

Before the
MAHARASHTRA ELECTRICITY REGULATORY COMMISSION
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Case No. 138 of 2008

In the matter of
Application of M/s. Adani Power Maharashtra Limited for grant of Transmission
Licence for development of 400 kV Tiroda - Koradi and Tiroda - Warora double
circuit Transmission lines.

Shri V P Raja, Chairman
Shri. A. Velayutham, Member
Shri. S. B. Kulkarni, Member

M/s Adani Power Maharashtra Limited

Registered office:

Adani House

Near Mithakali Six Roads

Navrangpura, Ahmedabad 380 009

..... Applicant

ORDER

Dated: July 6, 2009

M/s Adani Power Maharashtra Limited (APML) submitted an application to the Commission on February 6, 2009 in accordance with Section 14 of Electricity Act, 2003 and MERC (Transmission Licence Conditions) Regulations, 2004 as amended in 2006 ("Transmission Licence Conditions Regulations") for grant of Transmission Licence for transmission of electricity on the following transmission lines and related bays:

- 400 KV Double Circuit transmission Line with quad conductor from Tiroda (Gondia) to proposed 400 KV Koradi-II substation
- 400 KV Double Circuit transmission Line with quad conductor from Tiroda (Gondia) to proposed 400 KV Warora Switching Station
- 4 Nos., 400 KV bays for the above two Double Circuit transmission lines at Tiroda Project switchyard



- 2 Nos. 400 KV bays for Tiroda-Koradi-II Double Circuit transmission lines at Koradi-II sub station
- 2 Nos. 400 KV bays for Tiroda-Warora Double Circuit transmission lines at Warora switching station

2. M/s Adani Power Maharashtra Limited (APML), in its application stated that the applicant (APML), was a 100% subsidiary of Adani Power Limited (APL), and was engaged in development of 1980 MW (3X660 MW) thermal power project at Tiroda (Gondia). The applicant further submitted that the above mentioned generation project was in an advanced state of construction and was scheduled to be commissioned from April 2011 to December 2011 in a phased manner. The applicant further submitted that, out of the net generation from the power plant, 1320 MW power was already committed to MSEDCL through competitive bidding and the negotiations with Industrial consumers/ other distribution licensees were in progress for sale of the remaining generation. The applicant further submitted that it had requested STU to plan a suitable transmission system for evacuation of power from Tiroda power project and based on the system studies undertaken, the above mentioned transmission lines, have been planned by STU and included in their State Transmission Network Plan 2008-09 - 2012-13 .

The applicant further submitted that considering the need/urgency for the transmission system to be in position for evacuation of power from the project, APML had expressed willingness to develop the transmission system as "Transmission Licensee" in order to ensure its completion, matching with the first unit of the thermal Power project. The applicant further stated that STU, vide its letter No. MSETCL/CO/STU/302B/929 dated January 20, 2009 had requested APML to undertake construction of the above transmission system.

The applicant further stated that the walk-over survey on the route of the transmission lines had been undertaken by APML and the necessary data about terrain, water table etc. had been compiled. Based on these data, the preliminary Feasibility report (PFR) had been prepared with the following cost estimation:

Preliminaries and compensation for ROW	Rs 18/- Crores
Transmission Lines	Rs. 748/- Crores
Substation Bays	Rs. 50/- Crores
Overheads	Rs. 142/- Crores
Estimated IDC	Rs. 98/- Crores/-
Total Estimated Cost Rs. 1056/- Crores .	

The applicant submitted that the cost estimates in the Pre-feasibility Report (PFR) are prepared on line length assessment through walk-over survey and taking per km rate of transmission line on average basis. As such, these are tentative cost estimates. The applicant further submitted that final completion cost would be based on tendered rates and actual quantities of material and works and other expenditure.



The applicant indicated the following time schedule of activities involved in the transmission system project :

<u>Activity</u>	<u>Start</u> - <u>Completion</u>
Transmission Licence and Act related approvals	Feb 2009 – May 2009
Detailed route survey	Feb 2009 – May 2009
Forest clearance	June 2009- March 2010
Bid & Award of contracts	Feb 2009 – August 2009
Design & Engineering incl. Type tests	Aug 2009 – Dec 2009
Supplies & execution of work	Nov 2009 – Feb 2011
Commissioning of Tiroda-Koradi D/C line	Feb 2011
Commissioning of Tiroda-Warora D/C line	April 2011

3. The applicant submitted the following documents along with its application:

- i) Copy of letter dated January 17, 2009 from APML for allotment of Transmission capacity in intra-state transmission system through open access as Annexure – I.
- ii) Pre-feasibility Report for Transmission system for Power Evacuation from Tiroda Thermal Power Station (3X660 MW) as Annexure – 3.
- iii) Memorandum and Articles of Association of Adani Power Maharashtra Limited as Appendix- I.
- iv) Management information (provided in respect of operations, projects, Commercial, finance, regulatory, HR and IT functions), enclosed as Appendix - II
- v) The following Route alignment maps:
 - a) Route Alignment map of Tiroda - Koradi 400 kV D/C Line, enclosed as Appendix -III.
 - b) Route Alignment map of Tiroda - Warora 400 kV D/C Line, enclosed as Appendix -III.
- vi) Audited Balance Sheet of Adani Power Maharashtra Limited and Cash Flow Statement for the period from April 11, 2007 to March 31, 2008 as Appendix –IV.
- vii) Annual report of Adani Power Limited for FY 2006-07 and FY 2007-08 as Appendix -V and Appendix -VI.

4. Based on preliminary scrutiny of the application in accordance with Regulation 5.1 of the Transmission Licence Conditions Regulations, the Commission vide its letter MERC/LEG/PET1408/1590/Case 138 of 08/462 dated February 25, 2009, directed Adani Power Maharashtra Limited to submit clarifications regarding the following data gaps noted therein:



- i) The applicant did not enclose the copies of the notice published by APML in newspapers in conformity with the provisions of Regulation 6.1 of the MERC Transmission License Conditions
- ii) The applicant did not enclose the Accounting Statement for the year 2005-06
- iii) The applicant did not indicate the details of experience of the management team in HR and IT fields
- iv) The applicant had not confirmed regarding having sent a copy of the said application to STU and further, it did not enclose the copy of the confirmation letter received by APML from STU after scrutiny of the same.

5. APML vide its letter APML/MERC/License/040309 dated March 4, 2009, in reply to the above queries raised by the Commission, took the following action:

- i) Submitted the copies of the notice published by APML in two English and two Marathi newspapers as per the proforma prescribed by the Commission;
- ii) Submitted the Annual report of Adani Power Limited for FY 2005-06 and clarified that the company Adani Power Limited was originally incorporated on August 22, 1996 and its name was changed to Adani Power Limited on April 12, 2007;
- iii) Submitted the details of experience of the management team in HR and IT fields;
- iv) Confirmed that hard as well as soft copies of their application to the Commission along with all other submissions were sent to STU.

6. The Commission vide its Notice dated March 30, 2009 scheduled a Technical Validation Session (TVS) to be held on 9th April 2009, in the presence of the four consumer representatives authorised on a standing basis under Section 94(3) of the EA 2003 to represent the interest of the consumers in the proceedings before the Commission. The Commission also directed the Petitioner to serve a copy of its Petition, along with its accompaniments, to the State Transmission Utility (STU) and the four consumer representatives.

7. The Technical Validation session (TVS) in the matter was held on 9th April 2009 as scheduled. M/s APML were represented by Shri R K Madan of APML and his team. During the TVS no consumer representative was present. Shri N.R. Sonkawade, (Executive Engineer) represented the STU. During the TVS, M/s APML informed that the construction of their 3 X 660 MW Thermal power station at Tiroda(Gondia) was at an advanced stage and the proposed transmission facility was required to evacuate power from the said thermal power plant. M/s APML gave a presentation regarding the proposed project, highlighting the progress of the project till date. The Commission enquired with M/s APML regarding progress of the Route Survey for the proposed Transmission Lines, whereupon, M/s APML confirmed that the detailed Route Survey was complete and the report of the same would shortly be submitted. M/s APML also



confirmed that the process of acquiring Right-of-way for the said transmission project was in progress.

