

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No: 418/MP/2024

Coram:

**Shri Jishnu Barua, Chairperson
Shri Ramesh Babu V, Member
Shri Harish Dudani, Member**

Date of Order: 7th April, 2025

In the matter of:

Petition under Section 17(3) of the Electricity Act, 2003, seeking approval for sharing of corridor of 24.2 km of existing 400 KV S/C Kolar-Somanahalli (Bangalore) Transmission Line with Karnataka Power Transmission Corporation Limited.

And

In the matter of:

Power Grid Corporation of India Limited,
"Saudamini", Plot No.: 2, Sector-29,
Gurgaon- 122 001 Haryana.

...Petitioner

Versus

1. Karnataka Power Transmission Corporation Limited,
Kaveri Bhavan, Bangalore-560009.
2. Transmission Corporation of Andhra Pradesh Limited,
Vidyut Soudha, Hyderabad-500082.
3. Transmission Corporation of Telangana Limited,
Vidhyut Sudha, Khairatabad,
Hyderabad-500082.
4. Tamil Nadu Transmission Corporation,
NPKRR Maaligai, 800, Anna Salai,
Chennai-600002.
5. Kerala State Electricity Board,
Vaidyuthi Bhavanam,
Pattom, Thiruvananthapuram-695004.
6. Tamil Nadu Generation and Distribution Corporation Limited,
(Formerly Tamil Nadu Electricity Board -TNEB),
NPKRR Maaligai, 800, Anna Salai, Chennai-600002.
7. Electricity Department,
Government of Pondicherry,

Pondicherry-605001.

8. Eastern Power Distribution Company of Andhra Pradesh Limited,
APEPDCL, P&T Colony,
Seethmmadhara, Vishakhapatnam, Andhra Pradesh
 9. Southern Power Distribution Company of Andhra Pradesh Limited,
Srinivasasa Kalyan Mandapam Backside,
Tiruchanoor Road, Kesavayana Gunta, Tirupati-517501.
Chittoor District, Andhra Pradesh
 10. Southern Power Distribution Company of Telangana Limited,
Corporate Office, Mint Compound,
Hyderabad – 500063, Telangana
 11. Northern Power Distribution Company of Telangana Limited,
Opposite NIT Petrol Pump, Chaitanyapuri, Kazipet,
Warangal-506004, Telangana.
 12. Bangalore Electricity Supply Company Limited,
Corporate Office, K.R. Circle,
Bangalore-560001, Karnataka.
 13. Gulbarga Electricity Supply Company Limited,
Station Main Road, Gulbarga, Karnataka.
 14. Hubli Electricity Supply Company Limited,
Navanagar, PB Road.
Hubli, Karnataka.
 15. MESCOM Corporate Office,
Paradigm Plaza, AB Shetty Circle,
Mangalore-575001, Karnataka.
 16. Chamundeswari Electricity Supply Corporation Limited,
927, L J Avenue,
Ground Floor, New Kantharaj Urs Road,
Saraswatipuram, Mysore-570009, Karnataka.
 17. Electricity Department,
Government of Goa,
Vidyut Bhawan, Panaji, Goa-403001.
-**Respondents**

Parties Present:

Shri Shubham Arya, Advocate, PGCIL
Ms. Reeha Singh, Advocate, PGCIL
Ms. Shirin Gupta, Advocate, PGCIL
Shri Anand K. Ganeshan, Advocate, KPTCL
Ms. Ritu Apurva, Advocate, KPTCL
Shri Karthikeyan Murugan, Advocate, KPTCL
Shri V. C. Shekhar, PGCIL
Shri Prashant Kumar, PGCIL

ORDER

The Petitioner, Power Grid Corporation of India Limited (POWERGRID), has filed the instant Petition under Section 17(3) of the Electricity Act, 2003 ('the Act') for sharing of 24.2 km of corridor of the existing 400 KV S/C Kolar-Somanahalli (Bangalore) ('Kolar- Somanahalli Transmission Line') owned and operated by POWERGRID with Karnataka Power Transmission Corporation Limited (KPTCL) to facilitate the construction of 9.5 Km of multi- circuit portion and 14.7 km of the double circuit portion for termination of proposed KPTCL lines at Mylasandra, Bangalore and Dommasandra, Bangalore.

