

No.15/01/2010/Trans
Government of India
Ministry of Power

Shram Shakti Bhavan, Rafi Marg,
New Delhi, the 7th May, 2010

To

1. Power / Energy Secretaries, all State Governments / UTs
2. Chairman, State Power Utilities / SEBs

Sub: Standard Bidding Documents, viz. Request for Proposal (RfP) and Transmission Service Agreement (TSA) for procurement of Transmission Services through tariff based competitive bidding –amendment reg.

Sir,

I am directed to refer to this Ministry's letters No.11/12/2006-PG/Trans dated 17.9.2008, No.15/3/2008-Trans. Dated 29.6.2009 and 1.2.2010 regarding amendments in the Standard Bidding Documents (SBDs), and to say that the further amendments made in the SBDs viz. Request for Proposal (RfP) and Transmission Service Agreement (TSA) : with the approval of competent authority are enclosed.

2. The above changes are also posted on this Ministry's website : www.powermin.nic.in

Yours faithfully,


(Rajiv Kumar Gupta)
Director (Trans)
Telefax: 23714100

Copy to:

1. Chairperson, CEA, New Delhi.
2. CMD, PGCIL, Gurgaon.
3. CMD, PFC, New Delhi.
4. CMD, REC, New Delhi.

Copy also to: PS to Secretary(Power)/PSO to SSP/PPS to AS(GBP) and all Joint Secretaries of Ministry of Power.

Copy also to : Technical Director, NIC, Shram Shakti Bhawan, New Delhi.

**AMENDMENTS IN THE STANDARD BID DOCUMENTS I.E. RFP AND TSA TO IMPLEMENT THE STATUTORY
ADVICE GIVEN BY CERC TO INCREASE THE TERM OF TRANSMISSION SERVICES AGREEMENT FOR INTER-
STATE TRANSMISSION PROJECT**

REQUEST FOR PROPOSAL (RFP)

S.No.	Para number in RFP	Provision in the current SBD	Amended provisions
1.	2.14.1.2(e)	Bidders are required to quote Transmission Charges for the Contract Years, commencing from the Scheduled COD of the Project up to the 25th anniversary of the grant of Transmission License, as per the format at Annexure-4.	Bidders are required to quote Transmission Charges for the Contract Years, for a period of 35 years commencing from the Scheduled COD of the Project, as per the format at Annexure-4.
2.	2.14.1.2(f)	Bidders shall have the option to quote firm Quoted Transmission Charges for the period from the date of Scheduled COD of the Project till the 25th anniversary of the grant of the Transmission License, i.e., where the Quoted Escalable Transmission Charges shall be 'nil' for all the Contract Years.	Bidders shall have the option to quote firm Quoted Transmission Charges for the period of 35 years commencing from the Scheduled COD of the Project, i.e., where the Quoted Escalable Transmission Charges shall be 'nil' for all the Contract Years.
3.	3.3.2.2. Bullet 3	Transmission Charges shall be levelized over a period from the Scheduled COD of the Project, up to 25 years.	Transmission Charges shall be levelized over a period from the Scheduled COD of the Project, up to 35 years..
4.	Annexure-4 Format for		Revised Annexure-4 to the RFP is attached herewith as Exhibit-1

	Financial Bid		
5.	Annexure-6, Annexure-8, Annexure-10A, Annexure-14A	Signature of Managing Director/Chief Executive Officer being full time Director / Manager	Signature of any whole-time Director(supported by a specific Board Resolution) / Manager Note to BPC: all consequential changes should also be incorporated in RFP document

TRANSMISSION SERVICE AGREEMENT

S.No.	Clause number in TSA	Provisions in current SBD	Amended provisions
1.	Clause 1.1.1 Definition of Expiry Date	“ Expiry Date ” shall be the date which is 25 (twenty five) years from the date of issue of Transmission License or such extended period as granted by the Appropriate Commission;	“ Expiry Date ” shall be the date which is 35 (thirty five) years from the Scheduled COD of the Project;
2	2.3	Conditions subsequent to the Expiry Date	Conditions prior to the expiry of Transmission License
3	2.3.1	On mutual agreement by Majority Long Term Transmission Customers and the TSP to continue the Project beyond the Expiry Date, the TSP shall make an application to the Appropriate Commission at least one hundred and twenty days (120) days before the Expiry Date to this effect, seeking the Appropriate Commission’s approval for	In order to continue the Project beyond the expiry of the Transmission License, the TSP shall be obligated to make an application to the Appropriate Commission at least two years before the date of expiry of the Transmission License, seeking the Appropriate Commission’s approval for extension of the term of Transmission License upto

