National Electric Power Regulatory Authority
Islamic Republic of Pakistan

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Registrar

No. NEPRA/ADG(Tariff)/TRF-400/ZSPL-2017/ 1026-30 January 19, 2024

Subject: **Decision of the Authority in the matter of Tariff Modification Petition filed by Zorlu Solar Pakistan Limited in respect of Authority's Tariff Determination dated August 12, 2022 and Review Motion Decision dated June 09, 2023 (Case No. NEPRA/TRF-400/ZSPL-2017)**

Dear Sir,

Please find enclosed herewith the subject decision of the Authority along with Dissent Note of Mr. Mathar Niaz Rana (nsc), Member NEPRA (total 11 Pages)

2. The Decision is being intimated to the Federal Government for the purpose of notification in the official Gazette pursuant to Section 31(7) of the Regulation of Generation, Transmission and Distribution of Electric Power Act, 1997 within 30 days from the intimation of this Decision. In the event the Federal Government fails to notify the subject tariff Decision or refer the matter to the Authority for reconsideration, within the time period specified in Section 31(7), then the Authority shall notify the same in the official Gazette pursuant to Section 31(7) of NEPRA Act.

Enclosure: As above

(Engr. Mazhar Iqbal Ranjha)

Secretary
Ministry of Energy
'A' Block, Pak Secretariat
Islamabad

Copy to: (along with copy of subject Decision)

1. Secretary, Cabinet Division, Cabinet Secretariat, Islamabad.
2. Secretary, Ministry of Finance, 'Q' Block, Pak Secretariat, Islamabad.
3. Chief Executive Officer, Central Power Purchasing Agency Gurantee Limited (CPPA-G) Shaheen Plaza, 73 West, Fazale-e-Haq Road, Blue Area, Islamabad.
4. Chief Executive Officer, Zorlu Solar Pakistan (Pvt.) Ltd., C-117, Block-2, Clifton, Karachi.

DECISION OF THE AUTHORITY IN THE MATTER OF TARIFF MODIFICATION PETITION FILED BY ZORLU SOLAR PAKISTAN LIMITED IN RESPECT OF AUTHORITY'S TARIFF DETERMINATION DATED AUGUST 12, 2022 AND REVIEW MOTION DECISION DATED JUNE 09, 2023

Background of the Case

1. Zorlu Solar Pakistan Limited (the "petitioner" or "the company" or "ZSPL") is a company formed to develop 100 MW solar PV project ("the Project"), to be established at Quaid-e-Azam Solar Power Park (Extension), Lal Sohanra, District Bahawalpur, Punjab. The Project has been given three tariff determinations under cost plus regime, with the current case being the request to modify 3rd tariff. In each of these tariff determinations, the time of one year was prescribed to achieve the Financial Close ("FC"). This time was to be reckoned from the date of issuance of tariff determinations. It was stated in the tariff determinations that the faiure to achieve FC on prescribed time would invalidate the approved tariffs.

2. The first tariff determination was issued on January 25, 2018, wherein levelized tariff of Rs. 5.5741/kWh (US Cents 5.3087/kWh) was approved, however, the same was not notified by Federal Government and consequently it lapsed. On April 04, 2019, the Cabinet Committee on Energy ("CCOE") decided to categorize ZSPL as category-II project, which as per the decision means that ZSPL shall be eligible for tariff under cost plus regime. The abovementioned decision of CCOE was endorsed by Council of Common Interest ("CCI") through Alternative and Renewable Policy, 2019. Later, the second tariff determination was issued on January 15, 2020, wherein levelized tariff of Rs. 5.8627/kWh (US Cents 3.7739/kWh) was approved, which also lapsed as a result of non-achievement of FC by the company as per the prescribed timeline. The third tariff determination was issued by the Authority on August 12, 2022, wherein the levelized tariff of Rs. 8.0271/kWh (US Cents 4.0136/kWh) was approved on 100% foreign financing, as applied for by ZSPL. In the determination of the third tariff, the Authority decided that the said approval shall be the final tariff for ZSPL under cost plus mode, and in case of lapse of this tariff also, the company shall have to participate in the competitive bidding for the approval of tariff from NEPRA.

