

**National Electric Power Regulatory Authority**

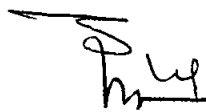
**NOTIFICATION**



Islamabad, the 27<sup>th</sup> day of May, 2022

S.R.O. 708 (I)/2022.- In pursuance of Sub-Section 7 of Section 31 of the Regulation of Generation, Transmission and Distribution of Electric Power Act, 1997 (XL of 1997), NEPRA hereby notifies the Decision of the Authority in the matter of Motion for Leave for Review filed by Jamshoro Power Company Ltd. (JPCL) against Determination dated 27.08.2021 in Case No. NEPRA/TRF-543/JPCL-2020.

2. While effecting the Decision, the concerned entities including Central Power Purchasing Agency Guarantee Limited (CPPAGL) shall keep in view and strictly comply with the orders of the courts notwithstanding this Decision.

  
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(Syed Safeer Hussain)  
Registrar

**DECISION OF THE AUTHORITY IN THE MATTER OF MOTION FOR LEAVE FOR  
REVIEW FILED BY JAMSHORO POWER COMPANY LIMITED AGAINST  
DETERMINATION DATED AUGUST 27, 2021**

**1. BACKGROUND**

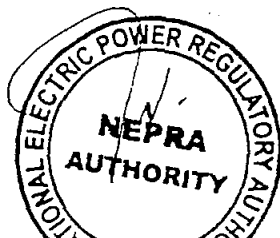
- 1.1. Jamshoro Power Company Limited (herein after referred to as JPCL or the Petitioner) is a public limited company incorporated on August 3<sup>rd</sup>, 1998 and commenced its commercial operation on March 1<sup>st</sup>, 1999. JPCL was granted a Generation License No. GL/01/2002 on July 1<sup>st</sup>, 2002 for a term of nineteen (19) years. Moreover, four modifications have so far been made in the Generation License of JPCL. Kotri Power Station of JPCL has been completely de-licensed and the term of the TPS Jamshoro has been extended up to 2029.
- 1.2. JPCL vide letter No. CEO/JPCL/3480 dated October 19<sup>th</sup>, 2020 filed the modification petition for approval/determination of revised tariff. Decision of the Authority in the matter was issued on 27<sup>th</sup> August 2021. Breakup of Requested and Approved Costs and Tariff are as under:

Description	Requested Cost Rs. (Mil)	Approved Cost Rs. (Mil)	Approved Tariff Rs. (Mil)
<b>Escalable Component:</b>			
Fixed O&M-Salaries & Wages	2,850	2,850.00	1.9280
Fixed O&M-Repair & Maintenance	387	299.00	0.2023
Fixed O&M-Administrative Expenses	173	173.00	0.1170
<b>Total Escalable</b>	<b>3,410</b>	<b>3,322.00</b>	<b>2.2473</b>
<b>Non-Escalable Component:</b>			
Insurance	8	2.40	0.0016
Depreciation	596	44.54	0.0301
Finance Charges	23	15.44	0.0104
Return on Equity/Investment	661	39.20	0.0265
<b>Total Non-Escalable</b>	<b>1,288</b>	<b>101.58</b>	<b>0.0686</b>
Other Income	(36)	(35.75)	(0.0242)
<b>Total CPP</b>	<b>4663</b>	<b>3,387.83</b>	<b>2.2917</b>

**2. FILING OF MOTION FOR LEAVE FOR REVIEW**

- 2.1. JPCL vide letter No. Nil dated September 10<sup>th</sup>, 2021 filed a motion for leave for review against decision of the Authority dated August 27<sup>th</sup>, 2021 Under Section 16(6) of NERPA (Tariff Standards and Procedures) Rules, 1998 read with Regulation 3(2) of the NEPRA (Review Procedure) Regulation 2009. Grounds of the review motion are as under:

- i. Legal Basis ("Take & Pay" or "Take or Pay")
- ii. Reduction of RoE from 13.11% to 10%
- iii. Fixed O&M Cost (Escalable Component- CPP)