2. The Petitioner has made the following prayers:

- a)** *Grant approval under Section 17(3) of the Electricity Act, 2003, for sharing of the corridor of 24.2 km of the existing 400 KV S/C Kolar-Bangalore Transmission Line with Karnataka Power Transmission Corporation Limited for implementation of the scheme as detailed in the Petition;*
- b)** *Pass such other order(s) as this Commission deems fit and appropriate under the circumstances of the case.*

3. Brief facts of the case leading to the filing of the present petition are discussed as under:

- a) 400 kV S/C Kolar- Somanahalli (Bangalore)Transmission Line in the Southern Region was established by POWERGRID in 1986.
- b) For providing additional feed to its 400/220 kV sub-station at Mylasandra, Bangalore, and to establish a 400/220 kV sub-station at Dommasandra, Bangalore, Respondent No 1, KPTCL has proposed to utilize the existing corridor of 400 kV Kolar- Somanahalli S/C line by converting Single-Circuit to Multi-Circuit towers.

- c) Petitioner has sought approval for sharing a corridor of 24.2 km of the existing 400 KV S/C Kolar-Somanahalli (Bangalore) TL with KPTCL.

Submissions of the Petitioner:

4. The Petitioner has submitted that:
- a) The transmission line referred to in the present Petition is 400 kV S/C Kolar-Somanahalli (Bangalore) Transmission Line. The 400 kV S/C Cuddapah-Somanahalli (Bangalore) Transmission Line was envisaged as a part of the 400 kV Ramagundam Transmission System. Subsequently, LILO was created with this line at the Kolar Substation under the Transmission System associated with the Talcher-II Project in the Southern Region, and hence, the 400 kV S/C Kolar-Somanahalli (Bangalore) Transmission Line was established.
 - b) The Kolar-Somanahalli Transmission Line (excluding the LILO portion) was commercially operationalised on 1.8.1986. The Transmission Line has, thus, completed its useful life of 35 years on 31.7.2021.
 - c) The proposal of KPTCL for establishment and implementation of 2x500 MVA, 400/220 kV substation at Dommasandra and provision of additional feed to 3x500 MVA, 400/220 kV substation at Mylasandra (Electronic City) Bengaluru was discussed and deliberated upon in the 2nd meeting of the Southern Region Standing Committee on Transmission (SR SCT), held on 10.6.2019. It was also agreed that the implementation by KPTCL would be taken up by utilising the existing corridor (RoW) of POWERGRID's Kolar – Somanahalli 400 kV S/C transmission line by converting single circuit towers to multi-circuit towers. The commercial issues associated with the utilisation of existing transmission line's corridor were to be taken up separately by KPTCL with POWERGRID.
 - d) As per Minutes of the 2nd SR SCT Meeting, the Transmission Scheme contained the following:

Establishment of Dommasandra 400/220 kV S/s:

- i. 2x500 MVA, 400/220 kV ICTs
- ii. LILO of Kolar - Somanahalli 400 kV S/C line at Dommasandra 400/220 kV substation.

Additional feed for Mylasandra 400/220 kV S/s:

- i. 3x500 MVA, 400/220 kV ICTs

- ii. LILO of one circuit of Dharampuri - Somanhalli 400 kV D/C (Quad) line at proposed 400/220 kV S/s at Mylasandra.
 - iii. Mylasandra - Dommasandra 400 kV S/C line (with quad Moose ACSR conductor)
- e) KPTCL has communicated that the 400/220 kV Mylasandra sub-station was commissioned with LILO of 400 kV Kolar-Somanahalli S/C line as an interim arrangement and that the final arrangement of incoming lines to 400 kV Mylasandra sub-station will be as per the approved scheme. The DPR for the establishment of the 400/220kV Dommasandra sub-station, along with LILO of one circuit of Dharampuri - Somanahalli 400 kV D/C (Quad) line at the 400/220 kV Mylasandra sub-station has been prepared, and the tendering process is underway. The existing corridor of the 400 kV Somanahalli- Kolar S/C line is proposed to be utilised by converting Single-Circuit to Multi-Circuit towers:
 - (i) from a suitable point up to the LILO point of 400 kV Mylasandra s/s for approx. distance of 10 km, and,
 - (ii) from the LILO point of 400 kV Mylasandra to the proposed 400 kV Dommasandra s/s for approx. distance of 15 km.
- f) KPTCL has, thus, proposed for sharing of the existing 400 kV Kolar-Somanahalli transmission line to facilitate the construction of 9.5 km of the multi-circuit portion and 14.7 km of the double-circuit portion for the termination of the planned KPTCL lines at Mylasandra and the proposed Dommasandra sub-stations. As per the presented plan, the Multi-Circuit tower portion shall be utilised by stringing two nos of 400 kV Quad Lines of KPTCL on the bottom two circuits, and one of the top circuits will be used to string the existing Kolar-Somanahalli 400 kV S/C transmission line, while the other top circuit will remain vacant. Of the Double circuit portion, one circuit will be utilized for KPTCL's 400 kV Line, and the other circuit will carry the Kolar- Somanahalli S/C TL.
- g) Petitioner has further stated that in the meeting held on 26.7.2023 regarding sharing of corridor to facilitate construction of the multi-circuit and double-circuit portions, POWERGRID apprised KPTCL the following:
 - (i) The existing single circuit Transmission Line of 24.2 km shall be completely dismantled, and line parts shall be handed over to POWERGRID;
 - (ii) After the construction of the above Transmission Asset is completed, the maintenance of this part of Transmission Line will be done by KPTCL and thereafter, any fault occurring on this part of the Transmission Line will not

