



# **National Electric Power Regulatory Authority Licensing (Application and Modification Procedure) Regulations, 1999**

## **NOTIFICATION**

*Islamabad, the 1<sup>st</sup> March, 1999*

**S.R.O. 142 (I)/99.**— In exercise of the powers conferred by section 47 of the Regulation of Generation, Transmission and Distribution of Electric Power Act, 1997 (XL of 1997), the National Electric Power Regulatory Authority hereby notifies the following regulations, namely:—

### **PART I**

1. **Title and commencement.**— (1) These regulations may be called the National Electric Power Regulatory Authority Licensing (Application & Modification Procedure) Regulations, 1999.

(2) They shall come into force at once.

2. **Definitions.**— (1) In these rules, unless there is anything repugnant in the subject or context,—

- (a) "Act" means the Regulation of Generation, Transmission and Distribution of Electric Power Act, 1997 (XL of 1997);
- (b) "application" means an application made by a person in accordance with the provisions of these regulations and shall, where the context so admits, include the documents-in-support, and "applicant" shall be construed accordingly;
- (c) "Authority proposed modification" means a modification to a licence proposed by the Authority;
- (d) "documents-in-support" means the documents to be provided with the application for the licence or subsequently, in accordance with regulation 3;
- (e) "information" includes documents, accounts, reports, records, data, returns or estimates of any description;
- (f) "licensee proposed modifications" means a modification to the licence proposed by the licensee;
- (g) "NEPRA (Fees and Penalties) Rules" means the rules developed by the Authority in respect of the payment of fees by the licensees and the procedure for imposition and payment of fines and penalties levied by the Authority;
- (h) "Ordinance" means the Companies Ordinance, 1984;
- (i) "prospectus" means a report prepared by the applicant setting out:

- (i) a brief introduction of the applicant;
  - (ii) the salient features of the facility or the system in respect of which the licence is sought;
  - (iii) the proposed investment; and
  - (iv) the social and environmental impact of the proposed facility or system in a non-technical and commonly understood language; and
- (j) "Registrar" means the officer of the Authority appointed to perform the functions of the Registrar laid down in these regulations.
- [(k) "Captive Power Plant" means Industrial undertakings or other businesses carrying out the activity of power production for self consumption, who intend to sell the power, surplus to their requirement, to a Distribution Company or bulk-power consumer.]<sup>1</sup>

(2) Words and expressions used but not defined in these regulations shall have the same meaning as in the Act.

## PART II

3. **Application for licence.**— (1) An application for a licence shall be made in the form specified in Schedule I to these regulations.

(2) The applicant shall pay []<sup>2</sup> application fee to the Authority for the consideration and processing of the application, calculated in accordance with Schedule II to these regulations.

[Provided that the licensee or any person other than licensee may seek refund of application fee in case it withdraws its application at admission stage or the Authority dismisses it at pre-admission stage.]<sup>3</sup>

(3) The registrar shall not receive the application unless it is accompanied with the correct amount of application fee.

(4) The application for a licence shall be submitted in triplicate.

(5) The following documents-in-support shall be filed along with the application for a licence:

- (a) certified copies of:
  - (i) certificate of incorporation;
  - (ii) memorandum and articles of association;
  - (iii) in case of an applicant who has submitted the annual return required to

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<sup>1</sup> Added by S.R.O 737(I)/2008 dated 2<sup>nd</sup> July 2008.

<sup>2</sup> The words "a non-refundable" omitted vide S.R.O. 304(I)/2012 dated 28<sup>th</sup> March 2012.

<sup>3</sup> Added vide S.R.O. 304(I)/2012 dated 28<sup>th</sup> March 2012.

be submitted to the registrar of companies pursuant to section 156 of the Ordinance, the last filed annual return;

- (iv) in case of an applicant to whom sub-clause (a)(iii) of sub-regulation (5) is not applicable, a return comprising all such information, in as close a form and content as possible, laid down in the third schedule to the Ordinance;
- (b) a reasonably detailed profile of the experience of the applicant, its management staff and its members in the electricity industry;
- (c) the curriculum vitae of the applicant's senior management, technical and professional staff;
- (d) evidence, satisfactory to the Authority, of the availability of adequate financial and technical resources to the applicant for the purposes of the generation, transmission or distribution business, as the case may be, and such evidence may consist of:
  - (i) cash balances held in reserve along with the bank certificates;
  - (ii) expressions of interest to provide credit or financing along with sources and details thereof;
  - (iii) latest financial statements of the applicant;
  - (iv) employment records of engineering and technical staff of the applicant proposed to be employed;
  - (v) profile of sub-contractors, if any, along with expressions of interest of such sub-contractors; and
  - (vi) verifiable references in respect of the experience of the applicant and its proposed sub-contractors;
- (e) in respect of a going concern, details of any charges or encumbrances attached to the company's assets;
- (f) in case of a first application for a licence by a going concern, technical and financial proposals in reasonable detail for the operation, maintenance, planning and development of the generation, transmission or distribution facility or system in respect of which the licence is sought;
- (g) in case of:
  - a) generation licence applications, the type, technology, model, technical details and design of the facilities proposed to be acquired, constructed, developed or installed;
  - b) distribution and transmission licence applications,
    - (i) the type, technology, model, technical details and design of the facilities proposed to be acquired, constructed, developed or installed;

- (ii) a territorial map of the service area proposed to be covered;
  - (iii) particulars in respect of the availability, sources, rates and evidence of commitments from the sources of electric power.
- (h) in case of a licence for a new facility or system, a feasibility report in respect of the project, specifying in detail:
- (i) the type, technology, model, technical details and design of the facilities proposed to be constructed, developed or installed;
  - (ii) the expected life of the facility or the system;
  - (iii) the location of the facility or the system, or the territory with outer boundaries within which the facilities or the system is proposed to be installed and operated by the licensee, along with maps and plans; and
  - (iv) the type and details of the services proposed to be provided; and
- (i) a prospectus.

