

# **National Electric Power Regulatory Authority**

# Islamic Republic of Pakistan

2nd Floor, OPF Building, G-5/2, Islamabad Ph: 9207200, 9205225 Fax: 9210215 E-mail: registrar@nepra.org.pk

Registrar

No. NEPRA/R/TRF-117/REL-2008/386-88 October 09, 2008

Subject:

Approval of Generation Tariff for RUBA Energy Pakistan (Pvt.) Limited (REL) for 172 MW (Gross ISO) Power Project at Lahore-Gujranwala Road in accordance with Section 1.10 of the Tariff Guidelines of November 2005 for Determination of Tariff for IPPs.

Dear Sir,

Please find enclosed the subject decision of the Authority along with Annex-I, II & III (11 pages) in Case No. NEPRA/TRF-117/REL-2008.

2. The decision is being intimated to the Federal Government for the purpose of notification of the approved tariff in the official Gazette pursuant to Section 31(4) of the Regulation of Generation, Transmission and Distribution of Electric Power Act (XL of 1997).

#### Enclosure/As above

Secretary
Cabinet Division
Government of Pakistan
Cabinet Secretariat,
Islamabad



(Mahjoob Ahmad Mirza)

CC

- 1. Secretary, Ministry of Water & Power, Government of Pakistan, Islamabad.
- 2. Secretary, Ministry of Finance, Government of Pakistan, Islamabad.



# APPROVAL OF GENERATION TARIFF FOR RUBA ENERGY PAKISTAN (PVT.) LTD. (REPL) FOR 172 MW (GROSS ISO) POWER PROJECT AT LAHORE GUJRANWALA ROAD IN ACCORDANCE WITH SECTION 1.10 OF THE TARIFF GUIDELINES OF NOVEMBER 2005 FOR **DETERMINATION OF TARIFF FOR IPPS**

Ruba Energy Limited (REPL) vide letter No. REPL/EXS-31-2008 has applied to NEPRA for approval of tariff for its 172 MW (Gross ISO) and 154.07 MW (Net) Combined Cycle Power Plant at Lahore-Gujranwala Road. The REPL was declared successful bidder consequent to the Competitive Bidding carried out under the Government of Pakistan (GoP) policy on Fast Track Power Generation Projects. Economic Coordination Committee (ECC) vide its decision ECC-146/14/2008 dated September 10, 2008 declared the REPL as a qualified bidder. Accordingly, PPIB vide letter No. 1(102)PPIB-2027-10/08/PRJ dated September 12, 2008 informed Ruba Energy Pakistan (Pvt.) Ltd. (REPL), the qualified bidder to approach NEPRA for approval of tariff. ECC in its decision [para 12(iii)] advised NEPRA to approve the tariff along with assumptions and adjustment in accordance with the GoP guidelines of November 2005 for determination of tariff for IPPs.

- The Authority considers that the bidding process has been carried out by PPIB, agency of the GOP, working under the supervision of the Ministry of Water & Power for attracting and facilitating investment in power generation. The rate has been arrived through a competitive bidding and has been approved by the ECC vide its decision ECC-146/14/2008 dated September 10, 2008.
- In view of the above the Authority hereby allows the applicant to charge the tariff according to Assumptions and Terms and Conditions Annex-I, II & III as approved by the Government of Pakistan read with Sub-para v of Para 12 of the Summary of Fast Track Power Generation Projects Through International Competitive Bidding which is reproduced as under:

"In case any of the approved projects under Package A & B fail to achieve crucial milestones as per agreements towards timely project implementation, then the project be immediately cancelled with penalties. The deficit power generation capacity be then expeditiously arranged through addition of IPP/Rental Power Projects both solicited and unsolicited on fast track basis."

Member

Maqbool Ahmad Khawaja

Member

Member/Vice Chairman

Khalid Sa

Chairman

RUBA ENERGY PAKISTAN (PVT) LIMITED
Reference Tariff Table for Combined Cycle Operation on RFO upon COD
approved by NEPRA for incorporation in the PPA

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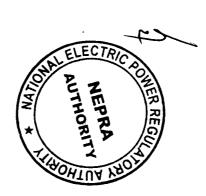
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CAPACITY PURCHASE PRICE RUSSES I NW / Nr

Contract Capacity at 132 kV busber under Reference Conditions:

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(PER UNIT CALCULATED @ 100%)

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RUBA ENEネッゲ PAKISTAN (PVT) LTD - REFERENCE TARIFF FOR OPEN CYCLE - HSFO (PER UNIT CALCULATED @ 100%)

Contract Capacity at 132 kV bustar under Reference Conditions:

