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**CENTRAL ELECTRICITY REGULATORY COMMISSION**

**NEW DELHI**

**No. L-7/165(180)/2008-CERC**

Dated: 26<sup>th</sup> May, 2009

**NOTIFICATION**

In exercise of powers conferred under Section 178 of the Electricity Act, 2003 and all other powers enabling it in this behalf and after previous publication, the Central Electricity Regulatory Commission hereby makes the following regulations, namely:—

**CHAPTER - I -- PRELIMINARY**

**1. Short Title and Commencement**

(1) These regulations may be called the Central Electricity Regulatory Commission (Procedure, Terms and Conditions for grant of Transmission Licence and other related matters) Regulations, 2009.

(2) These regulations shall come into force from the date of their publication in the official gazette.

**2. Definitions and Interpretation**

(1) In these regulations, unless the context or subject-matter otherwise requires,-

(a) “Act” means “The Electricity Act, 2003 (36 of 2003)”;

(b) “agreement” means the agreement, contract, memorandum of understanding, or any other covenant on any aspect relating to the inter-State transmission of electricity, entered into between the licensee, the long-term customers and the Central Transmission Utility or the deemed licensee;

(c) “applicant” means a person who has made an application for grant of licence or, for amendment of licence, as the case may be;

(d) “application” means the application made for grant of licence or, for amendment of licence, as the case may be, and includes annexures, enclosures to such application;

(e) “bid process coordinator” means an agency notified by the Central Government for coordinating the process of inviting bids for procurement of services for inter-State transmission of electricity in accordance with the guidelines for competitive bidding;

(f) “Central Transmission Utility” means the Central Transmission Utility notified by the Central Government under sub-section (1) of Section 38 of the Act;

- (g) “Commission” means the Central Electricity Regulatory Commission referred to in Section 76 of the Act;
- (h) "deemed licensee” means a person, who is deemed to be a licensee for inter-State transmission of electricity under any of the provisos to Section 14 of the Act;
- (i) “Empowered Committee” means the Empowered Committee referred to in the guidelines for encouraging competition;
- (j) “financial year” means a period of twelve months commencing on 1<sup>st</sup> April of a year and terminating on 31<sup>st</sup> March of the following year;
- (k) “Grid Code” means the Indian Electricity Grid Code specified by the Commission under clause (h) of sub-section (1) of Section 79 of the Act;
- (l) “guidelines for competitive bidding” means the guidelines issued by the Central Government from time to time in terms of Section 63 of the Act for development of transmission projects;
- (m) “guidelines for encouraging competition” means the guidelines issued by the Central Government for encouraging competition in development of transmission service;
- (n) “licence” means a licence granted by the Commission under Section 14 of the Act to a person to undertake inter-State transmission of electricity;
- (o) “licensee” means a person who has been granted a licence, and includes a deemed licensee;
- (p) "long-term customer” means a long-term customer as defined in the Central Electricity Regulatory Commission (Open Access in inter-State Transmission) Regulations, 2008, including statutory amendments and re-enactments thereof;
- (q) “project” means an element or elements of the inter-State transmission system included in the transmission plan;

(r) “standards” means the technical standards, safety requirements and grid standards specified by the Central Electricity Authority under Section 73 of the Act;

(s) “state owned or controlled company” means a company in which not less than fifty one percent of the paid-up share capital is held or the majority of directors on whose Board are appointed, by the Central Government, or by any State Government or Governments, or by any Government company or companies, or by the Central Government and any State Government or Governments and any Government company or companies;

(t) “transmission charges“ means the transmission charges approved or adopted, as the case may be, by the Commission for the project;

(u) “transmission plan” means the short-term and perspective plan prepared by the Central Electricity Authority or network plan prepared by the Central Transmission Utility in accordance with the National Electricity Policy.

(2) Save as aforesaid and unless repugnant to the context or the subject-matter otherwise requires, words and expressions used in these regulations and not defined, but defined in the Act or the Grid Code shall have the meanings assigned to them respectively in the Act or the Grid Code.

(3) The General Clauses Act, 1897 (10 of 1897), as amended from time to time, shall apply for the interpretation of these regulations as it applies for interpretation of an Act of Parliament.

## **CHAPTER - II -- SELECTION OF PROJECT AND IMPLEMENTING AGENCY**

### **3. Selection of Projects**

The Empowered Committee shall identify the projects included in the transmission plan to be developed under the guidelines for competitive bidding.

### **4. Project Developer**

(1) In case of the projects identified by the Empowered Committee for development under the guidelines for competitive bidding, selection of the project developer shall be made in accordance with the procedure laid down under these guidelines.

(2) The projects included in the transmission plan and not identified by the Empowered Committee to be developed under the guidelines for competitive bidding may be developed by the Central Transmission Utility or other deemed licensee, or a state owned or controlled company identified as project developer on or before 5.1.2011.

### **CHAPTER - III -- GRANT OF LICENCE**

#### **5. Proceedings before the Commission**

All proceedings before the Commission under these regulations shall be governed by the Central Electricity Regulatory Commission (Conduct of Business) Regulations, 1999, including amendments and statutory re-enactments thereof.

#### **6. Eligibility for Grant of licence**

No person shall be eligible for grant of licence unless it is—

- (a) selected through the process under the guidelines for competitive bidding, or
- (b) a state owned or controlled company identified as a project developer on or before 5.1.2011, or
- (c) a generating company which has established the dedicated transmission line, and intends to use such dedicated transmission line as the main transmission line and part of the inter-State transmission system:

#### **7. Procedure for Grant of Licence**

(1) The application for grant of licence shall be made to the Commission in Form-I appended to these regulations and shall be accompanied by such fee as may be prescribed by the Central Government from time to time.

- (2) In case of the person selected for implementation of the project in accordance with the guidelines for competitive bidding, the application shall also contain such additional information, as may be required under these guidelines.
- (3) The application shall be supported by affidavit of the person acquainted with the facts stated therein.
- (4) Before making an application, the applicant shall serve a copy of the application on each of the long-term customers of the project and shall submit evidence to that effect along with the application and shall also post the complete application along with annexures and enclosures on its web site, the particulars of which shall be given in the application.
- (5) The application shall be kept on the web site till such time the licence is issued or the application is rejected by the Commission.
- (6) Immediately on making the application, the applicant shall forward a copy of the application to the Central Transmission Utility.
- (7) The applicant shall, within 7 days after making the application, publish a notice of its application in Form-II attached to these regulations, in at least two daily newspapers, one in English language and one in vernacular language, having circulation in each State or Union Territory where an element of the project or a long-term customer is situated, in the same language as of the daily newspaper in which the notice of the application is published.
- (8) As far as possible, within 7 days of receipt of the application the Secretariat of the Commission shall convey defects, if any, if noticed on preliminary scrutiny of the application for rectification and the defects conveyed shall be rectified by the applicant in such time as may be indicated in the letter conveying the defects.
- (9) In the notice published in the newspapers under clause (7) it shall be indicated that the suggestions and objections, if any, on the application, may be filed before the Secretary, Central Electricity Regulatory Commission, Third Floor, Chanderlok Building, Janpath, New Delhi-110001 (or the address where the office of the Commission is situated), with a copy to the applicant, by any person, including the long-term customers, within 30 days of publication

of the notice,.

(10) The applicant shall within 15 days from the date of publication of the notice as aforesaid submit to the Commission on affidavit the details of the notice published, indicating the newspapers in which the notice has been published and the date and place of their publication and shall also file before the Commission the relevant copies of the newspapers, in original, in which the notice has been published.

(11) The Central Transmission Utility shall send its recommendations, if any, to the Commission on the proposal made in the application within a period of thirty days from the date of receipt of application by it:

Provided that copy of the recommendations, if any, made by the Central Transmission Utility shall always be forwarded to the applicant;

Provided further that the recommendations of the Central Transmission Utility shall not be binding on the Commission.

(12) The applicant may file its comments, duly supported by an affidavit, on the recommendations made by the Central Transmission Utility and the suggestions and objections, if any, received in response to the public notice published by him, within 45 days of service of copy of the application on the Central Transmission Utility or publication of notices in the newspapers, with an advance copy to the Central Transmission Utility or the person who has filed the suggestions and objections on the proposal made in the application, as the case may be.

(13) The Commission after considering the suggestions and objections received in response to the public notice published by the applicant and the recommendations, if any, of the Central Transmission Utility may, propose to grant the licence or for reasons to be recorded in writing, reject the application.