[(5)-A The following documents-in-support shall be filed alongwith an application for a licence by a Captive Power Plant:

- (i) Certificate of Incorporation of applicant;
- (ii) Memorandum of Articles of Association of applicant;
- (iii) Latest financial statement of the applicant;
- (iv) Location (Location map, site map);
- (v) Type of Technology;
- (vi) Number of units (No.)/Size (MW);
- (vii) Year Make/Model. Operation date and expected remaining life;
- (viii) Installed capacity, de-rated capacity, Auxiliary Consumption, Net Capacity;
- (ix) Fuel (Oil/Gas): type, imported/indigenous, supplier, logistics, pipeline etc. In case of Gas fuel, a Gas Sale Agreement (GSA) signed between the applicant and Gas Supplier;
- (x) Supply voltage (11 KV/132 KV), in case of 132 KV voltage distance and name of nearest grid (Single line diagram);
- (xi) Plant characteristics: generation voltage, frequency, power factor, automatic generation control, ramping rate, alternative fuel, time(s)required to synchronize to grid;

(xii) Provision of Metering, Instrumentation, Protection and Control arrangement.]<sup>4</sup>

(6) Schedule III to these regulations sets out, by way of illustration, the technical, financial and other information the documents-in-support may contain, provided that the contents of Schedule III shall not constitute an exhaustive list of the information which may be provided by the applicant either of his own volition or on the direction of the Authority.

(7) Notwithstanding the provisions of sub-regulation (5) and (6), the Authority may require the applicant to provide further information or furnish any other document-in-support at the time of the submission of the application or at any stage thereafter.

4. **Unincorporated applicants.**— An applicant, not being a company registered under the Ordinance, seeking exemption from the Authority pursuant to and for the purposes of section 24 of the Act, shall add a document-in-support setting out the grounds on which the exemption is sought.

5. **Eligibility criteria.**— (1) The Authority may, in considering an application for the grant of a licence, take into account such factors as may be deemed relevant by the Authority, including the following:

- (a) business experience of the applicant, its management staff, sub-contractors, engineering and technical staff in the electric power industry, if any;
- (b) financial status of the applicant;
- (c) the ability of the applicant to comply with the conditions of the licence;
- (d) technology, technical specifications, model, design, operational characteristics and economic life of the facility or the system;
- (e) the ability of the applicant, the facility or the system in respect of synchronous operation in co-ordination with other licensees;
- (f) the ability of the applicant to comply with prudent utility practices, the grid code, the distribution code or the uniform industry standards and codes of conduct; and
- (g) project milestones and evidence of capability to achieve such milestones and expressions of interest of contractors, financial institutions or the suppliers, as the case may be.

(2) Notwithstanding the applicant meeting the eligibility criteria, the Authority may decline to issue a licence if the Authority determines in writing that:

- a) the investments associated with the facility or system are not justifiable in view of the needs of the electric power industry or where the applicant has failed to demonstrate, in the opinion of the Authority, the existence of the demand for the proposed facility or system;
- b) the plant and capacity requirements of the electric power industry do not warrant the installation of additional plant or capacity or warrant the installation of plant or capacity with technical, financial or other characteristics different from the ones specified in the licence

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<sup>4</sup> Added by S.R.O. 737(I)/2008 dated 2<sup>nd</sup> July, 2008.

application;

- c) among competing applicants, another applicant qualifies better in terms of quality of equipment, plant, service and the corresponding economy of costs; or
- d) the site proposed by the applicant is not suitable on environmental, social or other grounds.

6. **Application procedure.**— (1) An application shall be submitted to the Registrar, who shall ensure that the application is submitted in accordance with regulation 3, that all the relevant information in the application form is provided, that all the documents-in-support and the application fee are duly attached and, upon being satisfied of the matters aforesaid, the registrar shall forthwith:

- (a) allot a registration number to the application; and
- (b) forward the application to the Authority for a decision on admission of the application.

(2) In case of the application being incomplete in any respect, the registrar shall notify the applicant with directions to furnish the required information or documents-in-support within seven days of the receipt of such notice by the applicant.

7. **Admission of application.**— (1) Subject to the provisions of sub-regulation (2), within three days of the receipt of the application by the Authority from the Registrar pursuant to sub-regulation (1)(b) of regulation 6, the Authority shall review the application and shall make a decision as to whether the application should be admitted for consideration by the Authority.

(2) The Authority may require further information or documents-in-support from the applicant for the purpose of a decision on admission of the application and:

- (a) a request for further information or documents-in-support shall be dispatched no later than the third day of the receipt of the application by the Authority from the Registrar; and
- (b) the applicant shall provide the requested information or documents-in-support within seven days of the receipt of the request in this regard from the Authority,

Provided that, the Authority may extend the time for submission of the information or the documents-in-support for a further period not exceeding fourteen days.

- (3) The Authority may:
  - (a) if the form and content of the application are in substantial compliance with regulation 3, admit the application; and
  - (b) if the form and content of the application do not substantially comply with regulation 3, and the applicant fails to comply with the request for further information and documents-in-support in the manner and within the time limit provided in sub-regulation (2), reject the application.