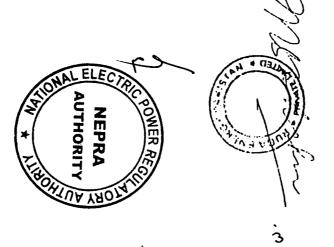
Units sold at 60% Plant Factor:

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560.47 GWh

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RUBA ENERGY PAKISTAN (PVT) LIMITED
Reference Tariff Table for Open Cycle Operation on RFO
approved by NEPRA for incorporation in the PPA



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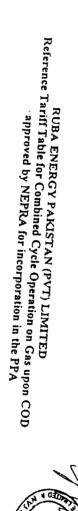
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Contract Capacity at 132 kV busber under Reference Conditions:

Units sold at 80% Plant Factor:

47.8 GWh

# RUBA ENERGY PAKISTAN (PVT) LTD - REFERENCE TARIFF FOR OPEN CYCLE - GAS (PER UNIT CALCULATED @ 100%)

Contract Capacity at 132 kV busbar under Reference Conditions:

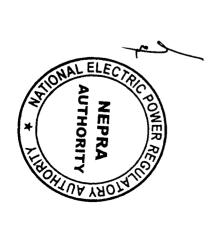
Units sold at 60% Plant Factor:

110.96 MW

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RUBA ENERGY PAKISTAN (PVT) LIMITED
Reference Tariff Table for Open Cycle Operation on Gas
approved by NEPRA for incorporation in the PPA



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#### TARIFF ASSUMPTIONS AND ADJUSTMENTS FOR IPPS

#### A. One Time Adjustments at COD

#### 1. Adjustment in EPC Cost:

The tariff tables as provided by the bidders are quoted in Pak Rupees based on Exchange Rates provided in the RFP issued by PPIB, which are given below for reference:

1.0 US\$ =	PKR 64.60					
1.0 EURO =	PKR 100.57					
1.0 Pound Sterling =	PKR 127.15					
1.0 Japanese Yen =	PKR 0.6206					

The bidders have quoted EPC Prices in specific currencies in their bids. As the exact timing of payments to EPC contractor is not known at the time of bidding, and both the disbursement schedule and exchange rates may vary during the project implementation period, an adjustment for relevant foreign currency fluctuation for the portion of payment in the relevant foreign currency will be made. The sponsors will be required to provide all relevant details along with documentary evidences to NEPRA for the adjustments.

The following tariff components will be adjusted at COD due to the aforementioned EPC Cost variations;

#### i. Insurance Adjustment Mechanism for EPC Cost Variation:

One time adjustment at time of COD will be made in the Insurance Component of the tariff due to EPC Cost variation. The Insurance Component of tariff as per original tariff bid will be divided with the original EPC Cost in PKR and multiplied by adjusted EPC Cost in PKR.

#### ii. Return on Equity Adjustment Mechanism for EPC Cost Variation:

One time adjustment at time of COD will be made in the Return on Equity (ROE) Component of the tariff due to EPC Cost Variation. The ROE Component (in PKR) of tariff as per original tariff bid will be divided with the original Equity amount in PKR and multiplied by revised amount of Equity in PKR.

#### iii. ROEDC Adjustment Mechanism for EPC Cost Variation:

One time adjustment at time of COD will be made in the ROEDC Component of the tariff due to EPC Cost Variation. The ROEDC Component (in PKR) of tariff as per original tariff bid will be divided with the original amount of Equity During Construction in PKR and multiplied by revised amount of Equity During Construction in PKR.



# iv. Debt Servicing Adjustment Mechanism for EPC Cost Variation

One time adjustment at time of COD will be made in the Debt Servicing Component of the tariff due to EPC Cost variation. The Debt Servicing Component of tariff as per original tariff bid will be divided with the original amount of Debt in PKR given in the disbursement schedule by the bidders and multiplied by revised amount of Debt in PKR i.e. (Revised amount of Debt in the Project Cost after incorporating the adjustments of currency fluctuations).

#### 2. Adjustment Based on Actual Interest During Construction:

Debt Service, Return on Equity and ROE During Construction component of the tariff will be adjusted on account of variation in actual draw down and Interest During Construction due to variations in KIBOR/LIBOR/Other Interest Rates Benchmarks (as applicable) with reference to the estimated figures provided in the bids.

#### 3. Adjustment due to Custom Duties and Taxes:

The RFP permits Bidders to include custom duties and taxes on import of plant and equipment not manufactu red in Pakistan at the rate of 5% in the Project Cost. In case custom duties & taxes change from 5% as specified in the RFP, the Debt Service, Return on Equity and ROE During Construction will be adjusted on a prorata basis on account of any variation in custom duties & taxes with reference to the estimated figures as provided in the respective bids, on provision of documentary evidence to NEPRA at COD.

