

CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI

No. L-1/270/2023/CERC

Date: 23rd May 2024

NOTIFICATION

In exercise of powers conferred under Section 178 of the Electricity Act, 2003 read with Section 14, Section 15 and Section 16 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 1
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, 2024.

(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 otherwise requires -

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

- (b) “agreement” means and includes an agreement, contract, memorandum of understanding, or any other covenant in writing on any aspect relating to the inter- State transmission of electricity, entered into between the licensee and the Long Term Transmission Customer(s) or the Central Transmission Utility, as the case may be;
- (c) “applicant” means a person who has made an application for grant or amendment or revocation of licence for inter-State transmission of electricity, as the case may be;
- (d) “application” means the application made for grant or amendment or revocation of licence for inter-State transmission of electricity, as the case may be, and includes annexures and enclosures to such application;
- (e) “bid process coordinator” or “BPC” means an agency notified by the Central Government to coordinate the process of inviting the bids and selecting the successful bidder for procurement of services for inter-State transmission of electricity, in accordance with the competitive bidding guidelines;
- (f) “bulk consumer” shall have the same meaning as defined in the Central Electricity Authority (Technical Standards for Connectivity to the Grid) Regulations, 2007;
- (g) “Central Transmission Utility” or “CTU” means any Government company notified by the Central Government under sub-section (1) of Section 38 of the Act and shall refer to Central Transmission Utility of India Limited (CTUIL) as presently notified;
- (h) “Commission” means the Central Electricity Regulatory Commission referred to in Section 76 of the Act;

- (i) “competitive bidding guidelines” means the guidelines issued by the Central Government from time to time in terms of Section 63 of the Act for the development of transmission projects;
- (j) “deemed licensee” means a person who is deemed to be a licensee for inter-State transmission of electricity in terms of first, second, third, fourth and fifth provisos to Section 14 of the Act;
- (k) “Designated ISTS Customer” or “DIC” shall have the same meaning as defined in Central Electricity Regulatory Commission (Sharing of Inter-State Transmission Charges and Losses) Regulations, 2020;
- (l) “financial year” means a period of twelve months commencing on 1st April of a year and terminating on 31st March of the following year;
- (m) “GNA Regulations” means the Central Electricity Regulatory Commission (Connectivity and General Network Access to the inter-State Transmission System) Regulations, 2022;
- (n) “Grid Code” means the Central Electricity Regulatory Commission (Indian Electricity Grid Code) Regulations, 2023 specified by the Commission under clause (h) of sub-section (1) of Section 79 of the Act;
- (o) “Long Term Transmission Customer” or “LTTC” means a person, who has entered into the Transmission Service Agreement (TSA) for availing or intending to avail access to the inter-State transmission system under the provisions of the TSA issued under competitive bidding guidelines;
- (p) “project” for the purpose of these regulations means an element or elements included in the transmission plan to be developed as an inter-State transmission system either under regulated tariff mechanism or under tariff based competitive bidding;

- (q) “project mode” means the mode for execution of the transmission project for which the BPC invites the bids for implementation of project without incorporating a project specific SPV, and the successful bidder, after receiving the Letter of Award (LoA) from the BPC, is entrusted to implement the project.;
 - (r) “standards” means and includes the technical standards, safety requirements and grid standards specified by the Central Electricity Authority under clauses (b), (c) and (d) of Section 73 of the Act;
 - (s) “transmission charge” means the transmission charges determined under Section 62 or adopted under Section 63 of the Act by the Commission, as the case may be;
 - (t) “transmission plan” means the plan prepared by the Central Transmission Utility in accordance with the provisions of the Act or the Rules made thereunder.
- (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 Rules or the Grid Code or any other regulations of the Commission shall have the meaning as assigned to them respectively in the Act or the Rules or the Grid Code or the relevant regulations.
- (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 to the interpretation of an Act of Parliament.
- (4) Reference to any Acts, Rules and Regulations shall include amendments, consolidation, or re-enactments thereof.

CHAPTER 2

GRANT OF LICENCE

3. 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, 2023, including amendments and statutory re-enactments thereof.

4. Eligibility for Grant of licence

(1) No person shall be eligible for grant of licence for inter-State transmission of electricity unless it is,

- (a) selected through the process under the competitive bidding guidelines issued under section 63 of the Act; or
- (b) an entity selected by the Central Government or its authorized agency to implement a project under the regulated tariff mechanism.

