



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](http://www.nepra.org.pk), E-mail: [info@nepra.org.pk](mailto:info@nepra.org.pk)

No. NEPRA/R/TRF-100/MFPA/13239-13258

November 29, 2013

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 in the matter of Fuel Charges Adjustments for the Months of July, August, September, October, November, December 2012 and January, February, March, April & May 2013 for XWDISCOs along with Notifications Thereof**

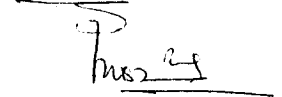
Enclosed please find herewith copies of the following decisions of the Authority regarding further adjustment in fuel charges in respect of Ex-WAPDA Distribution Companies for the months of July, August, September, October, November, December 2012 and January, February, March, April & May 2013 alongwith Notifications thereof.:

- i) Copy of decision of the Authority (03 pages) for the month of July, 2012 and Notification thereof bearing SRO No. 1007(I)/2013 dated 29.11.2013.
- ii) Copy of decision of the Authority (03 pages) for the month of August, 2012 and Notification thereof bearing SRO No. 1008(I)/2013 dated 29.11.2013.
- ii) Copy of decision of the Authority (03 pages) for the month of September, 2012 and Notification thereof bearing SRO No. 1009(I)/2013 dated 29.11.2013.
- iv) Copy of decision of the Authority (03 pages) for the month of October, 2012 and Notification thereof bearing SRO No. 1010(I)/2013 dated 29.11.2013.
- v) Copy of decision of the Authority (03 pages) for the month of November, 2012 and Notification thereof bearing SRO No. 1011(I)/2013 dated 29.11.2013.
- vi) Copy of decision of the Authority (03 pages) for the month of December, 2012 and Notification thereof bearing SRO No. 1012(I)/2013 dated 29.11.2013.
- vii) Copy of decision of the Authority (03 pages) for the month of January 2013 and Notification thereof bearing SRO No. 1013(I)/2013 dated 29.11.2013.
- viii) Copy of decision of the Authority (03 pages) for the month of February 2013 and Notification thereof bearing SRO No. 1014(I)/2013 dated 29.11.2013.
- ix) Copy of decision of the Authority (03 pages) for the month of March 2013 and Notification thereof bearing SRO No. 1015(I)/2013 dated 29.11.2013.
- x) Copy of decision of the Authority (03 pages) for the month of April 2013 and Notification thereof bearing SRO No. 1016(I)/2013 dated 29.11.2013.
- xi) Copy of decision of the Authority (03 pages) for the month of May 2013 and Notification thereof bearing SRO No. 1017(I)/2013 dated 29.11.2013.

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2. DISCOs are directed that while charging the fuel charge adjustment from their consumers, the Orders of the Honourable Court(s), if any, be kept in mind and ensure compliance with the Order(s) of the Court(s), whatsoever, in this regard. In case of non-compliance of Courts Order the concerned DISCO shall be held responsible for violating / defying the orders of the Honourable Court(s).

Enclosure: As above.



( Syed Safer Hussain ) 25/11/13  
Registrar

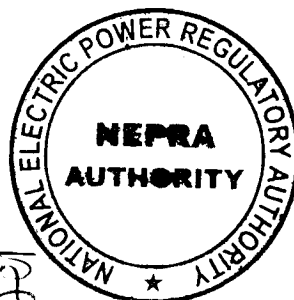
CC:

1. Secretary, Cabinet Division, Cabinet Secretariat, Islamabad.
2. Secretary, Ministry of Water & Power, 'A' Block, Pak Secretariat, Islamabad.
3. Secretary, Ministry of Finance, 'O' Block, Pak Secretariat, Islamabad.
4. Managing Director, PEPCO, WAPDA House, Lahore.
5. Member (Power), WAPDA, WAPDA House, Lahore.
6. Managing Director, NTDC, 414 WAPDA House, Lahore.
7. Registrar, Supreme Court of Pakistan, Islamabad.
8. Chief Operating Officer, CPPA, WAPDA House, Lahore.
9. General Manager, WAPDA Power Privatization Organization (WPPO) of NTDC, Lahore.
10. All Pakistan Textile Mills Association (APTMA) through Rashid Law Associates Attorneys & Corporate Consultants, 5<sup>th</sup> Floor, Ajmal House, 27-Egerton Road, Lahore.



**REVISED DECISION OF THE AUTHORITY IN THE MATTER OF FUEL CHARGES  
ADJUSTMENT FOR THE MONTH OF JULY, 2012 FOR EX-WAPDA DISCOs**

1. Pursuant to the provisions of Section 31(4) of the Regulation of Generation, Transmission and Distribution of Electric Power Act 1997, (XL of 1997) read with the mechanism/formula determined by the Authority in the tariff determinations for Ex-WAPDA DISCOs for the Financial Year 2012-13, the Authority has to make adjustments in the approved tariff on account of any variations in the fuel charges on a monthly basis.
2. Consequently, the Authority, in accordance with the provisions of section 31(4) of the Act XL of 1997 as well as on the basis of a mechanism/formula already determined by the Authority in its annual tariff determinations for XWDISCOs, determined the Fuel Charges Adjustment of increase of Rs. 0.8520/kWh pertaining to the month of July 2012 vide Notification No. S.R.O. 1262(I)/2012, dated October 10, 2012.
3. However, subsequently, the tariff for EX-WAPDA DISCOS pertaining to Financial Year, 2012-13 was notified by the Government of Pakistan vide its SRO dated 5<sup>th</sup> August 2013 whereby, the tariff was made effective retrospectively i.e. w.e.f. 1<sup>st</sup> July 2012. Prior to the issuance of said notification, monthly fuel charges adjustments for the month of July 2012 was already determined by NEPRA on the basis of the then notified references which were applicable for the FY 2011-12. Due to application of the notification dated 5<sup>th</sup> August, 2013 with effect from 1<sup>st</sup> July, 2012, the already notified monthly adjustments (based upon old references) requires modification so that necessary adjustments could be made based upon the newly notified references.
4. Accordingly, in exercise of its powers conferred upon NEPRA vide section 3(2)(g) of NEPRA Act, 1997 read with regulation 3(1) of NEPRA (Review Procedures) Regulations, 2009, the Authority decided to review and modify its earlier decisions regarding monthly fuel charges adjustments for the month of July, 2012. As the effect of variations, if any, due to proposed charges is to be passed on to the consumers, therefore, in order to afford an opportunity of hearing to all concerned, a public hearing was scheduled for 31<sup>st</sup> October, 2013. Notice of hearing was published in the national newspapers inviting comments, objections from all concerned. Public hearing into the matter was accordingly conducted on 31<sup>st</sup> October, 2013 which was attended by representatives from Central Power Purchasing Agency (CPPA), Wapda Private Power Organization (WPPO), National Power Control Cell (NPCC), Ministry of Water & Power, XWDISCOs and media; however, no representative from Ministry of Finance attended the public hearing despite the service of notice. The representatives from Islamabad Electric Supply Company and Peshawar Electric Supply Company raised objections/ comments on the proceedings.





5. Comments from Commentator

Finance Director, Islamabad Electric Supply Company (IESCO)

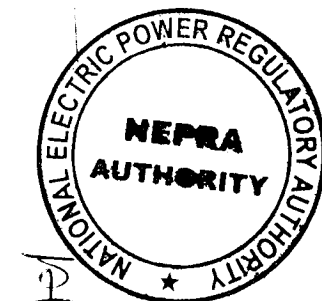
- 5.1 The Commentator requested the Authority to take the impact of revision in references of fuel price adjustment and the adjustments to the tariff determination for the FY 13-14. The same was proposed to be incorporated in revenue requirement computation as prior year adjustment.

Deputy Manager, Peshawar Electric Supply Company (PESCO)

- 5.2 The Commentator made following comments in the hearing:
- i. Due to the non-notification of consumer-end tariff by the GoP for the FY 12-13, owing to the stay order of Peshawar High Court, PESCO may be exempted from the revised determination of FPA.
  - ii. The Authority is requested to change its current mechanism of determination of fuel adjustments from monthly basis to bi-Annual / Annual basis.
  - iii. The Authority has issued Generation License to certain textile mills / Captive power plants. They themselves obtain stay order from court but at the same time they are claiming fuel adjustments.

- 5.3 The concerns raised on behalf of IESCO and PESCO were given due consideration. Regarding the comments on behalf of IESCO, the Authority is of the opinion that since the tariff was made applicable w.e.f. 1<sup>st</sup> July 2012, therefore the benefit, if any, due to higher references has to be given to the consumers immediately and there is no point to delay it and incorporate it in the tariff for FY 2013-14 as proposed by IESCO. As far as the comments by PESCO's representative are concerned, the Authority is well aware that the decisions w.r.t., FPA are not applicable for PESCO until the time the stay order from Peshawar High Court is vacated. Therefore, this concern of commentator stands addressed. Regarding the proposed change in mechanism from monthly to biannual/annual basis as suggested by PESCO, necessary amendment in law will be required. As far as the issuance of generation license to certain captive power plants who obtained stay order regarding FPA, PESCO may bring the case with evidence for further review by the Authority.

6. While considering the very fact of notification of tariff by the GoP with retrospective effect, it is felt necessary that the monthly fuel price adjustment should be based upon the newly notified references. Accordingly based upon the outcome of the public hearing as well as the notification of NEPRA's tariff for Ex-WAPDA DISCOS with effect from 1<sup>st</sup> July 2012, the Authority is of the considered view that the earlier notified decision pertaining to the fuel charges adjustment for the month of July 2012 notified vide SRO No. 1262(I)/2012, dated October 10, 2012 requires review/modification.





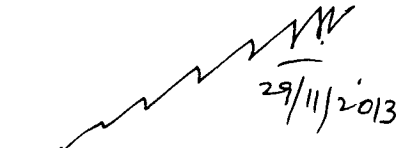
7. Hence, in continuation of the earlier Notification No. S.R.O. 1262(I)/2012, dated October 10, 2012 the following further adjustment in the fuel charges for the month of July 2012 is being approved:-

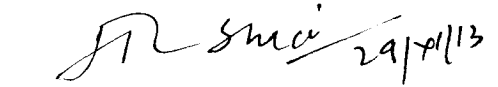
Actual Fuel Charges Component for July 2012	Rs. 7.0511/kWh
Corresponding Reference Fuel Charges Component (Determined for FY 2012-13)	Rs. 7.0622/kWh
Fuel Charges Variation for the month of July 2012 (Decrease)	(Rs. 0.0111/kWh)
Fuel Charges Variation already notified for the month of July 2012 (Increase)	Rs. 0.8520/kWh
<b>Net Decrease on account of Fuel Charges Variation for the month of July 2012</b>	<b>(Rs. 0.8631/kWh)</b>

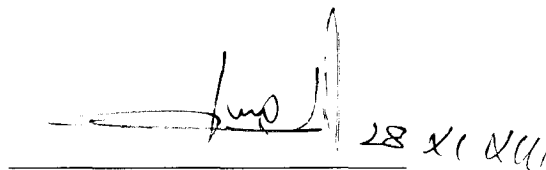
8. The adjustment as referred to in Para 7 above ;

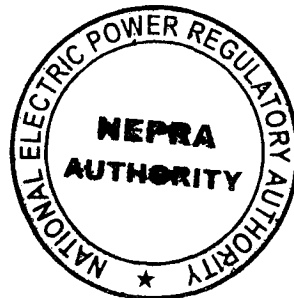
- i) shall be applicable to all the consumer categories except lifeline consumers of all the DISCOs;
- ii) shall be shown separately in the consumers' bill on the basis of units billed to the consumers in the month of July 2012.
- iii) EX-WAPDA DISCOs shall pass on the benefit of decrease in fuel charges adjustment in respect of July 2012 as referred to in para 7 above in the billing month of December, 2013.
- iv) While affecting the Fuel Adjustment Charges, the concerned DISCOs shall keep in view and strictly comply with the orders of the courts notwithstanding this order.

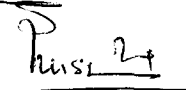
**AUTHORITY**

  
(Habibullah Khilji)  
Member

  
(Maj (R) Haroon Rashid)  
Member

  
(Khawaja Muhammad Naem )  
Vice Chairman



  
29.11.13

# National Electric Power Regulatory Authority



## NOTIFICATION

Islamabad, the November 29, 2013

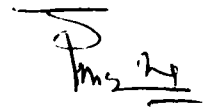
S.R.O. 1007 (I)/2013: – Pursuant to Section 31(4) of the Regulation of Generation, Transmission and Distribution of Electric Power Act, 1997 as amended through Regulation of Generation, Transmission and Distribution of Electric Power (Amendment) Act 2011, the National Electric Power Regulatory Authority, in continuation of its earlier decision notified vide S.R.O. 1262(I)/2012 dated October 10, 2012, makes and notifies the following further adjustment in the approved tariff on account of variation in fuel charge for the month of July 2012 in respect of Ex-WAPDA Distribution Companies (XWDISCOs):

Actual Fuel Charges Component for July 2012	Rs. 7.0511/kWh
Corresponding Reference Fuel Charges Component (Determined for FY 2012-13)	Rs. 7.0622/kWh
Fuel Charges Variation for the month of July 2012 (Decrease)	(Rs.0.0111/kWh)
Fuel Charges variation already notified for the month of July 2012 (Increase)	Rs.0.8520/kWh
<b>Net Decrease on account of Fuel Charges Variation for the month of July 2012.</b>	<b>(Rs.0.8631/kWh)</b>

2. The above adjustment a decrease of (Rs.0.8631/kWh) shall be applicable to all the consumer categories except lifeline consumers of all the XWDISCOs. The said adjustment shall be shown separately in the consumers' bills on the basis of units billed to the consumers in the month of July 2012 by the XWDISCOs. XWDISCOs shall pass on the benefit of decrease in fuel charges adjustment in respect of July 2012 in the billing month of December 2013.

3. While affecting the Fuel Adjustment Charges, the concerned DISCOs shall keep in view and strictly comply with the orders of the courts notwithstanding this order.