8. Subsequent to the TVS, the Commission vide its letter MERC/LEG/PET/1408/1590/Case 138 of 08 769 dated April 21, 2009 directed APML, to furnish clarifications and submit the necessary information pertaining to the following data gaps noted during TVS:

- i) Submit copy of the detailed route survey of the Transmission lines and the most optimum route of the proposed transmission lines.
- ii) Submit Board Resolution and Undertaking towards a clear demarcation of Transmission and Generation business of the applicant.

9. In reply to the above queries raised by the Commission, M/s APML submitted a supplementary affidavit with clarifications as given below:

- i) Submitted a Copy of detailed route survey of Tiroda-Warora transmission line and Tiroda-Koradi Transmission line and summary reports of detailed route survey alongwith recommendations for optimum route of transmission lines submitted to STU for approval.
- ii) Confirmation that a clear demarcation will be maintained between generation and transmission business activities by maintaining separate accounts for the purpose of regulating the transmission activity.
- iii) Copy of Board Resolution and Undertaking from parent company Adani Power Limited confirming the following resolution made at the board meeting of Adani Power Maharashtra Ltd (the Company) as follows:

“Resolved that the company requested Adani Power Limited to invest to the extent of 30% of the Rs 1065/- Crores (project cost) in form of equity of the company and accept the equity contribution to the tune of Rs. 352/- Crores to be made by M/s Adani Power Limited (Holding Company) for the proposed transmission line project of the company at a cost of Rs 1065/- Crores, at Tiroda(Gondia)-Warora and Tiroda(Gondia)-Koradi”

The applicant also submitted a copy of “Undertaking” furnished by Shri Rajesh S. Adani, Managing Director of Adani Power Limited, that the Holding Company, Adani Power Limited shall make Equity Contribution of Rs 352/- Crores, i.e. 30% of the Project Cost of the subsidiary Company towards the project equity capital, for the Project.

10. The Commission vide its letter MERC/LEG/PET/1408/1590/Case 138 of 08 /773 dated April 21, 2009 directed The State Transmission Utility (STU) to submit its recommendations along with detailed techno-economic justifications for the proposed transmission lines.



11. In reply to the above letter, Chief Engineer- STU vide its letter MSETCL/CO/STU/302B/6091 dated May 5, 2009 submitted that STU had already issued consent to M/s. Adani Power Maharashtra Limited for construction of the transmission lines related to evacuation of power, as the proposed arrangement of transmission line is most optimal and technically feasible. STU further informed that they had also advised APML to follow competitive bidding procedure for development of transmission lines project.

12. As required under Section 15(5)(a) of the EA 2003, a notice was published by the Commission in two Marathi and two English newspapers, stating the details of the proposed transmission project and inviting the public to submit to the Commission any suggestions or objections with reference to the said application of M/s APML, by June 8, 2009.

13. The Public Notice as above and soft copy of the application were also posted on the Commission's internet website, and at the same time, the Applicant was also directed to publish the same on its internet website. It was also intimated vide the above mentioned Public Notice that the Public Hearing in the matter would be held on Wednesday, June 15, 2009, at 11:00 hours at the Commission's office at World Trade Centre, Cuffe Parade, Mumbai 400 005.

14. The Commission did not receive any comments or objections/suggestions in response to the above mentioned notice till the end of the specified date of June 8, 2009 for receipt of objections/comments/suggestions. Further, no objection/comment was received even till the date of the hearing, viz., June 15, 2009.

15. The Public Hearing in the matter was held on June 15, 2009. Shri R. K. Madan represented M/s Adani Power Maharashtra Limited. No representative from any of the four consumer representatives authorised on a standing basis under Section 94(3), was present during the Public Hearing.

16. During the Public Hearing M/s APML stated that the detailed Route survey had projected more than one possible routes for the transmission lines and the process of selection of the best option was in progress. The Commission enquired regarding the progress of the process of acquiring the Right-of-way for the entire Transmission project and obtaining clearance from the Ministry of Environment and Forests. M/s APML stated that they were working on the same. The Commission observed that in view of a considerable extent of approval processes still being in progress, M/s APML will have to manage all aspects of the project efficiently by paying special attention to Project management, Cash flow for Equipment procurement and Equipment erection programme so that the activities were sequenced in the best possible way and the costs, borrowings and interests-during-construction (IDC) thereon were kept to a minimum.



17. The Commission asked M/s APML regarding cost optimisation procedure that would be followed for the project. M/s APML clarified that they had made suitable packages for the erection work and the jobs would be awarded to the pre-qualified contractors on competitive bidding basis. M/s APML also confirmed that the hardware such as conductors, insulators etc would be procured by M/s APML through competitive bidding. M/s APML clarified that as they had no prior experience regarding stringing of quad-formation 400 kV conductors, they had requested for help to M/s Powergrid corporation , who had agreed to recommend a few pre qualified contractors, who would bid competitively for the jobs.

18. As there were no objections from any one and no other presentation from the Petitioner, the Public Hearing was concluded.

19. The Commission has scrutinised all the submissions made by the petitioner and has carried out a detailed evaluation of the eligibility of the applicant as against the technical requirement, capital adequacy, and managerial and administrative capability to fulfil the requirements of Sections 14 and 15 of the EA 2003 and Transmission Licence Conditions Regulations. Having considered the material placed on record, the Commission is of the view that the applicant satisfies the technical, commercial and financial requirements to qualify for the grant of transmission licence for the following transmission projects as applied for by the Applicant in accordance with Transmission Licence Conditions Regulations:

- i) 400 KV Double Circuit transmission line with quad conductor from Tiroda (Gondia) to Koradi – II Substation.
- ii) 400 KV Double Circuit transmission line with quad conductor from Tiroda (Gondia) to Warora switching Station.
- iii) 2 Nos. 400 KV bays for Tiroda-Koradi-II Double Circuit lines at Koradi-II sub station
- iv) 2 Nos. 400 KV bays for Tiroda-Warora Double Circuit lines at Warora switching station

20. In view of the above, the Commission hereby grants transmission licence for a period of 25 years to M/s Adani Power Maharashtra Limited (M/s APML) for the proposed transmission lines as per the application filed by the Applicant, as above. The Transmission Licence shall come into effect from the date of issuance of this Order.

21. The Commission observes that capital cost of the transmission project should be optimised and grant of licence does not in any way mean approval of the cost and other details of the proposed project by the Commission. Accordingly, the Commission rules that the following conditions shall form part of Specific Conditions of Transmission Licence to be specified by regulations under Section 16 of the EA 2003:



a) **Construction of Transmission system through Competitive procurement basis**

The construction and commissioning of the transmission system shall be executed through suitable packages and contracts for these packages shall be awarded through Competitive Bidding basis.

b) The Commission also notes that the procedure for obtaining authorization under Section 164 of the EA 2003 requires to be complied with by APML. Accordingly, APML shall cause the transmission scheme to be published in the Official Gazette of GoM and in at least two local daily newspapers along with a notice of the date, not being less than two months after the date of such publication, before which any interested person may make a representation on such scheme. APML shall take into consideration the objections/ representations, before finalizing the optimal route alignment. Thereafter APML shall submit a certificate along with an application under Section 164 to this effect. APML will submit to the Central Electricity Authority the following documents:

- (i) Newspaper publications of Scheme.
- (ii) Authenticated maps showing the details of selected route alignment of the transmission lines.
- (iii) Justification of the selection of the route alignment.

APML may visit the website of the Ministry of Power for obtaining the format for publication of the transmission scheme in local daily newspapers inviting observations /representation from public.

