



National Electric Power Regulatory Authority Islamic Republic of Pakistan

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Registrar

No. NEPRA/DG(Tariff)/TRF-362/K-Electric-2016/ 18080-84

July 14, 2023


Chief Executive Officer
K-Electric Limited (KEL)
KE House, Punjab Chowrangi,
39 – B, Sunset Boulevard, Phase-II
Defence Housing Authority, Karachi.

Subject: Decision of the Authority in the matter of Monthly Fuel Charges Adjustment of K-Electric Limited for the month of May 2023 and Notification (S.R.O. 918 (I)/2023 dated 14.07.2023) Thereof

Enclosed please find herewith a copy of decision of the Authority along with Dissent note of Mr. Rafique Ahmed Shaikh, Member NEPRA in the matter of fuel charges adjustment for the month of May 2023 in respect of K-Electric Limited (total 9 Pages), and Notification (S.R.O. 918(I)/2023 dated 14.07.2023) thereof. This is for information and further necessary action.

2. While effecting the Fuel Adjustment Charges, K-Electric Ltd. shall keep in view and strictly comply with the orders of the court(s), if any, notwithstanding this order.

Enclosure: As above (Decision along Notification is also available on NEPRA's website)


(Engr. Mazhar Aqbal Ranjha)

Copy to: (alongwith copy of subject Decision):

1. Secretary, Ministry of Energy, Power Division, 'A' Block, Pak Secretariat, Islamabad.
2. Secretary, Cabinet Division, Cabinet Secretariat, Islamabad.
3. Secretary, Ministry of Finance, 'Q' Block, Pak Secretariat, Islamabad.
4. Secretary, Privatization Commission, 4th Floor, Kohsar Block, Constitution Avenue, New Secretariat, Islamabad

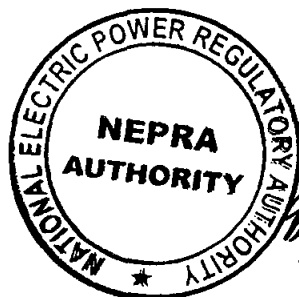
**DECISION OF THE AUTHORITY IN THE MATTER OF MONTHLY FUEL CHARGES
ADJUSTMENTS OF K-ELECTRIC LIMITED FOR THE MONTH OF MAY 2023**

1. Pursuant to the provisions of Section 31(7) of the Regulation of Generation, Transmission and Distribution of Electric Power Act 1997, and as per the mechanism for monthly, quarterly and annual adjustments provided in the tariff determination of K-Electric Limited (herein referred to as "K-Electric or KE") dated July 05, 2018, duly notified in the official Gazette vide SRO No. 576(I)/2019 dated May 22, 2019, the Authority has to review and revise the approved tariff on monthly, quarterly and annual adjustments.
2. As per the mechanism provided in the determination, impact of change in KE's own generation fuel cost component due to variation in fuel prices, generation mix & volume shall be passed on to the consumers directly in their monthly bills in the form of Fuel Charges Adjustment (FCA). Similarly, impact of change in the fuel component of Power Purchase Price (PPP) due to variation in fuel prices & energy mix shall also be passed on to consumers through monthly FCA.
3. However, the impact of monthly variations in million rupees in K-Electric's own generation's fuel cost component as well power purchase price to the extent of targeted T&D losses, not taken into account in the monthly FCAs, shall be adjusted on quarterly basis.
4. Pursuant to notification of the determined MYT, K-Electric filed its initial monthly FCA request for May 2023 and, later, revised as under;

Month	Mln Rs.	Rs./kWh
May-23	2,780	1.495

Hearing

5. Since the impact of any adjustments has to be made part of the consumer end tariff, therefore, the Authority, in order to provide an opportunity of hearing to all the concerned and meet the ends of natural justice, decided to conduct a hearing in the matter.
6. The Authority scheduled hearing in the matter of FCA of K-Electric for the month of May 2023 on July 05, 2023 at NEPRA Tower and through ZOOM. Notices in this regard were published in the newspaper on June 20, 2023 and also uploaded on NEPRA's website along-with adjustment requests filed by K-Electric.
7. Following issues relevant with the monthly FCA were framed for discussion during the hearing;
 - i. Whether the requested Fuel Price Variation is justified?
 - ii. Whether K-Electric has followed the merit order while giving dispatch to its power plants as well as power purchases from external sources?