3. However, Central Power Purchasing Agency Guarantee Limited ("CPPAGL") on September 20, 2022 filed the review petition against the third tariff determination of ZSPL. After due proceedings, the decision on review motion filed by CPPAGL was issued on June 09, 2023, through which the levelized tariff was changed to Rs. 7.0833/kWh (US Cents 3.9017/kWh). In the review decision, the modification was made in the treatment of cost of degradation of solar modules. That is, the Authority in the review decision approved the degradation cost on actual basis with a cap against capitalizing the same in the project cost. Given the prolonged time taken to process the review motion, the Authority decided to extend the FC by four months to December 11, 2023. The construction period of ten months, from the date of FC, was allowed in the third tariff determination, which read with the decision of the review petition meant the ZSPL was to achieve Commercial Operations Date ("COD") by October 11, 2024.

NATIONAL ELECTRIC POWER REGULATORY AUTHORITY
NEPRA AUTHORITY

Filing of Tariff Modification Petition

4. ZSPL under Sections 7 and 31 of the Regulation of Generation, Transmission and Distribution of Electric Power Act, 1997 (the "NEPRA Act") read with Rule 3 of the NEPRA (Tariff Standards & Procedure) Rules, 1998 ("Tariff Rules") filed the subject tariff modification petition on November 27, 2023. In the said petition, ZSPL requested for (i) Extension of 04 months in the FC deadline without impacting the COD, i.e. October 11, 2024, and (ii) Allow the petitioner to fund a portion of the financing through local finance facility, to be adjusted on actual at the time of COD.

Proceedings

5. The subject petition was admitted by the Authority on November 28, 2023, and it was decided to hold a hearing in the matter on December 05, 2023 at NEPRA Head office, Islamabad. In this regard, notices of hearing to the stakeholders were issued on November 30, 2023, followed by the publication of notice of admission/hearing in the national newspaper on December 01, 2023. Following issues for hearing were framed and communicated vide abovementioned notices:

i. Whether ZSPL's claim to allow extension in achievement of the financial close without impacting COD i.e. October 11, 2024 is justified in view of earlier decision of the Authority?

ii. Whether the tariff is required to be adjusted owing to revised prices of the project cost components particularly Solar PV modules?

iii. Whether it is justified to allow mix of local and foreign financing instead of 100% foreign financing given the impact on tariff?

6. The hearing in the matter was held as per the schedule, which was attended by the representatives of ZSPL, CPPAGL, Punjab Power Development Board ("PPDB"), Private Power Infrastructure Board ("PPIB"), Asian Development Bank ("ADB") and others. Following is the summary of the comments that were advanced by the stakeholders:

- CPPAGL during the hearing commented that it has almost finalized the negotiations on Energy Purchase Agreement ("EPA") with the company, and the unsettled issue of interpretation of degradation mechanism will be referred to NEPRA. CPPAGL further commented that substantial percentage of the project cost has already been incurred, so disposing of previously purchased PV panels and buying the latest efficient ones would be an unrealistic call but CPPAGL will go with the decision of the Authority.

- PPDB vide its letter dated December 04, 2023 and during the hearing supported the request made by the company regarding four months extension in the FC keeping in view the challenges being faced by the company. PPDB further commented that the

NATIONAL ELECTRIC POWER REGULATORY AUTHORITY
NEPRA
AUTHORITY

other issues framed for the hearing is the discretion of the Authority but the ground reality is that the development environment scenarios is quite difficult in Pakistan, and NEPRA may make decision accordingly.

- PPIB also supported the extension in FC because of the development stage of the project. PPIB informed that it has received the request for the extension of FC by Zorlu which will be considered by its Board and upon approval, the Authority will be informed.