22. The Commission directs the transmission licensee (M/s Adani Power Maharashtra Limited) to submit progress report about project completion status on quarterly basis until commissioning and commercial operation of the transmission project.

23. Accordingly, the Commission directs that the applicant be granted the transmission licence as above and the licence be issued by the Secretary. The Commission directs its registry that a copy of the same be forwarded to the Government of Maharashtra, all electricity transmission licensees and distribution licensees in the State of Maharashtra, the Central Electricity Authority, the concerned Local authorities/self governments (Municipal bodies) of the cities/towns through which the transmission line passes, and a copy be posted on the Internet website of the Commission. The Commission also directs that the aforesaid Specific Conditions of Transmission Licence of APML be specified by regulations under Section 16 of the EA 2003. Such conditions shall be deemed to be conditions of licence of APML.

24. The grant of licence shall be subject to the applicant complying with the provisions of the EA 2003, the rules framed by the Appropriate Government, applicable regulations and all tariff parameters specified under the Tariff Regulations by the



Commission, guidelines for in-principle clearance of proposed investment schemes, and all applicable statutes.

25. The Commission directs M/s Adani Power Maharashtra Limited to submit its application for approval of capital expenditure schemes and Petition for approval of Annual Revenue Requirement, separately, within 90 days from grant of the Transmission Licence based on the Capital Work In Progress (CWIP) and in accordance with provisions under MERC (Terms and Conditions of Tariff) Regulations, 2005. The approved ARR shall form a part of the Total Transmission System Costs (TTSC) of the intra-State Transmission system to be recovered from the Transmission System Users in accordance with the principles of Transmission Pricing framework to be applicable from time to time and as per the prevalent rules and regulations.

Accordingly, Case No. 138 stands disposed of.

Sd/-
(S.B. Kulkarni)
Member

Sd/-
(A. Velayutham)
Member

Sd/-
(V. P. Raja)
Chairman



(P.B. Patil)
Secretary, MERC

Before the
MAHARASHTRA ELECTRICITY REGULATORY COMMISSION
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Case No. 62 of 2010

In the matter of
Application of M/s. Adani Power Maharashtra Limited for amendment of
“Transmission Licence for Adani Power Maharashtra Limited
(Licence No. 2 of 2009)”

Shri V.P. Raja, Chairman
Shri Vijay L. Sonavane, Member

M/s Adani Power Maharashtra Limited

Registered office:

Adani House

Near Mithakali Six Roads

Navrangpura, Ahmedabad 380 009

..... Applicant

ORDER

Dated: March 30, 2011

M/s Adani Power Maharashtra Limited (APML) submitted an application to the Commission on October 7, 2010 in accordance with Regulation 7 of Maharashtra Electricity Regulatory Commission (Transmission Licence Conditions) Regulations, 2004 as amended in 2006 (“Transmission Licence Conditions Regulations”) for amendment of “Transmission Licence for Adani Power Maharashtra Limited (Licence No. 2 of 2009)”.

2. The prayers set out in the application are as follows:-

“

a) Approve the notice for amendment of “Transmission License for Adani Power Maharashtra Limited (License No. 2 of 2009)”



- b) *Amend the “Transmission License for Adani Power Maharashtra Limited (License No. 2 of 2009)” granted u/s 14 of the Electricity Act, 2003 and Maharashtra Electricity Regulatory Commission (Transmission License Conditions) Regulations, 2004*
- c) *Condone any inadvertent omissions/ errors/ shortcomings and permit Adani Power Maharashtra Limited to add/ modify/ change/ alter this filing and make further submissions as may be required at a future date.”*
3. M/s Adani Power Maharashtra Limited (APML), in its application stated as under:
- a. The applicant (APML), is a subsidiary of Adani Power Limited engaged in development of 3300MW (Phase I: 3x660MW; Phase II: 2 x 660MW) coal based thermal power project at Tiroda, District Gondia, Maharashtra. The project was initially envisaged to have capacity of 1980MW (3 x 660MW).
- b. The applicant further submitted that, in order to expedite the process of establishing the transmission line to evacuate the power from the initially envisaged capacity of Phase I (1980MW: 3x 660MW), APML submitted an application to the Commission on February 6, 2009 for grant of Transmission Licence under Section 14 of EA 2003. The Commission vide its Order dated July 6, 2009 granted Transmission Licence to APML and authorised the licensee to establish and operate the following transmission lines inclusive of related infrastructure.
- 400 KV Double Circuit Transmission Line with quad conductor from Tiroda(Gondia) to proposed 400 KV Koradi-II substation;
 - 400 KV Double Circuit Transmission Line with quad conductor from Tiroda(Gondia) to proposed 400 KV Warora Switching Station;
 - 4 Nos., 400 KV bays for the above two Double Circuit Transmission lines at Tiroda Project switchyard;
 - 2 Nos. 400 KV bays for Tiroda-Koradi-II Double Circuit Transmission lines at Koradi-II substation;
 - 2 Nos. 400 KV bays for Tiroda-Warora Double Circuit Transmission lines at Warora switching station;
- c. APML submitted that, it decided to expand the thermal project by implementing Phase II of the Tiroda Project (2x660MW). In view of the expansion, APML approached Maharashtra State Electricity Transmission Company Limited (MSETCL) in its capacity as State Transmission Utility (STU) with a request to plan evacuation system for additional capacity of 1320MW (2 x660MW) for Phase II. Accordingly, STU/MSETCL reviewed the power evacuation scheme and planned intra-State 765kV transmission system consisting of two 765kV single circuit lines from Tiroda to Aurangabad via Koradi and Akola. In view of the proposed development of 765kV transmission system, STU advised APML, vide letter dated December 5, 2009 that the 400kV D/C Tiroda-Koradi-II Transmission line with the



two associated 400kV bays each at Tiroda and Koradi ends will not be required any more.

- d. APML submitted that Maharashtra Eastern Grid Power Transmission Company Limited (MEGPTCL) proposed to develop the 765kV intra-State transmission system (InSts) comprising of 2 x 765kV S/C Tiroda-Koradi- Akola- Aurangabad transmission lines along with associated substations & bays for evacuation of power from projects in North-Eastern Maharashtra and an application was made to the Commission on February 17, 2010 for grant of Transmission Licence under Section 14 of the EA 2003 for the development of 765kV intra-State transmission system. After the Technical Validation System, held on April 17, 2010 and public hearing held on August 17, 2010 the Commission granted transmission licence to MEGPTCL (Transmission Licence No.1 of 2010) dated September 21, 2010 for development of this 765kV transmission system.
- e. APML stated that, as a result of development of a separate 765kV system as approved by the Commission in the licence of MEGPTCL, the 400kV D/C Tiroda Koradi II transmission line and associated 400kV bays at Tiroda and Koradi II would not be required. Therefore, APML requested the Commission to suitably amend the “Transmission Licence for Adani Power Maharashtra Limited (Licence No. 2 of 2009)” granted by the Commission earlier to exclude the following from the licence:

- i. 400 KV Double Circuit Transmission Line with quad conductor from Tiroda(Gondia) to proposed 400 KV Koradi-II substation;
- ii. 2 Nos. 400 KV bays for Tiroda-Koradi-II Double Circuit Transmission lines at Tiroda substation;
- iii. 2 Nos. 400 KV bays for Tiroda-Koradi-II Double Circuit Transmission lines at Koradi-II substation;

APML further submitted that the amended licence would authorise the transmission licensee to establish and operate the following transmission lines inclusive of related infrastructure:

