



**National Electric Power Regulatory Authority**  
Islamic Republic of Pakistan

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Registrar

No. NEPRA/TRF-199/SEPCO-2011/5641-5643  
June 21, 2012

**Subject: Decision of the Authority in the Matter of Motion for Leave for Review filed by Sukkur Electric Power Company Ltd. (SEPCO) against Tariff Determination of the Authority dated 30.03.2012 [Case # NEPRA/RF-199/SEPCO-2011]**

Dear Sir,

Enclosed please find herewith the Decision of the Authority (02 pages) in the matter of Motion for Leave for Review filed by Sukkur Electric Power Company Ltd. against Tariff Determination of the Authority (dated 30.03.2012) for the FY 2011-12 in Case # NEPRA/TRF-199/SEPCO-2011, for information.

Encl: As above

( Syed Safer Hussain )

Secretary  
Ministry of Water & Power  
'A' Block, Pak Secretariat  
*Islamabad.*

CC:

1. Secretary, Cabinet Division, Cabinet Secretariat, Islamabad.
2. Secretary, Ministry of Finance, Islamabad.





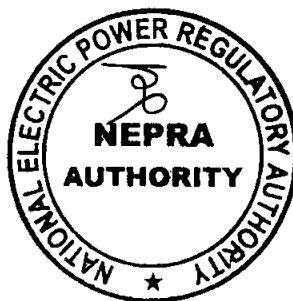
**DECISION OF THE AUTHORITY IN THE MATTER OF  
MOTION FOR LEAVE FOR REVIEW FILED BY SUKKUR ELECTRIC POWER COMPANY (SEPCO)  
AGAINST TARIFF DETERMINATION OF THE AUTHORITY DATED 30-03-2012**

**1. Background:**

1.1 The tariff determination for the FY 2011-12 pertaining to Sukkur Electric Power Company (SEPCO) was given by the Authority on 30-03-2012 against which SEPCO( hereinafter referred to as "Petitioner"), filed motion for leave for review dated 25.4.2012 inter-alia on the grounds relating to allowing the T&D losses at 38.70% for the FY 2011-12 ; allowing the Operation and maintenance (O&M) as requested in the tariff petition, i.e., Rs. 4,323 million and allowing Prior Period Adjustment amounting to Rs. 143 million.

**2. Proceedings:**

- 2.1 For consideration of the motion for review, a pre-admission hearing was conducted by the Authority on 22<sup>nd</sup> May, 2012 in NEPRA's head office. During the hearing, the Petitioner was represented by its Chief Executive Officer and other financial and technical professionals.
- 2.2 During the Hearing, the Authority clarified that the T&D losses and O&M costs for the FY 2011-12 were assessed provisionally and the same has also been clearly mentioned in the determination dated 30.3.2012. The said order of the Authority also contains future course of assessment and directions in this regard. As per the arguments raised during the course of hearing, the petitioner has mainly agitated the findings of the Authority in the impugned determination to the extent of Prior Period Adjustment. The Petitioner submitted that the Authority while determining the tariff petition of HESCO [modified] allowed an amount of Rs. 314 million as unrecovered cost for the FY 2010-11. The Petitioner contended that it includes its share as well. Thus, an amount of Rs. 143 million, to the extent of its share may be allowed in its revenue requirement.
- 2.3 The Petitioner failed to point out any error in the findings of the Authority. The Petitioner also failed to produce any fresh or new evidence which was not considered by the Authority at the time of original.
- 2.4 In so far as the request for prior period adjustment is concerned, no amount was requested in the original tariff petition on this account therefore, the same cannot be entertained in the review petition.
- 2.5 Keeping in view the above stated facts, the Authority is of the view that in terms of regulation 3(2) of the NEPRA (Review Procedure) Regulations, 2009, a motion seeking review of any order of the Authority is competent only upon discovery of new and important matter of evidence or on account of some mistake or error apparent on the face of record. The perusal of a determination sought to be review clearly indicates that all material facts and representation

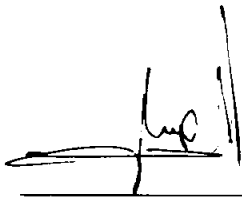


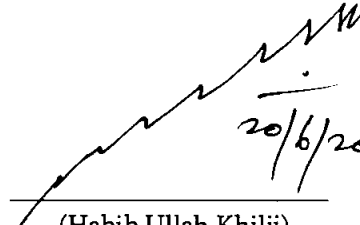


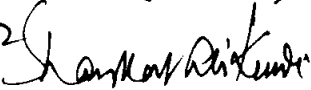
made were examined in detail and there is no occasion to amend the impugned determination. No error inviting indulgence as admissible in law has been pleaded out. Therefore, the Authority is convinced that the review would not result in the withdrawal or modification of its determination.

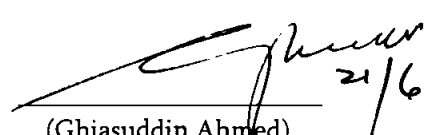
- 2.6 From what has been discussed above, the Authority is of the considered view that the grounds agitated in the motion for leave for review are not sufficient enough justifying the modification of the impugned determination, hence the motion for leave for review is declined.

AUTHORITY

  
(Khawaja Muhmmad Naeem)  
Member

  
(Habib Ullah Khilji)  
Member

*I have also dissented to grant of  
Generation Licenses and Admission of  
tariff petition of SEPCO vide my dissenting  
note dated 30.03.2012*  
  
(Shaukat Ali Kundi)  
Member  
20.06.2012

  
(Ghiasuddin Ahmed)  
Acting Chairman