- ADB informed that it has given the concept approval to ZSPL and credit approval will be given in due course. ADB further mentioned that currently financing is not easily available in Pakistan and credit margins are higher than the one approved by the Authority in the instant case, i.e. 4.25%. The only reason ADB is financing the project with this margin is due to ZSPL's corporate guarantee to cover them. ADB further added that if the tariff is reopened, then the whole process of assessment will start from zero and will again take considerable amount of time. Stating above, ADB supported the requested extension in the FC time by ZSPL.

7. Subsequent to the hearing, ZSPL submitted a letter on December 06, 2023 regarding its debt mix, combined with claims of Interest during Construction ("IDC) and Return on Equity during Construction ("ROEDC"), based on reduced construction period of six months. The submissions of the petitioner and comments of stakeholders on each issue, followed by the analysis and decision of the Authority is provided in the succeeding sections.

Issue # 1: Whether ZSPL's claim to allow extension in achievement of the financial close without impacting COD i.e. October 11, 2024 is justified in view of earlier decision of the Authority?

Issue # 2: Whether the tariff is required to be adjusted owing to revised prices of the project cost components particularly Solar PV modules?

8. As stated above, the Authority in the tariff determination of ZSPL, issued on August 12, 2022, allowed one-year time to achieve FC. This time was extended by four months in the review motion decision issued on June 09, 2023, i.e. the FC deadline was extended until December 11, 2023.

9. ZSPL vide subject petition has requested for extension of four months in the FC timeline, while proposing that the extension to be granted for the FC date may be adjusted from construction period of ten months, so that the scheduled COD of October 11, 2024 remains unchanged. The petitioner submitted that it shall ensure the construction of the Project is completed, as originally scheduled in the tariff determination. ZSPL submitted the following three reasons explaining why it could not achieve FC on timely basis:

NATIONAL ELECTRIC POWER REGULATORY AUTHORITY
NEPRA
AUTHORITY

i. **Change in the mechanism of degradation**: The petitioner submitted that the Authority changed the degradation mechanism from earlier allowed capitalized cost to annual degradation, which caused problems. The petitioner emphasized that if there were no changes in the degradation mechanism, the extension of four months' time was sufficient for FC, but the alteration posed challenges. With new mechanism, following challenges were encountered which were to be addressed and settled before signing the EPA:

  a. How will be the actual Degradation decided?
  b. What is the procedure to measure the degradation on annual basis?
  c. What is the international standards for degradation measurement?
  d. Who will measure the degradation?
  e. What is the technical capabilities available in Pakistan?
  f. How will be the compensation mechanism for degradation under EPA be formulated?
  g. How this mechanism be aligned with the Tariff Determination (e.g. starting from Year 2, linear degradation)?
  h. Difference in interpretation between CPPAGL and the Petitioner.
  i. No precedents in the history of Solar IPPs in Pakistan.

ZSPL submitted that it only had six months, post issuance of review decision, to sort this matter and reach a decision to sign the EPA, however, the matter is still under negotiations with CPPAGL. In response to the Authority's query about whether the model of actual generation, similar to the projects under Upfront Tariff 2015, was considered for degradation and proposed by the company to CPPAGL. The petitioner explained that it had indeed proposed this model to CPPAGL, however, it could not be adopted as such, as the review decision of the Authority necessitated documentary evidence of degradation, which was not required under Upfront Tariff 2015. In response to another query by the Authority about potential future issues if tariff modification is granted, the petitioner assured that major part of the issues with CPPAGL have been addressed, with only an interpretation of the degradation mechanism remaining. The petitioner indicated that if an agreement cannot be reached between the parties, they intend to bring the interpretation issue before the Authority after the tariff modification decision is issued.

ii. **Delay in the review motion decision:** The second ground as mentioned by ZSPL was the significant delay in the review motion decision. The petitioner submitted that it took the Authority almost nine months to decide the review motion, however, the extension of only four months was given. As a result, the company was left with only six months to achieve FC, in contrast to the one-year timeframe granted in all comparable cases.