- i. 400 KV Double Circuit Transmission Line with quad conductor from Tiroda(Gondia) to proposed 400 KV Warora Switching Station;
 - ii. 2 Nos. 400 KV bays for Tiroda-Warora Double Circuit Transmission line at Tiroda Project switchyard;
 - iii. 2 Nos. 400 KV bays for Tiroda-Warora Double Circuit Transmission line at Warora switching station.
- f. In accordance with Section 18 of the EA 2003 and Regulation 7 of the MERC (Transmission Licence Conditions) Regulations, 2004, APML submitted draft of notice to the Commission. APML further stated that, upon approval from the Commission, the draft notice submitted along with the application shall be published pursuant to Regulation 7 of MERC (Transmission Licence Conditions) Regulations, 2004.



g. APML stated that it has complied with all conditions specified in the licence and further submitted that it has expedited the following activities under the scope of the licence:

- i. Submission of fees
- ii. Completion of Detailed survey on the route of the lines
- iii. Application for forest approval
- iv. Received approval under Section 68 & Section 164 of the EA 2003 from the Government of Maharashtra
- v. Submission of Capex approval to the Commission
- vi. Award of EPC contracts to consortium of Powergen Infrastructure and Gammon India Limited in September 2009
- vii. The scheduled date of commissioning is March 2011

4. Under Regulation 7 of the MERC (Transmission Licence Conditions) Regulations, 2004, the Commission being empowered to require such additional particulars to be contained in the notice, as it may deem appropriate having regard to the specific circumstances of the case, the Commission vide its letter dated November 1, 2010 sent the reviewed and modified draft public notice to the applicant for publishing the same and further asked the applicant to submit the proof of compliance under the said Regulation 7 to the Commission along with copy of notice as published.

5. APML vide its letter dated November 12, 2010 informed that it has published Notices on November 3, 2010, for amendment of transmission licence in two (2) daily English newspapers (Indian express and Lokmat Times, Nagpur) and in two (2) daily Marathi newspapers (Loksatta, Nagpur and Deshonnati, Gondia) in proposed area of transmission.

6. The Commission received objections and suggestions from twenty four objectors. Almost everyone stated that they have objection on the amendment of the licence. One of the objectors stated that because a matter is pending in the High Court, the amendment of the licence should not be granted. Most of the objectors submitted that the Tahsildar, Tiroda has issued letter to the licensee to stop all work and they have objection to the amendment of the licence. Another objector, Shri Shetra Kashighat Sansthan Garada, Tal. Tiroda Dist. Gondia by referring to Section 54 of the Electricity Act, 2003 stated that the line should be routed excluding the area where 100 or more people gather. He further requested that an enquiry should be carried out in the matter. Another objector, Shri Mohanlal Gaynachandani objected on the amendment of licence citing various reasons such as (i) the public hearing should be held at the local place (ii) area map, licence copy & related document to be sent to local institutions as per Indian Electricity Rules, Rule 22 (c) within 30 days after grant of licence, (iii) concerned citizens/farmers are supposed to be supplied with map, licence, information, at reasonable rate (iv) although the power project is located in Maharashtra & associate transmission system is intra-State, entire electricity will be distributed to Haryana & Gujarat, which is totally wrong (v) APML's installation of 4th & 5th units is uncertain due



to non availability of water. In spite of this situation granting of licence & subsequent amendment seems to be asymmetrical.(vi) APML has conducted the survey secretly, etc. Bharashtachar Virodhi Jan Andolan Nyas (Maharashtra) submitted that the licence should be stayed and an enquiry should be conducted along with public hearing.

7. APML vide its letter dated December 13, 2010 stated that it has published notices inviting written objections from persons desirous of making any objection with reference to amended application to the Commission, with copy being given to APML, within 30 days from the date of publication of the said notice. However, APML has not received any comments/objections to the application so far. APML further requested the Commission to take suitable action for amendment of the transmission licence.

8. Photocopies of Objections received by the Commission from various people/organisations in response to the public notice issued by APML regarding the amendment of transmission licence were handed over to APML with a request to forward its comments on the same to the Commission.

9. APML vide its letter January 17, 2011 stated that the objections as raised bear no relevance to the Notice published by APML on November 3, 2010 for amendment of Transmission Licence No. 2 of 2009. APML further stated that the nature of concerns raised by the respective stakeholders pertain to objections that are to be raised during the procedure for obtaining approval u/s 164 of the Electricity Act, 2003 and Right of way for implementation of the transmission project. APML further clarified that it has already obtained approval u/s 164 of the Electricity Act, 2003 from the Government of Maharashtra vide GoM Order dated April 30, 2010, after addressing such concerns in the area of the transmission project. APML requested the Commission to take suitable action for amendment of the transmission licence.

10. The Commission, in the interest of transparency, published Public Notices on January 31, 2011 in newspapers with copies of the notice sent individually to all the objectors (24 objectors mentioned above) in the present case.

11. The Public Notice as above and soft copy of the application were also posted on the Commission's website. It was also intimated vide the above mentioned Public Notice that the Public Hearing in the matter would be held on Thursday, March 3, 2011, at 11:00 hours at the Commission's office at World Trade Centre, Cuffe Parade, Mumbai 400 005. It was further clarified in the said notice that if the persons / objectors (24 No.s) and any other person wished to be heard in relation to the application filed by APML he/she should be present in the scheduled hearing.

12. Additionally, letters in Marathi informing the objectors about the hearing as scheduled along with the Copies of the notice in Marathi were sent on February 1, 2011.



13. The Secretary, Shri Shetra Kashighat Sansthan Garada, Tal. Tiroda Dist. Gondia (one of the Objectors) vide its letter dated February 9, 2011 stated that all the objectors have to leave for Mumbai to attend the hearing on the day of Maha Shivaratri. He further requested to postpone the hearing citing the religious grounds, as his Sansthan conducts religious gathering on the day of Maha Shivaratri.

14. APML, Nagpur vide its letter dated February 14, 2011 to the Commission replied with the reference to Sh. Sunil Barapatre letter. In the said letter it is mentioned that the work of 400kV Tiroda-Warora transmission line is going as per licence granted, the Government directions, as per the Electricity Act 2003 and as per the provisions of Electricity Rules 2005. It is further submitted that due to resistance of a few people in that area, work has not been started and also alignment of transmission line have not been finalised. While finalising alignment and erecting the transmission line safe distance from the residential area, social places, and temple shall be maintained as per the Act, rules & regulations. But in order to move forward, the route will have to be finalised; however, due to resistance of a few people since last one year the route has yet not been finalised.

15. Secretary, Shri Shetra Kashighat Sansthan Garada, Tal. Tiroda Dist. Gondia was intimated, vide the Commission's letter dated March 1, 2011, that the hearing will be conducted on the scheduled time and date and no adjournment would be granted.

16. The Commission did not receive any comments or objections/suggestions in response to the above mentioned notice issued by the Commission till the date of the hearing.

17. The Public Hearing in the matter was held on March 3, 2011. Shri R. K. Madan represented M/s Adani Power Maharashtra Limited. During the public hearing out of the present objectors, few read out the already submitted written objections. Few submitted that all of them have not been served with the Land survey notice at one time, but were served rather at random fashion. Objectors also submitted that the proposed transmission line passes through the residential area close to the houses. They also complained that APML does not have the project office in the nearby vicinity. However, all the objectors in the end stated that they have no problem for the new developments such as new generating stations, transmission lines, etc., as they bring prosperity to the area, and they are ready to co-operate provided their grievances and inconvenience caused to them are solved. Shri R K Madan submitted that present application for amendment of transmission licence is based on STU recommendations. He informed the Commission that the work of transmission line erection is being handled by the contractors. He further assured that the APML will make all possible efforts to solve the grievances of affected objectors by involvement of company's senior and experienced officers involved in ground work. He also stressed the fact the Adanis have excellent track record of executing major extra high voltage transmission lines successfully all over the India, wherein they have addressed RoW and related problems.