(2) The following persons shall not be required to seek a transmission licence for inter-State transmission of electricity:

- (a) A distribution licensee, for developing, maintaining and operating the transmission lines for connecting its distribution system with the inter State transmission system;
- (b) A bulk consumer, for developing, maintaining and operating the dedicated transmission line for connecting its system with the inter-State transmission system.

5. Procedure for Grant of Licence

(1) The application for the 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 under sub-section (1) of section 15 of the Act.

(2) The application shall be supported with an affidavit in accordance with Regulation 17 of the Central Electricity Regulatory Commission (Conduct of Business) Regulations, 2023.

(3) The applicant shall submit the original application in electronic form along with enclosures on the e-filing portal of the Commission and electronically serve a copy of such application on all the concerned DICs of the project and the Central Transmission Utility. The application shall be served through e-mail on the concerned DICs of the project who are not registered on the e-filing portal of the Commission.

(4) The applicant shall also upload the complete application along with annexures on its website, in English. The applicant shall also upload on its website, the details as per Form-I and Form-II appended to these regulations in the Indian language of the State or the Union Territory where an element of the project or concerned transmission line is situated or proposed to be situated. The application shall be kept posted on the website of the applicant till such time the application is disposed of by the Commission.

(5) The applicant shall, within 3 working days of filing the application, publish a notice of its application in Form-II appended to these regulations in at least two leading daily digital newspapers, one in English language and another in the Indian language of the State or Union Territory where an element of the project or concerned transmission line is situated or proposed to be situated, inviting comments from the general public. The notice shall also be kept posted on the website of the applicant.

(6) The Registry of the Commission shall carry out a preliminary scrutiny of the application and convey the defects, if any, as far as possible within 7 days of receipt of the application. The defects shall be rectified by the applicant within a period of 7 days from the date of such intimation from the Registry of the Commission.

(7) In the notice published in the digital newspapers and on the applicant's website under this Regulation, it shall be indicated that the suggestions and objections to the application, if any, may be filed by any person within 15 days of publication of the notice to The Secretary, Central Electricity Regulatory Commission at the address where the office of the Commission is situated and at email id: registry@cercind.gov.in. Any suggestion or objection received in response to the public notice shall be shared with the applicant and the respondents by the Registry of the Commission.

(8) The applicant shall within 3 working days from the date of publication of the notice in terms of Clause (5) of this Regulation submit to the Commission on affidavit the details of the notice published, names of the digital newspapers in which the notice has been published, the dates and places of their publication and enclosing the relevant pages of the publication of notice.

(9) The CTUIL shall send its recommendations, if any, to the Commission on the proposal for grant of licence made in the application as far as practicable within a period of 10 (ten) days from the date of receipt of the application with a copy to the applicant:

Provided that if CTUIL is unable to submit its recommendations within a period of 10 days, it shall inform the Commission the reasons for the same and submit its recommendations within a period of 30 (thirty) days from the date of receipt of the application:

Provided further that along with its recommendations, CTUIL shall submit the copy of approval of the transmission project by the Central Government in terms of Electricity (Transmission System Planning, Development and Recovery of Inter-state Transmission Charges) Rules, 2021 as amended from time to time.

Explanation: The recommendations of the Central Transmission Utility shall not be binding on the Commission.

(10) The applicant may file its comments, duly supported by an affidavit, on the recommendations made by CTUIL and the suggestions and objections, if any, received in response to the public notice within 7 working days of receipt of such suggestions and objections, with an advance copy to the CTUIL and the person, if any, who has filed the suggestions and objections on the proposal made in the application.

(11) The Commission after considering the suggestions and objections received from the DICs and in response to the public notice published by the applicant, and the recommendations, if any, received from CTUIL may either propose to grant the licence to the applicant or for reasons to be recorded in writing, reject the application.

(12) Before granting a licence, the Commission shall publish a notice of its proposal on the Commission's website and in two daily digital newspapers, having wide circulation, 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 a licence, location or route of the elements of the project, and any other details that the Commission may consider appropriate, to invite further suggestions and objections on its proposal within 15 days of the publication of the notice.

(13) The Commission may, after consideration of the further suggestions and objections, if any, received in response to the public notice in terms of

Clause (12) of this Regulation, grant licence to the applicant in Form-III appended to these regulations or for reasons to be recorded in writing, reject the application.

(14) The Commission shall before granting licence or rejecting the application under the provisions of this Regulation provide an opportunity of hearing to the applicant, CTUIL, the concerned DICs, or the person who has filed suggestions and objections, or any other interested person.