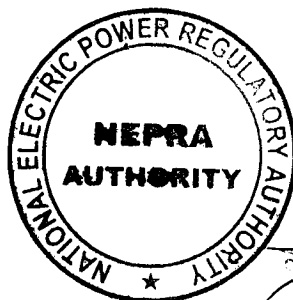
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(Syed Safeer Hussain)  
Registrar



**REVISED DECISION OF THE AUTHORITY IN THE MATTER OF FUEL CHARGES  
ADJUSTMENT FOR THE MONTH OF AUGUST, 2012 FOR EX-WAPDA DISCOs**

1. Pursuant to the provisions of Section 31(4) of the Regulation of Generation, Transmission and Distribution of Electric Power Act 1997, (XL of 1997) read with the mechanism/formula determined by the Authority in the tariff determinations for Ex-WAPDA DISCOs for the Financial Year 2012-13, the Authority has to make adjustments in the approved tariff on account of any variations in the fuel charges on a monthly basis.
2. Consequently, the Authority, in accordance with the provisions of section 31(4) of the Act XL of 1997 as well as on the basis of a mechanism/formula already determined by the Authority in its annual tariff determinations for XWDISCOs, determined the Fuel Charges Adjustment of decrease of Rs. 0.0566/kWh pertaining to the month of August 2012 vide Notification No. SRO 390(I)/2013, dated May 16, 2013.
3. However, subsequently, the tariff for EX-WAPDA DISCOS pertaining to Financial Year, 2012-13 was notified by the Government of Pakistan vide its SRO dated 5<sup>th</sup> August 2013 whereby, the tariff was made effective retrospectively i.e. w.e.f. 1<sup>st</sup> July 2012. Prior to the issuance of said notification, monthly fuel charges adjustments for the month of August 2012 was already determined by NEPRA on the basis of the then notified references which were applicable for the FY 2011-12. Due to application of the notification dated 5<sup>th</sup> August, 2013 with effect from 1<sup>st</sup> July, 2012, the already notified monthly adjustments (based upon old references) requires modification so that necessary adjustments could be made based upon the newly notified references.
4. Accordingly, in exercise of its powers conferred upon NEPRA vide section 3(2)(g) of NEPRA Act, 1997 read with regulation 3(1) of NEPRA (Review Procedures) Regulations, 2009, the Authority decided to review and modify its earlier decisions regarding monthly fuel charges adjustments for the month of August, 2012. As the effect of variations, if any, due to proposed charges is to be passed on to the consumers, therefore, in order to afford an opportunity of hearing to all concerned, a public hearing was scheduled for 31<sup>st</sup> October, 2013. Notice of hearing was published in the national newspapers inviting comments, objections from all concerned. Public hearing into the matter was accordingly conducted on 31<sup>st</sup> October, 2013 which was attended by representatives from Central Power Purchasing Agency (CPPA), Wapda Private Power Organization (WPPO), National Power Control Cell (NPCC), Ministry of Water & Power, XWDISCOs and media; however, no representative from Ministry of Finance attended the public hearing despite the service of notice. The representatives from Islamabad Electric Supply





Company and Peshawar Electric Supply Company raised objections/ comments on the proceedings.

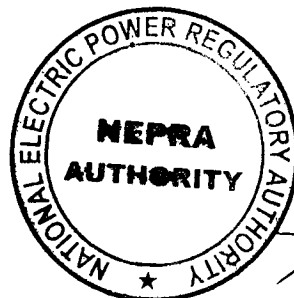
5. **Comments from Commentator**

**Finance Director, Islamabad Electric Supply Company (IESCO)**

- 5.1 The Commentator requested the Authority to take the impact of revision in references of fuel price adjustment and the adjustments to the tariff determination for the FY 13-14. The same was proposed to be incorporated in revenue requirement computation as prior year adjustment.

**Deputy Manager, Peshawar Electric Supply Company (PESCO)**

- 5.2 The Commentator made following comments in the hearing:
- i. Due to the non-notification of consumer-end tariff by the GoP for the FY 12-13, owing to the stay order of Peshawar High Court, PESCO may be exempted from the revised determination of FPA.
  - ii. The Authority is requested to change its current mechanism of determination of fuel adjustments from monthly basis to bi-Annual / Annual basis.
  - iii. The Authority has issued Generation License to certain textile mills / Captive power plants. They themselves obtain stay order from court but at the same time they are claiming fuel adjustments.
- 5.3 The concerns raised on behalf of IESCO and PESCO were given due consideration. Regarding the comments on behalf of IESCO, the Authority is of the opinion that since the tariff was made applicable w.e.f. 1<sup>st</sup> July 2012, therefore the benefit, if any, due to higher references has to be given to the consumers immediately and there is no point to delay it and incorporate it in the tariff for FY 2013-14 as proposed by IESCO. As far as the comments by PESCO's representative are concerned, the Authority is well aware that the decisions w.r.t., FPA are not applicable for PESCO until the time the stay order from Peshawar High Court is vacated. Therefore, this concern of commentator stands addressed. Regarding the proposed change in mechanism from monthly to biannual/annual basis as suggested by PESCO, necessary amendment in law will be required. As far as the issuance of generation license to certain captive power plants who obtained stay order regarding FPA, PESCO may bring the case with evidence for further review by the Authority.
6. While considering the very fact of notification of tariff by the GoP with retrospective effect, it is felt necessary that the monthly fuel price adjustment should be based upon the newly notified references. Accordingly based upon the outcome of the public hearing as well as the notification of NEPRA's tariff for Ex-WAPDA DISCOS with effect from 1<sup>st</sup> July 2012, the Authority is of the considered







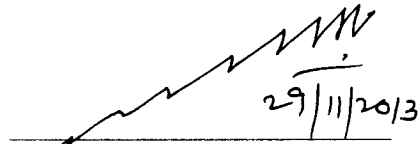
view that the earlier notified decision pertaining to the fuel charges adjustment for the month of August 2012 notified vide SRO No. 390(I)/2013, dated May 16, 2013 requires review/modification.


7. Hence, in continuation of the earlier Notification No. SRO 390(I)/2013, dated May 16, 2013 the following further adjustment in the fuel charges for the month of August 2012 is being approved:-

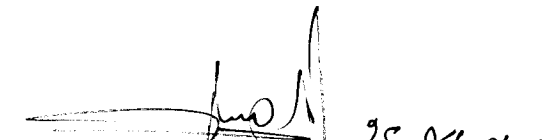
Actual Fuel Charges Component for August 2012	Rs. 6.4358/kWh
Corresponding Reference Fuel Charges Component (Determined for FY 2012-13)	Rs. 7.0755/kWh
Fuel Charges Variation for the month of August 2012 (Decrease)	(Rs. 0.6397/kWh)
Fuel Charges Variation already notified for the month of August 2012 (Decrease)	(Rs. 0.0566/kWh)
<b>Net Decrease on account of Fuel Charges Variation for the month of August 2012</b>	<b>(Rs. 0.5831/kWh)</b>

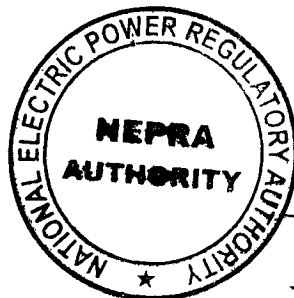
8. The adjustment as referred to in Para 7 above ;
- shall be applicable to all the consumer categories except lifeline and agricultural consumers of all the DISCOs;
  - shall be shown separately in the consumers' bill on the basis of units billed to the consumers in the month of August 2012.
  - EX-WAPDA DISCOs shall pass on the benefit of decrease in fuel charges adjustment in respect of August 2012 as referred to in para 7 above in the billing month of December, 2013.
  - While affecting the Fuel Adjustment Charges, the concerned DISCOs shall keep in view and strictly comply with the orders of the courts notwithstanding this order.

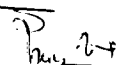
**AUTHORITY**

  
29/11/2013  
(Habibullah Khilji)  
Member

  
29/11/13  
(Maj (R) Haroon Rashid)  
Member

  
28/11/13  
(Khawaja Muhammad Naeem )  
Vice Chairman



  
29.11.13

# National Electric Power Regulatory Authority



## NOTIFICATION

Islamabad, the November 29, 2013

**S.R.O. 1008 (I)/2013:** -- Pursuant to Section 31(4) of the Regulation of Generation, Transmission and Distribution of Electric Power Act, 1997 as amended through Regulation of Generation, Transmission and Distribution of Electric Power (Amendment) Act 2011, the National Electric Power Regulatory Authority, in continuation of its earlier decision notified vide S.R.O. 390(I)/2013 dated May 16, 2013, makes and notifies the following further adjustment in the approved tariff on account of variation in fuel charge for the month of August 2012 in respect of Ex-WAPDA Distribution Companies (XWDISCOs):

Actual Fuel Charges Component for August 2012	Rs. 6.4358/kWh
Corresponding Reference Fuel Charges Component (Determined for FY 2012-13)	Rs. 7.0755/kWh
Fuel Charges Variation for the month of August 2012 (Decrease)	(Rs.0.6397/kWh)
Fuel Charges variation already notified for the month of August 2012 (Decrease)	(Rs.0.0566/kWh)
<b>Net Decrease on account of Fuel Charges Variation for the month of August 2012.</b>	<b>(Rs.0.5831/kWh)</b>

2. The above adjustment a decrease of (Rs.0.5831/kWh) shall be applicable to all the consumer categories except lifeline and agricultural consumers of all the XWDISCOs. The said adjustment shall be shown separately in the consumers' bills on the basis of units billed to the consumers in the month of August 2012 by the XWDISCOs. XWDISCOs shall pass on the benefit of decrease in fuel charges adjustment in respect of August 2012 in the billing month of December 2013.

3. While affecting the Fuel Adjustment Charges, the concerned DISCOs shall keep in view and strictly comply with the orders of the courts notwithstanding this order.

(Syed Safer Hussain)  
Registrar

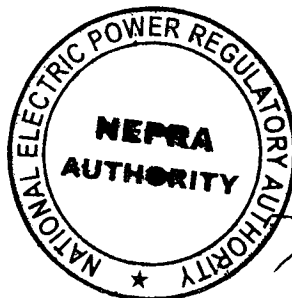
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**REVISED DECISION OF THE AUTHORITY IN THE MATTER OF FUEL CHARGES  
ADJUSTMENT FOR THE MONTH OF SEPTEMBER, 2012 FOR EX-WAPDA DISCOs**

1. Pursuant to the provisions of Section 31(4) of the Regulation of Generation, Transmission and Distribution of Electric Power Act 1997, (XL of 1997) read with the mechanism/formula determined by the Authority in the tariff determinations for Ex-WAPDA DISCOs for the Financial Year 2012-13, the Authority has to make adjustments in the approved tariff on account of any variations in the fuel charges on a monthly basis.
2. Consequently, the Authority, in accordance with the provisions of section 31(4) of the Act XL of 1997 as well as on the basis of a mechanism/formula already determined by the Authority in its annual tariff determinations for XWDISCOs, determined the Fuel Charges Adjustment of increase of Rs. 0.0522/kWh pertaining to the month of September 2012 vide Notification No. SRO 391(I)/2013, dated May 16, 2013.
3. However, subsequently, the tariff for EX-WAPDA DISCOS pertaining to Financial Year, 2012-13 was notified by the Government of Pakistan vide its SRO dated 5<sup>th</sup> August 2013 whereby, the tariff was made effective retrospectively i.e. w.e.f. 1<sup>st</sup> July 2012. Prior to the issuance of said notification, monthly fuel charges adjustment for the month of September 2012 was already determined by NEPRA on the basis of the then notified references which were applicable for the FY 2011-12. Due to application of the notification dated 5<sup>th</sup> August, 2013 with effect from 1<sup>st</sup> July, 2012, the already notified monthly adjustments (based upon old references) requires modification so that necessary adjustments could be made based upon the newly notified references.
4. Accordingly, in exercise of its powers conferred upon NEPRA vide section 3(2)(g) of NEPRA Act, 1997 read with regulation 3(1) of NEPRA (Review Procedures) Regulations, 2009, the Authority decided to review and modify its earlier decisions regarding monthly fuel charges adjustment for the month of September, 2012. As the effect of variations, if any, due to proposed charges is to be passed on to the consumers, therefore, in order to afford an opportunity of hearing to all concerned, a public hearing was scheduled for 31<sup>st</sup> October, 2013. Notice of hearing was published in the national newspapers inviting comments, objections from all concerned. Public hearing into the matter was accordingly conducted on 31<sup>st</sup> October, 2013 which was attended by representatives from Central Power Purchasing Agency (CPPA), Wapda Private Power Organization (WPPO), National Power Control Cell (NPCC), Ministry of Water & Power, XWDISCOs and media; however, no representative from Ministry of Finance attended the public hearing despite the service of notice. The representatives from Islamabad Electric Supply





Company and Peshawar Electric Supply Company raised objections/ comments on the proceedings.

5. Comments from Commentator

Finance Director, Islamabad Electric Supply Company (IESCO)

- 5.1 The Commentator requested the Authority to take the impact of revision in references of fuel price adjustment and the adjustments to the tariff determination for the FY 13-14. The same was proposed to be incorporated in revenue requirement computation as prior year adjustment.

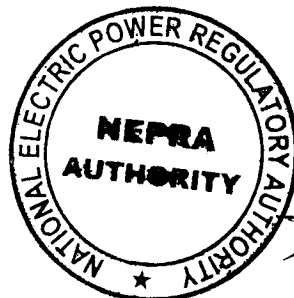
Deputy Manager, Peshawar Electric Supply Company (PESCO)

- 5.2 The Commentator made following comments in the hearing:

- i. Due to the non-notification of consumer-end tariff by the GoP for the FY 12-13, owing to the stay order of Peshawar High Court, PESCO may be exempted from the revised determination of FPA.
- ii. The Authority is requested to change its current mechanism of determination of fuel adjustments from monthly basis to bi-Annual / Annual basis.
- iii. The Authority has issued Generation License to certain textile mills / Captive power plants. They themselves obtain stay order from court but at the same time they are claiming fuel adjustments.