8. **Advertisement.**— Within three days of the admission of the application by the Authority, the Registrar shall cause to be published, in one English and one Urdu daily

newspapers with circulation in the entire country:

- (a) the prospectus;
- (b) a notice to the general public of the admission of the application;
- (c) an invitation to the general public to submit their comments to the Registrar within a period of fourteen days from the date of the publication; and
- (d) such other information as the Authority may from time to time direct.

9. **Consideration of application.**— (1) The Registrar shall place the application, along with comments, if any, received from the public pursuant to regulation 8, before the Authority no later than three days after the last date for receipt of the comments from the public.

(2) Notwithstanding the provisions of regulation 8, the Authority may invite any person to provide comments or otherwise assist the Authority in the consideration of the application.

(3) In the event the Authority intends to reject an application, it may allow an opportunity to the applicant to make a representation before it as to why the application should not be rejected and, upon being notified of such opportunity, the applicant may make a representation within a period not exceeding fourteen days following the receipt of the afore-said notice from the Authority.

(4) Subject to the provisions of sub-regulation (5), the Authority shall decide the application within twenty eight days after the date the application, along with the comments received from the public, is placed before the Authority pursuant to sub-regulation (1), provided that the time taken, if any, by the applicant in making a representation before the Authority in terms of sub-regulation (3) shall be excluded from the afore-said period of twenty eight days.

(5) The decision by the Authority to grant a licence shall be without prejudice to the power of the Authority to defer the issuance of the licence until such time the provisions of the licence are settled by the Authority, and the Authority may refuse to issue the licence in the event the licensee fails, within the time stated in this respect by the Authority, to agree to the terms and conditions of the proposed licence.

(6) Subject to the applicable provisions of the Act and the rules and regulations made pursuant thereto in this regard, the grant of a licence for any purpose shall not in any way hinder or restrict the grant of a licence to another person within the same territory for a like purpose.

### PART III

10. **Modification to the licence.**— (1) [ ]<sup>5</sup> The Authority may, at any time during the term of a licence, communicate to the licensee an Authority proposed modification setting out:

- (a) the text of the proposed modification; and
- (b) a statement of the reasons in support of the modification.

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<sup>5</sup> The words “Subject to the provisions of sub-regulation (15)” has been omitted vide S.R.O 361(I)/2010 dated 28.05.2010.

(2) [ ]<sup>6</sup> A licensee may, at any time during the term of a licence, communicate to the Authority a licensee proposed modification setting out:

- (a) the text of the proposed modification;
- (b) a statement of the reasons in support of the modification; and
- (c) a statement of the impact on the tariff, quality of service and the performance by the licensee of its obligations under the licence.

(3) In case of a licensee proposed modification, the licensee shall pay to the Authority at the time of submission of the licensee proposed modification to the registrar, a [ ]<sup>7</sup> fee calculated in accordance with the provisions of Schedule II for the modification of the license.

[Provided that the licensee or any person other than licensee may seek refund of license application fee in case it withdraws its application at admission stage or the Authority dismisses it at pre-admission stage.]<sup>8</sup>

(4) Within seven days of:

- (a) the receipt of a licensee proposed modification by the registrar; or
- (b) the date the Authority proposed modification is forwarded to the licensee, the registrar shall publish the Authority proposed modification or the licensee proposed modification, as the case may be, in one English and one Urdu daily newspaper, inviting comments from the public within a period of fourteen days of the date of publication.

(5) The Authority may modify a licence in accordance with an Authority proposed modification or a licensee proposed modification, subject to and in accordance with such further changes as the Authority may deem fit if, in the opinion of the Authority, such modification:

- (a) does not adversely affect the performance by the licensee of its obligations;
- (b) does not cause the Authority to act or acquiesce in any act or omission of the licensee in a manner contrary to the provisions of the Act or the rules or regulations made pursuant to the Act;
- (c) is or is likely to be beneficial to the consumers;
- (d) is reasonably necessary for the licensee to effectively and efficiently perform its obligations under the licence; and
- (e) is reasonably necessary to ensure the continuous, safe and reliable supply of electric power to the consumers keeping in view the financial and technical viability of the licensee.

(6) If a licensee does not agree to an Authority proposed modification, the Authority shall fix a time, date and place for a public hearing to be held with the licensee no

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<sup>6</sup> The words "Subject to the provisions of sub-regulation (15)" has been omitted vide S.R.O 361(I)/2010 dated 28.05.2010.

<sup>7</sup> The words "non-refundable" has been omitted vide S.R.O. 304(I)/2012 dated 28<sup>th</sup> March 2012.

<sup>8</sup> Inserted vide S.R.O. 304(I)/2012 dated 28<sup>th</sup> March 2012.



later than fourteen (14) days following the communication of the final refusal of the licensee to agree to the Authority proposed modification or such date as the Authority may determine, not being a date falling prior to the expiry of twenty eight days after the date the Authority proposed modification is forwarded to the licensee.

(7) At the public hearing to be held pursuant to sub-regulation (6), the Authority shall allow the licensee to make out a case against the Authority proposed modification within a period of seven days.

(8) The Authority shall address the licensee's case made out against the Authority proposed modification within a period of seven days after the close of the case made out by the licensee pursuant to sub-regulation (7).

(9) The registrar shall, upon the conclusion of the public hearing in accordance with sub-regulations (6), (7) and (8), cause to be published in one English and one Urdu daily newspaper, a notice inviting comments from the public in respect of the public hearing within fourteen days of the date of conclusion of the public hearing.

(10) The Authority may extend the time limits provided in this regulation 10, provided that the Authority shall conclude the proceedings and render its decision no later than one hundred twenty days following the earlier of the date of communication of the final refusal of the licensee to agree to the Authority proposed modification or the date determined, if any, by the Authority for the commencement of public hearing under sub-regulation (6).