#### B. Pass-through Items

- 1. No provision for income tax has been accounted for in the tariff at the time of bidding. If Bidders are obligated to pay any tax on its profits, the exact amount paid by the Bidders may be reimbursed by Power Purchaser to Bidders on production of original receipts. This payment may be considered as pass-through (as Rs./kW/hour) hourly payment spread over a 12 months period in addition to the capacity purchase price proposed in Reference Tariff. Furthermore, in such a scenario, Bidders may also submit to Power Purchaser details of any tax shield savings and Power Purchaser will deduct the amount of these savings from its payment to Bidders on account of taxation.
- 2. Withholding tax on dividend is also a pass through item just like other taxes as indicated in the government guidelines for determination of tariff for new IPPs. In reference tariff table withholding tax number is indicated as reference and Power Purchaser shall make payment on account of withholding tax at time of actual payment of dividend subject to maximum 7.5 of 15% reference equity as approved by NEPRA at COD i.e. hourly payment (Rs./kW/hour) spread over 12 month.





3. In case bidders do not declare a dividend in a particular year or only declares a partial dividend, then the difference in the withholding tax amount (between what is paid in that year and the total entitlements as per the 15%, Return on Equit),) would be carried forward and accumulated so that the bidders are able to recover the same in hourly payments spread over 12 months period as a pass through from the Power Purchaser in future on the basis of the total dividend pay out.

#### C. Indexations:

#### I. Fuel Cost Component:

The Fuel Cost Component for RFO/Gas based projects will be adjusted according to the mechanism already approved by NEPRA for RFO/Gas based Power Plants. The tariffs are based on following assumptions;

- i. Reference Fuel Price for RFO = Rs. 22,140 per metric ton ex-Karachi without transportation charges and sales tax.
- ii. Reference Freight Charges for RFO = Rs. 2,350 per metric ton
- iii. Reference LHV Calorific Value of RFO=38,849.5 Btu per kg
- iv. Reference HHV-LHV conversion factor for RFO = 1.05
- v. Reference Fuel Price for Gas on HHV basis = Rs. 240.9185 per MMBTU.
- vi. Reference HHV-LHV conversion factor for gas = 1.107553

For LPG based Projects, the tariffs are based on following assumptions;

- i. Reference Fuel Price for LPG = Rs. 34,571 per metric ton without transportation charges and sales tax, which is based on the Maximum Base-Stock Price of LPG notified by OGRA on June 02, 2007 using FOB Saudi ARAMCO Contract Price for 40% Propane at US\$ 560 per metric ton and 60% Butane at US\$ 575 per metric ton converted to Pak Rs. at exchange rate of 1 US\$ = Rs. 60.7570.
- ii. Reference Freight and Carriage, Port Charges, Royalty, OMC Commission, Terminal Charges, others, etc. for LPG = Rs. 5,491 per metric ton (US\$ 85 per Metric Ton converted at exchange rate of 1US\$=Rs. 64.6)
- iii. Reference LHV Calorific Value of LPG for Cavalier Energy = 43,606 Btu per kg
- iv. Reference LHV Calorific Value of LPG for Progass Energy = 44,500 Btu per kg

Note: For LPG, Cavalier in their bid quoted CV (LHV) of 4.3,606 Btu/kg and Progas quoted 44,500 Btu/kg. For the purposes of evaluation and ranking a common CV (LHV) of 43,606 Btu/kg (which is in line with international standards) has been used. However the tariff tables are based on the CV values as committed by the bidder for approval by NEPRA.

As there is no LPG based Power Plant operating in Pakistan and the price of imported LPG is not regulated by GOP, the mechanism for LPG pricing and its indexation world require to he



developed in consultation with Ministry of Petroleum and Natural Resources, while finalizing the Power Purchase Agreement.

#### 2. Variable O&M:

The Foreign Currency Portion of Variable O&M Component will be indexed for the followings.

- i. Exchange Rates variation of US\$ to Pak Rupees using Rs. 64.60 as reference rate.
- ii. Changes in US CPI using 30th April 2008 as the base date.

The Local Currency Portion of Variable O&M Component will be indexed for Pakistan WPI using 30<sup>th</sup> April 2008 as the base date.

The quarterly adjustment for local inflation, foreign inflation and exchange rate variation will be made on 1<sup>st</sup> July, 1<sup>st</sup> October, 1<sup>st</sup> January and 1st April based on the latest available information with respect to WPI notified by the Federal Bureau of Statistics (FBS), US CPI issued by US Bureau of Labor Statistics and revised TT & OD selling rate of US Dollar notified by the National Bank of Pakistan.

