Petition No.: 781/2012

BEFORE

THE UTTAR PRADESH ELECTRICITY REGULATORY COMMISSION

LUCKNOW

Present:

1. Shri Rajesh Awasthi, Chairman
2. Smt. Meenakshi Singh, Member
3. Shri Shree Ram, Member

IN THE MATTER OF:

Application under section-14 read with section 15(1) of the Electricity Act,2003 for grant of intra state Transmission License to M/s Western UP Power Transmission Company Ltd.

AND

IN THE MATTER OF:

M/s Western UP Power Transmission Company Ltd.

……(Applicant)

Order

1. The applicant, M/s Western UP Power Transmission Company Ltd. has filed this petition under section 14 of Electricity Act,2003 (the Act) and section 3.2 of UPERC(General Conditions of Transmission Licence) Regulations,2005(the Regulations) for grant of intra-state transmission license to undertake the business of establishing, commissioning, operation & maintenance of the following transmission lines (hereinafter referred to as "Transmission System") on 'Build, Own, Operate & Maintain and Transfer' basis-

Transmission Project Elements

S.No.	Name of the Transmission Element/project
I	**Transmission lines**
1	765 KV S/C Mainpuri-Hapur line with Quad Bersimis conductor
2	765 KV S/C Mainpuri- Greater Noida line with Quad Bersimis conductor
3	765 KV S/C Greater Noida- Hapur line with Quad Bersimis conductor
4	LILO of (2XS/C) 765 KV Meerut (PGCIL)-Agra (PGCIL) line at Greater Noida substation with Quad Bersimis conductor
5	400 KV D/C Hapur –Ataur (Ghaziabad) line with Quad Moose conductor
6	400 KV D/C Greater Noida- Sikandarabad lin with Quad Moose conductor
7	400 KV D/C Ataur(Ghaziabad)- Indirapuram line with Quad Moose conductor
8	400 KV D/C Hapur-Dasna line with Quad Moose conductor
9	400 KV D/C Greater Noida- Noida (sector-148) line with Quad Moose conductor
10	LILO of 400 KV S/C Moradabad –Muradnagar line at Hapur substation with Twin Moose conductor
11	LILO of 400 KV S/C Muradnagar-Muzaffarnagar line at Ataur (Ghaziabad) substation with Twin Moose conductor
12	LILO of 400 KV S/C Rishikesh –Kashipur line at Nehtaur (Bijnor) substation with Twin Moose conductor
II	**Substations**
1	2X1500 MVA, 765/400 KV and 2X500 MVA, 400/220 KV AIS at **Hapur**
2	2X1500 MVA, 765/400 KV and 2X315 MVA, 400/220 KV AIS at **Greater Noida**
3	2X500 MVA, 400/220 KV AIS at **Sikandarabad**
4	2X200 MVA, 400/132 KV AIS at **Nehtaur (Bijnor)**
5	2X500 MVA , 400/220 KV and 3x60 MVA, 220/33 KV GIS at **Ataur** (Ghaziabad)
6	2x315 MVA , 400/220 KV and 2X100 MVA , 200/132 GIS at **Dasna**
7	2X500 MVA, 400/220 KV and 3X60 MVA,220/33 KV GIS at **Indirapuram**

2. The applicant has further submitted that the Government of Uttar Pradesh (hereinafter referred to as the "GoUP") constituted an Energy Task Force, which in its meeting held on 7th August,2009 authorised UP Power Transmission Corporation Ltd.(hereinafter referred to as the "UPPTCL") to be the Bid Process Co-coordinator.(hereinafter referred to as the "BPC") for the purpose of selection of transmission service provider (hereinafter referred to as the "TSP") to establish the transmission system titled "765 KV S/C Mainpuri-Hapur & Mainpuri-

Greater Noida line with 765/400 KV AIS at Hapur & Mainpuri & associated scheme/work" through tariff based competitive process on Build, Own, Operate & Maintain and Transfer (BOOT basis).

3. M/s Western UP Power Transmission Company Ltd. (hereinafter referred to as the "WUPPTCL or "Applicant") was incorporated on 11th September,2009 under the Companies Act,1956 by the BPC/UPPTCL as its wholly owned subsidiary to initiate the activities of the project and to subsequently act as the TSP after being acquired by the successful bidder.

4. Subsequent to the process of competitive bidding, M/s Cobra – MEIL consortium was evaluated as successful bidder and the LOI in this regard was issued to M/s Cobra – MEIL consortium on 31st May, 2011. Subsequently, the applicant signed the share purchase agreement and it was acquired on 22nd September, 2011 by Cobra – MEIL consortium and the TSA was signed on 27th December, 2011.

5. The present petition has been filed by WUPPTCL, as TSP, for grant of intra state transmission license. In accordance with the Regulations. WUPPTCL also forwarded a copy of complete application with enclosures to all the long term transmission customers (LTTCs) / STU as defined under TSA. The Commission has examined the application in the light of the provisions of the Act and provisions of the Regulation. The Commission in its order dated 9th February,2012 directed the petitioner to publish an abridged version of its application as a notice under section 15(2) of the Electricity Act, 2003 inviting comments and suggestions from the public within a period of 30 days. In response to the public notice no objections/suggestions have been received by the Commission. It has also been informed by the applicant that they have also not received any objection in response to the public notice.

6. The Commission, vide its order dated 9th February,2012, had directed the applicant to submit a no objection from the concerned authority of the Central Government if their system is likely to affect any local authority, cantonment, aerodrome, arsenal, dockyard or camp/building/place in the occupation of Government for defence purposes. In response to the same, the applicant, vide

its affidavit dated 21st April,2012 submitted that no assets of WUPPTCL will traverse or will be located, wholly or partly, in any such location.

7. The applicant was also directed, vide the Commission's order dated 9th February,2012, to immediately forward a copy of its application along with all relevant information to the State Transmission Utility, which, in pursuance to section 15(4) of Electricity Act, 2003, shall send its recommendations to the Commission within 30 days of receipt of the application. Chairman & Managing Director, UPPTCL on behalf of STU has sent a favourable recommendation to grant the applicant an intrastate transmission license for an initial period of 25 years.

8. Subsequent to it, a public notice was published by the Commission in various newspapers for holding a public hearing in the matter on 17th May, 2012. During the course of public hearing, officers of UPPTCL (STU) favourerd the grant of transmission license to the applicant. However, Mr. Rama Shankar Awasthi, the sole objector from public raised certain issues and handed over a copy of his objections to the Commission as well as to the applicant. The Commission directed the applicant to submit their response to the objections of Sri. Awasthi within a period of 15 days. The decision on the issue of grant of license shall be taken after receipt of aforementioned response of the applicant.

(Meenakshi Singh)	(Shree Ram)	(Rajesh Awasthi)
Member	Member	Chairman

Place: Lucknow
Dated: 18.5.2012