- 5.3 The concerns raised on behalf of IESCO and PESCO were given due consideration. Regarding the comments on behalf of IESCO, the Authority is of the opinion that since the tariff was made applicable w.e.f. 1<sup>st</sup> July 2012, therefore the benefit, if any, due to higher references has to be given to the consumers immediately and there is no point to delay it and incorporate it in the tariff for FY 2013-14 as proposed by IESCO. As far as the comments by PESCO's representative are concerned, the Authority is well aware that the decisions w.r.t., FPA are not applicable for PESCO until the time the stay order from Peshawar High Court is vacated. Therefore, this concern of commentator stands addressed. Regarding the proposed change in mechanism from monthly to biannual/annual basis as suggested by PESCO, necessary amendment in law will be required. As far as the issuance of generation license to certain captive power plants who obtained stay order regarding FPA, PESCO may bring the case with evidence for further review by the Authority.

6. While considering the very fact of notification of tariff by the GoP with retrospective effect, it is felt necessary that the monthly fuel price adjustment should be based upon the newly notified references. Accordingly based upon the outcome of the public hearing as well as the notification of NEPRA's tariff for Ex-WAPDA DISCOS with effect from 1<sup>st</sup> July 2012, the Authority is of the considered





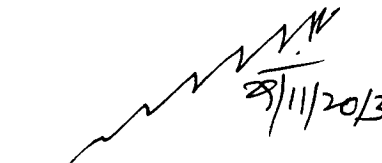
view that the earlier notified decision pertaining to the fuel charges adjustment for the month of September 2012 notified vide SRO No. 391(I)/2013, dated May 16, 2013 requires review/modification.


7. Hence, in continuation of the earlier Notification No. SRO 391(I)/2013, dated May 16, 2013 the following further adjustment in the fuel charges for the month of September 2012 is being approved:-


Actual Fuel Charges Component for September 2012	Rs. 6.3961/kWh
Corresponding Reference Fuel Charges Component (Determined for FY 2012-13)	Rs. 6.2493/kWh
Fuel Charges Variation for the month of September 2012 (Increase)	Rs. 0.1468/kWh
Fuel Charges Variation already notified for the month of September 2012 (Increase)	Rs. 0.0522/kWh
<b>Net Increase on account of Fuel Charges Variation for the month of September 2012</b>	<b>Rs. 0.0946/kWh</b>

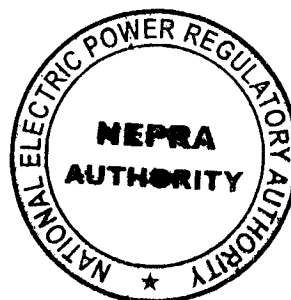
8. The adjustment as referred to in Para 7 above ;
- shall be applicable to all the consumer categories except lifeline consumers of all the DISCOs;
  - shall be shown separately in the consumers' bill on the basis of units billed to the consumers in the month of September 2012.
  - EX-WAPDA DISCOs shall recover the fuel charges adjustment in respect of September 2012 as referred to in para 7 above in the billing month of December, 2013.
  - While affecting the Fuel Adjustment Charges, the concerned DISCOs shall keep in view and strictly comply with the orders of the courts notwithstanding this order.

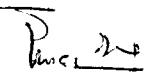
**AUTHORITY**

  
(Habibullah Khilji)  
Member

  
(Maj (R) Haroon Rashid)  
Member

  
(Khawaja Muhammad Naeem )  
Vice Chairman



  
25.11.13

# National Electric Power Regulatory Authority



## NOTIFICATION

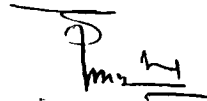
Islamabad, the November 29, 2013

**S.R.O. 1009 (I)/2013:** – Pursuant to Section 31(4) of the Regulation of Generation, Transmission and Distribution of Electric Power Act, 1997 as amended through Regulation of Generation, Transmission and Distribution of Electric Power (Amendment) Act 2011, the National Electric Power Regulatory Authority, in continuation of its earlier decision notified vide S.R.O. 391(I)/2013 dated May 16, 2013, makes and notifies the following further adjustment in the approved tariff on account of variation in fuel charge for the month of September 2012 in respect of Ex-WAPDA Distribution Companies (XWDISCOs):

Actual Fuel Charges Component for September 2012	Rs. 6.3961/kWh
Corresponding Reference Fuel Charges Component (Determined for FY 2012-13)	Rs. 6.2493/kWh
Fuel Charges Variation for the month of September 2012 (Increase)	Rs.0.1468/kWh
Fuel Charges variation already notified for the month of September 2012 (Increase)	Rs.0.0522/kWh
<b>Net Increase on account of Fuel Charges Variation for the month of September 2012.</b>	<b>Rs.0.0946/kWh</b>

2. The above adjustment an increase of Rs.0.946/kWh shall be applicable to all the consumer categories except lifeline consumers of all the XWDISCOs. The said adjustment shall be shown separately in the consumers' bills on the basis of units billed to the consumers in the month of September 2012 by the XWDISCOs. XWDISCOs shall recover the fuel charges adjustment in respect of September 2012 in the billing month of December 2013.

3. While affecting the Fuel Adjustment Charges, the concerned DISCOs shall keep in view and strictly comply with the orders of the courts notwithstanding this order.

  
(Syed Safer Hussain)  
Registrar

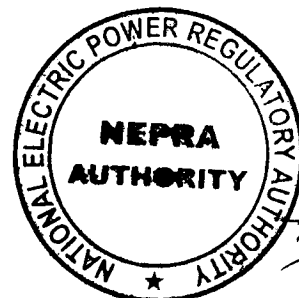
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**REVISED DECISION OF THE AUTHORITY IN THE MATTER OF FUEL CHARGES  
ADJUSTMENT FOR THE MONTH OF OCTOBER, 2012 FOR EX-WAPDA DISCOs**

1. Pursuant to the provisions of Section 31(4) of the Regulation of Generation, Transmission and Distribution of Electric Power Act 1997, (XL of 1997) read with the mechanism/formula determined by the Authority in the tariff determinations for Ex-WAPDA DISCOs for the Financial Year 2012-13, the Authority has to make adjustments in the approved tariff on account of any variations in the fuel charges on a monthly basis.
2. Consequently, the Authority, in accordance with the provisions of section 31(4) of the Act XL of 1997 as well as on the basis of a mechanism/formula already determined by the Authority in its annual tariff determinations for XWDISCOs, determined the Fuel Charges Adjustment of increase of Rs. 0.0393/kWh pertaining to the month of October 2012 vide Notification No. SRO 392(I)/2013, dated May 16, 2013.
3. However, subsequently, the tariff for EX-WAPDA DISCOS pertaining to Financial Year, 2012-13 was notified by the Government of Pakistan vide its SRO dated 5<sup>th</sup> August 2013 whereby, the tariff was made effective retrospectively i.e. w.e.f. 1<sup>st</sup> July 2012. Prior to the issuance of said notification, monthly fuel charges adjustment for the month of October 2012 was already determined by NEPRA on the basis of the then notified references which were applicable for the FY 2011-12. Due to application of the notification dated 5<sup>th</sup> August, 2013 with effect from 1<sup>st</sup> July, 2012, the already notified monthly adjustments (based upon old references) requires modification so that necessary adjustments could be made based upon the newly notified references.
4. Accordingly, in exercise of its powers conferred upon NEPRA vide section 3(2)(g) of NEPRA Act, 1997 read with regulation 3(1) of NEPRA (Review Procedures) Regulations, 2009, the Authority decided to review and modify its earlier decisions regarding monthly fuel charges adjustment for the month of October, 2012. As the effect of variations, if any, due to proposed charges is to be passed on to the consumers, therefore, in order to afford an opportunity of hearing to all concerned, a public hearing was scheduled for 31<sup>st</sup> October, 2013. Notice of hearing was published in the national newspapers inviting comments, objections from all concerned. Public hearing into the matter was accordingly conducted on 31<sup>st</sup> October, 2013 which was attended by representatives from Central Power Purchasing Agency (CPPA), Wapda Private Power Organization (WPPO), National Power Control Cell (NPCC), Ministry of Water & Power, XWDISCOs and media; however, no representative from Ministry of Finance attended the public hearing despite the service of notice. The representatives from Islamabad Electric Supply





Company and Peshawar Electric Supply Company raised objections/ comments on the proceedings.

5. **Comments from Commentator**

**Finance Director, Islamabad Electric Supply Company (IESCO)**

5.1 The Commentator requested the Authority to take the impact of revision in references of fuel price adjustment and the adjustments to the tariff determination for the FY 13-14. The same was proposed to be incorporated in revenue requirement computation as prior year adjustment.

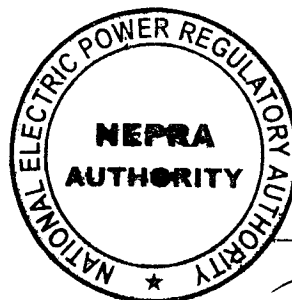
**Deputy Manager, Peshawar Electric Supply Company (PESCO)**

5.2 The Commentator made following comments in the hearing:

- i. Due to the non-notification of consumer-end tariff by the GoP for the FY 12-13, owing to the stay order of Peshawar High Court, PESCO may be exempted from the revised determination of FPA.
- ii. The Authority is requested to change its current mechanism of determination of fuel adjustments from monthly basis to bi-Annual / Annual basis.
- iii. The Authority has issued Generation License to certain textile mills / Captive power plants. They themselves obtain stay order from court but at the same time they are claiming fuel adjustments.

5.3 The concerns raised on behalf of IESCO and PESCO were given due consideration. Regarding the comments on behalf of IESCO, the Authority is of the opinion that since the tariff was made applicable w.e.f. 1<sup>st</sup> July 2012, therefore the benefit, if any, due to higher references has to be given to the consumers immediately and there is no point to delay it and incorporate it in the tariff for FY 2013-14 as proposed by IESCO. As far as the comments by PESCO's representative are concerned, the Authority is well aware that the decisions w.r.t., FPA are not applicable for PESCO until the time the stay order from Peshawar High Court is vacated. Therefore, this concern of commentator stands addressed. Regarding the proposed change in mechanism from monthly to biannual/annual basis as suggested by PESCO, necessary amendment in law will be required. As far as the issuance of generation license to certain captive power plants who obtained stay order regarding FPA, PESCO may bring the case with evidence for further review by the Authority.

6. While considering the very fact of notification of tariff by the GoP with retrospective effect, it is felt necessary that the monthly fuel price adjustment should be based upon the newly notified references. Accordingly based upon the outcome of the public hearing as well as the notification of NEPRA's tariff for Ex-WAPDA DISCOS with effect from 1<sup>st</sup> July 2012, the Authority is of the considered



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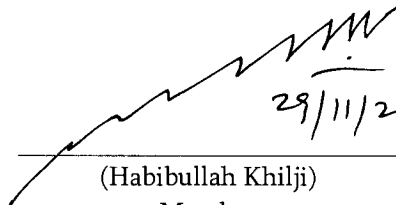
view that the earlier notified decision pertaining to the fuel charges adjustment for the month of October 2012 notified vide SRO No. 392(I)/2013, dated May 16, 2013 requires review/modification.

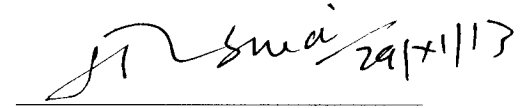
7. Hence, in continuation of the earlier Notification No. SRO 392(I)/2013, dated May 16, 2013 the following further adjustment in the fuel charges for the month of October 2012 is being approved:-

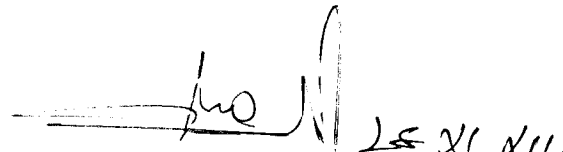
Actual Fuel Charges Component for October 2012	Rs. 6.8233/kWh
Corresponding Reference Fuel Charges Component (Determined for FY 2012-13)	Rs. 7.4924/kWh
Fuel Charges Variation for the month of October 2012 (Decrease)	(Rs. 0.6691/kWh)
Fuel Charges Variation already notified for the month of October 2012 (Increase)	Rs. 0.0393/kWh
<b>Net Decrease on account of Fuel Charges Variation for the month of October 2012</b>	<b>(Rs. 0.7084/kWh)</b>

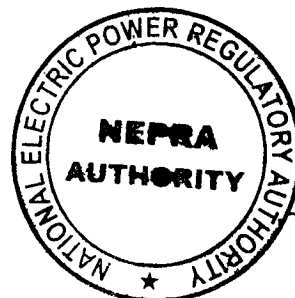
8. The adjustment as referred to in Para 7 above ;
- shall be applicable to all the consumer categories except lifeline and agricultural consumers of all the DISCOs;
  - shall be shown separately in the consumers' bill on the basis of units billed to the consumers in the month of October 2012.
  - EX-WAPDA DISCOs shall pass on the benefit of decrease in fuel charges adjustment in respect of October 2012 as referred to in para 7 above in the billing month of January, 2014.
  - While affecting the Fuel Adjustment Charges, the concerned DISCOs shall keep in view and strictly comply with the orders of the courts notwithstanding this order.