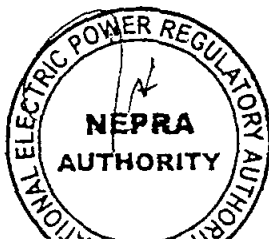


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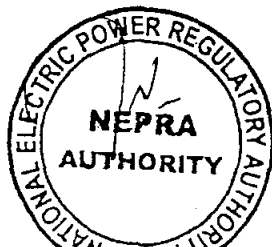
- a. Salaries and Wages:
  - b. Administrative Expenses
  - c. Repair and Maintenance
  - iv. Start-up costs
  - v. Partial Loading Adjustment Correction Factors
- 2.2. The Authority admitted the subject review motion on October 07, 2021.
- 3. HEARING**
- 3.1. Hearing in the matter was scheduled on October 14<sup>th</sup>, 2021. Notices of the aforementioned hearing were issued on October 07<sup>th</sup>, 2021 to stakeholders who were party to the original proceedings, i.e., CPPA-G (Power Purchaser), Planning Commission and PPDB along with Secretary (Power Division) and Cabinet Secretary for information.
- 3.2. Hearing was held as per schedule and was participated by representatives from JPCL, Ministry of Energy (Power Division) and CPPA-G.
- 4. CONSIDERATION OF VIEWS OF THE STAKEHOLDERS, ANALYSIS AND DECISION ON GROUNDS OF REVIEW**
- 4.1. The issue wise discussion, submissions of stakeholders, analysis and decision are provided in the succeeding paragraphs.
- Legal Basis ("Take and Pay" or "Take or Pay")**
- 4.2. According to the Petitioner, JPCL discovered upon perusal of the determination that the Authority had, of its own accord, changed its tariff from existing "take or pay" basis to "take and pay" basis which was neither the subject of the tariff modification nor of the comments filed by any of the stakeholders (the Impugned Revision).
- 4.3. According to the Petitioner, all courts and tribunals; judicial, quasi-judicial, and administrative adjudicatory bodies, are required to pass orders strictly in accordance with the parameters of the law that creates them. No court and/or tribunal has jurisdiction to grant arbitrary relief without the support of authority and power.
- 4.4. The Petitioner further submitted that the Impugned Revision would, without doubt, lead to financial ruin of the Petitioner, render it incapable of sustaining its workforce or pensioners. The said revision is consequently, a violation of Section 7(6) of the Act, which imposed upon the Authority the obligation to protect interests, inter alia, of companies providing electric power services in the performance of its functions under the Act. The Petitioner requested the Authority to examine the compliance of change of "take or pay" basis to "take and pay" basis to the existing Policy, as approved by the Council of Common Interests ("CCI").
- 4.5. The Petitioner submitted that the Authority may grant leave for review also to examine if proceedings before it were the right forum to decide the issue of whether the tariff should be ('take





or pay" or "take and pay", particularly when it was not an issue in the matter before it or an issue arising between the parties. The said issue did not arise from the Tariff Modification Petition, nor from the reports or comments of the stakeholders. A review is therefore called for to examine the legal effect and the consequence of a determination beyond the scope of the matter before the Authority at the relevant time;