8. The hearing was attended by representatives of K-Electric including its financial and technical team. Representatives from Media and General Public also attended the hearing. KE in its FCA request submitted that calculation for the current month is based on CPPA-G's requested fuel cost component for the current month and is subject to adjustment based on the final determination of XWDISCOs FCA for the current month by NEPRA.

9. The Authority noted that the Power purchase agreement was signed between NTDCL and K-Electric on January 26, 2010 for five years for sale/purchase of 650 MW on basket rates. Subsequently, a decision was made by the Council of Common Interest (CCI) in its meeting held on November 08, 2012 with respect to the modalities for withdrawal of electric power from NTDCL by the Petitioner, wherein it was decided to reduce the supply of energy by 300MW from NTDCL to K-Electric. However, the aforementioned decision of the CCI has been impugned by way of suits /petitions by K-Electric in the Honorable High Court of Sindh at Karachi. No new agreement has been signed between K-Electric and NTDCL till date, and K-Electric is continuing to draw energy from the National Grid, which at present is around 1100 MW.

10. K-Electric, in its adjustment requests, has certified that it despatches as per Economic Merit Order from its own generation units (with the available fuel resources) and import from external sources. It also certified that the cost of fuel and power purchase claims do not include any amount of late payment surcharge/mark-up/interest.

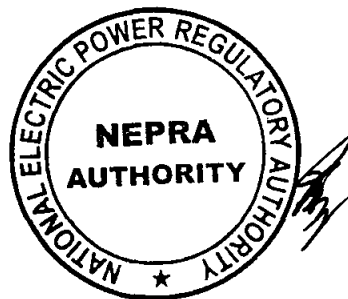
11. Mr. Tanveer Bari, a commentator, submitted that the cost of KE's own generation has been high for a long time and that there is a need to induct renewable energy.

12. Mr. Muhammad Aleem, a commentator, inquired the recovery levels of KE from government sector customers to which KE replied that they have been recovered 100% of the billed amount from them.

13. K-Electric provided the plant wise generation statistics sheet, signed by K-Electric. The plant wise statistic sheets provide information in terms of Plant Capacity, Actual Units Generated, Actual Auxiliary consumption, Net Generation and Bus Bar sent outs, Actual Heat Rates, fuel consumption & cost of Fuel and Generation cost per unit. In addition K-Electric also provided copies of invoices raised by Fuel Suppliers and copies of invoices raised by IPPs.

14. Here it is pertinent to mention that the Authority in the FCA decision for September 2022, had directed K-Electric to ensure that supply of RLNG be diverted to other power plants only when it meets the criteria for economic merit order.

15. The Authority based on the information, data and record provided by K-Electric, has analyzed the FCA claim of K-Electric and issue wise discussion is given hereunder;



Issue: Whether the requested Fuel price variations are justified?

K-Electric Own Generation

16. K-Electric has provided information in terms of plant capacity, actual units generated, actual auxiliary consumption, net generation and bus bar sent outs, actual heat rates, fuel consumption & cost of fuel and generation cost per unit. While going through the data / information provided by K-Electric regarding fuel cost of energy from its own power plants, the Authority's observations are as under;

17. K-Electric, as required under the MYT, carried out heat rate test of KCCPP. Pursuant thereto, the Authority, in its decision dated 02.09.2020 decided as under;

"i. For the period from July 2016 to May 2019, the heat rate i.e. 8,250.06 Btu/kWh - net HHV, corresponding to 41.36% efficiency is approved with no further adjustment for degradation and partial loading allowed.

ii. For the period from June 2019 to June 2023, the heat rate i.e. 8,377.032 Btu/kWh - net HHV, corresponding to 40.732% efficiency is approved. This heat rate will be applicable for the control period on flat basis, without any additional adjustment for other parameters.

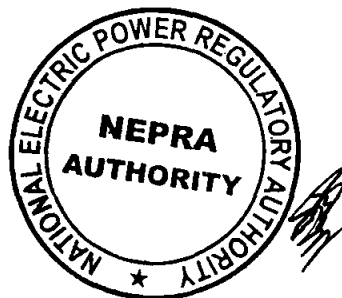
iii. KE is required to conduct maintenance including Major Overhaul of its plants / units as per prudent utility practices and recommendations of OEM.

iv. In case of non-requirement of Gas compressors - the relevant capacity and Heat rates would be adjusted. For such a scenario, relevant capacity and heat rates calculated during the present tests would be used."

18. Here it is pertinent to mention that Authority vide order dated August 4, 2022 have approved 3rd party Heat Rate Test for 248 MW KCCPP on HSD and has revised the heat rate based on Gas/RLNG as well. Based on the above, heat Rate of 8,477 BTU/kWh for KCCPP operation of Gas/RLNG has been used as per the decision dated August 4, 2022.

19. The cost of BQPS-III has been worked out using an auxiliary of 2.047% based on HHV combined cycle efficiency 6,381 BTU/kWh, at 100% load. This has resulted in a total cost of Rs.12,931.79 million for operation of BQPS-III on RLNG in the current month, which is accordingly being allowed. The cost is being allowed strictly on provisional basis, subject to final determination of price etc.

20. During the instant month, K-Electric has claimed energy for BQPS-II with the following energy sent out, auxiliaries & heat rates.



Description		Units Generated	Requested Auxiliaries %	Requested Heat Rate BTU/kWh
Gas with One Compressor	Indeginous Gas	3.438	4.54%	8,238.42
Gas with Two Compressor	Indeginous Gas	8.655	6.11%	8,380.74
RLNG SSGC with No Compressor	LNG	20.257	2.97%	8,100.85
RLNG SSGC with One Compressor	LNG	21.685	4.54%	8,238.42
RLNG SSGC with Two Compressor	LNG	54.593	6.11%	8,380.74
RLNG on PLL No Compressor	LNG	20.257	2.97%	8,100.85
RLNG on PLL One Compressor	LNG	40.118	4.54%	8,238.42
RLNG on PLL Two Compressor	LNG	17.7514	6.11%	8,380.74

21. KE's submissions regarding BQPS-II have been considered by the Authority on provisional basis, subject to adjustment, if required, once the required NEPRA Technical decision in the matter are taken by NEPRA.

22. For remaining KE own generation fleet heat rates as approved by the Authority has been considered while working out the instant monthly Fuel charges Adjustment.

23. The generation reported by K-Electric in its adjustment requests have been checked from the plant wise generation statistics sheet; the units sent out have been worked out based on the Authority's allowed Auxiliaries. The units sent out so worked out are in agreement with the sent outs claimed by K-Electric in its adjustment requests.

Power Purchase Price- Fuel Cost

24. While going through the data / information provided by K-Electric regarding fuel cost of energy purchased from external sources, the Authority's observations are as under;

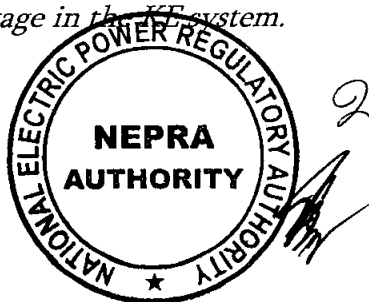
25. Upon expiry of allowed tariff for GAEL and TEL, the Authority decided to extend the term of tariff till 30.04.2023 or lifting of moratorium period (whichever is earlier).

26. Besides filing appeal in the NEPRA Appellate Tribunal, TEL also filed motion for leave for review (MLR) against decision of the Authority dated January 23, 2023.