(11) The Authority may:

- (a) approve, with or without changes, a proposed modification; or
- (b) reject a proposed modification, in each case for reasons to be recorded in writing taking into account the comments received, if any, from the public pursuant to sub-regulations (4) and (9).

(12) Subject to the provisions of regulation 11, the Authority may call for any information in the possession or control of the licensee or any other person, or may allow the licensee to call for any information available with the Authority or in the possession or control of any other person, which in the opinion of the Authority is material and relevant to the proceedings.

(13) The Authority may declare that the procedure set out in rules 3 through 16 of the National Electric Power Regulatory Authority (Tariff Standards and Procedure) Rules, 1998, shall apply to a public hearing ordered to be held pursuant to sub-regulation (6), subject to such modifications, if any, as the Authority may determine in advance of the proceedings, taking into account the complexity of the issues involved, the requirements of the licensee in respect of the details of the procedure and with a preference for an expedited hearing over matters of procedure.

(14) The Authority may determine that an Authority Proposed modification or a licensee proposed modification, the principal object of which relates to the tariff, shall be initiated and determined pursuant to and in accordance with the National Electric Power Regulatory Authority (Tariff Standards and Procedure) Rules, 1998, whereupon such Authority proposed modification or the licensee proposed modification shall be initiated as a petition pursuant to the afore-mentioned rules.

(15) [ ]<sup>9</sup>

(16) Notwithstanding any thing to the contrary stated in this regulation 10, an Authority proposed modification or a licensee proposed modification may be withdrawn by the Authority or the licensee, as the case may be, at any time prior to the commencement of a public hearing pursuant to sub-regulation (6).

(17) Where a licence is modified, the Authority shall cause to be published, in one English and one Urdu newspaper, the substance of the modification in such form and content as may be determined by the Authority.

#### PART IV

11. **Confidentiality.**— In any application, document-in-support or information required to be furnished under these regulations, the applicant or the licensee may, as the case may be, request the Authority to permit the applicant or the licensee to withhold information the disclosure of which may materially and adversely affect the commercial interests of the applicant or the licensee, or in respect of which the applicant or the licensee is under a contractual or other valid and enforceable obligation of non-disclosure, provided that, the Authority shall have the power to call for review such information in order to determine whether or not to allow the request for confidentiality by the applicant or the licensee.

12. **Amendments.**— The Authority may amend or supplement these regulations from time to time, provided that, such amendments or supplements shall be prospective only and shall not apply in respect of:

- (a) an application already admitted by the Authority; and
- (b) a licensee proposed modification or an Authority proposed modification, which has been communicated to the Authority or the licensee, respectively.

MAJ. GEN. (R) M. HASAN AQEEL,  
*Secretary.*

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<sup>9</sup> The sub-regulation “Neither the Authority nor a licensee shall propose an Authority proposed modification or a licensee proposed modification and no licence shall be modified before the expiry of three hundred sixty five days following the date of issue of the licence” has been omitted vide S.R.O 361(I)/2010 dated 28.05.2010.

## SCHEDULE I

(regulation 3(1))

### FORM OF APPLICATION

The Registrar  
National Electric Power Regulatory Authority

**Subject:** Application for a [GENERATION/TRANSMISSION/SPECIAL PURPOSE TRANSMISSION/DISTRIBUTION] License

I, [NAME, DESIGNATION], being the duly authorized representative of [NAME OF APPLICANT COMPANY] by virtue of [BOARD RESOLUTION/POWER OF ATTORNEY] dated [DATE], hereby apply to the National Electric Power Regulatory Authority for the grant of a [GENERATION/TRANSMISSION/ SPECIAL PURPOSE TRANSMISSION/DISTRIBUTION LICENCE] to the [NAME OF APPLICANT COMPANY] pursuant to section [ ] of the Regulation of Generation, Transmission and Distribution of Electric Power Act, 1997.

I certify that the documents-in-support attached with this application are prepared and submitted in conformity with the provisions of the National Electric Power Regulatory Authority Licensing (Application and Modification Procedure) Regulations, 1999, and undertake to abide by the terms and provisions of the above-said regulations. I further undertake and confirm that the information provided in the attached documents-in-support is true and correct to the best of my knowledge and belief.

A [BANK DRAFT/ PAY ORDER] in the sum of Rupees [ ], being the non-refundable licence application fee calculated in accordance with Schedule II to the National Electric Power Regulatory Authority Licensing (Application and Modification Procedure) Regulations, 1999, is also attached herewith.

Date: \_\_\_\_\_

Signature  
[Name, designation]  
Company Seal

**[SCHEDULE II]<sup>10</sup>**  
**[regulations 3(2) and 10(3)]**  
**Table of Fees**

**PART I**

**Licence Application and Modification Fee**

<b>Category of Licence</b>	<b>Fees (Rs.)</b>
<b>Generation *(1)</b>	
Upto 1 MW	40,000
More than 1 MW upto 10 MW	80,000
More than 10 MW upto 20 MW	120,000
More than 20 MW upto 50 MW	160,000
More than 50 MW upto 100 MW	200,000
Above 100 MW	400,000
<b>Transmission</b>	
National Grid co.	200,000
Special Purpose	120,000
<b>Distribution*(2)</b>	
Upto 1 MW	40,000
More than 01 MW upto 02 MW	60,000
More than 02 MW upto 05 MW	160,000
More than 05 MW upto 10 MW	240,000
More than 10 MW upto 20 MW	480,000
More than 20 MW upto 50 MW	800,000
Above 50 MW	1,000,000