(14) Before granting a licence, the Commission shall publish a notice of its proposal in such two daily newspapers, as the Commission may consider appropriate, stating the name and address of the person to whom it proposes to grant the licence, details of the project for which it proposes to grant licence, location or route of the elements of the project, in addition to any other details that the Commission may consider appropriate, to invite further suggestions and objections on its proposal.

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

(16) The Commission may before granting licence or rejecting the application provide an opportunity of hearing to the applicant, the Central Transmission Utility, the long-term customers, or the person who has filed suggestions and objections, or any other person:

Provided further that the applicant shall always be given a reasonable opportunity of being heard before rejecting the application.

(17) The Commission shall within 15 days of making the order to grant the licence, send a copy of the licence to the Central Government, the Central Electricity Authority, the Central Transmission Utility, the applicant and the long-term customers.

#### **CHAPTER - IV -- TRANSMISSION CHARGES**

##### **8. Determination of Transmission Charges**

(1) In case the licensee has been selected for implementation of the project in accordance with the guidelines for competitive bidding, the transmission charges shall be adopted by the Commission in accordance with Section 63 of the Act.

(2) In all other cases, the transmission charges, incentive, or disincentive and other charges shall be determined in accordance with the terms and conditions for determination of tariff



specified by the Commission under Section 61 of the Act and in force from time to time.

**9. Impact of Change of Law on Transmission Charges**

In case the licensee has been selected for development of the project in accordance with the guidelines for competitive bidding, impact of change of law on the transmission charges shall be subject to the provisions made in the agreements.

**CHAPTER – V -- TERMS AND CONDITIONS OF LICENCE**

**10. Obligations of Licensee**

(1) The licensee shall, during the validity of the licence, maintain insurance in accordance with prudent utility practices or as may be necessary under-

(a) any of the agreements; and

(b) the laws in force in India:

Provided that the licensee may opt for self-insurance.

(2) The licensee shall build the project in a time-bound, efficient, coordinated and economical manner.

(3) The licensee shall, establish, operate and maintain the project in accordance with the prudent utility practices and the agreements.

(4) The licensee shall comply with such directions of the National Load Despatch Centre under section 26 of the Act, or the Regional Load Despatch Centre under sub-section (3) of section 28 or sub-section (1) of section 29 thereof, as may be issued from time to time for maintaining the availability of the project:

Provided that without prejudice to any other action which may be taken against the licensee under any other law for the time being in force, the Commission, on an application made by the National Load Despatch Centre or the Regional Load Despatch Centre and after hearing the licensee, on being satisfied that the licensee has failed to maintain the availability

of the transmission system may issue such directions to the National Load Despatch Centre or the Regional Load Despatch Centre to take control of the operations of the transmission system of such licensee for such period and on such terms, as the Commission may decide.

(5) The licensee shall strictly comply with all laws in force and, in particular, the Act, the rules and regulations framed pursuant to the Act, the Grid Code, the standards, orders and directions issued by the Commission.

(6) The licensee shall provide non-discriminatory open access to its transmission system for use by any other licensee, including a distribution licensee or an electricity trader, or generating company or any other person in accordance with the Central Electricity Regulatory Commission (Open Access in inter-state Transmission) Regulations, 2008, as amended from time to time.

(7) The licensee shall pay the licence fee in accordance with the Central Electricity Regulatory Commission (Payment of Fee) Regulations, 2008 or such other regulations as may be in force from time to time.

(8) Wherever prior approval of the Commission is required, the licensee shall make an appropriate application before the Commission in accordance with Central Electricity Regulatory Commission (Conduct of Business) Regulations, 1999 as amended from time to time including statutory re-enactment thereof.

(9) The licensee shall comply with all other regulations, including the regulations specified by the Commission regarding utilisation of the transmission assets for a business other than transmission of electricity.

## **11. Prohibited Activities**

The licensee shall not enter into any contract or otherwise engage in the business of trading of electricity.

**12. Assignment of Licence**

In case of default by the licensee in debt repayment, the Commission may, on an application made by the lenders, assign the licence to a nominee of the lenders.

[13. **Term of Licence-** (1) The transmission licence shall, unless revoked earlier, continue to be in force for a period of 25 years from the date of issue.

(2) If the useful life of the transmission asset for which transmission licence has been issued extends beyond the period of 25 years, the Commission may consider on merit of each case to grant licence for another term for which the licensee may make an application in accordance with Regulation 7 two years before the expiry of the initial period of licence.