27. The decision of the Authority was challenged by TEL in the NEPRA Appellate Tribunal which was disposed by the Tribunal on April 12, 2023 by passing following order:

"The learned counsel for the parties on instructions have fairly agreed for disposal of appeal in terms referred in mark "A", salient features whereof are reproduced for ready reference:

- i. That NEPRA shall decide all the pending issues raised in the Review Application in accordance with law.*
- ii. That NEPRA shall additionally take into account the letter dated April 03, 2023 sent by KE to NEPRA and the Power Acquisition Program furnished by KE in determining the term of the Tariff being granted to the Appellant given the power shortage in the KE system.*



iii. *The Appellant will continue to supply electricity to KE on the existing tariff and terms and conditions and KE shall also follow the same until a decision is made by NEPRA in the Review Application.*

The request being genuine is allowed and the appeal is disposed of accordingly. The Review Petition be decided at the earliest in accordance with Law, Rules after affording right of audience to all the stakeholders."

28. Similarly, Gul Ahmad Energy, being aggrieved of the decision dated February 22, 2023, filed motion for leave against decision of the Authority dated February 22, 2023.

29. The decision of the Authority was also challenged by GAEL in the NEPRA Appellate Tribunal was disposed by the Tribunal on April 12, 2023 by passing following order:

"The learned counsel for the parties on instructions have fairly agreed for disposal of appeal in terms referred in mark "A ", salient features whereof are reproduced for ready reference:

i. *That NEPRA shall decide all the pending issues raised in the Review Application in accordance with law.*

ii. *That NEPRA shall additionally take into account the letter dated April 03, 2023 sent by KE to NEPRA and the Power Acquisition Program furnished by KE in determining the term of the Tariff being granted to the Appellant given the power shortage in the KE system.*

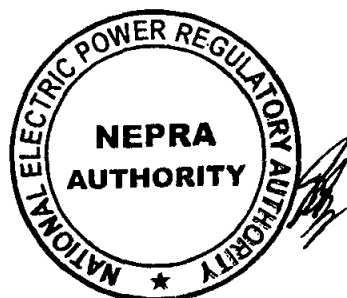
iii. *The Appellant will continue to supply electricity to KE on the existing tariff and terms and conditions and KE shall also follow the same until a decision is made by NEPRA in the Review Application.*

The request being genuine is allowed and the appeal is disposed of accordingly. The Review Petition be decided at the earliest in accordance with Law, Rules after affording right of audience to all the stakeholders."

30. In the case of GAEL and TEL, till the decision of the Authority in matter of Motion for Leave for Review is finalized, the Authority has decided to provisionally allow the fuel cost for GAEL and TEL for the FCA of KE for the month of May 2023.

31. The Authority observed that K-Electric is being directed to provide CV test reports for both Tapal and Gul Ahmed Power Plants. KE has submitted CV test report of Tapal and Gul Ahmed from HDIP & SGS lab and used the average of the two reports in the FCA request. The Authority has considered the higher of the two CVs which has resulted in negative adjustment of Rs.1,428,312 and Rs.1,155,339 for Tapal and Gul Ahmed power plants respectively.

32. The Authority, further, observed that Gul Ahmed's claim for the month of May 2023 is greater than the amount verified through the invoices provided. Resultantly, an amount of



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Rs.375,252 has been deducted from the claim of Gul Ahmed in the FCA of KE for the month of May 2023.

33. Regarding cost of energy purchased from CPPA-G during the current month, K-Electric has used the rate of Rs.9.8817/kWh, however, the Authority's approved fuel cost component, in the matter of XWDISCOs for the current month is Rs.9.7724/kWh. In view thereof, while working out the instant FCA of K-Electric, rate approved by the Authority for XWDISCOs for the month under review has been incorporated for the energy purchased by K-Electric from CPPA-G during the month. This has resulted in decrease in total fuel cost by around Rs.86.41 million.

34. The Authority vide decision dated 04.06.2021, based on the Heat Rate tests conducted for SNPC and SNPC-II, revised their net capacities and Heat Rates. The Authority revised the net capacity and Heat Rate of SNPC-I as 51.154 MW and 8194.25 Btu/kWh - net HHV equivalent to 41.90% efficiency. Similarly, net capacity and Heat Rate of SNPC-II have been revised as 51.526 MW and 8,143.699 Btu/kWh - net HHV equivalent to 41.64% efficiency. The Authority afterwards vide decision dated 21.09.2021, granted interim relief to SNPC and SNPC-II, in relevant tariff components i.e. Fuel Cost components and Capacity charge components of generation tariff, on account of revision in heat rates and net capacities. As per the decision dated 21.09.2021, FCC of both SNPC and SNPC-II have been revised as Rs.4.0971/kWh and Rs.4.0718/kWh respectively, based on the revised heat rates and reference gas price of Rs.500/MMBTU.