<sup>10</sup> Schedule-II has been substituted vide S.R.O. 602(I).2010 dated 29<sup>th</sup> June, 2010 whereby S.R.O. 1198(I)/2008 dated 14<sup>th</sup> November 2008 was superseded. Through SRO 1198(I)/2008 the ibid schedule was modified by superseding S.R.O. 886(I)/2006 dated 28<sup>th</sup> August 2006. Through S.R.O. 886(I)/2006 the following schedule of fees, which was earlier published along with these regulations was deleted and replaced in its entirety:

**Part I**  
**LICENSE APPLICATION AND MODIFICATION FEES**

Category of licence	Fees (Million Rs)
<b>GENERATION</b>	
Upto 100 MW	0.75
101 to 500 MW	1.50
Above 500 MW	3.00
<b>TRANSMISSION</b>	
National Grid Company	1.50
Special Purpose	1.50
<b>DISTRIBUTION</b>	3.00

The fee specified in this Part I may be changed by the Authority after every five years.

*Note* \*(1) MW Capacity in case of Generation facility shall mean the ISO Gross Capacity as mentioned in the application.

\*(2) MW Capacity in case of Distribution facility shall mean either (a) 85% of the accumulated installed or expected to be installed Transformation Capacity as mentioned in the application or (b) 0.019% of the annual expected sales in MWh as mentioned in the application.

## PART II

### INDEXATION OF FEES

1. The licence application and modification fee payable by an applicant or the licensee, as the case may be, shall be indexed to the Consumer Price Index ("CPI") published from time to time by the Federal Bureau of Statistics.

2. The indexation shall be done on the basis of the most recent CPI prevailing on the date of payment of the licence application fee or the modification fee, as the case may be, and the fee payable on the date of payment shall be increased or decreased, as the case may be, in accordance with the following formula:

$$F_{pd} = F_t \left[ \frac{CPI_{pd}}{CPI_{rd}} \right]$$

Where

$F_{pd}$  = The actual fee payable on the date of payment.

$F_t$  = The respective fee set out in Part I of this Schedule II.

$CPI_{pd}$  = The most recent CPI prevalent on the last day of the month immediately preceding the month in which the application or the modification proposal is made.

$CPI_{rd}$  = [The reference or base CPI as on September, 2008.]<sup>11</sup>

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<sup>11</sup> The words "The reference or base CPI, prevalent on the last day of the month in which the National Electric Power Regulatory Authority Licensing (Application and Modification Procedure) Regulations, 1999, are notified in the official gazette" substituted with the words "the reference or base CPI as on July 1, 2006" vide S.R.O. 886(I)/2006 dated 28<sup>th</sup> August 2006. Thereafter vide S.R.O. 1198(I)/2008 dated 14<sup>th</sup> November 2008 the words "the reference or base CPI as on July 1, 2006" has been substituted with the words "the reference or base CPI as on September, 2008".

**SCHEDULE III**  
[(regulation 3(6))]

**A. GENERATION**

(a) NEW GENERATION FACILITIES (THERMAL)

1. Location (location maps, site map), land
2. Technology, size of the plant, number of units
3. Fuel: type, imported/indigenous, supplier, logistics, pipeline etc.
4. Emission values
5. Cooling water source: tube wells, sea/river/canal, distance from source, etc.
6. Interconnection with national grid company, distance and name of nearest grid, voltage level (single line diagram)
7. Infrastructure: roads, rail, staff colony, amenities
8. Project cost, information regarding sources and amounts of equity and debt
9. Project commencement and completion schedule with milestones
10. ESSA (Environmental and Social Soundness Assessment)
11. Safety plans, emergency plans
12. System studies: load flow, short circuit, stability, reliability
13. Plant characteristics: generation voltage, frequency, power factor, automatic generation control, ramping rate, alternative fuel, auxiliary consumption, time(s) required to synchronize to grid
14. Control, metering, instrumentation and protection
15. Training and development
16. Feasibility report

(b) EXISTING GENERATION FACILITIES (THERMAL)

1. Location (location maps, site map)
2. Technology, number of units
3. Fuel: type, imported/indigenous, supplier, logistics, pipeline etc.
4. Emission values
5. Cooling water source: tube wells, sea/river/canal
6. Interconnection with national grid company: distance and name of nearest grid, voltage level (single line diagram)
7. Installed capacity, derated capacity, expected remaining life

8. Due diligence report
9. Rehabilitation plans, previous rehabilitation programme
10. Operational record including environmental monitoring data for the last five years, constraints in dispatching
11. Project cost, information regarding sources and amounts of equity and debt
12. Plant characteristics: generation voltage, frequency, power factor, automatic generation control, ramping rate, alternative fuel, auxiliary consumption, time(s) required to synchronize to grid
13. Training and development

(c) NEW GENERATION FACILITIES (HYDEL)

1. Location (location maps, site map), land
2. Plant: run of the river, storage, weir
3. Head: minimum, maximum
4. Technology: Francis, Pelton, etc. size, number of units
5. Tunnel (if proposed): length, diameter
6. ESSA
7. Detailed feasibility report
8. Resettlement issues
9. Consents
10. Infrastructure development
11. Interconnection with national grid company, length of transmission line(s)
12. Project cost, information regarding sources and amounts of equity and debt
13. Project schedule, expected life
14. Peaking/base load operation
15. Plant characteristics: generation voltage, power factor, frequency, automatic generation control, ramping rate, control metering and instrumentation
16. System studies load flow, short circuit, stability
17. Training and development

(d) EXISTING GENERATION FACILITIES (HYDEL)