#### 3. Fixed O&M:

The Foreign Currency Portion of Fixed O&M Component will be indexed for the followings.

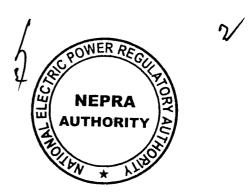
- iii. Exchange Rates variation of US\$ to Pak Rupees using Rs. 64.60 as reference rate.
- iv. Changes in US CPI using 30th April 2008 as the base date.

The Local Currency Portion of Fixed O&M Component will be indexed for Pakistan WPI using 30<sup>th</sup> April2008 as the base date.

The quarterly adjustment for local inflation, foreign inflation and exchange rate variation will be made on 1<sup>st</sup> July, 1<sup>st</sup> October, 1<sup>st</sup> January and 1st April based on the latest available information with respect to WPI notified by the Federal Bureau of Statistics (FBS), US CPI issued by US Bureau of Labor Statistics and revised TT & OD selling rate of US Dollar notified by the National Bank of Pakistan.

#### 4. Principal Repayment:

Principal Repayment (only for Foreign Currency Loan) will be adjusted on account of exchange rate variations of Pak Rupee to one of the relevant foreign currencies i.e. US\$, Euro, £, ¥.



#### 5. Adjustment for KIBOR and LIBOR Variation

#### a. Local Currency Loan:

Interest /Mark-up Payments for Local Currency loans will be adjusted for relevant KfBOR variations.

# b. Foreign Currency Loan:

Interest /Mark-up Payments of Foreign Currency loans will be adjusted for variations in relevant L111OR or other applicable Interest Rate benchmark and on account of exchange rate variations of Pak Rupee to one of the relevant foreign currencies i.e. US\$, Euro, £, ¥.

### 6. Cost of Working Capital:

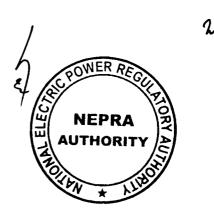
Cost of Working Capital will be adjusted only due to relevant KIBOR rate variations.

#### 7. Insurance:

In case of foreign currency insurance cost, the insurance component of the tariff will be adjusted on account of US\$ to Pak Rupees variations.

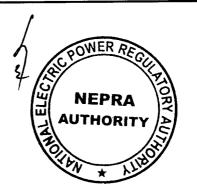
#### 8. Return on Equity and Return on Equity During Construction:

Return on Equity and Return on Equity During Construction will be quarterly adjusted on account of variation in PKR/US\$ parity.



## TERMS AND CONDITIONS & ASSUMPTIONS OF TARIFF

- 1. Capacity Charge Rs. /kW/hour will be applicable to net capacity delivered at the delivery point.
- 2. The Contract capacity is the net electrical output as committed by the bidders at the reference ambient temprature (dry bulb) of 30°C
- 3. The net heat rates at 100% load will remain constant and applicable throughout the project life of 25 years and no adjustment/variation will be permissible due to deterioration/degradation or on any other account.
- 4. The plant availability will be as committed by the Bidders in their bids.
- 5. The Open Cycle Tariffs will be applicable for an initial period of maximum of 12 months.
- 6. The Combined Cycle Tariffs will be applicable for a period of 25 years commencing from the date of the Commercial Operation.
- 7. Dispatch criterion will be based on the Energy Charge with due consideration of transmission ystem constraints (if any) and reliability and stability criterion.
- 8. The net output and the net heat rates are as committed by the Bidders at the delivery point and are net of internal consumption.
- 9. Scheduled Outage period per annum shall be in accordance with the 2006 standardized PPA.
- 10. NTDC will be responsible for constructing the interconnection to the grid unless agreed otherwise between the parties.
- 11. All invoicing and payment terms are assumed to be in accordance with the standardized PPA attached with the Request for Proposal (RFP).
- 12. Tolerance in Dispatch shall be in accordance with sandardized PPA attached with RFP.
- 13. The tariffs are based on indicative financing plans proposed by the Bidders. The Bidders may change their lenders and financing plans with the prior written approval of PPIB, without any adverse change in the financing terms, tariff, GoP/Power purchaser obligation and project implementation sheedule. Any advantage of the above modification will be shared between the Power Purchaser/GoP and the Bidders in the ratio of 60:40.
- 14. No corporate income tax and no minimum turnover tax has been assumed.
- 15. Working capital has been financed by a separate Working Capital Facility, and is not included in the project cost.



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