(15) The Commission shall, within 7 days of making the order to grant the licence to an applicant send a copy of the licence to the Central Government, the Central Electricity Authority, the Central Transmission Utility, the applicant and the concerned DIC(s).

CHAPTER 3

TERMS AND CONDITIONS OF LICENCE

7. Obligations of the Licensee

(1) The licensee shall, during the validity of the licence, maintain sufficient 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 subsection (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, and on being satisfied that the licensee has failed to maintain the availability of the transmission system, may issue such directions to the CTUIL or other transmission licensee to take control 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 in India and, in particular, the Act, the rules and regulations framed pursuant to the Act, the Grid Code, the Standards issued by the Central Electricity Authority, orders and directions issued by the Commission and the provisions of the Transmission Service Agreement, where applicable.

(6) The licensee shall provide non-discriminatory open access to its transmission system for use by a transmission licensee, a distribution licensee, an electricity trader, a generating company, a bulk consumer or any other person in accordance with the GNA Regulations.

(7) The licensee, who has been granted a licence in terms of these regulations, shall pay the licence fee in accordance with the Central Electricity Regulatory Commission (Payment of Fee) Regulations, 2012 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, 2023, as amended from time to time, including statutory re-enactment thereof.

(9) The licensee shall comply with all applicable regulations specified by the Commission from time to time.

8. Prohibited Activities

The licensee shall not enter into any agreement or otherwise engage in the business of trading electricity in accordance with the Act.

9. Assignment of Licence

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

10. Terms of Licence

(1) Period of Licence

The transmission licence shall, unless revoked earlier, continue to be in force for a period of 25 years from the date of issue.

(2) Renewal of Licence

(a) The transmission licence for the transmission assets whose tariff is determined by the Commission under Section 62 of the Act, shall, on completion of twenty-five (25) years from the date of issue of licence, stand automatically renewed for another period of twenty five (25) years at a time, unless revoked earlier;

Provided that the transmission licensee for transmission assets whose tariff is determined by the Commission under Section 62 of the Act, on completion of 25 years of license may seek renewal of the license for a period lesser than twenty-five (25) years by making an application in accordance with Regulation 5 of these regulations two years before the expiry of the initial period of licence:

Provided further that the Commission may renew the licence for a period less than 25 years after considering the merits of the case.

(b) An entity which has been issued transmission licence consequent to its selection under tariff based competitive bidding in terms of Section 63 of the Act shall, for renewal of licence beyond twenty five (25) years, make an application in accordance with Regulation 5 of these regulations two years before the expiry of the initial period of licence:

Provided that the Commission may renew the licence for a period less than 25 years after considering the merits of the case.

(c) Where the licensee is required to approach the Commission for renewal of license, but licensee does not make an application for renewal of licence beyond the initial period of 25 years, the Commission may, to protect the interest of the consumers or in the public interest, issue such directions or formulate such schemes as it may deem necessary for the operation of the transmission assets for the remaining part of its useful life.

11. Transmission Tariff

- (1) In case the licensee has been selected for implementation of the project in accordance with the competitive bidding guidelines, the transmission tariff in terms of the Transmission Service Agreement shall be adopted by the Commission under Section 63 of the Act.

- (2) In all other cases, the transmission tariff shall be determined under Section 62 of the Act, in accordance with the the applicable tariff regulations notified by the Commission.
- (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 initial period of licence of 25 years, shall continue to be determined in accordance with the applicable tariff regulations for the extended period of licence.
- (4) Tariff for transmission projects, which have been developed under competitive bidding guidelines issued by the Ministry of Power, Government of India vide letter dated 13.04.2006, as amended from time to time, for the period beyond the initial period of licence of 25 years, shall be governed as under,
- (i) where the tariff has been quoted up to the 25th year from the date of commercial operation and the licence is extended in terms of sub-clause (b) of Clause (2) of Regulation 10 of these regulations, the tariff for the extended period shall be payable as decided by the Commission on an application made by the licensee in this regard.
 - (ii) where the tariff has been quoted up to the 35th year from the date of commercial operation and the licence is extended further in terms of sub-clause (b) of Clause (2) of Regulation 10 of these regulations, the tariff for the extended period from the 26th year to the 35th year shall be payable on the basis of the rate quoted at the bidding and adopted by the Commission for the respective years of operation.
 - (iii) the tariff for the period beyond the 35th year in respect of assets covered under sub-clause (i) and (ii) of this clause shall be payable as decided by the Commission on an application made by the licensee in this regard.
- (5) Transmission tariff of the Projects being developed under competitive bidding guidelines issued by the Ministry of Power, Government of India vide letter dated 10.08.2021, shall be governed in terms of the said guidelines.