NATIONAL ELECTRIC POWER REGULATORY AUTHORITY
NEPRA
AUTHORITY

iii. **Current macroeconomic conditions of Pakistan:** ZSPL highlighted financing challenges as the third reason for requested extension, while citing the current macroeconomic conditions in Pakistan. According to ZSPL, the country's low credit rating, as indicated by S&P and Moody's, has impacted the Project unfavourably. Notably, this credit rating is the lowest in the past 15 years, leading to reluctance among lenders to provide financing This rating significantly influences financiers' decisions, impacting the cost model of the company due to factors like spread margin and country risk. Furthermore, the specific issues within the power sector, such as circular debt problems, delayed payments and renegotiations with operational projects having signed EPAs, have added to the difficulties in securing foreign financing.

10. The petitioner during the hearing agitated that the delay in achievement of the FC was not the failure on its part, rather was the consequence of the abovementioned reasons. ZSPL submitted that the extension is being requested and is deemed necessary to provide it with the requisite time to finalize and execute the EPA and other Project Agreements, and then engage with lenders for the comprehensive review and due diligence of these Project Agreements. It is only through this diligent process the Lenders can make an informed decision regarding the grant of the financing facility.

11. ZSPL explained that the modification request only pertains to the extension of the FC date without affecting the COD, which would be beneficial for several reasons. It argued that the power acquisition plan of the power purchaser will not be altered, there will be no adverse financial impact on the power purchaser and end consumers, and citizens of Pakistan would benefit from cheap electricity without any additional delay. The petitioner emphasized that completing the project in a significantly shorter time would expose the company to additional costs and premiums due to a shorter lead-time. During the hearing and subsequently through letter dated December 06, 2023, ZSPL submitted that IDC and ROEDC will be calculated based on the reduced construction period, not exceeding 6 months, which will be adjusted as per actual at the time of COD.

12. Furthermore, the petitioner submitted that the granted tariff is quite competitive. In case NEPRA decides to reopen the tariff given the consideration that prices of equipment have reduced, this would then cause a delay of two years in operationalization of the Project. It explained that cost items in the tariff such as cost of electrical equipment and civil works are influenced by factors of local and global inflation and currency devaluation. These factors, combined with significant rise in financing costs and higher return expectations due to macro-economic conditions of the country, would result in a overall higher tariff. The petitioner further informed that it has already incurred cost of USD 15 million on purchase of inverters, transformer, mobilization and have done substantial construction works at site like fencing, foundation work, substation building, ground levelling, etc. However, it was qualified by ZSPL that PV panels have not been purchased so far.

NATIONAL ELECTRIC POWER REGULATORY AUTHORITY
NEPRA AUTHORITY

13. Lastly, ZSPL referred the CCOE decision dated April 04, 2019, and submitted that there has been limited or no development for the competitive bidding process for Category-III projects. Therefore, the Project will be dragged into another ambiguity, if asked to undergo competitive bidding process.

Analysis and decision of the Authority

14. The Authority noted that it has consistently provided a one-year timeline for all renewable energy projects (wind and solar PV energy), to achieve the FC. In its previous two tariffs, ZSPL was also granted one-year time from the date of issuance of respective tariff determinations to achieve the FC. The third tariff of ZSPL was determined in August, 2022, and as per the standard practice, the company was given time of one year to achieve the FC, i.e. till August, 2023. However, CPPAGL in September, 2022 filed the review motion against the tariff determination, which was decided by the Authority in June 2023. In the review motion decision, the Authority extended the FC timeline until December 11, 2023, while recognizing that the company could not have executed the other project milestones due to their dependency on the finalization of tariff. Whilst the company was allowed additional time to achieve the FC, the same was not consistent with the standard practice, as only six months (June, 2023 till December, 2023) was given to ZSPL to achieve the FC, as compared to one-year time allowed in all other cases. While deciding the review motion, the Authority considered that the given time of six months would be sufficient to complete the subsequent milestones and achieve the FC. The petitioner has also endorsed that the time of four months' given in review decision was sufficient, given the condition that the mechanism to account for the cost of degradation had not been changed. ZSPL told that the change in the degradation treatment lead to discussion on several points with the power purchaser, which have not yet been settled, and consequently the EPA could not be signed due to pendency of that issue. However, both the petitioner and CPPAGL submitted that the issue in question has already been largely resolved.