**AUTHORITY**

  
29/11/2013  
(Habibullah Khilji)  
Member

  
29/11/13  
(Maj (R) Haroon Rashid)  
Member

  
29/11/2013  
(Khawaja Muhammad Naeem )  
Vice Chairman



P  
29/11/13

# National Electric Power Regulatory Authority



## NOTIFICATION

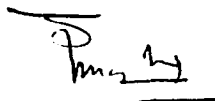
Islamabad, the November 29, 2013

**S.R.O. 10/10 (I)/2013:** – Pursuant to Section 31(4) of the Regulation of Generation, Transmission and Distribution of Electric Power Act, 1997 as amended through Regulation of Generation, Transmission and Distribution of Electric Power (Amendment) Act 2011, the National Electric Power Regulatory Authority, in continuation of its earlier decision notified vide S.R.O. 392(I)/2013 dated May 16, 2013, makes and notifies the following further adjustment in the approved tariff on account of variation in fuel charge for the month of October 2012 in respect of Ex-WAPDA Distribution Companies (XWDISCOs):

Actual Fuel Charges Component for October 2012	Rs. 6.8233/kWh
Corresponding Reference Fuel Charges Component (Determined for FY 2012-13)	Rs. 7.4924/kWh
Fuel Charges Variation for the month of October 2012 (Decrease)	(Rs.0.6691/kWh)
Fuel Charges variation already notified for the month of October 2012 (Increase)	Rs.0.0393/kWh
<b>Net Decrease on account of Fuel Charges Variation for the month of October 2012.</b>	<b>(Rs.0.7084/kWh)</b>

2. The above adjustment a decrease of (Rs.0.7084/kWh) shall be applicable to all the consumer categories except lifeline and agricultural consumers of all the XWDISCOs. The said adjustment shall be shown separately in the consumers' bills on the basis of units billed to the consumers in the month of October 2012 by the XWDISCOs. XWDISCOs shall pass on the benefit of decrease in fuel charges adjustment in respect of October 2012 in the billing month of January, 2014.

3. While affecting the Fuel Adjustment Charges, the concerned DISCOs shall keep in view and strictly comply with the orders of the courts notwithstanding this order.

  
(Syed Safer Hussain)  
Registrar

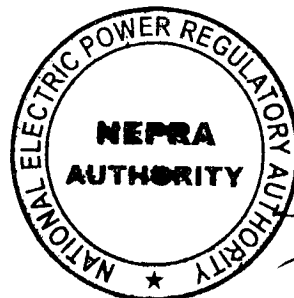
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**REVISED DECISION OF THE AUTHORITY IN THE MATTER OF FUEL CHARGES  
ADJUSTMENT FOR THE MONTH OF NOVEMBER 2012 FOR EX-WAPDA DISCOs**

1. Pursuant to the provisions of Section 31(4) of the Regulation of Generation, Transmission and Distribution of Electric Power Act 1997, (XL of 1997) read with the mechanism/formula determined by the Authority in the tariff determinations for Ex-WAPDA DISCOs for the Financial Year 2012-13, the Authority has to make adjustments in the approved tariff on account of any variations in the fuel charges on a monthly basis.
2. Consequently, the Authority, in accordance with the provisions of section 31(4) of the Act XL of 1997 as well as on the basis of a mechanism/formula already determined by the Authority in its annual tariff determinations for XWDISCOs, determined the Fuel Charges Adjustment of increase of Rs. 0.9128/kWh pertaining to the month of November 2012 vide Notification No. SRO 393(I)/2013, dated May 16, 2013.
3. However, subsequently, the tariff for EX-WAPDA DISCOS pertaining to Financial Year, 2012-13 was notified by the Government of Pakistan vide its SRO dated 5<sup>th</sup> August 2013 whereby, the tariff was made effective retrospectively i.e. w.e.f. 1<sup>st</sup> July 2012. Prior to the issuance of said notification, monthly fuel charges adjustment for the month of November 2012 was already determined by NEPRA on the basis of the then notified references which were applicable for the FY 2011-12. Due to application of the notification dated 5<sup>th</sup> August, 2013 with effect from 1<sup>st</sup> July, 2012, the already notified monthly adjustments (based upon old references) requires modification so that necessary adjustments could be made based upon the newly notified references.
4. Accordingly, in exercise of its powers conferred upon NEPRA vide section 3(2)(g) of NEPRA Act, 1997 read with regulation 3(1) of NEPRA (Review Procedures) Regulations, 2009, the Authority decided to review and modify its earlier decisions regarding monthly fuel charges adjustment for the month of November, 2012. As the effect of variations, if any, due to proposed charges is to be passed on to the consumers, therefore, in order to afford an opportunity of hearing to all concerned, a public hearing was scheduled for 31<sup>st</sup> October, 2013. Notice of hearing was published in the national newspapers inviting comments, objections from all concerned. Public hearing into the matter was accordingly conducted on 31<sup>st</sup> October, 2013 which was attended by representatives from Central Power Purchasing Agency (CPPA), Wapda Private Power Organization (WPPO), National Power Control Cell (NPCC), Ministry of Water & Power, XWDISCOs and media; however, no representative from Ministry of Finance attended the public hearing despite the service of notice. The representatives from Islamabad Electric Supply





Company and Peshawar Electric Supply Company raised objections/ comments on the proceedings.

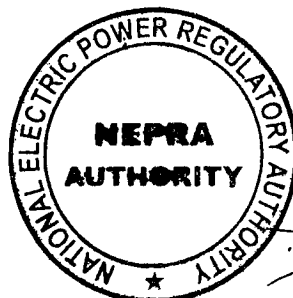
5. **Comments from Commentator**

**Finance Director, Islamabad Electric Supply Company (IESCO)**

- 5.1 The Commentator requested the Authority to take the impact of revision in references of fuel price adjustment and the adjustments to the tariff determination for the FY 13-14. The same was proposed to be incorporated in revenue requirement computation as prior year adjustment.

**Deputy Manager, Peshawar Electric Supply Company (PESCO)**

- 5.2 The Commentator made following comments in the hearing:
- i. Due to the non-notification of consumer-end tariff by the GoP for the FY 12-13, owing to the stay order of Peshawar High Court, PESCO may be exempted from the revised determination of FPA.
  - ii. The Authority is requested to change its current mechanism of determination of fuel adjustments from monthly basis to bi-Annual / Annual basis.
  - iii. The Authority has issued Generation License to certain textile mills / Captive power plants. They themselves obtain stay order from court but at the same time they are claiming fuel adjustments.
- 5.3 The concerns raised on behalf of IESCO and PESCO were given due consideration. Regarding the comments on behalf of IESCO, the Authority is of the opinion that since the tariff was made applicable w.e.f. 1<sup>st</sup> July 2012, therefore the benefit, if any, due to higher references has to be given to the consumers immediately and there is no point to delay it and incorporate it in the tariff for FY 2013-14 as proposed by IESCO. As far as the comments by PESCO's representative are concerned, the Authority is well aware that the decisions w.r.t., FPA are not applicable for PESCO until the time the stay order from Peshawar High Court is vacated. Therefore, this concern of commentator stands addressed. Regarding the proposed change in mechanism from monthly to biannual/annual basis as suggested by PESCO, necessary amendment in law will be required. As far as the issuance of generation license to certain captive power plants who obtained stay order regarding FPA, PESCO may bring the case with evidence for further review by the Authority.
6. While considering the very fact of notification of tariff by the GoP with retrospective effect, it is felt necessary that the monthly fuel price adjustment should be based upon the newly notified references. Accordingly based upon the outcome of the public hearing as well as the notification of NEPRA's tariff for Ex-WAPDA DISCOS with effect from 1<sup>st</sup> July 2012, the Authority is of the considered



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view that the earlier notified decision pertaining to the fuel charges adjustment for the month of November 2012 notified vide SRO No. 393(I)/2013, dated May 16, 2013 requires review/modification.


7. Hence, in continuation of the earlier Notification No. SRO 393(I)/2013, dated May 16, 2013 the following further adjustment in the fuel charges for the month of November 2012 is being approved:-

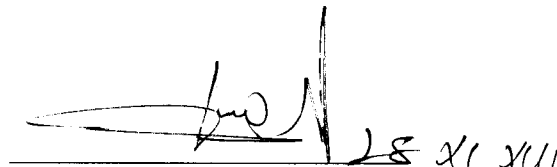
Actual Fuel Charges Component for November 2012	Rs. 7.0284/kWh
Corresponding Reference Fuel Charges Component (Determined for FY 2012-13)	Rs. 6.9656/kWh
Fuel Charges Variation for the month of November 2012 (Increase)	Rs. 0.0628/kWh
Fuel Charges Variation already notified for the month of November 2012 (Increase)	Rs. 0.9128/kWh
<b>Net Decrease on account of Fuel Charges Variation for the month of November 2012</b>	<b>(Rs. 0.8500/kWh)</b>

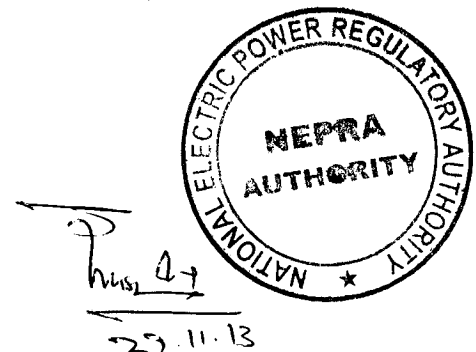
8. The adjustment as referred to in Para 7 above ;
- shall be applicable to all the consumer categories except lifeline consumers of all the DISCOs;
  - shall be shown separately in the consumers' bill on the basis of units billed to the consumers in the month of November 2012.
  - EX-WAPDA DISCOs shall pass on the benefit of decrease in fuel charges adjustment in respect of November 2012 as referred to in para 7 above in the billing month of January, 2014.
  - While affecting the Fuel Adjustment Charges, the concerned DISCOs shall keep in view and strictly comply with the orders of the courts notwithstanding this order.

**AUTHORITY**

  
29/11/2013  
(Habibullah Khilji)  
Member

  
29/11/13  
(Maj (R) Haroon Rashid)  
Member

  
28/11/2013  
(Khawaja Muhammad Naeem )  
Vice Chairman



# National Electric Power Regulatory Authority



## NOTIFICATION

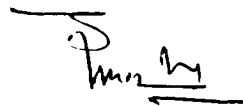
Islamabad, the November 29, 2013

**S.R.O. 1011 (I)/2013** – Pursuant to Section 31(4) of the Regulation of Generation, Transmission and Distribution of Electric Power Act, 1997 as amended through Regulation of Generation, Transmission and Distribution of Electric Power (Amendment) Act 2011, the National Electric Power Regulatory Authority, in continuation of its earlier decision notified vide S.R.O. 393(I)/2013 dated May 16, 2013, makes and notifies the following further adjustment in the approved tariff on account of variation in fuel charge for the month of November 2012 in respect of Ex-WAPDA Distribution Companies (XWDISCOs):

Actual Fuel Charges Component for November 2012	Rs. 7.0284/kWh
Corresponding Reference Fuel Charges Component (Determined for FY 2012-13)	Rs. 6.9656/kWh
Fuel Charges Variation for the month of November 2012 (Increase)	Rs.0.0628/kWh
Fuel Charges variation already notified for the month of November 2012 (Increase)	Rs.0.9128/kWh
<b>Net Decrease on account of Fuel Charges Variation for the month of November 2012.</b>	<b>(Rs.0.8500/kWh)</b>

2. The above adjustment a decrease of (Rs.0.8500/kWh) shall be applicable to all the consumer categories except lifeline consumers of all the XWDISCOs. The said adjustment shall be shown separately in the consumers' bills on the basis of units billed to the consumers in the month of November 2012 by the XWDISCOs. XWDISCOs shall pass on the benefit of decrease in fuel charges adjustment in respect of November 2012 in the billing month of January, 2014.

3. While affecting the Fuel Adjustment Charges, the concerned DISCOs shall keep in view and strictly comply with the orders of the courts notwithstanding this order.

  
(Syed Safer Hussain)  
Registrar

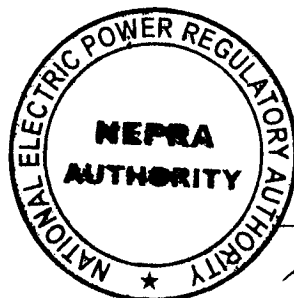
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**REVISED DECISION OF THE AUTHORITY IN THE MATTER OF FUEL CHARGES  
ADJUSTMENT FOR THE MONTH OF DECEMBER 2012 FOR EX-WAPDA DISCOs**

1. Pursuant to the provisions of Section 31(4) of the Regulation of Generation, Transmission and Distribution of Electric Power Act 1997, (XL of 1997) read with the mechanism/formula determined by the Authority in the tariff determinations for Ex-WAPDA DISCOs for the Financial Year 2012-13, the Authority has to make adjustments in the approved tariff on account of any variations in the fuel charges on a monthly basis.
2. Consequently, the Authority, in accordance with the provisions of section 31(4) of the Act XL of 1997 as well as on the basis of a mechanism/formula already determined by the Authority in its annual tariff determinations for XWDISCOs, determined the Fuel Charges Adjustment of increase of Rs. 1.3326/kWh pertaining to the month of December 2012 vide Notification No. SRO 394 (I)/2013, dated May 16, 2013.
3. However, subsequently, the tariff for EX-WAPDA DISCOS pertaining to Financial Year, 2012-13 was notified by the Government of Pakistan vide its SRO dated 5<sup>th</sup> August 2013 whereby, the tariff was made effective retrospectively i.e. w.e.f. 1<sup>st</sup> July 2012. Prior to the issuance of said notification, monthly fuel charges adjustment for the month of December 2012 was already determined by NEPRA on the basis of the then notified references which were applicable for the FY 2011-12. Due to application of the notification dated 5<sup>th</sup> August, 2013 with effect from 1<sup>st</sup> July, 2012, the already notified monthly adjustments (based upon old references) requires modification so that necessary adjustments could be made based upon the newly notified references.
4. Accordingly, in exercise of its powers conferred upon NEPRA vide section 3(2)(g) of NEPRA Act, 1997 read with regulation 3(1) of NEPRA (Review Procedures) Regulations, 2009, the Authority decided to review and modify its earlier decisions regarding monthly fuel charges adjustment for the month of December, 2012. As the effect of variations, if any, due to proposed charges is to be passed on to the consumers, therefore, in order to afford an opportunity of hearing to all concerned, a public hearing was scheduled for 31<sup>st</sup> October, 2013. Notice of hearing was published in the national newspapers inviting comments, objections from all concerned. Public hearing into the matter was accordingly conducted on 31<sup>st</sup> October, 2013 which was attended by representatives from Central Power Purchasing Agency (CPPA), Wapda Private Power Organization (WPPO), National Power Control Cell (NPCC), Ministry of Water & Power, XWDISCOs and media; however, no representative from Ministry of Finance attended the public hearing despite the service of notice. The representatives from Islamabad Electric Supply



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Company and Peshawar Electric Supply Company raised objections/ comments on the proceedings.

