



Registrar

National Electric Power Regulatory Authority

Islamic Republic of Pakistan

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No. NEPRA/R/ADG(Trf)/TRF-124 /OPCL-2009/3503-3505

March 4, 2022

Subject: Decision of the Authority in the matter of Reimbursement of 7.5% Withholding Tax on Dividends for Orient Power Company (Pvt.) Ltd. (Case No. NEPRA/TRF-124/OPCL-2009(2))

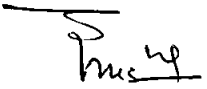
Dear Sir,

Please find enclosed herewith the decision of the Authority along with Annex-I (02 pages) regarding reimbursement of 7.5% withholding tax on dividends for the period March 1, 2022 to February 28, 2023 in respect of Orient Power Company (Pvt.) Ltd. in Case No. NEPRA/TRF-124/OPCL-2009(2).

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.

3. The schedule attached as Annex-I is to be notified in the official Gazette.

Enclosure: As above


04 03 22
(Syed Safer Hussain)

Secretary,
Ministry of Energy (Power Division),
Government of Pakistan
Islamabad.

CC:

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



DECISION OF THE AUTHORITY IN THE MATTER OF REIMBURSEMENT OF 7.5% WITHHOLDING TAX ON DIVIDENDS FOR ORIENT POWER COMPANY (PRIVATE) LIMITED

1. Pursuant to the decision of the Authority dated January 12, 2012 notified vide S.R.O No 295(I)/2012 dated March 19, 2012 in the matter of Motion for Leave for Review against the decision of the Authority at Commercial Operation Date (COD) in the case of Orient Power Company Private Limited (OPCL), withholding tax on dividend is a pass through item and the power purchaser shall make payment on account of withholding tax at the time of actual payment of dividend as hourly payment spread over a period of 12 months. In accordance with the decision referred above, the Authority approved following component for withholding tax on dividend for immediate application:

Period	7.5% Withholding tax on Dividend Rs./kW/Hour
March 1, 2022 to February 28, 2023	0.0335

2. The schedule attached as **Annex-I** is to be notified in the official gazette in accordance with the provisions of Section 31(7) of the Regulation of Generation, Transmission and Distribution of Electric Power Act 1997.
3. CPPA (G) to ensure that all payments are consistent with tariff determination(s).

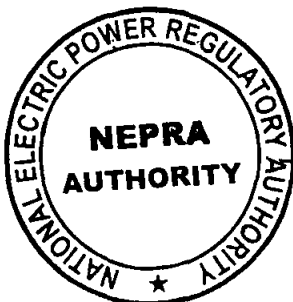
AUTHORITY

Rehmatullah Baloch
Member

Engr. Maqsood Anwar Khan
Member

Engr. Rafique Ahmed Shaikh
Member

Tauseef H. Farooqi
Chairman



04 03 22

ORIENT POWER PRIVATE LIMITED
REIMBURSEMENT OF 7.5% WITHHODING TAX ON DIVIDENDS

Tax Challan #	Payment Date	Dividend Amount agst. which Tax is Being Withheld	Withholding Tax Amount Requested			Withholding Tax Amount Allowed		
			Tax Rate	Rs.	Equivalent USD*	Tax Rate	Rs.	Equivalent USD*
IT-20211231-0101-1563949	31-Dec-21	20,946,546	7.50%	1,570,991	8,828	7.50%	1,570,991	8,828
IT-20220107-0101-1085505	07-Jan-22	219,871,940	7.50%	16,490,396	92,982	7.50%	16,490,396	92,982
IT-20220107-0101-1085506								
IT-20220120-0101-1336770	20-Jan-22	169,061,454	7.50%	12,679,609	71,758	7.50%	12,679,609	71,758
IT-20220126-0101-1441401	26-Jan-22	66,646,142	7.50%	4,998,461	28,208	7.50%	4,998,461	28,208
IT-20220202-0101-1030456	02-Feb-22	356,551,588	7.50%	26,741,369	151,167	7.50%	26,741,369	151,167
Total		833,077,670		62,480,825	352,943		62,480,825	352,943

*NBP TT & OD Selling Rate of USD as on 31st Dec 2021, 7th Jan 2022, 20th Jan 2022, 26th Jan 2022 & 2nd Feb 2022 were Rs. 177.95/USD, Rs.177.35/USD, Rs.176.70/USD, Rs.177.2/USD and Rs. 176.90/USD respectively.

Calculation of Hourly Rate:

Withholding tax on dividend

Rs. 62,480,825

Capacity

kW 212,700

Hours in a year

No. 8,760

Tariff component of withholding tax on dividend (March 1, 2022 to February 28, 2023)

Rs./kW/Hour 0.0335

Carry Forward of Unclaimed Dividend Tax:

USD

Balance Brought Forward from 11th Agreement Year (May 24, 2020 to May 23, 2021)

5,606,639

As per decision No NEPRA/R/ADG(Trf)/TRF-124 /OPCL-2009/11008-11010 dated March 1, 2021

Add: Limit for the 12th Agreement Year (May 24, 2021 to May 23, 2022)

826,031

[15% × \$61,165,000 + \$1,839,000] × 7.5%

Maximum Limit Available:

6,432,670

Less: Claimed during 12th Agreement Year (for the year ended 30th June, 2021)

(352,943)

Balance Carried Forward**6,079,727**