



**Registrar**

# National Electric Power Regulatory Authority Islamic Republic of Pakistan

NEPRA Tower, Ataturk Avenue (East) G-5/1, Islamabad  
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Web: www.nepra.org.pk, E-mail: info@nepra.org.pk

No. NEPRA/TRF-100/8231-8233  
July 14, 2014

**Subject: Decision of the Authority regarding Request for Reconsideration of Tariff Determinations for the WAPDA Distribution Companies for the Financial Year 2013-14 under Section 31(4) of NEPRA Act 1997**

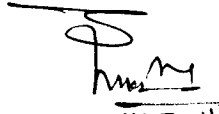
*Reference: Ministry of Water & Power letters No. PI-4(18)/2013-14 dated 01.07.2014 and No. PI-4(18)/2013-14 dated 03.07.2014 (received on 04.07.2014).*

Dear Sir,

Please find enclosed herewith the subject Decision of the Authority (02 pages) in the matter of Request for Reconsideration of Tariff Determinations for the Ex-WAPDA Distribution Companies for the Financial Year 2013-14 under Section 31(4) of NEPRA Act, 1997 made by Ministry of Water & Power, for information.

2. Pursuant to above decision, the subject Request for Reconsideration is being returned herewith un-actioned.

Enclosure: As above

  
14.7.14  
( Syed Safer Hussain )

Secretary  
Ministry of Water & Power,  
'A' Block, Pak Secretariats  
Islamabad

CC: 1. Secretary, Cabinet Division, Cabinet Secretariat, Islamabad.  
2. Secretary, Ministry of Finance, 'Q' Block, Pak Secretariat, Islamabad.



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No. NEPRA/R/TRF-100/ 8324-44


14-7-2014

1. Chief Executive Officer, FESCO, Faisalabad.
2. Chief Executive Officer, GEPCO, Gujranwala.
3. Chief Executive Officer, HESCO, Hyderabad.
4. Chief Executive Officer, IESCO, Islamabad.
5. Chief Executive Officer, LESCO, Lahore.
6. Chief Executive Officer, MEPCO, Multan.
7. Chief Executive Officer, PESCO, Peshawar.
8. Chief Executive Officer, QESCO, Quetta
9. Chief Executive Officer, SEPCO, Sukkur.
10. Chief Executive Officer, TESCO, Peshawar.

**Subject: Decision of the Authority regarding Request for Reconsideration of Tariff Determinations for the WAPDA Distribution Companies for the Financial Year 2013-14 under Section 31(4) of NEPRA Act 1997**

The Authority has made its Decision on the subject matter. The Decision has been sent to Ministry of Water & Power for information vide letter No. NEPRA/TRF-100/8231-8233 dated 14.07.2014. A copy of the Decision is served herewith.

Enclosure: As above

  
14.7.14  
( Syed Safer Hussain )

CC:

Registrar, Supreme Court of Pakistan, Islamabad with reference to HRC Cases No. 14392/2013 and 709/2009.

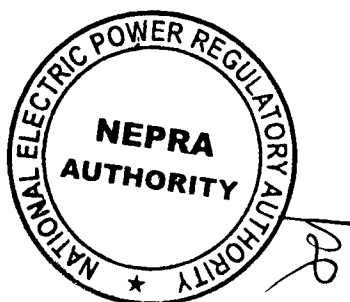
**Decision of the Authority in the matter of a Request for Reconsideration of Tariff Determinations for the Distribution Companies for the Financial Year 2013-14 under Section 31(4) of NEPRA Act 1997**

Ministry of Water and Power vide letter No. PI-4(18)/2013-14 dated 01-07-2014 (received on 03-07-2014) had submitted subject Reconsideration Request against NEPRA's Determinations for the Distribution Companies for the Financial Year 2013-14 under Section 31(4) of NEPRA Act as per the following details:

| <u>DISCO</u> | <u>Date of determination/intimation</u> |
|--------------|---|
| FESCO        | 06.02.2014                              |
| GEPSCO       | 16.01.2014                              |
| HESCO        | 20.02.2014                              |
| IESCO        | 22.01.2014                              |
| LESCO        | 02.01.2014                              |
| MEPCO        | 17.01.2014                              |
| PESCO        | 28.04.2014                              |
| QESCO        | 27.01.2014                              |
| SEPCO        | 03.03.2014                              |
| TESCO        | 28.04.2014                              |

The Ministry of Water and Power based its Reconsideration Request on the following grounds:

- i. *"Keeping in view, the Policy of the Federal Government to maintain uniform tariff across the country and consumers interests, the NEPRA while considering the request is required to incorporate in the schedule of tariff of all distribution companies. GoP's intention to pass on per unit subsidy to the categories to consumers of all distribution companies. The guidelines on the aforesaid account are attached as (Annex-A)*
- ii. *Moreover, the Authority is requested to condone the delay in filing of the reconsideration request under first proviso to Section 31(4) of the Regulation of Generation, Transmission and Distribution of Electric Power Act, 1997 to bring in line the procedure for notification of the NEPRA approved tariff in*



*14/7/2014*

*accordance with the Regulation of Generation, Transmission and Distribution of Electric Power Act 1997 (NEPRA Act)."*

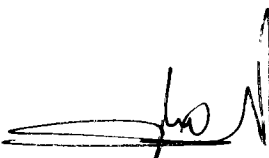
Under Section 31(4) of NEPRA Act, 1997, when a tariff is intimated by NEPRA to Federal Government for notification in the official gazette the same is to be notified within 15 days or alternatively; a re-consideration request could be filed by the Federal Government within 15 days of receipt of such determination or decision.


As per above mentioned details; the tariff determinations of different DISCOs were intimated to the Federal Government in January, February, March and April of 2014 and the re-consideration request; if any; could be competent within 15 days of the date of intimation. The re-consideration request could have been declined straight away on the question of limitation; however, it is a matter of record that as per the request, it was proposed by the Federal Government to provide for subsidy to certain classes of consumers and it was in the consumers' interest; therefore; earlier it was observed by the Authority to consider the request. However, during the pendency of the request; another letter is received from Government of Pakistan Islamabad bearing No. P1-4(18)/2013-14, dated July 03, 2014 whereby it is desired that NEPRA should put on hold the reconsideration request till such time the Government get back to NEPRA.

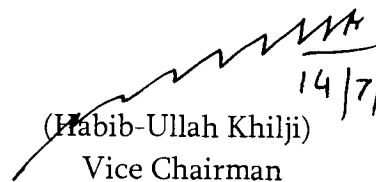
Since there is no provision for putting on hold any such request and a time period of 15 days is also provided for NEPRA to decide the re-consideration request; if filed, therefore, the request of Federal Government for putting on hold the reconsideration request is not maintainable and the same is hereby returned un-actioned.

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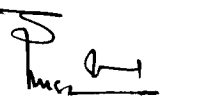
### The Authority

  
11.7 xw  
Khawaja Muhammad Naeem  
Member

  
11/7/14  
(Maj (Retd) Haroon Rasheed)  
Member

  
14/7/2014  
(Habib-Ullah Khilji)  
Vice Chairman



  
14.07.14