5. **Comments from Commentator**

**Finance Director, Islamabad Electric Supply Company (IESCO)**

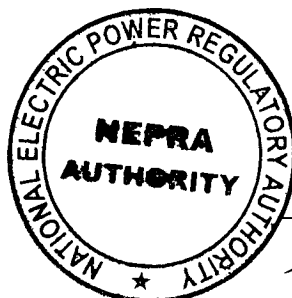
- 5.1 The Commentator requested the Authority to take the impact of revision in references of fuel price adjustment and the adjustments to the tariff determination for the FY 13-14. The same was proposed to be incorporated in revenue requirement computation as prior year adjustment.

**Deputy Manager, Peshawar Electric Supply Company (PESCO)**

- 5.2 The Commentator made following comments in the hearing:
- i. Due to the non-notification of consumer-end tariff by the GoP for the FY 12-13, owing to the stay order of Peshawar High Court, PESCO may be exempted from the revised determination of FPA.
  - ii. The Authority is requested to change its current mechanism of determination of fuel adjustments from monthly basis to bi-Annual / Annual basis.
  - iii. The Authority has issued Generation License to certain textile mills / Captive power plants. They themselves obtain stay order from court but at the same time they are claiming fuel adjustments.

- 5.3 The concerns raised on behalf of IESCO and PESCO were given due consideration. Regarding the comments on behalf of IESCO, the Authority is of the opinion that since the tariff was made applicable w.e.f. 1<sup>st</sup> July 2012, therefore the benefit, if any, due to higher references has to be given to the consumers immediately and there is no point to delay it and incorporate it in the tariff for FY 2013-14 as proposed by IESCO. As far as the comments by PESCO's representative are concerned, the Authority is well aware that the decisions w.r.t., FPA are not applicable for PESCO until the time the stay order from Peshawar High Court is vacated. Therefore, this concern of commentator stands addressed. Regarding the proposed change in mechanism from monthly to biannual/annual basis as suggested by PESCO, necessary amendment in law will be required. As far as the issuance of generation license to certain captive power plants who obtained stay order regarding FPA, PESCO may bring the case with evidence for further review by the Authority.

6. While considering the very fact of notification of tariff by the GoP with retrospective effect, it is felt necessary that the monthly fuel price adjustment should be based upon the newly notified references. Accordingly based upon the outcome of the public hearing as well as the notification of NEPRA's tariff for Ex-WAPDA DISCOS with effect from 1<sup>st</sup> July 2012, the Authority is of the considered







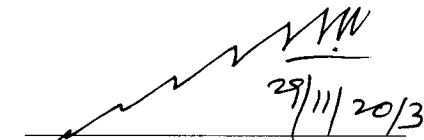
view that the earlier notified decision pertaining to the fuel charges adjustment for the month of December 2012 notified vide SRO No. 394 (I)/2013, dated May 16, 2013 requires review/modification.

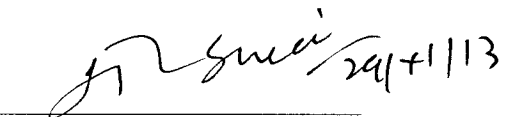
7. Hence, in continuation of the earlier Notification No. SRO 394 (I)/2013, dated May 16, 2013 the following further adjustment in the fuel charges for the month of December 2012 is being approved:-


Actual Fuel Charges Component for December 2012	Rs. 8.6885/kWh
Corresponding Reference Fuel Charges Component (Determined for FY 2012-13)	Rs. 7.8690/kWh
Fuel Charges Variation for the month of December 2012 (Increase)	Rs. 0.8195/kWh
Fuel Charges Variation already notified for the month of December 2012 (Increase)	Rs. 1.3326/kWh
<b>Net Decrease on account of Fuel Charges Variation for the month of December 2012</b>	<b>(Rs. 0.5131/kWh)</b>

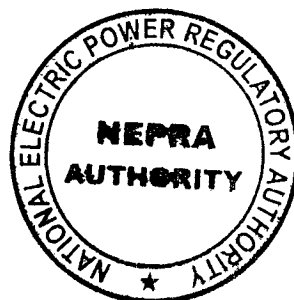
8. The adjustment as referred to in Para 7 above ;
- shall be applicable to all the consumer categories except lifeline consumers of all the DISCOs;
  - shall be shown separately in the consumers' bill on the basis of units billed to the consumers in the month of December 2012.
  - EX-WAPDA DISCOs shall pass on the benefit of decrease in fuel charges adjustment in respect of December 2012 as referred to in para 7 above in the billing month of February, 2014.
  - While affecting the Fuel Adjustment Charges, the concerned DISCOs shall keep in view and strictly comply with the orders of the courts notwithstanding this order.

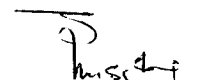
**AUTHORITY**

  
(Habibullah Khilji)  
Member

  
(Maj (R) Haroon Rashid)  
Member

  
(Khawaja Muhammad Naeem)  
Vice Chairman



  
29.11.13

# National Electric Power Regulatory Authority



## NOTIFICATION

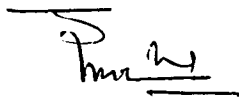
Islamabad, the November 29, 2013

**S.R.O. 1013 (I)/2013** – Pursuant to Section 31(4) of the Regulation of Generation, Transmission and Distribution of Electric Power Act, 1997 as amended through Regulation of Generation, Transmission and Distribution of Electric Power (Amendment) Act 2011, the National Electric Power Regulatory Authority, in continuation of its earlier decision notified vide S.R.O. 394(I)/2013 dated May 16, 2013, makes and notifies the following further adjustment in the approved tariff on account of variation in fuel charge for the month of December 2012 in respect of Ex-WAPDA Distribution Companies (XWDISCOs):

Actual Fuel Charges Component for December 2012	Rs. 8.6885/kWh
Corresponding Reference Fuel Charges Component (Determined for FY 2012-13)	Rs. 7.8690/kWh
Fuel Charges Variation for the month of December 2012 (Increase)	Rs.0.8195/kWh
Fuel Charges variation already notified for the month of December 2012 (Increase)	Rs.1.3326/kWh
<b>Net Decrease on account of Fuel Charges Variation for the month of December 2012.</b>	<b>(Rs.0.5131/kWh)</b>

2. The above adjustment a decrease of (Rs.0.5131/kWh) shall be applicable to all the consumer categories except lifeline consumers of all the XWDISCOs. The said adjustment shall be shown separately in the consumers' bills on the basis of units billed to the consumers in the month of December 2012 by the XWDISCOs. XWDISCOs shall pass on the benefit of decrease in fuel charges adjustment in respect of December 2012 in the billing month of February, 2014.

3. While affecting the Fuel Adjustment Charges, the concerned DISCOs shall keep in view and strictly comply with the orders of the courts notwithstanding this order.

  
(Syed Safer Hussain)  
Registrar

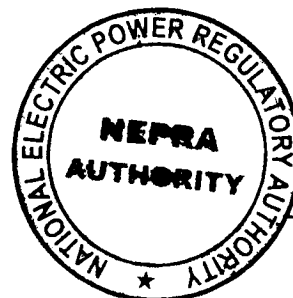
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71



**REVISED DECISION OF THE AUTHORITY IN THE MATTER OF FUEL CHARGES  
ADJUSTMENT FOR THE MONTH OF JANUARY 2013 FOR EX-WAPDA DISCOs**

1. Pursuant to the provisions of Section 31(4) of the Regulation of Generation, Transmission and Distribution of Electric Power Act 1997, (XL of 1997) read with the mechanism/formula determined by the Authority in the tariff determinations for Ex-WAPDA DISCOs for the Financial Year 2012-13, the Authority has to make adjustments in the approved tariff on account of any variations in the fuel charges on a monthly basis.
2. Consequently, the Authority, in accordance with the provisions of section 31(4) of the Act XL of 1997 as well as on the basis of a mechanism/formula already determined by the Authority in its annual tariff determinations for XWDISCOs, determined the Fuel Charges Adjustment of increase of Rs. 1.5588/kWh pertaining to the month of January 2013 vide Notification No. SRO 395 (I)/2013, dated May 16, 2013.
3. However, subsequently, the tariff for EX-WAPDA DISCOS pertaining to Financial Year, 2012-13 was notified by the Government of Pakistan vide its SRO dated 5<sup>th</sup> August 2013 whereby, the tariff was made effective retrospectively i.e. w.e.f. 1<sup>st</sup> July 2012. Prior to the issuance of said notification, monthly fuel charges adjustments for the month of January 2013 was already determined by NEPRA on the basis of the then notified references which were applicable for the FY 2011-12. Due to application of the notification dated 5<sup>th</sup> August, 2013 with effect from 1<sup>st</sup> July, 2012, the already notified monthly adjustments (based upon old references) requires modification so that necessary adjustments could be made based upon the newly notified references.
4. Accordingly, in exercise of its powers conferred upon NEPRA vide section 3(2)(g) of NEPRA Act, 1997 read with regulation 3(1) of NEPRA (Review Procedures) Regulations, 2009, the Authority decided to review and modify its earlier decisions regarding monthly fuel charges adjustments for the month of January, 2012. As the effect of variations, if any, due to proposed charges is to be passed on to the consumers, therefore, in order to afford an opportunity of hearing to all concerned, a public hearing was scheduled for 31<sup>st</sup> October, 2013. Notice of hearing was published in the national newspapers inviting comments, objections from all concerned. Public hearing into the matter was accordingly conducted on 31<sup>st</sup> October, 2013 which was attended by representatives from Central Power Purchasing Agency (CPPA), Wapda Private Power Organization (WPPO), National Power Control Cell (NPCC), Ministry of Water & Power, XWDISCOs and media; however, no representative from Ministry of Finance attended the public hearing despite the service of notice. The representatives from Islamabad Electric Supply





Company and Peshawar Electric Supply Company raised objections/ comments on the proceedings.

5. Comments from Commentator

Finance Director, Islamabad Electric Supply Company (IESCO)

5.1 The Commentator requested the Authority to take the impact of revision in references of fuel price adjustment and the adjustments to the tariff determination for the FY 13-14. The same was proposed to be incorporated in revenue requirement computation as prior year adjustment.

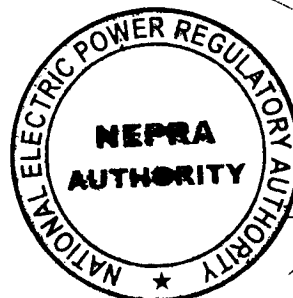
Deputy Manager, Peshawar Electric Supply Company (PESCO)

5.2 The Commentator made following comments in the hearing:

- i. Due to the non-notification of consumer-end tariff by the GoP for the FY 12-13, owing to the stay order of Peshawar High Court, PESCO may be exempted from the revised determination of FPA.
- ii. The Authority is requested to change its current mechanism of determination of fuel adjustments from monthly basis to bi-Annual / Annual basis.
- iii. The Authority has issued Generation License to certain textile mills / Captive power plants. They themselves obtain stay order from court but at the same time they are claiming fuel adjustments.

5.3 The concerns raised on behalf of IESCO and PESCO were given due consideration. Regarding the comments on behalf of IESCO, the Authority is of the opinion that since the tariff was made applicable w.e.f. 1<sup>st</sup> July 2012, therefore the benefit, if any, due to higher references has to be given to the consumers immediately and there is no point to delay it and incorporate it in the tariff for FY 2013-14 as proposed by IESCO. As far as the comments by PESCO's representative are concerned, the Authority is well aware that the decisions w.r.t., FPA are not applicable for PESCO until the time the stay order from Peshawar High Court is vacated. Therefore, this concern of commentator stands addressed. Regarding the proposed change in mechanism from monthly to biannual/annual basis as suggested by PESCO, necessary amendment in law will be required. As far as the issuance of generation license to certain captive power plants who obtained stay order regarding FPA, PESCO may bring the case with evidence for further review by the Authority.

6. While considering the very fact of notification of tariff by the GoP with retrospective effect, it is felt necessary that the monthly fuel price adjustment should be based upon the newly notified references. Accordingly based upon the outcome of the public hearing as well as the notification of NEPRA's tariff for Ex-WAPDA DISCOS with effect from 1<sup>st</sup> July 2012, the Authority is of the considered





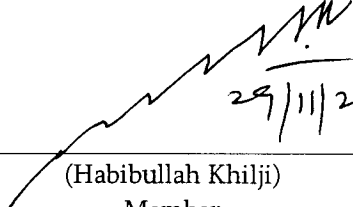
view that the earlier notified decision pertaining to the fuel charges adjustment for the month of January 2013 notified vide SRO No. 395 (I)/2013, dated May 16, 2013 requires review/modification.

7. Hence, in continuation of the earlier Notification No. SRO 395 (I)/2013, dated May 16, 2013 the following further adjustment in the fuel charges for the month of January 2013 is being approved:-

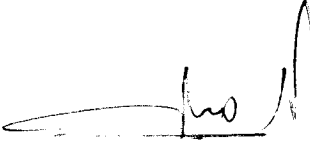
Actual Fuel Charges Component for January 2013	Rs. 10.2729/kWh
Corresponding Reference Fuel Charges Component (Determined for FY 2012-13)	Rs. 9.5849/kWh
Fuel Charges Variation for the month of January 2013 (Increase)	Rs. 0.6880/kWh
Fuel Charges Variation already notified for the month of January 2013 (Increase)	Rs. 1.5588/kWh
<b>Net Decrease on account of Fuel Charges Variation for the month of January 2013</b>	<b>(Rs. 0.8708/kWh)</b>

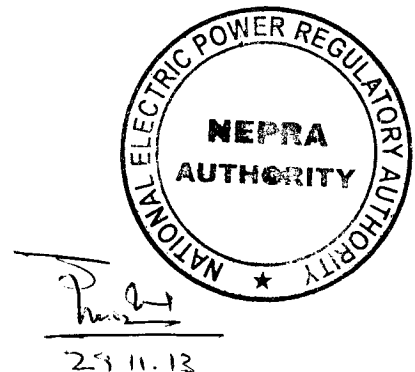
8. The adjustment as referred to in Para 7 above ;
- shall be applicable to all the consumer categories except lifeline consumers of all the DISCOs;
  - shall be shown separately in the consumers' bill on the basis of units billed to the consumers in the month of January 2013.
  - EX-WAPDA DISCOs shall pass on the benefit of decrease in fuel charges adjustment in respect of January 2013 as referred to in para 7 above in the billing month of February 2014.
  - While affecting the Fuel Adjustment Charges, the concerned DISCOs shall keep in view and strictly comply with the orders of the courts notwithstanding this order.