18. The Commission had issued the “Transmission Licence for Adani Power Maharashtra Limited (Licence No. 2 of 2009)” vide its Order dated July 6, 2009 in Case No. 138 of 2008, for which the applicant had submitted the application on February 6, 2009. It was stated in the aforesaid order that the transmission system for which transmission licence application has been made, is meant for the evacuation of 1980 MW (3 x 660MW) generation from Tiroda Thermal Power project. The Commission while granting the licence had followed due regulatory process, wherein the STU had been asked to submit its recommendations for the proposed transmission lines. In reply STU had stated that they have already issued consent to APML for the establishment of transmission lines, as the proposed arrangement of transmission lines is most optimal and technically feasible. It is also important to mention that as mandated by the EA 2003, the public notice in local newspapers was published before the grant of licence. In response, no objection/comment was received even till date of the hearing on July 6, 2009.

19. Subsequently, M/s Maharashtra Eastern Grid Power Transmission Company Limited (MEGPTCL) submitted an application on February 18, 2010, for grant of Transmission licence for development of 765kV intra-State transmission network in the Eastern part of State of Maharashtra comprising of 2 x 765kV S/C Tiroda-Koradi-Akola-Aurangabad lines along with associated substations and bays to evacuate power from five power plants with total capacity of 8100 MW which includes APML power plant. APML’s proposed plant configuration was changed from 1980 MW (Phase-I, 3x660MW) to 3300 MW capacity with the addition of Phase-II (2x660MW). However, during the discussion on the above application by MEGPTCL for transmission licence (Case No.118 of 2009), it was observed that Transmission Licence No.2 of 2009 was already issued to APML by the Commission for construction of 2 Nos. 400 KV D/C transmission lines from Tiroda. The capacity of one of these 400kV lines, namely, 400kV Tiroda-Koradi-II D/C transmission line is inadequate to evacuate the enhanced generation capacity. Further, the power which was to be evacuated on one of this line can be evacuated through the proposed 765kV transmission system by MEGPTCL. Hence, the STU recommended the deletion of this line. The relevant portion of the Order dated September 14, 2010 is reproduced below:

“5. Subsequently, in view of the proposed development of 765 KV transmission system as mentioned above, the State Transmission Utility (“STU”) had advised vide its letter ref. No. MSETCL/CO/STU/302B/16499 dated 5th December, 2009 to APML that the 400 KV Tiroda – Koradi-II D/C line will not be required anymore.”

20. As mandated by the EA 2003, the public notice in local newspapers was published before the grant of licence to M/s Maharashtra Eastern Grid Power Transmission Company Limited. In response, no objection/comment was received even till date of the hearing.



21. Having heard the Applicant and objectors and after considering the materials placed on record, the Commission is of the view that there is no asymmetry in the process as alleged by Mohanlal Gaynachandani at Para 5 (v) above.

22. As regards the objection of Shri Shetra Kashighat Sansthan Garada, Tal. Tiroda Dist. Gondia that the line should be routed excluding the area where 100 or more people gather, under sub-section (2) of Section 54, where any difference or dispute arises as to whether a place is or is not one in which one hundred or more persons are ordinarily likely to be assembled, the matter is to be referred to the State Government, and the decision of the State Government thereon shall be final. The provisions of this section is binding on the Government. Accordingly, these issues should be raised before the State Government.

23. The main gravamen of objectors appear to be with regard to Right of Way (RoW) and alignment of transmission towers. The Commission is of the view no purpose would be solved by holding up the licence amendment. The Applicant has made the application in accordance with Transmission Licence Conditions Regulations. The Applicant has complied with the requirements of publication of notices in newspapers. All objectors have been given the opportunity to make their submissions, suggestions and objections. It is important to note that the objectors have no objection for development of the project as according to them it will bring prosperity to the areas. However, considering the objections and suggestions and issues raised by the objectors, the Commission, directs the Applicant APML to establish a local site office (for transmission related activities) in the Tiroda area with a team of minimum three members of experienced senior people who are fluent in Marathi. The transmission line route survey and alignment of transmission towers in the disputed area need to be re-done by taking the local people into confidence and addressing their legitimate grievances.

24. All submissions, suggestions and objections have been duly considered. The Applicant has complied with the requirement of Transmission Licence Conditions Regulations for amendment of the “Transmission Licence for Adani Power Maharashtra Limited (Licence No. 2 of 2009). In fact the State Transmission Utility had advised that the 400kV D/C Tiroda-Koradi-II Transmission line with the two associated 400kV bays each at Tiroda and Koradi ends will not be required any more.

25. Considering all the materials on record, the Commission is of the view that it is in the public interest to amend the “Transmission Licence for Adani Power Maharashtra Limited (Licence No. 2 of 2009)” to the extent the following shall stand excluded from the said licence :-

- (i) 400 KV Double Circuit Transmission Line with quad conductor from Tiroda(Gondia) to proposed 400 KV Koradi-II substation;
- (ii) 2 Nos. 400 KV bays for Tiroda-Koradi-II Double Circuit Transmission lines at Tiroda substation;



- (iii) 2 Nos. 400 KV bays for Tiroda-Koradi-II Double Circuit Transmission lines at Koradi-II substation;

The amendment of the Transmission Licence to the extent stated above shall come into effect from the date of issuance of this Order. All other conditions of the Commission's Order dated July 6, 2009 in Case No. 138 of 2008 shall continue to apply.

26. The amendment to Transmission Licence No. 2 of 2009 dated July 6, 2009 for Adani Power Maharashtra Limited is enclosed with this order.

27. The Commission directs its Registry that a copy of the amendment to Transmission Licence No. 2 of 2009 be forwarded to the Government of Maharashtra, all electricity transmission licensees and distribution licensees in the State of Maharashtra, the concerned Local authorities/ self governments (Municipal bodies) of the cities/towns through which the transmission line passes, and a copy be uploaded on the website of the Commission.

Accordingly, Case No. 62 of 2010 stands disposed of.

Sd/-
(Vijay L. Sonavane)
Member

Sd/-
(V. P. Raja)
Chairman



(P.B. Patil)
Registrar, MERC

MAHARASHTRA ELECTRICITY REGULATORY COMMISSION

World Trade Centre, Centre No.1, 13th Floor, Cuffe Parade, Mumbai - 400 005

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Amendment (Second) to Transmission Licence No. 2 of 2009

1. In pursuance of the Commission's Order dated 9 July, 2015 in Case No. 136 of 2014, the following entry shall be added to the list of Transmission lines and related infrastructure at Clause 3 ('Area of Transmission') of Part II ('General Terms and Conditions') of the Transmission Licence No. 2 of 2009, as amended to date, assigned to M/s Adani Transmission (India) Limited:
 - **2 x 80 MVAR Bus Reactors, along with associated Bays, at Tiroda Sub-station.**

Sd/-
Secretary, MERC

Maharashtra Electricity Regulatory Commission, Mumbai

Dated: 9 July, 2015

Before the
MAHARASHTRA ELECTRICITY REGULATORY COMMISSION
World Trade Centre, Centre No.1, 13th Floor, Cuffe Parade, Mumbai 400005
Tel. 022 69876666
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Case No. 139 of 2025

In the matter of
Application of Adani Transmission (India) Limited for the Third Amendment of
Transmission Licence No. 2 of 2009

Coram

Sanjay Kumar, Chairperson
Anand M. Limaye, Member
Surendra J. Biyani, Member

Adani Transmission (India) Limited

....Applicant/Petitioner

V/s

State Transmission Utility (STU)