15. The Authority also examined the prevailing prices of equipment combined with the submissions of ZSPL with respect to prevailing macro-economic conditions. It was deemed important that parallel to the consideration of the prevailing cost of solar PV modules and allied equipment, it is also crucial to take into account the impact of the current macro-economic conditions, which directly influence the risk assessment and expected returns on funds. It is noted that the tariff of ZSPL was approved on the basis of financing spreads/margins as set in 2018 through NEPRA Benchmarking Guidelines. The representative of ADB during the hearing highlighted that financing to ZSPL with new tariff (in case NEPRA does not extend the FC timeline) would be expensive, in spite the fact the ZSPL has provided the corporate guarantee. Most importantly, the current macroeconomic conditions can also be gauged from the results of competitive bidding for 600 MWp solar PV project of PPIB. For the said project, the Federal Government earlier decided to opt for reverse competitive auction with benchmark tariff, however, that process did not find success. Later, the Federal Government decided to

NATIONAL ELECTRIC POWER REGULATORY AUTHORITY
NEPRA
AUTHORITY

conduct open competitive bidding, i.e. the flexibility was given to the prospective bidders to determine tariff parameters such as equipment cost, financing cost, return on equity etc. Also, a significant portion of tariff was allowed to be pegged with USD both at COD as well as during operational phase, to provide predictability in terms of costs and revenues for the project. In addition, a special arrangement to guarantee the timely payment to the selected/successful bidder was provided by the Federal Government. However, despite offering all these incentives, the Federal Government extended the timeline for the bid submission twice, but the process could not find the bidder/sponsor to develop the project. These results indicate that the prevailing conditions are such that sponsors and lenders are hesitant to invest in the country, despite being given the freedom to determine the cost of funds (financing cost, return on equity etc.) and other parameters by themselves. Therefore, the expectation that the cost of funds, as benchmarked back in 2018, would be practical in the current circumstances may not stand correct. Consequently, the determination of a new tariff for ZSPL may necessitate an upward adjustment in the cost of funds, which is not the case with the existing tariff.

16. Another relating consideration was that the 600 MW project was planned to be implemented by the Federal Government in order to replace expensive electricity sources, ultimately reducing the overall cost of power purchases. The Federal Government conducted thorough technical and financial studies to determine the abovementioned potential favourable impact on power purchase costs with the induction of solar PV projects. In this context, it was thought crucial to consider the implication on the overall power purchase cost in case the Project of ZSPL also got delayed or shelved. It was noted that the new tariff determination for ZSPL warrants filing a new tariff petition and subsequent due proceedings, which would cause a delay of approximately two years (from the original date of COD of October 11, 2024) in the operationalization of the Project. This means that the potential savings on the power purchase cost would not be obtained during these two years. The potential savings from avoiding this delay through the continuation of the existing tariff are noted to largely offset the expected savings in the event a new tariff is introduced, even with previously approved cost/return on funds.

17. Additionally, ZSPL has requested for the extension in FC, while keeping the COD of October 11, 2023 as intact. This indicates that consumers would not face any additional cost impact on the already approved tariff compared to the situation if FC had been achieved on December 11, 2023. In fact, the approved tariff will reduce due to the decrease in interest/return for the shorter construction period.

18. Summarizing the above points, the Authority acknowledged that the six-month time frame given in the review decision, although shorter than the similar cases, was deemed adequate for ZSPL to lead to FC. However, ZSPL's submission, reinforced by the power purchaser, highlighted that changes made in the degradation lead to discussions in the matter

NATIONAL ELECTRIC POWER REGULATORY AUTHORITY
NEPRA
AUTHORITY

and caused delays in signing the EPA, consequently leading to the inability to achieve FC in a timely manner. Given that the cause of delay has been attributed to a change in the degradation mechanism, as also submitted by the power purchaser, it is deemed reasonable to reconsider the matter, taking into account the timeframe for FC of one year as allowed in similar projects. Additionally, the Authority considered the current cost of solar equipment, as well as the prevailing economic conditions and their impact on the outcomes of competitive bidding for the 600 MW solar PV project. Given the 600 MW solar PV project shall not come online on envisaged time, the delay in operationalization of ZSPL would further worsen the future power purchase cost. The potential savings from the timely operations of ZSPL on existing tariff, appear to largely cancel out the anticipated savings if new tariff is introduced. Furthermore, the Authority also considered that extending the FC timeline while maintaining the COD at October 11, 2024, does not impose any additional cost burden on the power purchaser and consumers, compared to the case had FC been achieved on December 11, 2023. Instead the reduced impact of the cost of interest/return during construction shall result in lower tariff as compared to what was approved in the tariff determination. In view of all these reasons, the Authority has decided to allow extension to ZSPL in achievement of the FC, as detailed in the Order part of this decision.

Issue # 3: Whether it is justified to allow mix of local and foreign financing instead of 100% foreign financing given the impact on tariff?

19. In the determination issued on August 12, 2022, the tariff was computed and approved on 100% foreign financing, as requested by ZSPL. The debt tenor of 14 years was allowed, based on 3 months LIBOR (2.28514%) plus spread of 4.25%. The tariff determination further provides that in case there is a saving in interest rate, the same shall be shared in the ratio of 60:40 between the power purchaser and power producer respectively.

20. ZSPL in its subject tariff modification petition requested to allow mix of foreign and local financing instead of 100% foreign financing. ZSPL informed that it had approached various development financial institutions (such as IFC, ADE, DEG, Proparco and British International Investment etc.), but it faced difficulty in procuring 100% foreign finance facility. According to ZSPL, this is because of adverse macro-economic conditions prevailing in Pakistan, particularly the challenges in the energy sector, due to which most of the foreign lenders were reluctant to finance projects in Pakistan.

21. ZSPL submitted that with the only intention of not delaying the implementation of the Project, it also actively pursued local lenders for the grant of local finance facility in order to meet the total debt requirement. The petitioner informed that after several rounds of negotiations and months of deliberations, it was able to secure the concept approval for the foreign and local finance facility and the completion and signing of relevant term sheets is subject to the approval of this petition. In addition to above, ZSPL also stated that it will remain available to provide any additional information that is required by the Authority in connection

NATIONAL ELECTRIC POWER REGULATORY AUTHORITY
NEPRA AUTHORITY

with the local finance facility and shall adhere to strict compliance of the Benchmark Guidelines of the Authority with respect to the Local Finance Facility.

22. During the hearing and later vide its letter dated December 06, 2023, the petitioner informed that the indicative foreign: local debt mix will be in the ratio of 65:35 respectively, which will be actualized at the time of COD based on actual currency fluctuation. The petitioner further stated that the variation at COD will be expected to be around ±5% as a result of exchange rate fluctuations on debt drawdown dates.

Analysis and decision of the Authority

23. In the tariff determination, the Authority allowed 100% foreign financing to ZSPL based on the term sheet dated October 04, 2019 of ADB. Now, ZSPL is requesting to allow an indicative mix of local and foreign debt for which ZSPL specified a ratio of 65% foreign and 35% local. With regards to spread on local debt, the petitioner has already clarified in the petition that it will comply with Benchmark Guidelines, in which case the spread of 2.25% has been indicated.

24. The Authority has noted that in the past it has allowed mix of foreign and local financing to the number of power projects. Further, it was noted that there is no legal impediment under NEPRA laws and applicable policies that restrict the project company to obtain only foreign financing. Instead, it is observed that the use of local financing has been beneficial in the long term due to its non-linkage with exchange rate variations. In view thereof, the Authority has decided to allow 65:35 mix of foreign and local financing to ZSPL, subject to actualization at COD, in line with the debt terms as mentioned in the Benchmark Guidelines i.e. LIBOR +4.25% for foreign loan and KIBOR plus 2.25% for local loan. The debt servicing tenor for each loan shall not be less than thirteen years. The Authority further decided that in case there is a saving in interest rate/margins, the same shall be shared in the ratio of 60:40 between the power purchaser and power producer respectively.

Order

25. Considering the consistent decision of NEPRA of allowing one-year time to achieve FC, timely operationalization of the Project and the consequent positive impact on power purchase cost and foreign exchange reserves, prevailing macro-economic conditions, reduction in interest and return during construction on the approved tariff, merits and precedent of approving mix of foreign and local financing, supporting comments of different stakeholders, the Authority, in its collective and joint wisdom, has decided to modify the tariff of ZSPL issued on June 09, 2023 as follows:

- Allow the extension in achievement of the FC to ZSPL, starting from December 11, 2023 until four months from the date of issuance of this decision. This extension shall not impact the COD i.e. October 11, 2024. The IDC and ROEDC shall be re-computed and allowed at COD, starting from the date of FC till October 11, 2024.

NATIONAL ELECTRIC POWER REGULATORY AUTHORITY
NEPRA
AUTHORITY

- Allow 65:35 mix of foreign and local financing, subject to actualization at COD, in line with the debt-terms as mentioned in the Benchmark Guidelines. In case there is a saving in spread/margin, the same shall be shared in the ratio of 60:40 between the power purchaser and power producer respectively.

26. The decision is to be notified in the official Gazette in accordance with the provision of Section 31(7) of the Regulation of Generation, Transmission and Distribution of Electric Power Act, 1997.

AUTHORITY

* (Mathar Niaz Rana (nsc))
Member

Did not attend.
(Engr. Maqsood Anwar Khan)
Member

(Rafique Ahmed Shaikh)
Member

(Amina Ahmed)
Member

(Waseem Mukhtar)
Chairman

NATIONAL ELECTRIC POWER REGULATORY AUTHORITY
NEPRA
AUTHORITY

19/01/24

* My dissent note is attached

10/11

DISSENT NOTE

1. I respectfully disagree with the decision of my colleague learned Members for the following reasons:

   a. The tariff determination dated 12.08.2022 explicitly specified that the approved tariff was the final tariff under the cost-plus model and the failure of the project company to achieve the prescribed Financial Close date would necessitate its participation in a competitive bidding process.

   b. The tariff department has worked out that the awarded tariff of US cent 3.9/kWh in August 12, 2022 now becomes US cents 4.38/kWh on current interest rate and PKR/USD and if the tariff is adjusted at the current prevailing rate of interest rate and PKR/USD and PV panel prices and other allied equipment it will be US cent 3.39/kWh. On the other hand, if the awarded tariff is adjusted as per the request of ZSPL it will be US cents 5.22/kWh at current interest rate and PKR/USD with reduced construction of 6 month and US cent 5.33/kWh based on 10 month construction period.

   c. Additionally, it has been noted that the EPC contractor is affiliated company of ZSPL and the project company has not yet procured solar PV panels as admitted during the hearing nor yet issued notice to proceed to the EPC contractor therefore does not bear any obligations towards the EPC contractor at the same old tariff.

Mathar Niaz Rana (nsc)
Member (Tariff)

NATIONAL ELECTRIC POWER REGULATORY AUTHORITY
NEPRA
AUTHORITY