		the same, including the determination of tariff that would be payable by the Long Term Transmission Customers to the TSP for the period beyond the Expiry Date.	the Expiry Date.
4.	2.3.2	The TSP shall also make an application for grant of Transmission License for a further period, as decided, to undertake the provision of Transmission Service for the corresponding period at least one hundred and twenty days (120) days before the Expiry Date.	The TSP shall timely comply with all the requirements as may be laid down by the Appropriate Commission for extension of the term of the Transmission License beyond the initial term of 25 years and the TSP shall keep the Long Term Transmission Customers fully informed about progress on its application for extension of the term of Transmission License.
4.	Schedule – 6 Transmission Charges		Revised Schedule – 6 is annexed herewith as Exhibit-2

REVISED ANNEXURE-4 OF RFP

FORMAT FOR FINANCIAL BID

Quoted Transmission Charges

[BPC to fill in the Scheduled COD for the Project and respective years in Columns 2 and 3]

Year	Commencement Date of Contract Year	End Date of Contract Year	Quoted Non-Escalable Transmission Charges (in Rupees Millions)	Quoted Escalable Transmission Charges (in Rupees Millions)
(1)	(2)	(3)	(4)	(5)
1	Scheduled COD [To be inserted by the BPC] (Refer note 7 and 9)	31-March		
2	1-April	31-March		Same as Above
3	1-April	31-March		Same as Above
4	1-April	31-March		Same as Above
5	1-April	31-March		Same as Above
6	1-April	31-March		Same as Above
7	1-April	31-March		Same as Above
8	1-April	31-March		Same as Above

9	1-April	31-March		Same as Above
10	1-April	31-March		Same as Above
11	1-April	31-March		Same as Above
12	1-April	31-March		Same as Above
13	1-April	31-March		Same as Above
14	1-April	31-March		Same as Above
15	1-April	31-March		Same as Above
16	1-April	31-March		Same as Above
17	1-April	31-March		Same as Above
18	1-April	31-March		Same as Above
19	1-April	31-March		Same as Above
20	1-April	31-March		Same as Above
21	1-April	31-March		Same as Above
22	1-April	31-March		Same as Above
23	1-April	31-March		Same as Above
24	1-April	31-March		Same as Above
25	1-April	31-March		Same as Above
26	1-April	31-March		Same as Above
27	1-April	31-March		Same as Above
28	1-April	31-March		Same as Above
29	1-April	31-March		Same as Above
30	1-April	31-March		Same as Above
31	1-April	31-March		Same as Above
32	1-April	31-March		Same as Above

33	1-April	31-March		Same as Above
34	1-April	31-March		Same as Above
35	1-April	31-March		Same as Above
36	1-April	35 th anniversary of the Scheduled COD (Refer Note 7 and 8 below)		Same as Above

Notes:

- 1) The Bidders are required to ensure compliance with the provisions of Clause 2.14.1.2 of this RFP.
- 2) Quotes to be in Rupees Millions and shall be up to two (2) decimal points.
- 3) The contents of this format shall be clearly typed.
- 4) All pages of this format shall be signed by the authorized person in whose name power of attorney as per Clause 2.14.1.1 is issued.
- 5) Ensure values [BPC to insert total number of values to be quoted based on Scheduled COD] of the Quoted Non-Escalable Transmission Charges and only 1 value for Quoted Escalable Transmission Charges, unless firm Transmission Charges are quoted.
- 6) In the likely situation of Bidders quoting firm Transmission Charges, the single value for the Quoted Escalable Transmission Charges should be filled as Nil.
- 7) Charges quoted for the first Contract Year would be the charges applicable for the period from the immediately preceding 1 April from the Scheduled COD till the immediately succeeding 31 March.
- 8) Charges quoted for the last Contract Year would be the charges applicable from immediately preceding 1 April to the date of thirty-fifth anniversary of the Scheduled COD till the immediately succeeding 31 March.
- 9) However, in cases of both (7) and (8) above, total Transmission Charges payable to the TSP will be computed proportionately for the total number of days in the first and the last Contract Year respectively.