Provided that when the licensee does not make an application for grant of licence beyond the initial period of 25 years, the Commission may, to protect the interest of the consumers or in public interest, issue such directions or formulate such schemes as it may deem necessary for operation of the transmission assets for the remaining part of its useful life.

(3) Where the tariff of the transmission assets has been determined by the Commission under Section 62 of the Act, the tariff of such assets beyond the period of 25 years shall be determined in accordance with the tariff regulations applicable at that point of time:

(4) Where the Request for Proposal (RFPs) for the projects have been issued or the projects have been awarded on the basis of competitive bidding under Section 63 of the Act on the date of notification of these regulations, the tariff of such transmission assets beyond the initial period of licence shall be determined in accordance with the following guidelines:

- (i) For computation of Return on Equity, equity base shall be 30% of the Gross Block or the actual equity invested in the project as per balance sheet as at the end of 25th year whichever is lower, subject to prudence check by the Commission;
- (ii) Other financial and technical norms i.e. Return on Equity, Interest on Loan, O&M Expenses, Interest on working capital, target availability, incentive etc. shall be considered on the basis of norms of tariff prevalent during the period in which the initial period of licence is due to expire;

(5) For all future projects to be developed through competitive bidding, the bidders shall be required to quote the tariff upto 35th year from date of commercial operation which shall be considered for bid evaluation:

Provided that in case the licence is granted for another term, the tariff for the extended period upto 35th year shall be payable on the basis of the rate quoted at the bidding and adopted by the Commission for the respective year of operation.

(6) In case the transmission licensee covered under clauses (4) and (5) of this regulation decides to undertake renovation & modernization of the transmission system after the initial period of licence, it shall make an application for approval of the cost of renovation and modernization alongwith the application for grant of fresh licence, which shall be considered by the Commission in accordance with the prevalent norms.]<sup>1</sup>

#### **14. Consequences of Late Payment or Non-payment of Licence Fee**

Notwithstanding the liability of the licensee to pay the late payment surcharge under the Central Electricity Regulatory Commission (Payment of Fee) Regulations, 2008 or any other regulations in force, delay in payment or non-payment of the licence fee or a part thereof, for a period exceeding 60 days, shall be construed as breach of the terms and conditions of the licence.

#### **15. Accounts of the Licensee**

The licensee shall -

(a) maintain separate accounts for each business, including the business of the undertaking utilising assets of the project, in such form and containing such particulars as may be specified by the Commission and till such time these are specified by the Commission, the accounts shall be maintained in accordance with the Companies Act, 1956, as amended from time to time.

(b) prepare from such records, accounting statements for each financial year comprising a profit and loss account, a balance sheet and a statement of source and application of funds together with notes thereto and showing separately the amounts of any revenue, cost, asset, liability, reserve, or provision which has been either:

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<sup>1</sup> Substituted vide Amendment Regulations 2010 w.e.f 26.05.2010

- (i) charged from or to any other business together with a description of the basis of that charge; or
  - (ii) determined by apportionment or allocation between the various business activities together with a description on the basis of the apportionment or allocation.
- (c) get the accounting statements prepared in accordance with foregoing clauses, duly certified by the Auditors in respect of each financial year, stating whether in their opinion the statements have been properly prepared and give a true and fair view of the revenues, costs, assets, liabilities, reserves reasonably attributable to the business to which the statements relate.

#### **16. Inspection of Accounts**

Any person authorised by the Commission shall be entitled to inspect and verify the accounts of the licensee at any reasonable point of time and the licensee shall be under obligation to render all necessary assistance to the person so authorized for inspection of accounts.

#### **17. Submission of Information**

The licensee shall submit such information, as may be called for from time to time by the Commission or the Regional Load Despatch Centre, or the Regional Power Committee in order to fulfil responsibility of supervision and control over the inter-State transmission system entrusted under the Act:

Provided that the Regional Load Despatch Centre or the Regional Power Committee may from time to time, report to the Commission, such of the developments, as they consider appropriate in regard to performance of licensee.

#### **18. Prudential Reporting**

The licensee shall, as soon as practicable, report to the Commission:

- (a) any change in major shareholding, ownership or management of the licensee. and
- (b) any proceedings initiated by one or more of the parties signing the agreement for

interpretation, amendment or termination of the agreement.