1. Location (location maps, site map)



2. Plant: run of the river, storage, weir
3. Head: minimum, maximum
4. Technology: Francis, Pelton, etc. size, number of units
5. Tunnel(s) if existing: length, diameter
6. Due diligence report, expected life
7. Rehabilitation plan, previous rehabilitation programmes
8. Operations record for the last five years, operation constraints
9. Consents
10. Interconnection with national grid company, length of transmission line(s)
11. Peaking/base load operation
12. Plant characteristics: generation voltage, power factor, frequency, automatic generation control, ramping rate, control metering and instrumentation
13. Training and development

## **B. TRANSMISSION**

### **(a) EXISTING TRANSMISSION FACILITIES**

1. Network configuration
2. Territory maps
3. Voltage levels
4. System statistics, system development, line lengths, technical parameters for transmission lines and grid stations, etc.
5. Central and regional dispatch facilities, connection facilities
6. Interface nodes with generation entities
7. Interface nodes with distribution entities.
8. Dispatch procedures, software, hardware information
9. Emergency provisions, blackout restoration procedures
10. Safety provisions
11. Operations record, operational constraints
12. Due diligence report
13. Training and development

### **(b) SPECIAL PURPOSE TRANSMISSION FACILITIES.**

1. Purpose

2. Line route and territory maps
3. Line lengths, starting point, termination point, year of completion
4. System studies
5. ESSA
6. Structures: type, number/km
7. Line characteristics
8. Conductor, type, current carrying capacity, circuit power transfer
9. Insulators
10. Shield-wire: number, size
11. Compensation employed: series, Shunt, SVC
12. Communication system: PLC, fibre optics, microwave
13. Grid station(s) involved: number, existing/new and details of the following:
  - Scope, size, number of transmission circuits, in and out
  - Type: indoor/outdoor, transformation/switching
  - Arrangement scheme: breaker and a half, double bus
  - Basic insulation level: kV
  - Control and protection system
  - Specification of equipment: breakers-type, re-closing mechanism, duty cycle etc. isolators, transformers-type, size, cooling system, tap-changer, and protection
  - Lightning arresters, shunt reactors, metering and instrumentation
  - SCADA and communication

### **C. DISTRIBUTION**

1. Distribution system configuration, service territory, right of way, feeder maps
2. Voltage levels, regulation
3. Type of distribution system
4. Line equipment characteristics
5. Power quality control
6. Back-up/express feeder provision
7. Accident protection/ prevention procedures

8. Maintenance plans and procedures
9. Fault location/trouble-shooting procedures
10. Emergency provisions
11. Patrolling and inspection procedures
12. Customer service data/manuals
13. Billing and collection procedures
14. Protection, control and measuring instruments
15. Metering and testing facilities
16. Communication systems
17. Training and development

**Amendments made in National Electric Power Regulatory  
Authority Licensing (Application and Modification  
Procedure) Regulations, 1999**



**Statutory Notifications (S.R.O.)**

GOVERNMENT OF PAKISTAN

**NATIONAL ELECTRIC POWER REGULATORY AUTHORITY**

NOTIFICATION

*Islamabad, the 28<sup>th</sup> August, 2006*

**S.R.O. 886(I)/2006.**— In exercise of power conferred by Section 47 of the Regulation of Generation, Transmission and Distribution of Electric Power Act, 1997 (XL of 1997), the National Electric Power Regulatory Authority is please to approve the modification detailed at **Annex-A** in Licence Application and Modification Fees (Schedule-II Part-I & II) of National Electric Power Regulatory Authority Licensing (Application and Modification Procedure) Regulations, 1999, notified *vide* S.R.O No. 142(I)/99 dated 1<sup>st</sup> March, 1999.

Other contents of the S.R.O. 142(I)/99 will remain un-changed.

**Annex-A**

**NATIONAL ELECTRIC POWER REGULATORY AUTHORITY**  
“APPLICATION & MODIFICATION PROCEDURE  
REGULATIONS 1999”

Schedule II [Regulation 3(2) and 10(3)] Table of Fees at Page 16 is deleted and is replaced in it entirety as under:

**Part I**

**MODIFIED AS PER DECISION R-06-236**

<b>Category of Licence</b>	<b>Fees (Rs.)</b>
<b>Generation *(1)</b>	
Upto 1 MW	100,000
More than 1 MW upto 10 MW	300,000
More than 10 MW upto 20 MW	500,000
More than 20 MW upto 50 MW	750,000
More than 50 MW upto 100 MW	1,000,000
Above 100 MW	2,000,000
<b>Transmission</b>	
National Grid co.	1,500,000
Special Purpose	1,500,000
<b>Distribution*(2)</b>	
Upto 1 MW	100,000
More than 1 MW upto 2 MW	200,000
More than 2 MW upto 5 MW	500,000

More than 5 MW upto 10 MW	750,000
More than 10 MW upto 20 MW	1,500,000
More than 20 MW upto 50 MW	2,500,000
Above 50 MW	3,000,000

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*Note* \*(1) MW Capacity in case of Generation facility shall mean the ISO Gross Capacity as mentioned in the application.

\*(2) MW Capacity in case of Distribution facility shall mean either (a) 85% of the accumulated installed or expected to be installed Transformation Capacity as mentioned in the application or (b) 0.019% of the annual expected sales in MWh as mentioned in the application.

Part II at Page 17 shall be modified only to the following extent:

*CPIrd* appearing as the last definition of the formulae for indexation at Paragraph 2 is deleted and is replaced in its entirety as follows:

*CPIrd* = The reference or bas CPI as on July 1, 2006.