- (6) In case the transmission elements of a licensee (original licensee), which has been issued transmission licence consequent to tariff based competitive bidding under Section 63 of the Act, are required to be modified or re-configured due to the transmission plan of CTU, any additional financial implications of the modification or reconfiguration in the transmission elements of the original licensee, shall be borne by the licensee to whom the modification or reconfiguration work is assigned, without affecting the transmission charges of the original licensee.

11. 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, 2022 as amended from time to time 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 a breach of the terms and conditions of the licence.

12. Accounts of the Licensee

(1) The licensee shall -

- (a) maintain separate accounts for each business, including the business undertaken in terms of the Central Electricity Regulatory Commission (Sharing of Revenue Derived from Utilization of Transmission Assets for Other Business) Regulations, 2020, 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, 2013, 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 sources 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-

- (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 the 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.

13. 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 in time, and the licensee shall be under obligation to render all necessary assistance to the person so authorized for inspection of accounts.

14. Submission of Information

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

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

15. 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.

16. Amendment of Licence

(1) The Commission may on its own motion or on an application made by the licensee (other than deemed 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 inter-alia under the following categories:

(a) Where the Commission orders any alterations and amendments otherwise than on the application of the licensee, the Commission shall publish a notice in two such daily digital newspapers as it considers necessary with the following particulars, namely-

- i. name and address of the licensee;
- ii. alterations and modifications proposed to be made in the licence;
- iii. grounds for such alterations and modifications; and

- iv. statement inviting suggestions and objections, if any, on the proposal for consideration of the Commission within the time specified in the notice.
- (b) Where an existing licensee which has been granted a transmission licence pursuant to selection under the competitive bidding guidelines, and is subsequently selected through the process under the competitive bidding guidelines to implement additional transmission element(s) under project mode, it shall be eligible to add such transmission element(s) to its existing licence, after making an application before the Commission in terms of this Regulation.
- (c) Where an existing licensee which has been granted a transmission licence pursuant to being nominated by the Central Government or its authorized agency to implement transmission element(s) under regulated tariff mechanism, is further nominated to implement additional transmission element(s) under regulated tariff mechanism, it shall be eligible to add such transmission element(s) to its existing licence, by making an application before the Commission in terms of this Regulation.
- (2) The procedure specified in Regulation 5 of these regulations (except clause 13) shall *mutatis mutandis* be applicable in case the licensee makes an application for any amendment to the licence.
- (3) The Commission shall also upload Form-II submitted by the applicant on the website of the Commission, inviting suggestions and objections on the proposal for amendment of the licence.
- (4) The Commission shall carry out such amendment to the licence as may be considered necessary after consideration of the suggestions and objections received.

(5) The licensee shall be required to maintain separate accounts for such additional elements in case of addition/modification of the licence.

17. Revocation of Licence

(1) The Commission may revoke or modify 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 on this behalf by its licence or any longer period which the Commission may allow therefor, 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 or to make the deposit or furnish the security or pay the fees or other charges required by his 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 a licensee has failed or neglected to undertake transmission of 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 the Transmission Service Agreement during the construction or operations phase:

(2) 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 than 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.

(3) 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.

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

(5) 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.

(6) 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 4

MISCELLANEOUS

18. 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 the 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 electronically, including through the e-portal of the Commission and at the registered office or at its usual or last known place of residence or business, either through registered post or speed post or by hand delivery through a messenger. Where the Commission is satisfied that it is not reasonably practicable to serve the notice on the licensee in the manner as mentioned, the Commission may direct for service of notice by publication in the newspaper in such manner as considered appropriate by the Commission.

(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 with the terms and conditions of the license.

19. 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.

20. 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.

21. Power to Relax

The Commission, for reasons to be recorded in writing, may relax any of the provisions of these regulations on its own motion or on an application made before it by an affected person to remove the hardship arising out of the operation of any of these regulations, applicable to a class of persons.

22. Power to Remove Difficulty

If any difficulty arises in giving effect to the provisions of these regulations, the Commission may, on its own motion or on an application made before it by an affected person, by order, make such provisions not inconsistent with the provisions of the Act, the Rules or provisions of other regulations specified by the Commission, as may appear to be necessary for removing the difficulty in giving effect to the objectives of these regulations.

23. Issue of Suo Moto Orders and directions

The Commission may, from time to time, issue suo moto orders and practice directions with regard to the implementation of these regulations and matters incidental or ancillary thereto, as the case may be.