**19. Amendment of Licence**

(1) The Commission may of its own motion or on an application made by the licensee or otherwise make such alterations and amendments in the terms and conditions of licence if the Commission is of the opinion that the public interest so requires:

Provided that before ordering any alterations and amendments in the terms and conditions of the licence, proposed to be made otherwise than on the application of the licensee, the Commission shall publish a notice in two such daily newspapers as it considers necessary with the following particulars, namely:-

- (a) name and address of the licensee;
- (b) alterations and modifications proposed to be made;
- (c) grounds for such alterations and modifications; and
- (d) statement inviting suggestions, if any, on the proposal for consideration of the Commission within the time specified in the notice.

(2) The procedure specified in regulation 7 shall *mutatis mutandis* be applicable in case the licensee makes an application for any alteration of or modification to the terms and conditions of the licence.

(3) Where the licensee has made an application proposing any alteration and modification of its licence, it shall publish a notice of such application, with the following particulars, namely: -

- (a) name of the applicant;
- (b) that an application for alteration and modifications has been made before the Commission;
- (c) details of alteration and modifications proposed in the application,
- (d) reasons for seeking such alterations and modifications;

- (e) a statement that the application made before the Commission has been posted on the web site and can also be inspected in the office of the applicant;
- (f) a statement that any suggestion to the proposal for alteration and modifications made in the application may be submitted to the Secretary of the Commission within one month of publication of the notice;

**Note:** For the purpose of this regulation and regulation 20, the term “licensee” does not include the deemed licensee.

## **20. Revocation of Licence**

- (1) The Commission may revoke the licence, in any of the following circumstances, namely:-
  - (a) Where the licensee in the opinion of the Commission, makes wilful and prolonged default in doing anything required of it by or under the Act, or the Rules or the regulations framed pursuant to the Act;
  - (b) Where the licensee breaches any of the terms and conditions of its licence;
  - (c) Where the licensee fails, within the period fixed in this behalf by its licence or any longer period which the Commission may allow therefore, to show to the satisfaction of the Commission, that it is in a position fully and efficiently to discharge the duties and obligations imposed on him by its licence;
  - (d) Where in the opinion of the Commission the financial position of the licensee is such that it is unable to fully and efficiently discharge the duties and obligations imposed on it by its licence;
  - (e) Where licensee has failed or neglected to undertake transmission in electricity;
  - (f) Where the licensee fails to submit the information as required under these regulations;
  - (g) Where the licensee breaches any of the terms and conditions of Transmission

Service Agreement during the construction or operations phase;

Provided that the licence shall not be revoked except after an enquiry by the Commission in accordance with principles of natural justice, and unless the licensee has been given not less three months' notice in writing stating the grounds for revocation of licence and considering the cause shown by the licensee within the period of that notice against the proposed revocation:

Provided further that the Commission may, instead of revoking the licence, permit the licence to remain in force subject to such further terms and conditions as it thinks fit to impose, and any further terms and conditions so imposed shall be binding upon and be observed by the licensee and shall be of like force and effect as if they were contained in the licence.

(2) When the licensee makes an application for revocation of the licence and the Commission is satisfied that public interest so requires, the Commission may revoke licence, on such terms and conditions as it thinks fit.

(3) The Commission shall serve a notice of revocation upon the licensee and fix a date on which the revocation shall take effect and shall simultaneously specify how and by whom the obligations under the licence are to be discharged after such revocation.

(4) If the Commission at any stage is satisfied that the project has been abandoned by the licensee thereby affecting its construction, operation or maintenance, the Commission may direct the Central Transmission Utility or any other person found suitable by the Commission, to immediately take over construction, operation or maintenance of the project as an interim measure pending finalization of proceedings for revocation of licence and sale and vesting of utilities of the licensee in accordance with Sections 20 and 21 of the Act.



**CHAPTER - VI -- MISCELLANEOUS**

**21. Procedure for Securing Compliance of Terms and Conditions of Licence**

(1) Where the Commission, on the basis of material in its possession is satisfied that the licensee is contravening, or is likely to contravene, the terms and conditions of licence, it shall serve a notice to the licensee narrating the terms and conditions of licence contravened or likely to be contravened by him to seek its explanation.

(2) The notice may be served on him by delivering the same at the registered office or at the usual or its last known place of residence or business, either through registered post or speed post or by hand delivery through a messenger or publication in the newspaper where the Commission is satisfied that it is not reasonably practicable to serve the notice on the licensee through registered post/speed post or by hand delivery or in any other manner as considered appropriate by the Commission in the facts and circumstances of the case.