**AUTHORITY**

  
29/11/2013  
(Habibullah Khilji)  
Member

  
29/11/13  
(Maj (R) Haroon Rashid)  
Member

  
22.11.13  
(Khawaja Muhammad Naeem )  
Vice Chairman



# National Electric Power Regulatory Authority



## NOTIFICATION

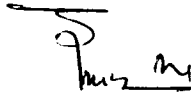
Islamabad, the November 29, 2013

**S.R.O. 1013 (I)/2013** – Pursuant to Section 31(4) of the Regulation of Generation, Transmission and Distribution of Electric Power Act, 1997 as amended through Regulation of Generation, Transmission and Distribution of Electric Power (Amendment) Act 2011, the National Electric Power Regulatory Authority, in continuation of its earlier decision notified vide S.R.O. 395(I)/2013 dated May 16, 2013, makes and notifies the following further adjustment in the approved tariff on account of variation in fuel charge for the month of January 2013 in respect of Ex-WAPDA Distribution Companies (XWDISCOs):

Actual Fuel Charges Component for January 2013	Rs. 10.2729/kWh
Corresponding Reference Fuel Charges Component (Determined for FY 2012-13)	Rs. 9.5849/kWh
Fuel Charges Variation for the month of January 2013 (Increase)	Rs.0.6880/kWh
Fuel Charges variation already notified for the month of January 2013 (Increase)	Rs.1.5588/kWh
<b>Net Decrease on account of Fuel Charges Variation for the month of January 2013.</b>	<b>(Rs. 0.8708/kWh)</b>

2. The above adjustment a decrease of (Rs.0.8708/kWh) shall be applicable to all the consumer categories except lifeline consumers of all the XWDISCOs. The said adjustment shall be shown separately in the consumers' bills on the basis of units billed to the consumers in the month of January 2013 by the XWDISCOs. XWDISCOs shall pass on the benefit of decrease in fuel charges adjustment in respect of January 2013 in the billing month of February, 2014.

3. While affecting the Fuel Adjustment Charges, the concerned DISCOs shall keep in view and strictly comply with the orders of the courts notwithstanding this order.

  
(Syed Safer Hussain)  
Registrar

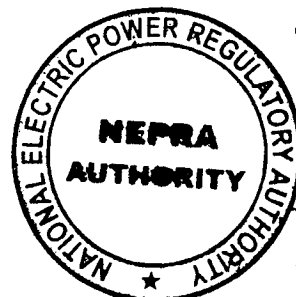
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**REVISED DECISION OF THE AUTHORITY IN THE MATTER OF FUEL CHARGES  
ADJUSTMENT FOR THE MONTH OF FEBRUARY 2013 FOR EX-WAPDA DISCOs**

1. Pursuant to the provisions of Section 31(4) of the Regulation of Generation, Transmission and Distribution of Electric Power Act 1997, (XL of 1997) read with the mechanism/formula determined by the Authority in the tariff determinations for Ex-WAPDA DISCOs for the Financial Year 2012-13, the Authority has to make adjustments in the approved tariff on account of any variations in the fuel charges on a monthly basis.
2. Consequently, the Authority, in accordance with the provisions of section 31(4) of the Act XL of 1997 as well as on the basis of a mechanism/formula already determined by the Authority in its annual tariff determinations for XWDISCOs, determined the Fuel Charges Adjustment of increase of Rs. 0.6301/kWh pertaining to the month of February 2013 vide Notification No. SRO 396 (I)/2013, dated May 16, 2013.
3. However, subsequently, the tariff for EX-WAPDA DISCOS pertaining to Financial Year, 2012-13 was notified by the Government of Pakistan vide its SRO dated 5<sup>th</sup> August 2013 whereby, the tariff was made effective retrospectively i.e. w.e.f. 1<sup>st</sup> July 2012. Prior to the issuance of said notification, monthly fuel charges adjustment for the month of February 2013 was already determined by NEPRA on the basis of the then notified references which were applicable for the FY 2011-12. Due to application of the notification dated 5<sup>th</sup> August, 2013 with effect from 1<sup>st</sup> July, 2012, the already notified monthly adjustments (based upon old references) requires modification so that necessary adjustments could be made based upon the newly notified references.
4. Accordingly, in exercise of its powers conferred upon NEPRA vide section 3(2)(g) of NEPRA Act, 1997 read with regulation 3(1) of NEPRA (Review Procedures) Regulations, 2009, the Authority decided to review and modify its earlier decisions regarding monthly fuel charges adjustment for the month of February, 2012. As the effect of variations, if any, due to proposed charges is to be passed on to the consumers, therefore, in order to afford an opportunity of hearing to all concerned, a public hearing was scheduled for 31<sup>st</sup> October, 2013. Notice of hearing was published in the national newspapers inviting comments, objections from all concerned. Public hearing into the matter was accordingly conducted on 31<sup>st</sup> October, 2013 which was attended by representatives from Central Power Purchasing Agency (CPPA), Wapda Private Power Organization (WPPO), National Power Control Cell (NPCC), Ministry of Water & Power, XWDISCOs and media; however, no representative from Ministry of Finance attended the public hearing despite the service of notice. The representatives from Islamabad Electric Supply





Company and Peshawar Electric Supply Company raised objections/ comments on the proceedings.

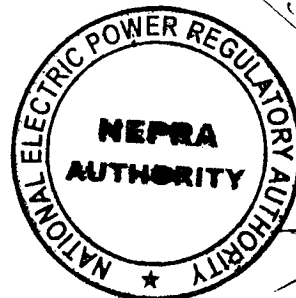
5. **Comments from Commentator**

**Finance Director, Islamabad Electric Supply Company (IESCO)**

- 5.1 The Commentator requested the Authority to take the impact of revision in references of fuel price adjustment and the adjustments to the tariff determination for the FY 13-14. The same was proposed to be incorporated in revenue requirement computation as prior year adjustment.

**Deputy Manager, Peshawar Electric Supply Company (PESCO)**

- 5.2 The Commentator made following comments in the hearing:
- i. Due to the non-notification of consumer-end tariff by the GoP for the FY 12-13, owing to the stay order of Peshawar High Court, PESCO may be exempted from the revised determination of FPA.
  - ii. The Authority is requested to change its current mechanism of determination of fuel adjustments from monthly basis to bi-Annual / Annual basis.
  - iii. The Authority has issued Generation License to certain textile mills / Captive power plants. They themselves obtain stay order from court but at the same time they are claiming fuel adjustments.
- 5.3 The concerns raised on behalf of IESCO and PESCO were given due consideration. Regarding the comments on behalf of IESCO, the Authority is of the opinion that since the tariff was made applicable w.e.f. 1<sup>st</sup> July 2012, therefore the benefit, if any, due to higher references has to be given to the consumers immediately and there is no point to delay it and incorporate it in the tariff for FY 2013-14 as proposed by IESCO. As far as the comments by PESCO's representative are concerned, the Authority is well aware that the decisions w.r.t., FPA are not applicable for PESCO until the time the stay order from Peshawar High Court is vacated. Therefore, this concern of commentator stands addressed. Regarding the proposed change in mechanism from monthly to biannual/annual basis as suggested by PESCO, necessary amendment in law will be required. As far as the issuance of generation license to certain captive power plants who obtained stay order regarding FPA, PESCO may bring the case with evidence for further review by the Authority.
6. While considering the very fact of notification of tariff by the GoP with retrospective effect, it is felt necessary that the monthly fuel price adjustment should be based upon the newly notified references. Accordingly based upon the outcome of the public hearing as well as the notification of NEPRA's tariff for Ex-WAPDA DISCOS with effect from 1<sup>st</sup> July 2012, the Authority is of the considered







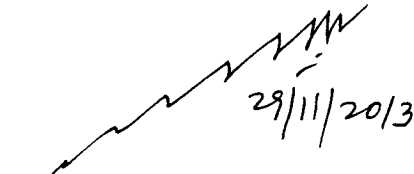
view that the earlier notified decision pertaining to the fuel charges adjustment for the month of February 2013 notified vide SRO No. 396 (I)/2013, dated May 16, 2013 requires review/modification.

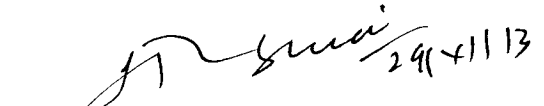
7. Hence, in continuation of the earlier Notification No. SRO 396 (I)/2013, dated May 16, 2013 the following further adjustment in the fuel charges for the month of February 2013 is being approved:-

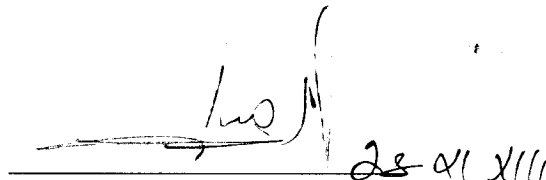
Actual Fuel Charges Component for February 2013	Rs. 8.0484/kWh
Corresponding Reference Fuel Charges Component (Determined for FY 2012-13)	Rs. 7.8430/kWh
Fuel Charges Variation for the month of February 2013 (Increase)	Rs. 0.2055/kWh
Fuel Charges Variation already notified for the month of February 2013 (Increase)	Rs. 0.6301/kWh
<b>Net Decrease on account of Fuel Charges Variation for the month of February 2013</b>	<b>(Rs. 0.4246/kWh)</b>

8. The adjustment as referred to in Para 7 above ;
- shall be applicable to all the consumer categories except lifeline consumers of all the DISCOs;
  - shall be shown separately in the consumers' bill on the basis of units billed to the consumers in the month of February 2013.
  - EX-WAPDA DISCOs shall pass on the benefit of decrease in fuel charges adjustment in respect of February 2013 as referred to in para 7 above in the billing month of February 2014.
  - While affecting the Fuel Adjustment Charges, the concerned DISCOs shall keep in view and strictly comply with the orders of the courts notwithstanding this order.

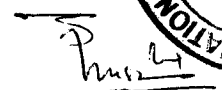
**AUTHORITY**

  
29/11/2013  
\_\_\_\_\_  
(Habibullah Khilji)  
Member

  
29/11/13  
\_\_\_\_\_  
(Maj (R) Haroon Rashid)  
Member

  
28/11/13  
\_\_\_\_\_  
(Khawaja Muhammad Naeem )  
Vice Chairman



  
25/11/13

# National Electric Power Regulatory Authority



## NOTIFICATION


Islamabad, the November 29, 2013

**S.R.O. 1014 (I)/2013** – Pursuant to Section 31(4) of the Regulation of Generation, Transmission and Distribution of Electric Power Act, 1997 as amended through Regulation of Generation, Transmission and Distribution of Electric Power (Amendment) Act 2011, the National Electric Power Regulatory Authority, in continuation of its earlier decision notified vide S.R.O. 396(I)/2013 dated May 16, 2013, makes and notifies the following further adjustment in the approved tariff on account of variation in fuel charge for the month of February 2013 in respect of Ex-WAPDA Distribution Companies (XWDISCOs):

Actual Fuel Charges Component for February 2013	Rs. 8.0484/kWh
Corresponding Reference Fuel Charges Component (Determined for FY 2012-13)	Rs. 7.8430/kWh
Fuel Charges Variation for the month of February 2013 (Increase)	Rs. 0.2055/kWh
Fuel Charges variation already notified for the month of February 2013 (Increase)	Rs. 0.6301/kWh
<b>Net Decrease on account of Fuel Charges Variation for the month of February 2013.</b>	<b>(Rs. 0.4246/kWh)</b>

2. The above adjustment a decrease of (Rs.0.4246/kWh) shall be applicable to all the consumer categories except lifeline consumers of all the XWDISCOs. The said adjustment shall be shown separately in the consumers' bills on the basis of units billed to the consumers in the month of February 2013 by the XWDISCOs. XWDISCOs shall pass on the benefit of decrease in fuel charges adjustment in respect of February 2013 in the billing month of February, 2014.

3. While affecting the Fuel Adjustment Charges, the concerned DISCOs shall keep in view and strictly comply with the orders of the courts notwithstanding this order.