be attributable to POWERGRID as KPTCL will have ownership of this part of the line;

- (iii) POWERGRID will have the user rights for the top circuit in the multi-circuit portion and for one circuit in Double circuit portion of the entire corridor 24.2 km of the Transmission Line; the Maintenance cost of this part of the Transmission Line shall be claimed by POWERGRID and will be reimbursed to KPTCL.
 - (iv) KPTCL shall take up the case at Southern Region Power Committee meetings as agenda and get it cleared for implementation; and
 - (v) Any loss of revenue from this portion of the Transmission Line needs to be compensated by KPTCL.
- h) Referring to an earlier materialized similar proposition, the Petitioner has informed that an agreement dated 16.02.2021 was executed between POWERGRID and KPTCL to share part of the corridor of 400 kV Nelamangala-Hoody D/C transmission line owned and operated by KPTCL to facilitate construction and commissioning of 400 kV Pavagada-Devanahalli D/C transmission line by POWERGRID.
- i) KPTCL, in a virtual meeting held on 7.3.2024, has sought the same terms and conditions to be applied in the present case as was agreed by KPTCL and POWERGRID in the aforementioned Agreement dated 16.02.2021. It was informed that, for OPGW needs, based on present usage and future requirement, a total of 96 Fibres are required for POWERGRID. This can be provided by KPTCL in one peak for the exclusive usage of POWERGRID. In case of non-availability of 96 Fibres, 48 Fibres OPGW can be provided by KPTCL in both the peaks and ownership of both the OPGW shall be with POWERGRID, and the necessary fibre requirement of KPTCL shall be shared on mutual agreement.

Hearing Dated 23.1.2025

5. The Petition was heard for admission on 23.1.2025. The learned counsel for the Petitioner requested the Commission to pass the order in the present Petition. The learned counsel for the Respondent No 1, KPTCL, stated that KPTCL supported the submissions of the Petitioner as elucidated in the Petition. He further submitted that in the instant case, no further hearing is required and the order may be reserved after giving an opportunity to the parties to file their respective replies and rejoinders.

6. After considering the submissions of the learned counsels for the parties, the Commission reserved the Order with the following directions vide Record of Proceedings (ROP) for the hearing dated 23.1.2025:

- (a) Admit and Issue notice to the Respondents;*
- (b) The Respondents to file their respective replies, if any, within two weeks with a copy to the Petitioner, who may file its rejoinder within two weeks, thereafter.*
- (c) The Petitioner is to explain on an affidavit within a week the applicability and recovery of the O&M charges.*
- (d) KPTCL to furnish on an affidavit within a week a certified copy of the order passed by the Karnataka Electricity Regulatory Commission (KERC), whereby the KERC had allowed the sharing of a part of the corridor of 400 kV Nelamangala-Hoody D/C transmission line owned and operated by KPTCL to facilitate the construction and commissioning of the 400 kV Pavagada-Devanahalli D/C transmission line by the Petitioner.”*

Submissions of the Respondent(s)

7. Vide its affidavit, the Respondent No 1, Karnataka Power Transmission Corporation Limited, has filed the reply on 13th March 2025. The Respondent has informed that an earlier agreement dated 16.02.2021 executed between Power Grid Corporation of India Limited ('PGCIL') and KPTCL towards execution of Multi circuit tower in KPTCL corridor by PGCIL i.e. sharing of part of the corridor of 400 kV Nelamangala- Hoody double circuit transmission line owned and operated by KPTCL reads as under:

“19 MAINTENANCE

The maintenance of the complete multi circuit portion including top and bottom circuits shall be carried out by PGCIL. KPTCL agrees to pay annual O&M charges for the KPTCL lines to PGCIL at the rates approved by KERC in its Transmission Tariff Orders of KPTCL issued from time to time (including applicable taxes). Further, KPTCL shall claim O&M charges for its portion of Transmission Lines in its petitions before KERC and PGCIL shall not claim the O&M charges for top two circuits in its petition before CERC.

.....”

8. Respondent No. 1 has further submitted that in line with the agreement dated 16.02.2021, KPTCL undertakes to pay to PGCIL the Operation and maintenance

charges ('O&M charges') for the portion of the circuit that forms part of KPTCL's lines. Towards making this payment on account of O&M Charges to PGCIL, KPTCL will be claiming before the Karnataka Electricity Regulatory Commission the O&M charges only for the portion that forms part of KPTCL's transmission lines.

9. The Respondent has stated that as the 400 kV Hoody – Gudadahalli line (which covers the Nelmangala- Hoody portion) is owned and operated by KPTCL and as no portion of the line was assigned or transferred to PGCIL either by sale, lease or exchange and is only shared, no such specific approval of the KERC was taken. However, a separate MOU was entered between KPTCL and PGCIL for maintenance of the 400 kV Hoody – Gudadahalli line (which covers the Nelmangala-Hoody portion) in the year 1998, and POWERGRID has been maintaining the same in terms of the MOU dated 19.06.1998, renewed from time to time and last renewed on 02.09.2023. The O&M expenses of this line are claimed by KPTCL before KERC in its tariff filing.

10. KPTCL has further affirmed that the sharing of charges and losses towards the ISTS, and the ISTS's network access shall be in line with CERC (Sharing of Inter-State Transmission Charges and Losses) Regulations, 2020 and CERC (Connectivity and General Network Access to the inter-State Transmission System) Regulations, 2022, respectively, and their amendments from time to time as applicable.

Rejoinder by the Petitioner

11. No rejoinder has been received from the Petitioner.

12. Vide the ROP for the hearing dated 23.1.2025, the Petitioner was directed to explain on an affidavit within a week the applicability and recovery of the O&M charges. In reply, POWERGRID, vide affidavit dated 5.2.2025, has submitted that:

(a) As per the proposed plan, POWERGRID shall share the corridor of the existing 400 kV Kolar-Somanahalli transmission line with KPTCL to facilitate the construction of 9.5 km of the multi-circuit portion and 14.7 km of the

double-circuit portion for termination of proposed KPTCL lines at Mylasandra and proposed Dommasandra sub-stations.

- i. On the Multi-circuit tower portion, 2 nos of 400 kV Quad Lines of KPTCL shall be strung on the bottom 2 circuits, and one of the Top circuits will be used to string the existing Kolar-Somanahalli 400 kV S/C TL, while the other top circuit will remain vacant.
 - ii. On the Double circuit portion, one circuit will be utilized for KPTCL's 400 kV Line and other circuit will carry the Kolar- Somanahalli S/C TL.
- (b) Further, modalities of sharing transmission corridors are under discussion with KPTCL, and a draft MOU is under finalisation. As per the present status, POWERGRID shall maintain its existing 400 kV S/C Kolar- Somanahalli (Bangalore) Transmission Line, and POWERGRID shall continue to claim the O&M charges in the existing transmission project. With regard to O&M of KPTCL transmission lines under the proposed scheme, POWERGRID shall carry out the maintenance of the KPTCL transmission lines and KPTCL agrees to pay annual O&M charges for the KPTCL lines to POWERGRID at the rates approved by KERC in its Transmission Tariff Orders issued from time to time (including applicable taxes). Further, KPTCL shall claim O&M charges for its portion of Transmission Lines in its petitions before KERC.
- (c) However, the final arrangement regarding O&M of transmission lines is subject to the finalisation of MOU to be entered between POWERGRID and KPTCL subsequent to the Central Commission's approval in the present petition.

Analysis and Decision

13. The present petition has been filed under Section 17 (3) of the Act for seeking approval of the Commission for sharing of the corridor of existing 400 KV S/C Kolar-Somanahalli (Bangalore) TL with KPTCL. Section 17 of the Act provides as under:

"17. Licensee not to do certain things:

(1) No licensee shall, without prior approval of the Appropriate Commission-
(a) undertake any transaction to acquire by purchase or takeover or otherwise, the utility of any other licensee; or

(b) merge his utility with the utility of any other licensee:

Provided that nothing contained in this sub-section shall apply if the utility of the licensee is situate in a State other than the State in which the utility referred to in clause (a) or clause (b) is situate.

(2) Every licensee shall, before obtaining the approval under sub-section (1), give not less than one month's notice to every other licensee who transmits or distributes, electricity in the area of such licensee who applies for such approval.

(3) No licensee shall at any time assign his licence or transfer his utility, or any part thereof, by sale, lease, exchange or otherwise without the prior approval of the Appropriate Commission.

(4) Any agreement, relating to any transaction specified in sub-section (1) or sub-section (3), unless made with the prior approval of the Appropriate Commission, shall be void."

14. As per clause (1) of Section 17 of the Act, a licensee cannot acquire the utility of any other licensee nor merge its utility with the utility of any other licensee without the prior approval of the Appropriate Commission. Sub-section (3) of Section 17 of the Act provides that no licensee shall transfer its utility by sale, lease, exchange, or otherwise and assign its licence without the prior approval of the Appropriate Commission. Sub-section (4) of Section 17 further states that any agreement relating to any transaction in terms of sub-section (1), i.e. for acquisition and merger of the utility and in terms of subsection (3) i.e. transfer of utility or assignment of licence, without obtaining the prior approval of the Appropriate Commission shall be void. In the present case, the Petitioner, POWERGRID (the transmission licensee), is the owner of the 400 kV S/C Kolar- Somanahalli (Bangalore) Transmission Line whose tariff is determined by the Central commission. Therefore, this Commission is the Appropriate Commission to accord approval in terms of Section 17 of the Act.

15. The Petitioner has expounded that:

(a) LILO was created at the Kolar Substation in the 400 kV S/C Cuddapah-Somanahalli (Bangalore) Transmission Line under the 400 kV Ramagundam Transmission System, and hence, the 400 kV S/C Kolar-Somanahalli (Bangalore) Transmission Line was established. The COD is 1.8.1986, and the Transmission Line completed its useful life of 35 years on 31.7.2021.

(b) Proposal of KPTCL for establishment and implementation of 2x500MVA, 400/220 kV substation at Dommasandra and provision of additional feed to 3x500 MVA, 400/220 kV substation at Mylasandra (Electronic City) Bengaluru was discussed and deliberated upon in the 2nd meeting of the Southern Region Standing Committee on Transmission (SRSCT) held on 10.6.2019. It was also agreed that the implementation by KPTCL would be taken up by utilising the existing corridor (RoW) of POWERGRID's Kolar – Somanahalli 400 kV S/C transmission line by converting single circuit towers to multi-circuit towers. The commercial issues associated with the utilisation of the existing transmission line's corridor were to be taken up separately by KPTCL with POWERGRID.

(c) As per Minutes of the 2nd SRSCT Meeting, the Transmission Scheme envisaged the establishment of Dommasandra 400/220 kV S/s with:

- i. 2x500 MVA, 400/220 kV ICTs
- ii. LILO of Kolar - Somanahalli 400 kV S/C line at Dommasandra 400/220 kV substation.

and Additional Feed for Mylasandra 400/220 kV S/s with:

- i. 3x500 MVA, 400/220 kV ICTs
- ii. LILO of one circuit of Dharampuri - Somanahalli 400 kV D/C (Quad) line at proposed 400/220 kV S/s at Mylasandra.
- iii. Mylasandra -Dommasandra 400 kV S/C line (with quad Moose ACSR conductor)

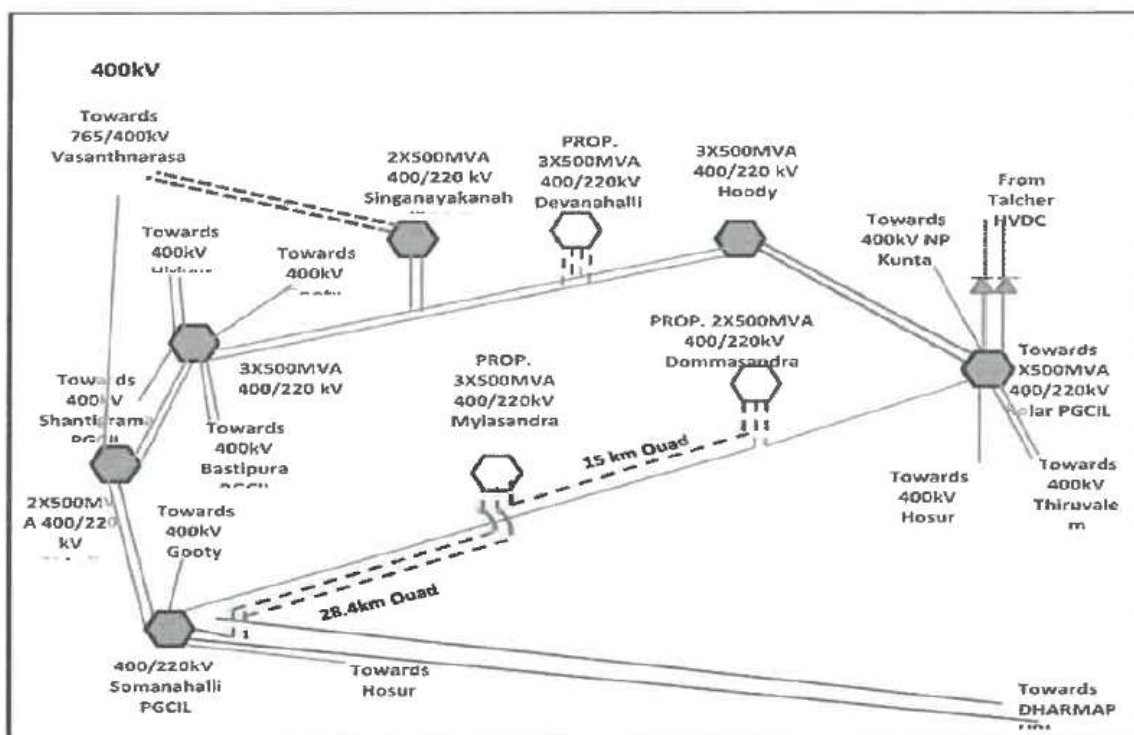


Figure 1 : Connectivity arrangement for Mylasandra & Dommasandra

- (d) KPTCL has proposed for the sharing of the existing 400 kV Kolar-Somanahalli transmission line to facilitate the construction of 9.5 km of the multi-circuit portion and 14.7 km of the double circuit portion for the termination of the planned KPTCL lines at Mylasandra and the proposed Dommasandra sub-stations. As per the proposed plan, the Multi-Circuit tower portion shall be utilised by stringing two number of 400 kV Quad Lines of KPTCL on the bottom two circuits, and one of the top circuits will be used to string the existing Kolar-Somanahalli 400 kV S/C transmission line, while the other top circuit will remain vacant. Of the Double circuit portion, one circuit will be utilized for KPTCL's 400 kV Line, and the other circuit will carry the Kolar- Somanahalli S/C TL.
- (e) In the context of sharing of corridor to facilitate construction of the multi-circuit and double-circuit portions, POWERGRID, vide meeting held on 26.7.2023, apprised KPTCL of the following:
- i. The existing single circuit Transmission Line of 24.2 km shall be completely dismantled, and line parts shall be handed over to POWERGRID;
 - ii. After the construction of the above Transmission Asset is completed, maintenance of this part of the Transmission Line will be done by KPTCL, and thereafter, any fault occurring on this part of the Transmission Line will not be attributable to POWERGRID as KPTCL will have ownership of this part of the line;
 - iii. POWERGRID will have the user rights for the top circuit in the multi-circuit portion and for one circuit in the Double circuit portion of the entire corridor 24.2 km of Transmission Line; the Maintenance cost of this part of the Transmission Line shall be claimed by POWERGRID and will be reimbursed to KPTCL;
 - iv. KPTCL shall take up the case at the Southern Region Power Committee meetings as agenda and get it cleared for implementation; and
 - v. Any loss of revenue from this portion of the Transmission Line needs to be compensated by KPTCL.
- (f) The Petitioner has informed that earlier an agreement dated 16.02.2021 was executed between POWERGRID and KPTCL for the purpose of sharing part of the corridor of 400 kV Nelamangala-Hoody D/C transmission line owned

and operated by KPTCL to facilitate construction and commissioning of 400 kV Pavagada-Devanahalli D/C transmission line by POWERGRID.

- (g) As per the meeting held on 7.3.2024, KPTCL has sought for the same terms and conditions to be applied in the present case as agreed upon by KPTCL and POWERGRID in the earlier Agreement dated 16.02.2021. It was informed that, for OPGW needs, based on present usage and future requirement, a total of 96 Fibres are required for POWERGRID. This can be provided by KPTCL in one peak for the exclusive usage of POWERGRID. In case of non-availability of 96 Fibres, 48 Fibres OPGW can be provided by KPTCL in both the peaks, and ownership of both the OPGW shall be with POWERGRID, and the necessary fibre requirement of KPTCL shall be shared on mutual agreement.

16. Pursuant to the Commission's directions, vide the ROP for the hearing dated 23.1.2025, the petitioner, POWERGRID, replied to the Commission's queries. Respondent No. 1, KPTCL, also submitted its reply vide the Affidavit dated 13.3.2025.

17. The Petitioner was directed to explain the applicability and recovery of the O&M charges. In response, POWERGRID, vide affidavit dated 5.2.2025, has submitted the following:

a. As per the proposed plan, POWERGRID shall share the corridor of the existing 400 kV Kolar-Somanahalli transmission line with KPTCL to facilitate construction of 9.5 km of the multi-circuit portion and 14.7 km of the double-circuit portion for the termination of the proposed KPTCL lines at Mylasandra and proposed Dommasandra sub-stations:

- i. On the Multi-circuit tower portion, 2 number of 400 kV Quad Lines of KPTCL shall be strung on the bottom 2 circuits, and one of the top circuits will be used to string the existing Kolar-Somanahalli 400 kV S/C TL, while the other top circuit will remain vacant.
- ii. On the double circuit portion, one circuit will be utilized for KPTCL's 400 kV Line, and the other circuit will carry the Kolar- Somanahalli S/C TL.

b. Further, modalities of sharing the transmission corridor are under discussion with KPTCL, and a draft MOU is under finalisation. As per the present status, POWERGRID shall maintain its existing 400 kV S/C Kolar-Somanahalli (Bangalore) Transmission Line, and POWERGRID shall continue to claim the O&M charges in the existing transmission project. With regard to O&M of KPTCL transmission lines under the proposed scheme, POWERGRID shall carry out the maintenance of the KPTCL transmission lines and KPTCL agrees to pay annual O&M charges for the KPTCL lines to POWERGRID at the rates approved by KERC in its Transmission Tariff Orders issued from time to time (including applicable taxes). Further, KPTCL shall claim O&M charges for its portion of Transmission Lines in its petitions before KERC.

c. However, the final arrangement regarding O&M of transmission lines is subject to the finalisation of MOU to be entered between POWERGRID and KPTCL subsequent to the Central Commission's approval.

18. Vide the ROP referred to above, KPTCL was directed to furnish on affidavit, within a week, a certified copy of the order passed by the Karnataka Electricity Regulatory Commission (KERC), whereby the KERC had allowed the sharing of a part of the corridor of 400 kV Nelamangala-Hoody D/C transmission line owned and operated by KPTCL to facilitate the construction and commissioning of the 400 kV Pavagada-Devanahalli D/C transmission line by the Petitioner. Although the Respondent KPTCL filed its reply, we observe that the copy of the order passed by the KERC has not been furnished. While reiterating the contents of the earlier similar Agreement dated 16.2.2021 between KPTCL and POWERGRID, the Respondent has reasoned that as the 400 kV Hoody – Gudadahalli line (which covers Nelamangala-Hoody portion) is owned and operated by KPTCL and as no portion of the line was assigned or transferred to PGCIL either by sale, lease or exchange and is only shared, no such specific approval of the KERC was taken. However, a separate MOU was entered between KPTCL and POWERGRID for maintenance of the 400 kV Hoody – Gudadahalli line (which covers Nelamangala- Hoody portion) in the year 1998 and

POWERGRID has been maintaining the same in terms of the MOU dated 19.06.1998, renewed from time to time and last renewed on 02.09.2023. The O&M expenses of this line are claimed by KPTCL before KERC in its tariff filing.

19. We note that KPTCL did not seek KERC's approval for sharing of a part of the corridor of their 400 kV Nelamangala-Hoody D/C transmission line with POWERGRID. As the said Nelamangala-Hoody transmission line does not come under the jurisdiction of the Central Commission, we prefer not to comment on this issue.

20. As per the submission made, the existing single circuit Transmission Line of 24.2 km shall be completely dismantled, and line parts shall be handed over to POWERGRID. In the dismantled section of the line, the multi-circuit and double circuit 400 kV line would be implemented by KPTCL. One out of the top two ckts in the multi-circuit portion and one circuit out of the double circuit portion would be utilised for the Kolar – Somanahalli 400 kV S/C line, and the balance circuit would be utilised by KPTCL for their intra-State lines. As far as the O&M of this section is concerned, there is no clarity, and no final agreement has been reached between the PGCIL and KPTCL. The deliberations and submission with respect to O&M are summarised in the table below:

Submissions / Meetings	O&M modalities proposed regarding the multi circuit and double circuit portion of Kolar-Somanahalli 400 kV S/C transmission line.
Meeting dated 26.7.2023 between PGCIL and KPTCL	<ul style="list-style-type: none"> a) Maintenance of D/c and M/c portion of Transmission Line will be done by KPTCL. b) Maintenance cost shall be claimed by POWERGRID and will be reimbursed to KPTCL c) Any loss of revenue from this portion of Transmission Line needs to be compensated by KPTCL
Meeting dated 7.3.2024, between PGCIL and KPTCL	a) KPTCL has sought for the same terms and conditions to be applied in the present case as agreed by KPTCL and POWERGRID in the earlier Agreement dated 16.02.2021*

POWERGRID, affidavit dated 5.2.2025	<ul style="list-style-type: none"> a) POWERGRID shall maintain its existing 400 kV S/C Kolar- Somanahalli (Bangalore) Transmission Line and POWERGRID shall continue to claim the O&M charges in the existing transmission project. b) With regard to O&M of KPTCL transmission lines under proposed scheme, POWERGRID shall carry out the maintenance of the KPTCL transmission lines and KPTCL agrees to pay annual O&M charges for the KPTCL lines to POWERGRID at the rates approved by KERC in its Transmission Tariff Orders issued from time to time (including applicable taxes). c) Further, KPTCL shall claim O&M charges for its portion of Transmission Lines in its petitions before KERC
<p>*Agreement dated 16.2.2021 between KPTCL and POWERGRID for 400 kV Hoody – Gudadahalli line, which is owned by KPTCL, and the corridor has been shared with PGCIL</p> <ul style="list-style-type: none"> a) POWERGRID has been maintaining the same in terms of the MOU dated 19.06.1998, renewed from time to time and last renewed on 02.09.2023. b) The O&M expenses of this line are claimed by KPTCL before KERC in its tariff filing 	

21. The petitioner has filed the instant Petition for approval of the commission under section 17(3) of the Electricity Act 2003, which is an approval to a licensee to assign his licence or transfer his utility, or any part thereof, by sale, lease, exchange, or otherwise. The Commission is of the view that the scheme proposed under this petition for approval is not complete, as agreement between PGCIL and KPTCL on the aspect of O&M is still to be arrived at and clarity on other aspects of scheme like treatment of the asset being dismantled, protection of the interests of beneficiaries of the transmission line etc needs to be clearly stated. Further, as per the PGCIL submission dated 05.02.2025 for the same section, O&M will be claimed by PGCIL in terms of CERC tariff regulations as well as by KPTCL in terms of KERC Sharing Regulations.

22. Accordingly, after noting the submission of the parties and perusing the documents on record, the Commission directs the Petitioner to again approach the Commission with a comprehensive proposal for approval under Section 17(3) of the Electricity Act, 2003. The filing fee shall be adjusted against the filing fee of the new petition.

23. Petition No. 418/MP/2024 is disposed of in terms of the above.

SD/-
(Harish Dudani)
Member

SD/-
(Ramesh Babu V.)
Member

SD/-
(Jishnu Barua)
Chairperson