(3) The Commission if it considers that it is necessary to bring the matters to the attention of persons affected or likely to be affected by such contravention, shall publish a notice in one or more newspapers specifying the terms and conditions contravened or likely to be contravened by the licensee to invite suggestions from such persons.

(4) The licensee or the persons affected or likely to be affected by the contravention of the terms and conditions of the licence by the licensee may file their objections or suggestions within 30 days from the date of receipt of notice under clause (1) or publication of notice in the newspapers under clause (3), as the case may be.

(5) The Commission shall on consideration of the objections and suggestions received as aforesaid, pass such order or give such directions as may be necessary to secure compliance of the terms and conditions of licence.

**22. Dispute Resolution**

(1) All disputes or differences arising out of or connected with the interpretation of the licence or the terms and conditions thereof, shall, as far as possible, be resolved by mutual consultation and reconciliation in accordance with the agreements.

(2) In the event of failure of the parties to resolve the disputes or differences in the manner stated in clause (1), these shall be referred by the licensee to the Commission for adjudication or arbitration, within one month of recording of such failure.

**23. Communication**

(1) All communications under these regulations shall be in writing and shall be delivered either in person to the addressee or its authorised agent, or sent by registered post or speed post at the registered office or at the usual or last known place of residence or business of the addressee.

(2) All communications shall be deemed to have been given by the sender and received by the addressee –

- (a) when delivered in person to the addressee or to its authorised agent; or
- (b) on expiry of 15 days from the date of sending the communication by registered or speed post at the address of the addressee.

**24. Power to Relax**

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

**25. Repeal and Saving**

(1) Save as otherwise provided in these regulations, the Central Electricity Regulatory Commission (Procedure, Terms & Conditions for grant of Transmission Licence and other related matters) Regulations, 2003 are hereby repealed.

(2) The projects approved by the Commission prior to commencement of these regulations shall be treated as special projects and these regulations shall apply to such projects from the date of commencement of these regulations.

Sd/-  
(Alok Kumar)  
Secretary

Note: Central Electricity Regulatory Commission (Procedure, Terms and Conditions for grant of Transmission Licence and other related matters) Regulations, 2009 were published in Part III, Section 4, No. 94 of the Gazette of India (Extraordinary) dated 02.06.2009 and amended vide Amendment Regulations, 2010 published in Part III, Section 4, No. 145 of the Gazette of India (Extraordinary) dated 26.05.2010.

## FORM-I

**Application Form for Grant of Transmission licence****1. Particulars of the Applicant**

- Name of the Applicant :
- Status : Individual/ partnership firm/ Private Limited Company/ Public Limited Company
- Address :
- Name, Designation & Address of the Contact Person :
- Contact Tel. No. :
- Fax No. :
- Email ID :
- Place of Incorporation/Registration :
- Year of Incorporation/Registration :
- Following documents are to be enclosed :
- (a) Certificate of Registration
- (b) Original Power of Attorney of the signatory to commit the Applicant or its promoter

**2. Particulars of the Project for which licence is being sought:****(a) Transmission Lines:**

S.No.	Name (end-points location)	Voltage Class (kV)	Length (Km)	Type (S/C or D/C)

(b) Sub-stations

S.No.	Name (location)	Voltage Level(s) (kV)	Transformer (Nos. and MVA capacity)	Reactive / capacitive compensation (device with MVAR capacity)	No. of bays

(c) Commissioning schedule:

(d) Identified Long-term transmission customers of the Project:

(Agreements or status of discussion on Agreements to be submitted along with application)

(e) Any other relevant information

3. Levelised transmission charges in case of project selected through the transparent process of competitive bidding and estimated completion cost of the project in other cases:

*(The levelised transmission charges estimated cost should be indicated in INR, along with the base month and year in case of the estimated cost)*

4. In case applicant has been selected in accordance with the guidelines for competitive bidding, enclose:

(a) Recommendation of selection by the Empowered Committee

(b) Evaluation report made public by the Bid Process Coordinator.

5. List of documents enclosed:

**Name of document**

a)

- b)
- c)
- d)

(Signature of Applicant or the person  
Authorised)

Dated :

Place:

**Form II**

**(Form of Public Notice)**

**Monogram, if any, of the applicant**

**Name of the applicant (In bold letters)**

**Address of the applicant (In bold letters)**

**NOTICE (In bold letters)**

**(Under sub-section (2) of Section 15 of the Electricity Act, 2003)**

**(In bold letters)**

(To be published in at least two daily newspapers, one in English and the other in the vernacular language having circulation in each of the State/Union Territory where any element of the Project or the long-term customer is situate in the same language as of the daily newspapers.)

1. .... (Give here name of the applicant in BOLD LETTERS), having its Registered Office at .....(Give the address in BOLD LETTERS), which is incorporated under the Companies Act, 1956, has made an application before the Central Electricity Regulatory Commission, New Delhi under sub-section (1) of Section 15 of the Electricity Act, 2003 for grant of transmission licence in respect of the transmission lines, sub-stations and other assets, the details of which are given

Sl. No.	Name of the line/Substation (location)	Line length <sup>1</sup> / Capacity <sup>2</sup>	Estimated Completion Cost <sup>3</sup> or Levelised Transmission Charges <sup>4</sup> (If applicant is selected in accordance with guidelines for	Commissioning Schedule	Remarks <sup>5</sup>

**Explanatory note:**

***These are explanatory notes for submitting above information and not to be included in the public notice.***

1. *In case of a transmission line.*
2. *In case of a sub-station.*
3. *The estimated cost in INR along with the base month and year of the estimated cost.*
4. *Levelised Transmission Charges based on tariff quoted and discount factor and escalation factor used for evaluation by Bid Process Coordinator.*
5. *In the remarks column, in addition to any other details that may be considered necessary, it should be clearly mentioned whether any of the assets will traverse or will be located, wholly or partly, in any cantonment, aerodrome, fortress, arsenal, dockyard or camp or any of the buildings or place in occupation of the Government for Defence purposes or up to a distance of 2*

2. Complete application and other documents filed before the Commission are available on the web site ..... (Give web site address) for access by any person. The application can also be inspected at the office of the Company at..... (Give address or reference to address, if given in the monogram) with ..... (Give name of the person authorised to allow inspection) or Office of the Commission in accordance with the procedure specified by the Commission.

3. Objections or suggestions, if any, be filed before the Secretary, Central Electricity Regulatory Commission, .....(Give address of the Office of the Commission), with a copy of the objection(s)/suggestion(s) to the applicant or its authorized agent, within 30 days of the publication of the notice in the newspaper.

Place :

Name and Designation of the  
Authorised Signatory

Date :



**Form-III**

**CENTRAL ELECTRICITY REGULATORY COMMISSION**

**NEW DELHI**

**TRANSMISSION LICENCE**

1. The Central Electricity Regulatory Commission (hereinafter referred to as “Commission”), in exercise of the powers conferred under Section 14 of the Electricity Act, 2003 (hereinafter referred to as “Act”), hereby grants the licence to ..... (hereinafter referred to as the licensee) to construct, own, maintain and operate..... (Name of the Project), more specifically described in the schedule attached to this licence, which shall be read as a part and parcel of this licence, subject to the Act, the rules and the terms and conditions specified under the Central Electricity Regulatory Commission (Procedure, Terms and Conditions for grant of Transmission Licence and other related matters) Regulations, 2008 which shall be read as part and parcel of this licence.
2. The conditions such as but not limited to, completion schedule, transfer value, liquidated damages, Project Implementation Guarantee Deposit, escalation due to domestic inflation, which are specified in bid documents and provisions in the Agreements, shall be treated as part of this licence, unless these provisions are contrary to the Central Electricity Regulatory Commission (Procedure, Terms and Conditions for grant of Transmission Licence and other related matters) Regulations, 2008.
3. This licence is not transferable, except as provided in the Central Electricity Regulatory Commission (Procedure, Terms and Conditions for grant of Transmission Licence and other related matters) Regulations, 2008.
4. The grant of licence to the licensee shall not in any way or manner restrict the right of the Commission to grant a licence to any other person within the same area for the transmission system other than the Project described in the schedule attached to this licence. The licensee shall not claim any exclusivity.

5. The licence shall, unless revoked earlier, continue to be in force for a period of 25 (twenty five) years from the date of issue.

Place: New Delhi.

Date: .....

**SCHEDULE**

**1.0 Project Related Details:**

The Project comprises of following elements of the Inter-State Transmission System:

<b>S.No.</b>	<b>Name of the transmission element</b>	<b>Scheduled date of commissioning</b>

Place: New Delhi

Date: .....