MAHJOOB AHMAD MIRZA,  
*Registrar.*



## Statutory Notifications (S.R.O.)

GOVERNMENT OF PAKISTAN

### NATIONAL ELECTRIC POWER REGULATORY AUTHORITY

#### NOTIFICATION

*Islamabad, the 2<sup>nd</sup> July, 2008*

**S.R.O. 737(I)/2008.**— In exercise of power conferred by Section 47 of the Regulation of Generation, Transmission and Distribution of Electric Power Act, 1997 (XL of 1997), the National Electric Power Regulatory Authority is please to approve the following additions in the National Electric Power Regulatory Authority Licensing (Application and Modification Procedure) Regulations, 1999, notified *vide* S.R.O No. 142(I)/99 dated 1<sup>st</sup> March, 1999. Other contents of the S.R.O. 142(I)/99 will remain un-changed.

1. **Regulation 2(1)(k) be added as under:**

"Captive Power Plant" means Industrial undertakings or other businesses carrying out the activity of power production for self consumption, who intend to sell the power, surplus to their requirement, to a Distribution Company or bulk-power consumer.

2. **Regulation 3(5)-A be added before Regulation 3(4) as under:**

**(5)-A** the following documents-in-support shall be filed alongwith an application for a licence by a Captive Power Plant:

- (i) Certificate of Incorporation of applicant;
- (ii) Memorandum of Articles of Association of applicant;
- (iii) Latest financial statement of the applicant;
- (iv) Location (Location map, site map);
- (v) Type of Technology;
- (vi) Number of units (No.)/Size (MW);
- (vii) Year Make/Model. Operation date and expected remaining life;
- (viii) Installed capacity, de-rated capacity, Auxiliary Consumption, Net Capacity;
- (ix) Fuel (Oil/Gas): type, imported/indigenous, supplier, logistics, pipeline etc. In case of Gas fuel, a Gas Sale Agreement (GSA) signed between the applicant and Gas Supplier;
- (x) Supply voltage (11 KV/132 KV), in case of 132 KV voltage distance and name of nearest grid (Single line diagram);
- (xi) Plant characteristics: generation voltage, frequency, power factor,

automatic generation control, ramping rate, alternative fuel, time(s)required to synchronize to grid;

- (xii) Provision of Metering, Instrumentation, Protection and Control arrangement.

Mahjoob Ahmad Mirza,  
*Registrar.*





**Statutory Notifications (S.R.O.)**

GOVERNMENT OF PAKISTAN

**NATIONAL ELECTRIC POWER REGULATORY AUTHORITY**

NOTIFICATION

*Islamabad, the 14<sup>th</sup> November 2008*

**S.R.O. 1198(I)/2008.**— In exercise of power conferred by Section 47 of the Regulation of Generation, Transmission and Distribution of Electric Power Act, 1997 (XL of 1997), the National Electric Power Regulatory Authority is pleased to approve the modification detailed at **Annex-A** in the Licence Application and Modification Fees (Schedule-II Part-I & II) of National Electric Power Regulatory Authority Licensing (Application and Modification Procedure) Regulations, 1999, notified *vide* S.R.O No. 142(I)/99 dated 1<sup>st</sup> March, 1999 and the SRO 886(I)/2006. This SRO supersedes S.R.O. 886(I)/2006 forthwith.

Other contents of the S.R.O. 142(I)/99 will remain un-changed.

**Annex-A**

NATIONAL ELECTRIC POWER REGULATORY AUTHORITY  
“APPLICATION & MODIFICATION PROCEDURE  
REGULATIONS 1999”

Schedule II [Regulation 3(2) and 10(3)] Table of Fees at Page 16 is deleted and is replaced in its entirety as under:

**Part I**

**MODIFICATION AS PER DECISION R-086-325**

<b>Category of Licence</b>	<b>Fees (Rs.)</b>
<b>Generation *(1)</b>	
Upto 1 MW	100,000
More than 01 MW upto 10 MW	200,000
More than 10 MW upto 20 MW	300,000
More than 20 MW upto 50 MW	400,000
More than 50 MW upto 100 MW	500,000
Above 100 MW	1,000,000
<b>Transmission</b>	
National Grid co.	500,000
Special Purpose	300,000
<b>Distribution*(2)</b>	
Upto 1 MW	100,000

More than 01 MW upto 02 MW	150,000
More than 02 MW upto 05 MW	400,000
More than 05 MW upto 10 MW	600,000
More than 10 MW upto 20 MW	1,200,000
More than 20 MW upto 50 MW	2,000,000
Above 50 MW	2,500,000

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*Note* \*(1) MW Capacity in case of Generation facility shall mean the ISO Gross Capacity as mentioned in the application.

\*(2) MW Capacity in case of Distribution facility shall mean either (a) 85% of the accumulated installed or expected to be installed Transformation Capacity as mentioned in the application or (b) 0.019% of the annual expected sales in MWh as mentioned in the application.

Part II at Page 17 shall be modified only to the following extent:

*CPIrd* appearing as the last definition of the formulae for indexation at Paragraph 2 is deleted and is replaced in its entirety as follows:

*CPIrd* = The reference or bas CPI as on September 2008.

MAHJOOB AHMAD MIRZA,  
*Registrar.*



**Statutory Notifications (S.R.O.)**

GOVERNMENT OF PAKISTAN

**NATIONAL ELECTRIC POWER REGULATORY AUTHORITY**

NOTIFICATION

*Islamabad, the 28<sup>th</sup> May, 2010*

**S.R.O. 361(I)/2010.**— In exercise of power conferred by Section 47 of the Regulation of Generation, Transmission and Distribution of Electric Power Act, 1997 (XL of 1997), read with regulation 12 of the National Electric Power Regulatory Authority Licensing (Application and Modification Procedure) Regulations, 1999 notified *vide* S.R.O No. 142(I)/99 dated 1<sup>st</sup> March, 1999, the National Electric Power Regulatory Authority is pleased to approve the following amendments in the NEPRA Licensing (Application and Modification Procedure) Regulations, 1999. Other contents of the S.R.O. 142(I)/99 will remain un-changed.

