation through the Regulated Tariff Mechanism (RTM) mode by CTUIL and for the discussion of the issue of mismatch, a joint meeting was convened by the CTUIL on 24.1.2024 with the stakeholders. The representative of CTUIL sought liberty to file the said Minutes of the Meeting (MoM) dated 24.1.2024 pertaining to the subsequent development regarding the implementation of the project. In response to the further query of the Commission regarding the status of the approval of the Central Government under Electricity (Transmission System Planning, Development and Recovery of Inter-state Transmission Charges) Rules, 2021, notified by the Ministry of Power on 1.10.2021 for the present project, the representative of the CTUIL submitted that CTUIL has already approached the Ministry of Power in this regard and as and when the response will be received the same would be placed on record.

9. Vide Record of Proceedings for the hearing dated 23.2.2024, CTUIL was directed to file an additional affidavit within a week with a copy to the Petitioner, who may file its response thereon within a week thereafter.

10. CTUIL, vide its affidavit dated 28.3.2024, has submitted a transmission scheme to be implemented under the Augmentation scope at Kallam PS. CTUIL has submitted that JSW Neo Energy Limited was intimated in-principle connectivity at Kallam PS for 300 MW on 9.11.2023. However, the requisite Conn-BGs were not submitted by JSW Neo Energy Limited within the stipulated timeline of 2 months, and hence its connectivity was cancelled, and its 220-kV bay (Bay No. 213) at Kallam PS had become available, which is under implementation by the Petitioner with a schedule of December 2024 as per the Commission's order dated 4.1.2024 in the subject Petition. CTUIL has further submitted that in accordance with Regulation 11.4 of CERC (Connectivity and General Network Access to the inter-State Transmission System) Regulations, 2022, in case of optimal utilization of the transmission system, the Nodal Agency with the consent of the concerned connectivity grantee(s), may re-arrange the connectivity across the different terminal bay(s) of the same ISTS sub-station. Subsequently, CTUIL convened a meeting on 24.1.2024 amongst CEA, CTUIL and RE Developers at 400 kV Level of Kallam PS for discussing the utilization of 220 kV bay being vacated at Kallam PS wherein:

- (a) The applicants at the 400 kV level of Kallam PS were informed that they may opt to come at the 220 kV level to the extent of 300 MW (in order of priority as per date of application) so that maximum power of about 1951 MW can be injected through the planned 4X500 MVA ICTs at Kallam PS.

(b) In furtherance of the order of priority, Avaada Energy Private Limited (AEPL) (50 & 250 MW) opted for 220 kV connectivity. Further, their schedule of December, 2024 for the 50 MW project was also matching with the schedule of the 220 kV Bay No. 213 (December, 2024) & the commissioning schedule for the balance of 250 MW was September 2026.

(c) It may be noted that earlier 1 no. 400 kV line bay under Kallam Augmentation Part-2 associated with the TSPPL generation project was required to be implemented by 31.12.2024 for evacuation of power from the Avaada generation project (ahead of the requirement informed by M/s TSPPL of March, 2025). Now, Avaada is shifting from 400 kV sharing with Torrent to 220 kV ISTS bay being vacated by JSW, Indigrd was requested to match the commissioning schedule of the Petitioner's 400 kV bay to TSSPL from December, 2024 to March, 2025.

(d) Indigrd, vide e-mail dated 29.1.2024, acknowledged the revised implementation schedule for said work (of 400 kV bay) from December, 2024 to March, 2025 and confirmed that the system will be developed accordingly and that they will intimate the revised dates of commissioning to the Commission through its Petition for the grant of a transmission licence for the said work. Accordingly, an amendment to the earlier CTUIL's OM (dated 8.6.2023) was issued on 13.2.2024, revising the implementation schedule from 30.12.2024 to 31.3.2025.

(e) AEPL was accordingly intimated in-principle grant of connectivity at Kallam PS for the 50 MW & 250 MW vide CTUIL's letter dated 13.2.2024. Subsequently,

AEPL vide letter dated 21.2.2024 requested to revise the timeline for the start date of the connectivity of 50 MW to September 2026.

11. CTUIL has further submitted that considering the 1 no. 220 kV line bay under the Kallam Augmentation Part-1 scheme is associated with the JSW Neo generation project, which has now been allotted to AEPL and is required to be implemented by 30.9.2026 instead of 31.12.2024 to avoid the non-utilization of the subject bay. Further, the 1 no. 400 kV line bay under the Kallam Augmentation Part-2 scheme associated with the TSPPL generation project is required to be implemented by 31.3.2025 instead of 31.12.2024 to avoid the non-utilization of the subject bay.

12. CTUIL has submitted that as per directions of the Commission, CTUIL, vide its letter dated 15.12.2023, has requested the Ministry of Power to clarify the requirement of approval of the Central Government to transmission schemes under the Transmission System Planning Rules, 2021 for the Projects costing up to Rs. 500 crore approved by NCT/CTUIL as per the Ministry's Order dated 28.10.2021. Any directions or observations received from the Ministry of Power in this regard shall be placed before the Commission. Considering the submissions, CTUIL is directed to place on record the response received from the Ministry of Power as and when it is received. Meanwhile, we proceed to grant the transmission licence to the Petitioner Company so that the construction work of the transmission line may not be delayed.

13. As regards the grant of the 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.”

14. In our order dated 4.1.2024, we had proposed to grant a transmission licence to the Petitioner company and directed for the issuance of public notice. In response to the public notice, no suggestions/ objections have been received. CTUIL, vide its letter dated 21.4.2023 and 8.8.2023, has recommended the grant of a transmission licence to the Petitioner for Kallam Augmentation Part-1 & 2, respectively. The Commission, in its order dated 4.1.2024 had observed that the Petitioner does not fulfil the eligibility conditions for the grant of a transmission licence. Since, in the present case, the Petitioner is a transmission licensee that is already implementing the project defined under its scope through the TBCB mechanism, and the present Petition is consequent to the office order 28.10.2021 notified by the Ministry of Power Government of India, the Commission, vide said order dated 4.1.2024 relaxed the provision of Regulation 6 of the Transmission Licence Regulations and held that the Petitioner is eligible for the grant of a transmission licence.

15. The CTUIL, vide its affidavit, has submitted that 1 no. 220 kV line bay under the Kallam Augmentation Part-1 scheme associated with AEPL is required to be implemented by 30.9.2026 instead of 31.12.2024, and 1 no. 400 kV line bay under the

Kallam Augmentation Part-2 scheme associated with TSPPL is required to be implemented by 31.3.2025 instead of 31.12.2024 to avoid the non-utilization of subject bays. Considering the revised timelines submitted by The CTU and the fact that said bays are being implemented under RTM mode where their tariff shall be determined by the Commission, the implementation timeframe of these bays shall be considered as submitted by the CTU as stated above.

16. Considering the above discussion, we direct that the transmission licence be granted to the Petitioner, Kallam Transmission Limited, to establish the transmission scheme through the RTM route as per the details given as under:

S. No	Scope of the Transmission Scheme	Item descriptions	Implementation time frame	Total estimated cost by CTUIL (Rs. in crore)
Kallam Augmentation Part-1				
1	Augmentation of transformation capacity at Kallam PS by 2x500 MVA, 400/220 kV ICTs (3rd&4th) along with 220 kV bays for RE interconnection	<ul style="list-style-type: none"> Augmentation of Kallam Pooling Station by 2x500 MVA 500 MVA,400/220 kV ICT: 2 nos. 400 kV ICT bays: 2 nos. 400/220 kV ICTs 220 kV ICT bays: 2 nos. 3 nos. 220 kV line bays for RE interconnection 220 kV line bays: 3 nos. 1x125 MVAR bus reactor (2nd) at Kallam PS 125 MVAR, 420 kV bus reactor-1 no. Bus reactor-1 no. 	18 months from the date of issue of NCT letter dated 15.11.2022. Provided that implementation time frame for 1 no. 220 kV line bay associated with AEPL shall be 30.9.2026	156.89
Kallam Augmentation Part-2				
2	400 kV line bay at Kallam PS for interconnection of Torrent Solar Power Pvt. Ltd. (TSPPL)	<ul style="list-style-type: none"> 400 kV line bay (including associated tie bay)-1 no. 	31.3.2025	17.1

17. The grant of the 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 during the period of subsistence of the licence;

(c) The licensee may make an application, two years before the expiry of the initial licence period, for the grant of the 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. 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 Central Electricity Regulatory Commission (Standard of Performance of inter-State transmission licensees) Regulations, 2012 or subsequent enactment thereof;

(h) The licensee shall provide the non-discriminatory open access to its Transmission System for use by any other licensee, including a distribution licensee, 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 (Connectivity and General Network Access to the inter State Transmission System) Regulations, 2023; the Central Electricity Regulatory Commission (Indian Electricity Grid Code) Regulations, 2023, as amended from time to time or any subsequent re-enactments thereof;

(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 the execution of the Project as per the Technical Standards and Grid Standards of CEA; and

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

(n) The licensee shall ensure that the EPC contract for the execution of work under the scope of the project is awarded through a competitive bidding process.

18. The Central Electricity Authority/ CTUIL shall monitor the execution of the Project and bring to the Commission's notice any lapse on the part of the licensee to meet the

schedule for further appropriate action in accordance with the provisions of the Act and the Transmission Licence Regulations.

19. Let an extract copy of this order be sent to the Central Government in the Ministry of Power and the Central Electricity Authority in terms of sub-section (7) of Section 15 of the Electricity Act, 2003, for their information and record.

20. Petition No. 123/TL/2023 is allowed in terms of the above.

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

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