Name and signature of authorized person in whose name power of attorney / Board resolution as per Clause 2.14.1.1 is issued
Signature of authorized person

Name:

Designation:

Date:

Company rubber stamp

Exhibit-2

Schedule : 6

Transmission Charges

[Note: As referred to in the definitions of "Element", "Escalable Monthly Charges", "Non Escalable Monthly Charges" and "Monthly Transmission Charges" and in Clauses 1.1 (c) of Schedule 5 of this Agreement]

[To be incorporated from the Bid of the Selected Bidder]

[In case of pre-signing of RFP Project Documents, this needs to be inserted after selection of the Selected Bidder]

[BPC to fill in the Scheduled COD for the Project and the respective years in column 2 and 3]

Year	Commencement Date of Contract Year	End Date of Contract Year	Non-Escalable Transmission Charges (in Rupees Millions)	Escalable Transmission Charges (in Rupees Millions)
(1)	(2)	(3)	(4)	(5)
1	Scheduled COD [To be inserted by the BPC]	31-March		
2	1-April	31-March		
3	1-April	31-March		Same as Above
4	1-April	31-March		Same as Above
5	1-April	31-March		Same as Above
6	1-April	31-March		Same as Above
7	1-April	31-March		Same as Above
8	1-April	31-March		Same as Above
9	1-April	31-March		Same as Above

Year	Commencement Date of Contract Year	End Date of Contract Year	Non-Escalable Transmission Charges (in Rupees Millions)	Escalable Transmission Charges (in Rupees Millions)
10	1-April	31-March		Same as Above
11	1-April	31-March		Same as Above
12	1-April	31-March		Same as Above
13	1-April	31-March		Same as Above
14	1-April	31-March		Same as Above
15	1-April	31-March		Same as Above
16	1-April	31-March		Same as Above
17	1-April	31-March		Same as Above
18	1-April	31-March		Same as Above
19	1-April	31-March		Same as Above
20	1-April	31-March		Same as Above
21	1-April	31-March		Same as Above
22	1-April	31-March		Same as Above
23	1-April	31 – March		Same as Above
24	1 – April	31 – March		Same as Above
25	1-April	31-March		Same as Above
26	1-April	31-March		Same as Above
27	1-April	31-March		Same as Above
28	1-April	31-March		Same as Above
29	1-April	31-March		Same as Above
30	1-April	31-March		Same as Above
31	1-April	31-March		Same as Above
32	1-April	31-March		Same as Above

Year	Commencement Date of Contract Year	End Date of Contract Year	Non-Escalable Transmission Charges (in Rupees Millions)	Escalable Transmission Charges (in Rupees Millions)
33	1-April	31-March		Same as Above
34	1-April	31-March		Same as Above
35	1-April	31-March		Same as Above
36	1-April	35 th anniversary of Scheduled COD		Same as Above

[This table needs to be replicated exactly as from Annexure-4 of the RFP (i.e. Financial Bid of the Selected Bidder).]

Notes:

- Charges for the first Contract Year are the Transmission Charges applicable for the twelve month period (from the immediately preceding 1 April from the Scheduled COD till the immediately succeeding 31 March) irrespective of the duration of the first Contract Year.
- Charges for the second Contract Year are the Transmission Charges applicable for the full Contract Year
- Charges for the last Contract Year are the Transmission Charges applicable for the twelve month period (from immediately preceding 1 April to the date of 35th anniversary of the Scheduled COD till the immediately succeeding 31 March) irrespective of the duration of the last Contract Year.
- However, in cases of both (a) and (c) above, total Transmission Charges payable to the TSP are computed proportionately for the total number of days in the first and last Contract Year respectively.
- Charges for Short Term Open Access of the Project shall be as per the provisions of Central Electricity Regulatory Commission (Open Access in Inter-state Transmission) Regulations 2004 as notified by CERC and as amended from time to time.

Proportionate Transmission Charges payable for each Element of the Project:

Name of the Transmission Element	Percentage of total Transmission Charges payable to the TSP on Commissioning/COD of the Element

[Note: BPC to fill in details for project-specific TSA based on information provided by the CEA / SLDC as applicable]