**Amendment in Regulation (1) of Part III.**— In regulation 10 of the NEPRA Licensing (Application & Modification Procedure) Regulations, 1999.

- (a) In sub0regulation (1), the words appearing before “ the Authority” to be deleted and the sub-section to be read as:—

“The Authority may, at any time during the term of a licence, communicate to the licensee an Authority proposed modification setting out:—

- (i) the text of the proposed modification; and  
(ii) a statement of the reasons in support of the modification.”

- (b) In sub-regulation (2), the words appearing before “the Authority” to be deleted and sub-section to be read as:—

- (i) the text of the proposed modification;  
(ii) a statement of the reasons in support of the modification; and  
(iii) a statement of the impact on the tariff, quality of service and the performance by the licensee of its obligations under the licence.”

- (c) Sub-regulation (15) to be deleted.

SYED SAFEER HUSSAIN,  
*Registrar.*



**Statutory Notifications (S.R.O.)**

GOVERNMENT OF PAKISTAN

**NATIONAL ELECTRIC POWER REGULATORY AUTHORITY**

NOTIFICATION

*Islamabad, the 29<sup>th</sup> June, 2010*

**S.R.O. 602(I)/2010.**— In exercise of power conferred by Section 47 of the Regulation of Generation, Transmission and Distribution of Electric Power Act, 1997 (XL of 1997), the National Electric Power Regulatory Authority is pleased to approve the modification in the Licence Application and Modification Fees (Schedule-II Part-I) of National Electric Power Regulatory Authority Licensing (Application and Modification Procedure) Regulations, 1999, notified *vide* S.R.O No. 142(I)/99 dated 1<sup>st</sup> March, 1999 and subsequently modified *vide* S.R.O. 886(I)/2006 dated 28.08.2006 and S.R.O. 1198(I)/2008 dated 14.11.2008. This SRO supersedes S.R.O. 1198(I)/2008 w.e.f. 1<sup>st</sup> July 2010.

Other contents of the S.R.O. 142(I)/99 will remain un-changed.

NATIONAL ELECTRIC POWER REGULATORY AUTHORITY  
“APPLICATION & MODIFICATION PROCEDURE  
REGULATIONS 1999”

**Schedule - II**

[Regulation 3(2) and 10(3)]

Table of Fees

**Part I**

**Licence Application Modification Fees**

<b>Category of Licence</b>	<b>Fees (Rs.)</b>
<b>Generation *(1)</b>	
Upto 1 MW	40,000
More than 1 MW upto 10 MW	80,000
More than 10 MW upto 20 MW	120,000
More than 20 MW upto 50 MW	160,000
More than 50 MW upto 100 MW	200,000
Above 100 MW	400,000
<b>Transmission</b>	
National Grid co.	200,000
Special Purpose	120,000
<b>Distribution*(2)</b>	

<b>Category of Licence</b>	<b>Fees (Rs.)</b>
Upto 1 MW	40,000
More than 01 MW upto 02 MW	60,000
More than 02 MW upto 05 MW	160,000
More than 05 MW upto 10 MW	240,000
More than 10 MW upto 20 MW	480,000
More than 20 MW upto 50 MW	800,000
Above 50 MW	1,000,000

*Note* \*(1) MW Capacity in case of Generation facility shall mean the ISO Gross Capacity as mentioned in the application.

\*(2) MW Capacity in case of Distribution facility shall mean either (a) 85% of the accumulated installed or expected to be installed Transformation Capacity as mentioned in the application or (b) 0.019% of the annual expected sales in MWh as mentioned in the application.

SYED SAFEER HUSSAIN,  
*Registrar.*



**Statutory Notifications (S.R.O.)**

GOVERNMENT OF PAKISTAN

**NATIONAL ELECTRIC POWER REGULATORY AUTHORITY**

NOTIFICATION

*Islamabad, the 28<sup>th</sup> March, 2012*

**S.R.O. 304(I)/2012.**— In exercise of power conferred by Section 47 of the Regulation of Generation, Transmission and Distribution of Electric Power Act, 1997 (XL of 1997), the National Electric Power Regulatory Authority is pleased to make the following amendments in the National Electric Power Regulatory Authority Licensing (Application and Modification Procedure) Regulations, 1999, earlier notified vide S.R.O No. 142(I)/99 dated 1<sup>st</sup> March, 1999, namely:—

In the aforesaid Regulations,—

(1) In sub-regulation (2) of regulation 3, the words, “a non-refundable” occurring after the words “shall pay” and before the word “application” shall be omitted.

(2) After sub-regulation (2) of Regulation 3, the following new proviso shall be added:—

Provided that the licensee or any person other than licensee may seek refund of application fee in case it withdraws its application at admission stage or the Authority dismisses it at pre-admission stage.

(3) In sub-regulation (3) of Regulation 10, the words, “non-refundable” occurring after the word “a” and before the word “fee” shall be omitted.

(4) After sub-regulation (3) of Regulation 10, the following new proviso shall be added:—

Provided that the licensee or any person other than licensee may seek refund of license application fee in case it withdraws its application at admission stage or the Authority dismisses it at pre-admission stage.

SYED SAFEER HUSSAIN,  
*Registrar.*