....Respondent

ORDER

Date: 27 October , 2025

- 1 Adani Transmission (India) Limited. (“ATIL”), having office at 3rd Floor, South Wing, Adani Corporate House, Shantigram, Vaishnodevi Circle, Ahmedabad, Gujarat - 382421, has filed an Application as per Section 18 of the Electricity Act (EA), 2003 read with Regulation 39 of the MERC (Transaction of Business and Fees and Charges) Regulations, 2022 and MERC (Transmission Licence Conditions) Regulations, 2004 (“Transmission Licence Regulations”). The applicant seeks an amendment to its Transmission Licence No. 2 of 2009 granted by the Commission on 06 July 2009 and as amended on 30 March 2011 (First Amendment) and 09 July 2015 (Second Amendment).
- 2 **ATIL’s main prayers are as follows:**
 - a. *“Amend the “Transmission Licence of Adani Transmission (India) Limited (Licence No. 2 of 2009)”.*
 - b. *Grant in-principle approval for commencement of scope of work assigned to ATIL as mentioned in MSETCL letter no. MSETCL/CO/STU/Thermal/2420 dated 27.03.2025.*

- c. *Condone any inadvertent omissions/ errors/ shortcomings and permit Adani Transmission (India) Limited to add/ modify/ change/ alter this filing and make further submissions as may be required at a future date. ---”*

3 Background of the Petition and Regulatory Provisions:

- 3.1 The Commission is empowered under Section 18 of the EA 2003 to amend the terms and conditions of the licence on the licensee's application. The relevant provisions of Section 18 of the EA 2003 are as follows:

“18. Amendment of Licence- Where in its opinion the public interest so permits, the Appropriate Commission may, on the application of the licensee or otherwise, make such alterations and amendments in the terms and conditions of a licence as it thinks fit.”

- 3.2 The Commission, on 06 July 2009, granted a project-specific Transmission Licence to Adani Power Maharashtra Ltd. (APML) for 25 years, namely "Transmission Licence No. 2 of 2009," for the Transmission Lines and Bays forming part of the Intra-State Transmission System of Maharashtra (InSTS). An amendment of the transmission licence of ATIL was required to make a partial modification in accordance with the Licence granted to Maharashtra Eastern Grid Power Transmission Company Limited (MEGPTCL) on 21 September 2010 for the development of a 765kV transmission system as proposed by MEGPTCL and recommended by STU.
- 3.3 **First Amendment:** For the deletion of the 400 kV Double Circuit (DC) Transmission Line from Tiroda (Gondia) to the proposed 400 kV Koradi II Substation (S/s) and associated bays, the Commission granted the First Amendment to the Transmission Licence No. 2 of 2009, vide its Order dated 30 March 2011 in Case No. 62 of 2010.
- 3.4 **Assignment of Transmission Licence to Adani Transmission (India) Ltd.:** On application of the APML, the Commission approved the assignment of the Transmission Licence from APML to ATIL vide its Order dated 08 December 2014 in Case No. 189 of 2014.
- 3.5 **Second Amendment:** For the addition of the 2 x 80 MVar Bus Reactors along with associated bays at Tiroda S/s, the Commission granted the Second Amendment to the Transmission Licence No. 2 of 2009, vide its Order dated 09 July 2015 in Case No. 136 of 2014.
- 3.6 With the above background, ATIL's Petition is analysed in the subsequent part of the Petition:

4 ATIL's Application for the Third Amendment of its Transmission Licence states as follows:

- 4.1 ATIL is a Transmission Licensee in terms of the Licence No. 2 of 2009, dated 06 July 2009, granted by the Commission and amended thereof. **The present application is filed for the 3rd amendment to add the GIS Bays at Tiroda S/s for power evacuation.**
- 4.2 The Transmission Licence issued to ATIL is asset-specific, which means that it authorises ATIL to create, operate and maintain assets that are specifically identified in the Licence granted to it by the Commission. Hence, there is a need to regularly update

the specific transmission assets (lines and bays) mentioned in the Licence, in accordance with changes in the system.

- 4.3 MSETCL, in its letter dated 20 March 2025, informed that Load Flow studies were carried out for the evacuation of the 2x800 MW Thermal Power Plant of M/s Adani Power Ltd. located at Raipur (Chhattisgarh) for the MSEDCL's Contracted Capacity of 1496 MW. To evacuate the power, the Intra-State Transmission System of Maharashtra will be feasible at the 400 kV level of 765/400 kV Tiroda S/s, subject to completion of the following network strengthening schemes by October 2027, in order to have smooth evacuation of power from Adani Power Plant at Raipur, Chhattisgarh:
- i. Addition of 3rd 765/400 kV, 1500 MVA ICT at 765 kV Tiroda S/s.
 - ii. Establishment of 400/220/132 kV Umred S/s (to be executed under TBCB).
- 4.4 Further, MSETCL vide letter dated 20 March 2025 sought consent from ATIL for the following Scope of work to be completed by ATIL:
- i. 400 kV GIS bays at 765/400 kV Tiroda S/s– 7 Nos.
 - ii. Interconnection of GIS with existing 400 kV AIS S/s
 - iii. Interconnection of 400 kV GIS at 400 kV Level of 765/400 kV AIS through GIB (Gas Insulated Bus Duct)
 - iv. New control room for 400 kV GIS bays, along with the GIS hall
- 4.5 Subsequently, ATIL vide its letter dated 24 March 2025 submitted consent for its readiness to execute the scope of work proposed by STU. Further, ATIL in its consent letter dated 24 March 2025 also submitted that ATIL will initiate the process of transmission Licence amendment for inclusion of additional scope of work in its existing transmission Licence and will submit the Detailed Project Report for concurrence by STU/MERC as specified under MERC (Approval of Capital Investment Schemes) Regulations, 2022.
- 4.6 Based on the consent letters submitted by ATIL, STU has approved the connectivity to Adani Power Limited as per the letter dated 27 March 2025.
- 4.7 ATIL on 11 June 2025 has submitted its rolling capital investment plan in compliance to Regulation 7.2 of MERC (Approval of Capital Investment Schemes) Regulations 2022.
- 4.8 Accordingly, the following additional scope of work allocated to ATIL needs to be included in the existing transmission Licence of ATIL:
- i. 400 kV GIS bays-7 Nos. at 765/400 kV Tiroda S/s.
 - ii. Interconnection of GIS with existing 400 kV AIS S/s
 - iii. Interconnection of 400 kV GIS at 400 kV Level of 765/400 kV AIS through GIB (Gas Insulated Bus Duct)
 - iv. New control room for 400 kV GIS bays, along with the GIS hall

- 4.9 In view of the above, ATIL has filed the Petition for Third Amendment of the Transmission Licence No. 2 of 2009 to include the proposed assets in its transmission licence.
- 4.10 ATIL has requested the amendment of the Transmission Licence as mentioned above.
- 4.11 After preliminary scrutiny of the Petition, ATIL was asked to provide STU's recommendation for amendment to the transmission Licence. STU, vide its letter dated 11 August 2025 has recommended the amendment as sought by ATIL stating that M/s Adani Power Ltd. has made Power Supply Agreement (PSA) with MSEDCL for the evacuation of 1496 MW of Power from its 2x800 MW Thermal Power plant located at Raipur District, Chhattisgarh, with COD of June 2027 for Unit 1 and October 2027 for Unit 2. Accordingly, STU has issued the Grid connectivity to M/s Adani Power Ltd. for the evacuation of contracted capacity of 1496 MW with the Inter State Transmission System at 765 kV Tiroda S/s by installing a Third 1500 MVA ICT and 7 Nos of 400 kV GIS Bays.
- 4.12 The ATIL's scheme for the installation of 7 GIS Bays and allied work was recommended in the 14th MTC meeting held on 18 July 2025 and the 4th GCC meeting held on 28 July 2025. The said scheme is included in STU's 3-year Rolling plan for FY 2027-28. Since the scheme is crucial for system stability and reliability in evacuating 1496 MW of power, the above scheme is recommended by STU for considering an amendment to the existing Licence of ATIL.

5 Regulatory Proceedings:

ATIL Public Notice:

- 5.1 Section 14 of the EA 2003 empowers the Commission to grant a Licence. Section 15 of the EA 2023 provides the procedure for granting a Transmission Licence, and Section 18 provides the amendment in the terms and conditions of a Transmission Licence. The relevant provisions are as follows:

“Section 14. (Grant of licence): -----

.....

(3) A person intending to act as a transmission licensee shall, immediately on making the Petition, forward a copy of such Petition to the Central Transmission Utility or the State Transmission Utility, as the case maybe.

(4) The Central Transmission Utility or the State Transmission Utility, as the case may be, shall, within thirty days after the receipt of the copy of the Petition referred to in sub-section (3), send its recommendations, if any, to the Appropriate Commission:

Provided that such recommendations shall not be binding on the Commission. -----

-

“18. Amendment of licence –

Where in its opinion the public interest so permits, the Appropriate Commission, may, on the application of the Licence or otherwise, make such alteration and amendments in the terms and conditions of his licence as it thinks fit:

Provided that, no such alterations or amendments shall be made except with the consent of the Licence unless such consent has, in the opinion of the Appropriate Commission, been unreasonably withheld.

Before any alterations or amendments in the licence are made under this section, the following provisions shall have effect, namely: -

- (a) where the Licence has made an application under sub-section (1) proposing any alteration or modifications in his licence, the Licence shall publish a notice of such application with such particulars and in such manner as may be specified;*
- (b) in the case of an application proposing alterations or modifications in the area of supply comprising the whole or any part of any cantonment, aerodrome, fortress, arsenal, dockyard or camp or of any building or place in the occupation of the Government for defence purposes, the Appropriate Commission shall not make any alterations or modifications except with the consent of the Central Government;*
- (c) where any alterations or modifications in a licence are Proposed to be made otherwise than on the application of the Licence, the Appropriate Commission shall publish the Proposed alterations or modifications with such particulars and in such manner as may be specified;*
- (d) the Appropriate Commission shall not make any alterations or modification unless all suggestions or objections received within thirty days from the date of the first publication of the notice have been considered.”*

5.2 The Commission has granted ATIL a transmission licence specific to particular Transmission Lines and Bays under Part 2 (Alternative-2 of Area of Transmission) of MERC (Transmission Licence Conditions) Regulations, 2004 (Transmission Licence Regulations). In accordance with Section 18 of the Electricity Act and Transmission Licence Regulations, any modifications to the lines and bays necessitate an amendment to the transmission Licence.

5.3 Regulation 7 of the MERC (Transmission Licence Conditions) Regulations, 2004 (Transmission Licence Regulations) provides that:

“6.1 A Petitioner shall publish a notice of his Petition for grant of licence in not less than two (2) daily English language newspapers and two (2) daily Marathi language newspapers in the proposed area of transmission. -----

...Provided that the Commission may, within a period of four (4) days from the receipt of Petition, require such additional particulars to be included in the notice, as it may deem appropriate having regard to the specific circumstances of the case.”

5.4 The Commission notes that ATIL submitted the Petition on 13 June 2025, seeking 3rd amendment to its Transmission Licence No. 2 of 2009. Since ATIL has provided the

necessary details as required under Transmission Licence Regulations, the Commission admitted the Petition on 7 July 2025. The legal and regulatory framework governing the amendment process for Transmission Licences is delineated in Section 18 of the EA, 2003, and Regulation 7 of the Transmission Licence Regulations. Subsequently, ATIL was directed to publish a Public Notice in compliance with Regulation 7.2, in conjunction with Section 18(2)(a) of the EA, 2003, inviting suggestions or objections from the public regarding its Application. In accordance with this directive, ATIL published the Public Notice on 10 July 2025 in the following daily newspapers:

- a. The Indian Express and The Times of India
- b. Loksatta and Maharashtra Times (Marathi)

5.5 In response to ATIL's notice, 45 objectors have filed their comments. (List of such persons is attached as **Appendix-1**). ATIL, in its reply to all the comments, stated that these objections/ suggestions/ comments are not relevant to the Licence Amendment Petition of ATIL. The Review of these suggestions/ objections/ comments from the 45 objectors reveals that all comments pertain to the issue of the parallel Distribution Licence applications by Adani Electricity Navi Mumbai Ltd. and Torrent Power Ltd. No objections have been raised regarding the ATIL licence amendment, as sought in this Petition.

6 Commission's Public Notice:

- 6.1 Subsequently, the Commission published a Public Notice on 30 August 2025 in two daily English (Times of India, Economic Times) and two daily Marathi (Loksatta, Maharashtra Times) newspapers as per Section 15 of the EA 2003, seeking comments/ suggestions/ objections on the proposal to amend the Transmission Licence of ATIL (Third amendment of Licence No. 2 of 2009) subject to fulfilment of the requirements laid down in the Electricity Act 2003 and Regulations.
- 6.2 The last date for submission of suggestions/ objections was 28 September 2025. It was also stated that the e-Public Hearing would be held on 30 September 2025 via a video conference, wherein the opportunity to be heard in person would be given to the objectors.

Suggestions/ Objections:

7 Comment/ Observations in response to the Commission's Public Notice:

7.1 **In response to the above Commission's Public Notice, one objection/ suggestion (from Shri. Rajesh Ghyanchandani) has been received as summarised below:**

- There is no Right of Way (RoW) available for the construction of the proposed line from Raipur to Tiroda.
- No local permissions are obtained by Adani Power Ltd. to carry out this work.
- There is no clarity and information given on the scope of work to be carried out. More clarity, information and permissions are required.
- All three Companies (APL, ATIL and MSETCL) should check the environmental impact of work and continue work if environmentally feasible.

7.2 In reply, ATIL vide its email dated 29 September 2025 clarified that the proposed amendment in the existing Transmission Licence is as per the scope of work proposed by STU vide its letter dated 27 March 2025. Further, in the proposed scope of work to be executed by ATIL, there is no involvement in 400 kV Double Circuit line construction. Hence, there is no RoW issue, and providing information to the local authority is not a subject matter of the present Petition.

Commission's Analysis and Rulings in respect of Suggestions/Objections:

7.2.1 The Commission notes that the details of the assets to be added in the ATIL Transmission Licence, as proposed by ATIL, are as follows:

- i. 400 kV GIS bays-7 Nos. at 765/400 kV Tiroda S/s.
- ii. Interconnection of GIS with existing 400 kV AIS S/s
- iii. Interconnection of 400 kV GIS at 400 kV Level of 765/400 kV AIS through GIB (Gas Insulated Bus Duct)
- iv. New control room for 400 kV GIS bays along with GIS hall

7.2.2 A review of the scope of work and ATIL's response confirms that the GIS bays and associated works are to be constructed within the existing Tiroda substation premises. No transmission line work has been involved. Therefore, there are no Right of Way (RoW) issues involved. Hence, the objector's comments are not relevant to this case.

8 At the E- Public hearing through video conferencing held on 30 September 2025:

- i. The Representative of ATIL reiterated the key points of its submission as outlined in the Petition.
- ii. ATIL further clarified that the increase in the number of 400 kV Bays is mainly due to the proposed interconnection as well as the proposed evacuation of power from 2x800 MW Thermal Power Plant of M/s Adani Power Ltd. located at Raipur (Chhattisgarh) for the MSEDCL's Contracted Capacity of 1496 MW with the Intra-State Transmission System of Maharashtra at 400 kV level.

The list of persons who attended the e-Public hearing held on 30 September 2025 is attached as "**Appendix – 2**".

Commission's Analysis and Rulings:

9 The Commission notes that ATIL's Transmission Licence is project-specific under Alternative 2 of the Area of Transmission (Licence to establish and operate specific transmission lines and bays) specified under Transmission Licence Regulations. Hence, any changes to the transmission lines and bays need to be incorporated into the transmission licence. Accordingly, through the present Petition, ATIL has sought 3rd amendment to Transmission Licence No. 2 of 2009 for addition of 400 kV GIS bays-7 Nos. at 765/400 kV Tiroda S/s and allied works. The scheme is recommended by the STU in its scope of work.