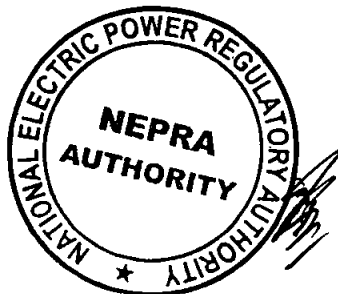
35. Here it is also pertinent to mention that the Authority determines the FCC of SNPC and SNPC-II, as and when required, owing to change in gas prices. KE in its request has claimed FCCs of Rs.7.0224/kWh for SNPC & Rs.6.9791/kWh for SNPC-II, in line with the decision dated 20.06.2022 for both for SNPC and SNPC-II. The same has been considered in the instant adjustment on provisional basis.

36. The Petitioner in its request has also included 5.75 GWh for the Net Metering units procured during May 2023. The Authority has considered this energy as part of the FCA for the month of May 2023.

Issue: Whether K-Electric has followed the merit order while giving dispatch to its power plants as well as power purchases from external sources?

37. The Authority carried out an in-house analysis of the data provided by K-Electric for the month, to work out the financial impact due to deviation from EMO.

38. Regarding the financial impact due to underutilization of efficient plants namely KCCP, KGTPS & SGTPS etc on account of lower gas pressure, a letter was issued to KE on September 16, 2021, whereby, it was directed to resolve its gas pressure/lower gas quantity issues within thirty (30) days. In response, KE has informed that it is in the process of resolving the lower gas pressure issue, however, there are certain meetings with stakeholders that will



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take place in due course of time. As of now, no GSA has been finalized between KE and SSGC despite the directions of the Authority.

39. In view of the aforementioned discussion and after incorporating the above discussed adjustments, the Authority has decided to allow the following positive FCA for the month of May 2023, to be passed on to the consumers in their monthly bills of July 2023;

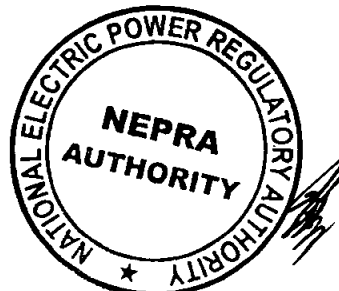
Description	Unit	Reference	Revised	
		Mar-23	May-23	
Fuel Cost	Own Generation	Rs. Mln	13,748	21,374
	External Purchases	Rs. Mln	10,135	11,073
	Deviation from EMO	Rs. Mln	(1.42)	-
	Previous Adjustment	Rs. Mln	(242)	-
	Total	Rs. Mln	23,638	32,447
Total Units	Own Generation	GWh	520	883
	External Purchases	GWh	958	978
	Total	GWh	1,478	1,860
Fuel Cost Component (FCC)	Own Generation	Rs./kWh	9.3022	11.4893
	External Purchases	Rs./kWh	6.8575	5.9519
	Deviation from EMO	Rs./kWh	(0.0010)	-
	Previous Adjustment	Rs./kWh	(0.1640)	-
	Total	Rs./kWh	15.9947	17.4412
Fuel Charges Adjustment (FCA)	Own Generation	Rs./kWh		2.1871
	External Purchases	Rs./kWh		(0.9056)
	Deviation from EMO	Rs./kWh		0.0010
	Previous Adjustment	Rs./kWh		0.1640
	Total	Rs./kWh		1.4465
Variation in Fuel Cost	Total	Rs. Mln		2,691

40. Here it is pertinent to mention that the impact of monthly FCA, which is not passed on to certain categories of consumers, would be accounted for in the quarterly adjustments.

41. KE, vide letter dated July 06, 2023 has requested that since the billing cycle for KE has started before the issuance of the instant FCA decision, it may be allowed to recover the FCA of May 2023, for bills of July 2023 already issued, in the month of August 2023. The same has been considered by Authority and accordingly, KE is allowed to recover the FCA of May 2023 in August 2023 for such consumers whose bills have been issued before the notification of the instant decision.

42. In the light of above, the Authority hereby directs K-Electric that the positive FCA of May 2023 as worked out above;

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- a. Shall be applicable to all the consumer categories except lifeline consumers.
- b. Shall be shown separately in the consumers' bills on the basis of units billed to the consumers in the respective month to which the adjustment pertains.
- c. K-Electric shall reflect the fuel charges adjustment in respect of May 2023, in the billing month of July 2023.
- d. While effecting the Fuel Adjustment Charges, K-Electric shall keep in view and strictly comply with the orders of the courts notwithstanding this order.

AUTHORITY

M N Rana

Mathar Niaz Rana (nsc)
Member

Dissent attached.

(7)

Rafique Ahmed Shaikh

Rafique Ahmed Shaikh
Member

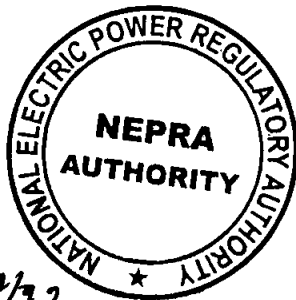
Engr. Maqsood Anwar Khan

Engr. Maqsood Anwar Khan
Member

Amina Ahmed
Member

Tauseef H. Farooqi

Tauseef H. Farooqi
Chairman



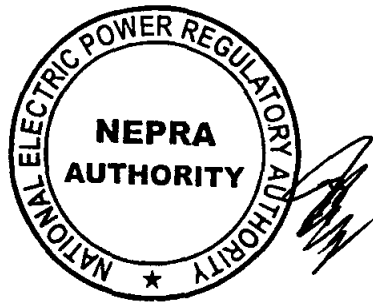
Dissent Note:

The KE is continuously being directed to increase the share of renewable energy in its generation basket for reasons including a) to reduce the EPP, b) to induct clean energy in the system, and c) to reduce burden of foreign exchange from national exchequer. It is, however noted that KE could not be able to achieve satisfactory progress in the matter.

The matter was again taken up during the public hearing of FCA held in the matter on July 05, 23. The K-Electric during public hearing informed that it's RFP in the matter is pending at NEPRA for want of approval.

In view of above, I am constrained not to sign this decision till time justification of delay in approving all RFPs is placed before the undersigned.

Retain
12/07/23



To Be Published in
Official Gazette of Pakistan Part-II

National Electric Power Regulatory Authority




NOTIFICATION

Islamabad, the 14th day of July 2023

S.R.O. 918 (I)/2023.- Pursuant to Section 31(7) 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 and as per the mechanism for monthly, quarterly and annual adjustments provided in the Tariff Determination of K-Electric Ltd. dated July 05, 2018 duly notified in the official Gazette vide SRO No. 576(I)/2019 dated May 22, 2019, National Electric Power Regulatory Authority (NEPRA) makes and notifies the following adjustment in the approved tariff on account of variation in fuel charges for the month of May 2023 in respect of K-Electric Limited:

FCA to be calculated on the basis of billing for the Month of	Rs./kWh	Charged in Consumer Bills to be issued in the Billing Month of
May 2023	1.4465	July 2023

2. The positive FCA of May 2023:
 - a) Shall be applicable to all the consumer categories except lifeline consumers.
 - b) Shall be shown separately in the consumers' bills on the basis of units billed to the consumers in the respective month to which the adjustment pertains.
 - c) K-Electric shall reflect the fuel charges adjustment in respect of May 2023, in the billing month of July 2023. KE is allowed to recover the FCA of May 2023 in August 2023 for such consumers whose bills have been issued before the notification of the instant decision.
3. While effecting the Fuel Adjustment Charges, K-Electric Ltd. shall keep in view and strictly comply with the orders of the courts notwithstanding this order.


(Engr. Mazhar Iqbal Ranjha)
Registrar