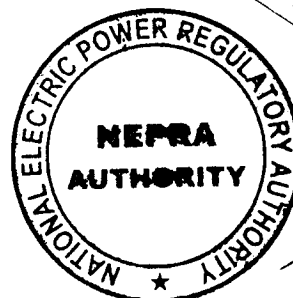
  
(Syed Safer Hussain)  
Registrar

2



**REVISED DECISION OF THE AUTHORITY IN THE MATTER OF FUEL CHARGES  
ADJUSTMENT FOR THE MONTH OF MARCH 2013 FOR EX-WAPDA DISCOs**

1. Pursuant to the provisions of Section 31(4) of the Regulation of Generation, Transmission and Distribution of Electric Power Act 1997, (XL of 1997) read with the mechanism/formula determined by the Authority in the tariff determinations for Ex-WAPDA DISCOs for the Financial Year 2012-13, the Authority has to make adjustments in the approved tariff on account of any variations in the fuel charges on a monthly basis.
2. Consequently, the Authority, in accordance with the provisions of section 31(4) of the Act XL of 1997 as well as on the basis of a mechanism/formula already determined by the Authority in its annual tariff determinations for XWDISCOs, determined the Fuel Charges Adjustment of increase of Rs. 1.3325/kWh pertaining to the month of March 2013 vide Notification No. SRO 397 (I)/2013, dated May 16, 2013.
3. However, subsequently, the tariff for EX-WAPDA DISCOS pertaining to Financial Year, 2012-13 was notified by the Government of Pakistan vide its SRO dated 5<sup>th</sup> August 2013 whereby, the tariff was made effective retrospectively i.e. w.e.f. 1<sup>st</sup> July 2012. Prior to the issuance of said notification, monthly fuel charges adjustment for the month of March 2013 was already determined by NEPRA on the basis of the then notified references which were applicable for the FY 2011-12. Due to application of the notification dated 5<sup>th</sup> August, 2013 with effect from 1<sup>st</sup> July, 2012, the already notified monthly adjustments (based upon old references) requires modification so that necessary adjustments could be made based upon the newly notified references.
4. Accordingly, in exercise of its powers conferred upon NEPRA vide section 3(2)(g) of NEPRA Act, 1997 read with regulation 3(1) of NEPRA (Review Procedures) Regulations, 2009, the Authority decided to review and modify its earlier decisions regarding monthly fuel charges adjustment for the month of March, 2012. As the effect of variations, if any, due to proposed charges is to be passed on to the consumers, therefore, in order to afford an opportunity of hearing to all concerned, a public hearing was scheduled for 31<sup>st</sup> October, 2013. Notice of hearing was published in the national newspapers inviting comments, objections from all concerned. Public hearing into the matter was accordingly conducted on 31<sup>st</sup> October, 2013 which was attended by representatives from Central Power Purchasing Agency (CPPA), Wapda Private Power Organization (WPPO), National Power Control Cell (NPCC), Ministry of Water & Power, XWDISCOs and media; however, no representative from Ministry of Finance attended the public hearing despite the service of notice. The representatives from Islamabad Electric Supply





Company and Peshawar Electric Supply Company raised objections/ comments on the proceedings.

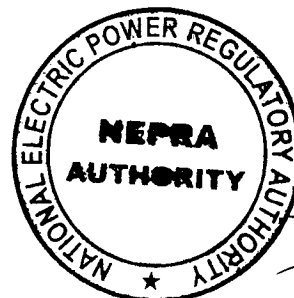
5. **Comments from Commentator**

**Finance Director, Islamabad Electric Supply Company (IESCO)**

- 5.1 The Commentator requested the Authority to take the impact of revision in references of fuel price adjustment and the adjustments to the tariff determination for the FY 13-14. The same was proposed to be incorporated in revenue requirement computation as prior year adjustment.

**Deputy Manager, Peshawar Electric Supply Company (PESCO)**

- 5.2 The Commentator made following comments in the hearing:
- i. Due to the non-notification of consumer-end tariff by the GoP for the FY 12-13, owing to the stay order of Peshawar High Court, PESCO may be exempted from the revised determination of FPA.
  - ii. The Authority is requested to change its current mechanism of determination of fuel adjustments from monthly basis to bi-Annual / Annual basis.
  - iii. The Authority has issued Generation License to certain textile mills / Captive power plants. They themselves obtain stay order from court but at the same time they are claiming fuel adjustments.
- 5.3 The concerns raised on behalf of IESCO and PESCO were given due consideration. Regarding the comments on behalf of IESCO, the Authority is of the opinion that since the tariff was made applicable w.e.f. 1<sup>st</sup> July 2012, therefore the benefit, if any, due to higher references has to be given to the consumers immediately and there is no point to delay it and incorporate it in the tariff for FY 2013-14 as proposed by IESCO. As far as the comments by PESCO's representative are concerned, the Authority is well aware that the decisions w.r.t., FPA are not applicable for PESCO until the time the stay order from Peshawar High Court is vacated. Therefore, this concern of commentator stands addressed. Regarding the proposed change in mechanism from monthly to biannual/annual basis as suggested by PESCO, necessary amendment in law will be required. As far as the issuance of generation license to certain captive power plants who obtained stay order regarding FPA, PESCO may bring the case with evidence for further review by the Authority.
6. While considering the very fact of notification of tariff by the GoP with retrospective effect, it is felt necessary that the monthly fuel price adjustment should be based upon the newly notified references. Accordingly based upon the outcome of the public hearing as well as the notification of NEPRA's tariff for Ex-WAPDA DISCOS with effect from 1<sup>st</sup> July 2012, the Authority is of the considered





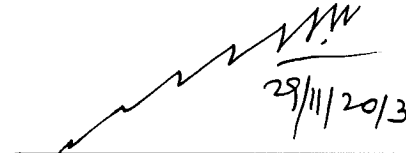
view that the earlier notified decision pertaining to the fuel charges adjustment for the month of March 2013 notified vide SRO No. 397 (I)/2013, dated May 16, 2013 requires review/modification.


7. Hence, in continuation of the earlier Notification No. SRO 397 (I)/2013, dated May 16, 2013 the following further adjustment in the fuel charges for the month of March 2013 is being approved:-

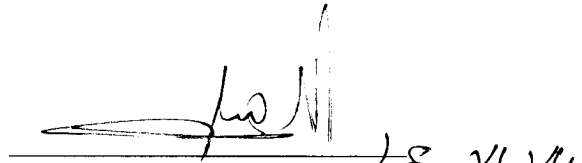
Actual Fuel Charges Component for March 2013	Rs. 8.8589/kWh
Corresponding Reference Fuel Charges Component (Determined for FY 2012-13)	Rs. 9.9213/kWh
Fuel Charges Variation for the month of March 2013 (Decrease)	(Rs. 1.0624/kWh)
Fuel Charges Variation already notified for the month of March 2013 (Increase)	Rs. 1.3325/kWh
<b>Net Decrease on account of Fuel Charges Variation for the month of March 2013</b>	<b>(Rs. 2.3949/kWh)</b>

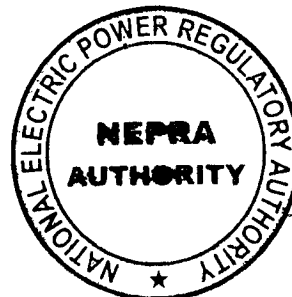
8. The adjustment as referred to in Para 7 above ;
- shall be applicable to all the consumer categories except lifeline consumers of all the DISCOs;
  - shall be shown separately in the consumers' bill on the basis of units billed to the consumers in the month of March 2013.
  - EX-WAPDA DISCOs shall pass on the benefit of decrease in fuel charges adjustment in respect of March 2013 as referred to in para 7 above in the billing month of March 2014.
  - While affecting the Fuel Adjustment Charges, the concerned DISCOs shall keep in view and strictly comply with the orders of the courts notwithstanding this order.

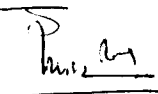
**AUTHORITY**

  
(Habibullah Khilji)  
Member

  
(Maj (R) Haroon Rashid)  
Member

  
(Khawaja Muhammad Naeem)  
Vice Chairman



  
29.11.13

# National Electric Power Regulatory Authority



## NOTIFICATION


Islamabad, the November 29, 2013

**S.R.O. 1015 (I)/2013:** – Pursuant to Section 31(4) of the Regulation of Generation, Transmission and Distribution of Electric Power Act, 1997 as amended through Regulation of Generation, Transmission and Distribution of Electric Power (Amendment) Act 2011, the National Electric Power Regulatory Authority, in continuation of its earlier decision notified vide S.R.O. 397(I)/2013 dated May 16, 2013, makes and notifies the following further adjustment in the approved tariff on account of variation in fuel charge for the month of March 2013 in respect of Ex-WAPDA Distribution Companies (XWDISCOs):

Actual Fuel Charges Component for March 2013	Rs.8.8589 /kWh
Corresponding Reference Fuel Charges Component (Determined for FY 2012-13)	Rs. 9.9213/kWh
Fuel Charges Variation for the month of March 2013 (Decrease)	(Rs. 1.0624/kWh)
Fuel Charges variation already notified for the month of March 2013 (Increase)	Rs. 1.3325/kWh
<b>Net Decrease on account of Fuel Charges Variation for the month of March 2013.</b>	<b>(Rs. 2.3949/kWh)</b>

2. The above adjustment a decrease of (Rs.2.3949/kWh) shall be applicable to all the consumer categories except lifeline consumers of all the XWDISCOs. The said adjustment shall be shown separately in the consumers' bills on the basis of units billed to the consumers in the month of March 2013 by the XWDISCOs. XWDISCOs shall pass on the benefit of decrease in fuel charges adjustment in respect of March 2013 in the billing month of March, 2014.

3. While affecting the Fuel Adjustment Charges, the concerned DISCOs shall keep in view and strictly comply with the orders of the courts notwithstanding this order.




  
(Syed Safer Hussain)  
Registrar

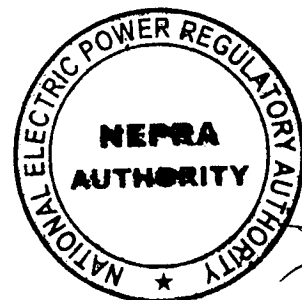
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**REVISED DECISION OF THE AUTHORITY IN THE MATTER OF FUEL CHARGES  
ADJUSTMENT FOR THE MONTH OF APRIL 2013 FOR EX-WAPDA DISCOs**

1. Pursuant to the provisions of Section 31(4) of the Regulation of Generation, Transmission and Distribution of Electric Power Act 1997, (XL of 1997) read with the mechanism/formula determined by the Authority in the tariff determinations for Ex-WAPDA DISCOs for the Financial Year 2012-13, the Authority has to make adjustments in the approved tariff on account of any variations in the fuel charges on a monthly basis.
2. Consequently, the Authority, in accordance with the provisions of section 31(4) of the Act XL of 1997 as well as on the basis of a mechanism/formula already determined by the Authority in its annual tariff determinations for XWDISCOs, determined the Fuel Charges Adjustment of increase of Rs. 0.7464/kWh pertaining to the month of April 2013 vide Notification No. SRO 493 (I)/2013, dated June 6, 2013.
3. However, subsequently, the tariff for EX-WAPDA DISCOS pertaining to Financial Year, 2012-13 was notified by the Government of Pakistan vide its SRO dated 5<sup>th</sup> August 2013 whereby, the tariff was made effective retrospectively i.e. w.e.f. 1<sup>st</sup> July 2012. Prior to the issuance of said notification, monthly fuel charges adjustment for the month of April 2013 was already determined by NEPRA on the basis of the then notified references which were applicable for the FY 2011-12. Due to application of the notification dated 5<sup>th</sup> August, 2013 with effect from 1<sup>st</sup> July, 2012, the already notified monthly adjustments (based upon old references) requires modification so that necessary adjustments could be made based upon the newly notified references.
4. Accordingly, in exercise of its powers conferred upon NEPRA vide section 3(2)(g) of NEPRA Act, 1997 read with regulation 3(1) of NEPRA (Review Procedures) Regulations, 2009, the Authority decided to review and modify its earlier decisions regarding monthly fuel charges adjustment for the month of April, 2012. As the effect of variations, if any, due to proposed charges is to be passed on to the consumers, therefore, in order to afford an opportunity of hearing to all concerned, a public hearing was scheduled for 31<sup>st</sup> October, 2013. Notice of hearing was published in the national newspapers inviting comments, objections from all concerned. Public hearing into the matter was accordingly conducted on 31<sup>st</sup> October, 2013 which was attended by representatives from Central Power Purchasing Agency (CPPA), Wapda Private Power Organization (WPPO), National Power Control Cell (NPCC), Ministry of Water & Power, XWDISCOs and media; however, no representative from Ministry of Finance attended the public hearing despite the service of notice. The representatives from Islamabad Electric Supply Company and Peshawar Electric Supply Company raised objections/ comments on the proceedings





5. Comments from Commentator

Finance Director, Islamabad Electric Supply Company (IESCO)

- 5.1 The Commentator requested the Authority to take the impact of revision in references of fuel price adjustment and the adjustments to the tariff determination for the FY 13-14. The same was proposed to be incorporated in revenue requirement computation as prior year adjustment.

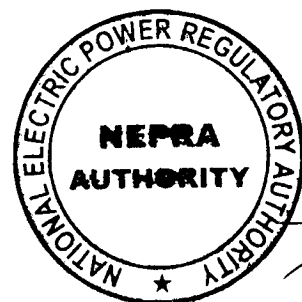
Deputy Manager, Peshawar Electric Supply Company (PESCO)

- 5.2 The Commentator made following comments in the hearing:
- i. Due to the non-notification of consumer-end tariff by the GoP for the FY 12-13, owing to the stay order of Peshawar High Court, PESCO may be exempted from the revised determination of FPA.
  - ii. The Authority is requested to change its current mechanism of determination of fuel adjustments from monthly basis to bi-Annual / Annual basis.
  - iii. The Authority has issued Generation License to certain textile mills / Captive power plants. They themselves obtain stay order from court but at the same time they are claiming fuel adjustments.

- 5.3 The concerns raised on behalf of IESCO and PESCO were given due consideration. Regarding the comments on behalf of IESCO, the Authority is of the opinion that since the tariff was made applicable w.e.f. 1<sup>st</sup> July 2012, therefore the benefit, if any, due to higher references has to be given to the consumers immediately and there is no point to delay it and incorporate it in the tariff for FY 2013-14 as proposed by IESCO. As far as the comments by PESCO's representative are concerned, the Authority is well aware that the decisions w.r.t., FPA are not applicable for PESCO until the time the stay order from Peshawar High Court is vacated. Therefore, this concern of commentator stands addressed. Regarding the proposed change in mechanism from monthly to biannual/annual basis as suggested by PESCO, necessary amendment in law will be required. As far as the issuance of generation license to certain captive power plants who obtained stay order regarding FPA, PESCO may bring the case with evidence for further review by the Authority.