- 10 The regulatory process specified under Section 18 of the EA 2003 on the amendment of the Transmission Licence has been duly followed. The Commission has ensured that due process contemplated under the law to ensure transparency and public participation has been followed at every stage and that adequate opportunity has been given to all concerned to express their views. There are 45 objections/ comments on the Public Notice issued by ATIL but none of them are relevant to ATIL's Petition. Further, there is one suggestion received to the Public Notice issued by the Commission as part of public consultation and raised the issue that no information was given to local authority for the construction of 400 kV DC line by Adani Power Ltd. ATIL replied to the objection that construction of 400 kV DC line is not in the scope of work of ATIL and hence it has no information related to it and also not subject matter of present Petition.
- 11 The Commission notes the following points for its consideration:
- 11.1 ATIL has submitted the details of the "Proposed Assets" in its application. As part of the regulatory process, the Commission sought the STU's recommendation on whether these proposed Bays form part of the STU Plan. The STU has provided its recommendations vide letter dated 11 August 2025 to add the assets in the Transmission Licence of ATIL.
- 11.2 For the proposed scheme, the Commission has only considered the Bays and associated interconnection work along with the control room, in accordance with the prevailing MYT Regulations. These elements are part of the STU Plan and have been recommended by STU for amendment.
- 12 Considering the above facts, in exercising powers under Section 18 of the EA, 2003 and in accordance with the provisions of the Transmission Licence Regulations and applicable MYT Regulations, the Commission analyses the Petition of ATIL for the third amendment of Transmission Licence No. 2 of 2009.
- 13 Section 15 of the EA 2003 (Procedure for grant of licence) provides as follows:
- "(3) A person intending to act as a transmission licensee shall, immediately on making the application, forward a copy of such application to the Central Transmission Utility or the State Transmission Utility, as the case may be.*
- (4) The Central Transmission Utility or the State Transmission Utility, as the case may be, shall, within thirty days after the receipt of the copy of the application referred to in sub-section (3), send its recommendations, if any, to the Appropriate Commission:*
- 13.1 The proposed scheme is for the addition of 400 kV GIS bays and associated interconnection and control room construction at the existing Tiroda S/s. Hence, according to the provisions of the MYT Regulations 2024 (Provisions of Threshold Limit for TBCB), the execution of the scheme under the TBCB route does not apply to the scheme proposed by ATIL. Hence, an amendment to the Transmission Licence as sought by ATIL and recommended by STU is justified.
- 13.2 **Addition of New Assets as per STU plan/ STU recommendation is as follows:**

Table 1: Addition of New Assets (Proposed scheme as per STU plan and STU Recommendation)

Sr. No.	Existing Area of Transmission (As per Order dated 6 July 2009 in Case No. 138 of 2008, Order 30 March 2011 in Case No. 62 of 2010 (First Amendment), Order dated 9 July 2015 in Case No. 136 of 2014 (Second Amendment))	Amended Area of Transmission in Case No. 139 of 2025 (Third Amendment)	Remark
1.	400 kV Double Circuit Transmission line with Quad Conductor from Tiroda (Gondia) to 400 kV Warora Switching Station.	Same	No Change
2.	2 Nos. 400kV bays for Tiroda-Warora Double Circuit Transmission Lines at Tiroda Project Switchyard.	Same	No Change
3.	2 Nos. 400 kV bays for Tiroda-Warora Double Circuit Transmission Lines at Warora Switching Station	Same	No Change
4.	2 x 80 MVAR Bus Reactors along with associated Bays at the Tiroda Substation	Same	No Change
5.		400 kV GIS bays-7 Nos. at 765/400 kV Tiroda s/s.	Addition of 7 X 400 kV GIS Bays and associated work.
6.		Interconnection of GIS with existing 400 kV AIS s/s	
7.		Interconnection of 400 kV GIS at 400 kV Level of 765/400 kV AIS through GIB (Gas Insulated Bus Duct)	
8.		New control room for 400 kV GIS bays along with GIS hall	

- 14 The Commission notes that the Prayer “b” of the Petition seeks in-principle approval to commence work for the installation of 7 GIS Bays, interconnections and the control room. It is important to note that the present petition pertains to the 3rd amendment of ATIL’s Transmission Licence. Additionally, ATIL submitted the Detailed Project Report (DPR) separately to the Commission for its in-principle approval on 29 September 2025. Therefore, the Commission would deal with the in-principle approval of the DPR separately, in accordance with the provisions of the MERC Capex Approval Regulations, 2022.
- 15 In view of the above, the Third Amendment to Transmission Licence No. 2 of 2009 accompanies this Order. The Commission's Secretariat shall forward a copy to the Government of Maharashtra (Energy Dept., GoM), all Electricity Transmission and Distribution Licensees in the State, the Central Electricity Authority, and the concerned Local Authorities, and upload it on the Commission’s website.

16 Hence, the following Order:

ORDER

1. The Petition in Case No. 139 of 2025 is allowed.
2. The Third Amendment to Transmission Licence No. 2 of 2009 accompanies this Order. The Commission's Secretariat shall forward a copy to the Government of Maharashtra (Energy Dept., GoM), all Electricity Transmission and Distribution Licensees in the State, the Central Electricity Authority, and the concerned Local Authorities, and upload it on the Commission's website.

Sd/-

(Surendra J. Biyani)

Member

Sd/-

(Anand M. Limaye)

Member

Sd/-

(Sanjay Kumar)

Chairperson

(Dr. Rajendra G. Ambekar)
Secretary



Appendix – 1

S N	Name of Party/ Individual Objector
1	Shri. Nilesh Vijaykumar Gaikwad
2	Shri. Vishal Patil
3	Shri. Mohan Gyanchandani
4	Shri. Narendra Shewale
5	Smt. Sonali Khodke
6	Shri. Shivakannya Deshmukh
7	Shri. Avinash Appasaheb Gondhali
8	Shri. Kunal Sonone
9	Shri. J S More
10	Shri. Manoj B Koli
11	Shri. Sudhakar Shelke
12	Shri. Kiru Katkari
13	Shri. Pradip Santoba Chavan
14	M/s. MRSBVKS
15	Shri. Suraj khomane
16	Shri. Kunal Pokale
17	Smt. Shital Dipak Jagdale
18	Shri. Pratik Shinde
19	Shri. Prashant Charpe
20	Shri. Sanjay Namdeo khandare
21	Shri. Vijay Mishra
22	Shri. Vinod Bhalerao
23	Shri. Amol Sampat Keskar
24	Shri. Rohan Thakre
25	Shri. Dipak Yadav
26	Smt. Mitali Patil
27	Shri. Pankaj Ramesh Wagh
28	Shri. Vinod Dhage
29	Shri. Nilesh V. G.
30	Shri. Amrutrao Shivaji Bidgar
31	Shri. Prashant Ramesh Chavhan

S N	Name of Party/ Individual Objector
32	Shri. Rakesh Rajurkar
33	Shri. Prakash Balwant Devke
34	Shri. Dipak K Patil
35	Shri. Satish Dattu Bansude
36	Smt. Khushi
37	Smt. Sayali Patil
38	Shri. Prakash B. D.
39	Shri. Shankar
40	Shri. Vijay
41	Shri. Jalindar Rathod
42	Shri. Praful
43	Shri. Vishal
44	Smt. Snehal
45	Shri. Vishal Kshetre
46	Shri. Rajesh Gyanchandani

Appendix – 2

Attendance at e-Public Hearing on 30 September, 2025

Sr. No.	Name	Organization
1.	Mr. Naresh Desai	ATIL
2.	Shri Akshay Mathur	ATIL
3.	Mr. M. R. Krishna Rao	ATIL
4.	Mr. Peeyush Sharma	STU
5.	Ms. Sharda Takpere	STU
6.	Mr. Dhiraj Patil	STU