24. 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, 2009, as amended from time to time, are hereby repealed.

(2) The transmission licences issued by the Commission prior to commencement of these regulations shall be deemed to have been issued under these regulations and shall continue to be valid for the balance periods

of licence and these regulations shall apply to such licences from the date of commencement of these regulations.

Sd/-
(Harpreet Singh Pruthi)
Secretary

Application Form for Grant of Transmission licence / Amendment in the Transmission licence

1. Particulars of the Applicant

- i) Name of the Applicant :
- ii) Status : Individual/ partnership firm/ Private Limited Company/ Public Limited Company
- iii) Address :
- iv) Name, Designation & Address of the Contact Person (2 persons):
- v) Contact Tel. No. (2 nos.) :
- vi) Fax No. :
- vii) Email ID(s) :
- viii) Place of Incorporation / Registration:
- ix) Year of Incorporation/Registration:
- x) 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 / Amendment in licence (list of existing elements and proposed addition /deletion element in case) is being sought:

- (a) Transmission Lines:

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

(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	Remarks

- (a) Remarks: Status whether the element is existing or proposed to be added or deleted
 - (b) scheduled COD;
 - (c) Agreements with Identified Long-term transmission customers or CTU for the Project, as applicable:
3. **Quoted transmission charges in case of project selected through the guidelines of competitive bidding and estimated completion cost of the project in other cases:**

(The Quoted transmission charges or the estimated cost, as the case may be, 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 competitive bidding guidelines, enclose:
 - (a) Approval of Central Government as per Electricity (Transmission System Planning, Development and Recovery of Inter-state Transmission Charges) Rules, 2021.
 - (b) Evaluation report (if made public) by the Bid Process Coordinator.
5. List of documents enclosed:

Name of document

a)

b)

c)

d)

Dated:

Place:

(Signature of Applicant or the person Authorised)

Form II

(Form of Public Notice)

A. For case of new licence

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 digital daily newspapers, one in English and another in the Indian language of the State or Union Territory where an element of the project or concerned line is situated)

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, 2013, 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/Sub- station (location)	Line length ¹ / Capacity ²	Estimated Completion Cost ³ or Levelised Transmission Charges ⁴	Schedule COD	Remarks ⁵

Explanatory note:

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

1. *The estimated cost in INR along with the base month and year of the estimated cost.*

2. *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*

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 15 days of the publication of the notice in the newspaper.

Place:

Name and Designation of the

Authorised signatory

Date:

B. For case of Addition or deletion of transmission element in an existing licence

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 18 of the Electricity Act, 2003) (In bold letters)

(To be published in at least two digital daily newspapers, one in English and another in the Indian language of the State or Union Territory where an element of the project or concerned line is situated)

4.(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 (2) of Section 18 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

a. Details of existing license

b. Details of transmission element to be added or deleted

Sl. No.	Name of the line/Sub- station / transmission element (location)	Line length/ Capacity	Estimated Completion Cost or Quoted Transmission Charges (in case of addition)	Schedule COD (in case of addition)	Remarks

Explanatory note:

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

- | |
|--|
| <ol style="list-style-type: none">1. <i>The estimated cost in INR along with the base month and year of the estimated cost.</i>2. <i>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</i> |
|--|

5. 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.
6. 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 15 days of the publication of the notice in the newspaper.

Place :

Name and Designation of the

Authorised signatory

Date :

C. For case of alteration or modification of existing licence other than addition or deletion of a transmission element

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 18 of the Electricity Act, 2003) (In bold letters)

(To be published in at least two digital daily newspapers, one in English and another in the Indian language of the State or Union Territory where an element of the project or concerned line is situated)

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 (2) of Section 18 of the Electricity Act, 2003 for alteration or modification of transmission licence in respect of the transmission lines, sub-stations and other assets, the details of which are given

- (a) Details of transmission elements under existing license
- (b) details of alteration and modifications proposed in the application,

(c) reasons for seeking such addition, deletion, alterations and modifications;

2.(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.
3. 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.
4. Objections or suggestions, if any, be filed before the Secretary, Central Electricity Regulatory Commission,(Give address of the Office of the Commission), within 15 days of the publication of the notice in the newspaper.

Place :

Name and Designation of the

Authorised signatory

Date :

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, 2023 as amended or re-enacted from time to time 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, 2023 as amended or re-enacted from time to time .
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, 2023 as amended or re-enacted from time to time.

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:

S. No.	Name of the transmission element	Scheduled date of COD

Place: New Delhi

Date: