

# Rajasthan Electricity Regulatory Commission

Petition No. RERC/255/11  
RERC/256/11

In the matter of adoption of transmission charges, discovered through the process of competitive bidding as per the guidelines for determination of tariff by competitive bidding process, with respect to transmission system being established by Aravali Transmission Service Company and Maru Transmission Service Company.

## Coram:

**Sh. D.C. Samant, Chairman**  
**Sh. S.K. Mittal, Member**

- Petitioners : 1. Aravali Transmission Service Company Ltd.  
2. Maru Transmission Service Company Ltd.
- Respondents : 1. Rajasthan Rajya Vidyut Prasaran Nigam Ltd.,  
2. Jaipur Vidyut Vitran Nigam Ltd.,  
3. Ajmer Vidyut Vitran Nigam Ltd.,  
4. Jodhpur Vidyut Vitran Nigam Ltd.

**Date of Order:**

**01.06.2012**

## ORDER

1. M/s. Aravali Transmission Service Company Ltd. (ATSCCL) and M/s Maru Transmission Service Company Ltd.(MTSCL) filed petitions for adoption of transmission charges, for the projects to be developed by them. Petitioners submitted that M/s ATSCCL and M/s MTSCL were incorporated by RVPN as its wholly owned subsidiary to initiate the work on identified transmission projects and subsequently to act as Transmission Service Provider (TSP) after being acquired by successful bidder.
2. Petitioners submitted that M/s Rajasthan Rajya Vidyut Prasaran Nigam Ltd.,(RVPN), functioned as Bid Process Coordinator (BPC) and invited Request for Proposals (RFP) for selection of Transmission service Provider(TSP) through competitive bidding process to establish transmission system for Raj/PPP-1 : 400kV S/c Bikaner-Deedwana-Ajmer with 400/200kV GSS at Deedwana & associated works and Raj/PPP-2 : 400kV S/c Hindaun-Alwar line with 400/200kV GSS at Alwar. Petitioners further submitted that on evaluation of bids M/s GMR Energy Limited

was declared lowest bidder which subsequently acquired M/s ATSCCL & MTSCCL after execution of share purchase agreement. Both the petitioners signed Transmission Service Agreement (TSA) with JVVNL, AVVNL & Jd. VVNL (Discoms) and also filed petition for grant of licence. Petitioners prayed for adoption of transmission charges identified through competitive bidding process.

3. The matter was heard on 06.07.11. The Commission, vide order dated 30.09.11, dismissed the petition holding that the process followed has not been in accordance with the guidelines of the Central Government and therefore the proposed tariff cannot be adopted under Section 63 of the Electricity Act, 2003.
4. Subsequently, aggrieved from the said order both the petitioners filed appeal before the Hon'ble APTEL which allowed appeal of petitioners and remanded the case back to the Commission with following directions:  
*"22....., we, while allowing the appeals but without costs, set aside the two orders impugned and remit the matter back to the Commission for consequential appropriate orders in respect of all the petitions filed before it by the Appellants in the Appeal nos.177 of 2011 and 181 of 2011 in the light of the decision rendered herein."*
5. We, in light of APTEL's judgment, adopt the transmission charges of the projects Raj/PPP-1 and Raj/PPP-2 arrived through the process of competitive bidding, recommended by the Bid Evaluation Committee and incorporated in Transmission Service Agreements (TSAs) dated 15.02.2011 for Raj/PPP-1 and dated 19.01.2011 for Raj/PPP-2. The adopted tariff shall be charged in accordance with TSAs signed between petitioners and Discoms.
6. The petition is disposed of accordingly. The copy of the order may be sent to State Govt., CEA, petitioners and Discoms.

(S.K.Mittal)  
Member

(D.C. Samant)  
Chairman