6. While considering the very fact of notification of tariff by the GoP with retrospective effect, it is felt necessary that the monthly fuel price adjustment should be based upon the newly notified references. Accordingly based upon the outcome of the public hearing as well as the notification of NEPRA's tariff for Ex-WAPDA DISCOS with effect from 1<sup>st</sup> July 2012, the Authority is of the considered view that the earlier notified decision pertaining to the fuel charges adjustment for the month of April 2013 notified vide SRO No. 493 (I)/2013, dated June 6, 2013 requires review/modification.

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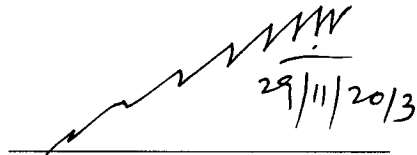


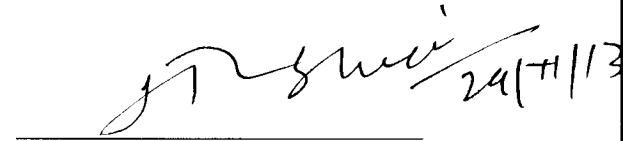
7. Hence, in continuation of the earlier Notification No. SRO 493 (I)/2013, dated June 6, 2013 the following further adjustment in the fuel charges for the month of April 2013 is being approved:-

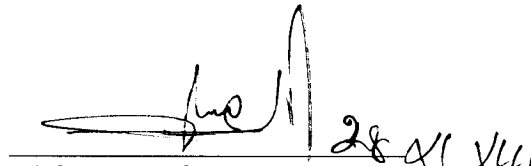
Actual Fuel Charges Component for April 2013	Rs. 8.1953/kWh
Corresponding Reference Fuel Charges Component (Determined for FY 2012-13)	Rs. 9.9751/kWh
Fuel Charges Variation for the month of April 2013 (Decrease)	(Rs. 1.7799/kWh)
Fuel Charges Variation already notified for the month of April 2013 (Increase)	Rs. 0.7464/kWh
<b>Net Decrease on account of Fuel Charges Variation for the month of April 2013</b>	<b>(Rs. 2.5263/kWh)</b>

8. The adjustment as referred to in Para 7 above ;
- shall be applicable to all the consumer categories except lifeline consumers of all the DISCOs;
  - shall be shown separately in the consumers' bill on the basis of units billed to the consumers in the month of April 2013.
  - EX-WAPDA DISCOs shall pass on the benefit of decrease in fuel charges adjustment in respect of April 2013 as referred to in para 7 above in the billing month of April 2014.
  - While affecting the Fuel Adjustment Charges, the concerned DISCOs shall keep in view and strictly comply with the orders of the courts notwithstanding this order.

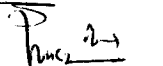
**AUTHORITY**

  
(Habibullah Khilji)  
Member

  
(Maj (R) Haroon Rashid)  
Member

  
(Khawaja Muhammad Naeem)  
Vice Chairman



  
29.11.13

# National Electric Power Regulatory Authority



## NOTIFICATION

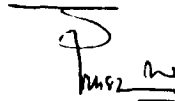
Islamabad, the November 29, 2013

**S.R.O. 1016 (I)/2013:** – Pursuant to Section 31(4) of the Regulation of Generation, Transmission and Distribution of Electric Power Act, 1997 as amended through Regulation of Generation, Transmission and Distribution of Electric Power (Amendment) Act 2011, the National Electric Power Regulatory Authority, in continuation of its earlier decision notified vide S.R.O. 493(I)/2013 dated June 6, 2013, makes and notifies the following further adjustment in the approved tariff on account of variation in fuel charge for the month of April 2013 in respect of Ex-WAPDA Distribution Companies (XWDISCOs):

Actual Fuel Charges Component for April 2013	Rs. 8.1953/kWh
Corresponding Reference Fuel Charges Component (Determined for FY 2012-13)	Rs. 9.9751/kWh
Fuel Charges Variation for the month of April 2013 (Decrease)	(Rs. 1.7799/kWh)
Fuel Charges variation already notified for the month of April 2013 (Increase)	Rs. 0.7464/kWh
<b>Net Decrease on account of Fuel Charges Variation for the month of April 2013.</b>	<b>(Rs. 2.5263/kWh)</b>

2. The above adjustment a decrease of (Rs.2.5263/kWh) shall be applicable to all the consumer categories except lifeline consumers of all the XWDISCOs. The said adjustment shall be shown separately in the consumers' bills on the basis of units billed to the consumers in the month of April 2013 by the XWDISCOs. XWDISCOs shall pass on the benefit of decrease in fuel charges adjustment in respect of April 2013 in the billing month of April, 2014.

3. While affecting the Fuel Adjustment Charges, the concerned DISCOs shall keep in view and strictly comply with the orders of the courts notwithstanding this order.

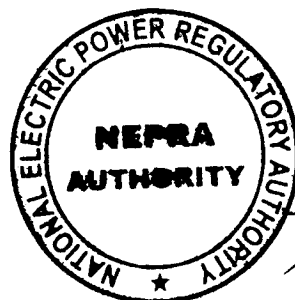
  
(Syed Safer Hussain)  
Registrar

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**REVISED DECISION OF THE AUTHORITY IN THE MATTER OF FUEL CHARGES  
ADJUSTMENT FOR THE MONTH OF MAY 2013 FOR EX-WAPDA DISCOs**

1. Pursuant to the provisions of Section 31(4) of the Regulation of Generation, Transmission and Distribution of Electric Power Act 1997, (XL of 1997) read with the mechanism/formula determined by the Authority in the tariff determinations for Ex-WAPDA DISCOs for the Financial Year 2012-13, the Authority has to make adjustments in the approved tariff on account of any variations in the fuel charges on a monthly basis.
2. Consequently, the Authority, in accordance with the provisions of section 31(4) of the Act XL of 1997 as well as on the basis of a mechanism/formula already determined by the Authority in its annual tariff determinations for XWDISCOs, determined the Fuel Charges Adjustment of increase of Rs. 1.1209/kWh pertaining to the month of May 2013 vide Notification No. SRO 614 (I)/2013, dated June 26, 2013.
3. However, subsequently, the tariff for EX-WAPDA DISCOS pertaining to Financial Year, 2012-13 was notified by the Government of Pakistan vide its SRO dated 5<sup>th</sup> August 2013 whereby, the tariff was made effective retrospectively i.e. w.e.f. 1<sup>st</sup> July 2012. Prior to the issuance of said notification, monthly fuel charges adjustment for the month of May 2013 was already determined by NEPRA on the basis of the then notified references which were applicable for the FY 2011-12. Due to application of the notification dated 5<sup>th</sup> August, 2013 with effect from 1<sup>st</sup> July, 2012, the already notified monthly adjustments (based upon old references) requires modification so that necessary adjustments could be made based upon the newly notified references.
4. Accordingly, in exercise of its powers conferred upon NEPRA vide section 3(2)(g) of NEPRA Act, 1997 read with regulation 3(1) of NEPRA (Review Procedures) Regulations, 2009, the Authority decided to review and modify its earlier decisions regarding monthly fuel charges adjustment for the month of May 2012. As the effect of variations, if any, due to proposed charges is to be passed on to the consumers, therefore, in order to afford an opportunity of hearing to all concerned, a public hearing was scheduled for 31<sup>st</sup> October, 2013. Notice of hearing was published in the national newspapers inviting comments, objections from all concerned. Public hearing into the matter was accordingly conducted on 31<sup>st</sup> October, 2013 which was attended by representatives from Central Power Purchasing Agency (CPPA), Wapda Private Power Organization (WPPO), National Power Control Cell (NPCC), Ministry of Water & Power, XWDISCOs and media; however, no representative from Ministry of Finance attended the public hearing despite the service of notice. The representatives from Islamabad Electric Supply Company and Peshawar Electric Supply Company raised objections/ comments on the proceedings.





5. **Comments from Commentator**

**Finance Director, Islamabad Electric Supply Company (IESCO)**

- 5.1 The Commentator requested the Authority to take the impact of revision in references of fuel price adjustment and the adjustments to the tariff determination for the FY 13-14. The same was proposed to be incorporated in revenue requirement computation as prior year adjustment.

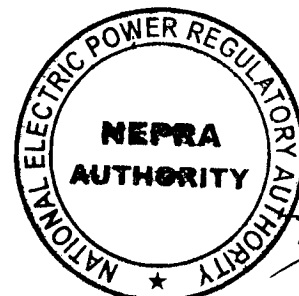
**Deputy Manager, Peshawar Electric Supply Company (PESCO)**

- 5.2 The Commentator made following comments in the hearing:
- i. Due to the non-notification of consumer-end tariff by the GoP for the FY 12-13, owing to the stay order of Peshawar High Court, PESCO may be exempted from the revised determination of FPA.
  - ii. The Authority is requested to change its current mechanism of determination of fuel adjustments from monthly basis to bi-Annual / Annual basis.
  - iii. The Authority has issued Generation License to certain textile mills / Captive power plants. They themselves obtain stay order from court but at the same time they are claiming fuel adjustments.

- 5.3 The concerns raised on behalf of IESCO and PESCO were given due consideration. Regarding the comments on behalf of IESCO, the Authority is of the opinion that since the tariff was made applicable w.e.f. 1<sup>st</sup> July 2012, therefore the benefit, if any, due to higher references has to be given to the consumers immediately and there is no point to delay it and incorporate it in the tariff for FY 2013-14 as proposed by IESCO. As far as the comments by PESCO's representative are concerned, the Authority is well aware that the decisions w.r.t., FPA are not applicable for PESCO until the time the stay order from Peshawar High Court is vacated. Therefore, this concern of commentator stands addressed. Regarding the proposed change in mechanism from monthly to biannual/annual basis as suggested by PESCO, necessary amendment in law will be required. As far as the issuance of generation license to certain captive power plants who obtained stay order regarding FPA, PESCO may bring the case with evidence for further review by the Authority.

6. While considering the very fact of notification of tariff by the GoP with retrospective effect, it is felt necessary that the monthly fuel price adjustment should be based upon the newly notified references. Accordingly based upon the outcome of the public hearing as well as the notification of NEPRA's tariff for Ex-WAPDA DISCOS with effect from 1<sup>st</sup> July 2012, the Authority is of the considered view that the earlier notified decision pertaining to the fuel charges adjustment for the month of May 2013 notified vide SRO No. 614 (I)/2013, dated June 26, 2013 requires review/modification.

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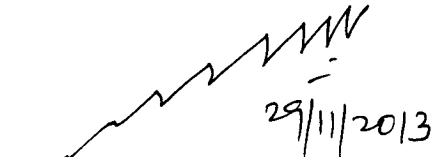



7. Hence, in supersession of the earlier Notification No. SRO 614 (I)/2013, dated June 26, 2013 the following adjustment in the fuel charges for the month of May 2013 is being approved:-

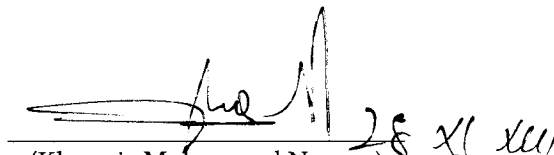
Actual Fuel Charges Component for May 2013	Rs. 7.4371/kWh
Corresponding Reference Fuel Charges Component (Determined for FY 2012-13)	Rs. 8.3697/kWh
Fuel Charges Variation for the month of May 2013 (Decrease)	(Rs. 0.9327/kWh)

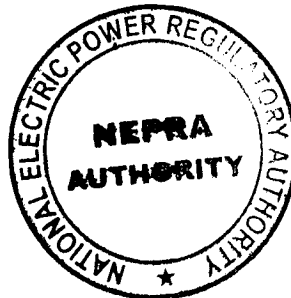
8. The adjustment as referred to in Para 7 above ;
- shall be applicable to all the consumer categories except lifeline consumers of all the DISCOs;
  - shall be shown separately in the consumers' bill on the basis of units billed to the consumers in the month of May 2013.
  - EX-WAPDA DISCOs shall pass on the benefit of decrease in fuel charges adjustment in respect of May 2013 as referred to in para 7 above in the billing month of May 2014.
  - While affecting the Fuel Adjustment Charges, the concerned DISCOs shall keep in view and strictly comply with the orders of the courts notwithstanding this order.

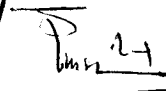
**AUTHORITY**

  
(Habibullah Khilji)  
Member

  
(Maj (R) Haroon Rashid)  
Member

  
(Khawaja Muhammad Naeem)  
Vice Chairman



  
29.11.13

# National Electric Power Regulatory Authority



## NOTIFICATION

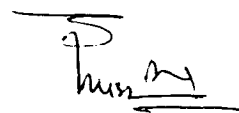
Islamabad, the November 29, 2013

**S.R.O. 1017 (I)/2013:** – Pursuant to Section 31(4) of the Regulation of Generation, Transmission and Distribution of Electric Power Act, 1997 as amended through Regulation of Generation, Transmission and Distribution of Electric Power (Amendment) Act 2011, the National Electric Power Regulatory Authority, in continuation of its earlier decision notified vide S.R.O. 614(I)/2013 dated June 26, 2013, makes and notifies the following further adjustment in the approved tariff on account of variation in fuel charge for the month of May 2013 in respect of Ex-WAPDA Distribution Companies (XWDISCOs):

Actual Fuel Charges Component for May 2013	Rs.7.4371/kWh
Corresponding Reference Fuel Charges Component (Determined for FY 2012-13)	Rs.8.3697/kWh
<b>Fuel Charges Variation for the month of May 2013 (Decrease)</b>	<b>(Rs.0.9327/kWh)</b>

2. The above adjustment a decrease of (Rs.0.9327/kWh) shall be applicable to all the consumer categories except lifeline consumers of all the XWDISCOs. The said adjustment shall be shown separately in the consumers' bills on the basis of units billed to the consumers in the month of May 2013 by the XWDISCOs. XWDISCOs shall pass on the benefit of decrease in fuel charges adjustment in respect of May 2013 in the billing month of May, 2014.

3. While affecting the Fuel Adjustment Charges, the concerned DISCOs shall keep in view and strictly comply with the orders of the courts notwithstanding this order.

  
(Syed Safeer Hussain)  
Registrar

Q

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