- 4.6. According to the Petitioner, the impugned revision, and the determination in general, are premised on a purported decision of the Federal Government to decommission generating companies, which is a decision of the Cabinet Committee on Energy (CCoE) and remains a matter under consideration. A review is therefore also called for to examine the effect and legal consequence of reliance upon a decision of the CCoE to defeat a CCI approved policy and concluded contract between JPCL and CPPA-G. That the Impugned Revision amounts not just to the re-writing of a CCI approved policy, but also to rewriting the bargain entered between JPCL and CPPA-G through the Power Purchase Agreement ("PPA"), to which the Authority is not a party and to which it has no privity, making it an error apparent on the record. That in furtherance of the above, the Impugned Revision does not take into account the fact that change from "take or pay" to "take and pay" basis disentitles JPCL to a tariff component (and quantum) mandated by the Power Policy 2015 and agreed to by CPPA, a matter not to be interfered with in proceedings for modification of tariff.
- 4.7. The Petitioner further submitted that, if given effect, the Impugned Revision will lead to a legal anomaly, incongruent framework, bankruptcy of the Petitioner and large-scale unemployment, an end opposed to the purpose of the Authority's jurisdiction. Therefore, the Determination is opposed to the CCI approved policy, the purpose of regulation and the law as laid down by the August Supreme Court of Pakistan.
- 4.8. The legal counsel of the Petitioner also reiterated its submissions on 'take and pay' tariff during the review hearing. The representative of the MoE also supported the stance of the Petitioner and submitted that the continuity of 'take or pay' tariff may be allowed for remaining life of the plant. The representative of CPPA-G during the hearing supported 'take and pay' basis of tariff of JPCL and further submitted that in case the Authority decides to revise the tariff of JPCL from "Take and Pay" to "Take or Pay", then it is requested to make availability of JPCL on hourly basis as currently availability of all GENCOs are recorded on monthly basis. The Authority directed MoE and CPPA-G to submit written comments in the matter till 18th October 2021.
- 4.9. Ministry of Energy (Power Division) vide letter No. GPI-6(106)/2021 dated October 18, 2021 submitted that it was highlighted during the hearing that the relevant statutory provisions, the prevalent policy, existing tariff design, the contractual framework of the PPA, the statutory constraints regarding determination of tariff and plant availability requirement, warrant that JPCL is allowed to continue on Take or Pay basis. Moreover, Government's policy decisions were based on reduction of ROE for the plant and did not include any decision on conversion to a 'take and pay' structure. The Power Division supports JPCL petition and NEPRA is requested to affirmatively consider JPCL's case for continuation of the existing tariff mechanism, i.e., 'Take or Pay' for remaining life of the Plant.
- 4.10. The submissions of the Petitioner, MOE (Power Division) and CPPA-G have been examined. The contention of the Petitioner that the Authority, of its own accord, changed its tariff from existing



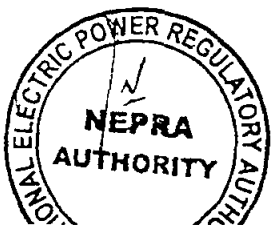


“take or pay” basis to “take and pay” basis is false. In this regard, Rule 9(2) of Tariff Rules 1998 provides as “-----in framing the issues, the Authority may exclude one or more issues or matters raised or stated in the pleadings, and may also include additional issues or matters not raised in the pleadings.” Accordingly, the Authority framed the issue “whether the tariff should be on ‘Take or Pay’ basis or on ‘Take and Pay’ basis”. In addition to informing the petitioner and the relevant stakeholders, the framed issues were widely publicized in national newspapers on 1<sup>st</sup> January 2021. The issue was deliberated during the hearing and the Petitioner made its submissions on the aforesaid issue.

- 4.11. Regarding the referred CCoE decision, the subject decision has nothing to do with ‘take and pay’ basis of the impugned decision. However, it was a fact and the same was narrated in the determination of the Authority. CCoE decision specifies closure of units 2&3 immediately and units 1&4 in 2022 only. The Authority approved tariff on the basis of net capacities of all four units. There is no relationship of the impugned decision with CCoE decision.
- 4.12. Regarding rewriting of the PPA as a result of the impugned decision, it would not be out of place to refer the clause in Section 1 of Part I of Schedule 1 of the PPA which provides as under:
- “Payments to be made to the seller under this Agreement shall be calculated in accordance with the Agreement and as per NEPRA determination as on Effective Date and subsequently on any determination in consideration of any petition made to NEPRA by the parties to the agreement.”[**Emphasis added**]
- 4.13. Therefore, the payments under the PPA are subject to tariff determination by the NEPRA Authority upon filing of the tariff petition as agreed by both the parties in the PPA.
- 4.14. As far as applicability of the power policy is concerned, it is pertinent to mention that units of JPCL were commissioned in December 1989 to January 1991 and that was well before the referred power policy, therefore, the provisions of the referred power policy are not applicable to JPCL/Petitioner.
- 4.15. The Authority is of the considered opinion that all material facts were taken into account while issuing the impugned tariff determination. The Authority has decided to maintain its earlier decision of ‘take and pay’ basis of tariff for JPCL/Petitioner.

**Reduction of RoE from 13.11% to 10%**

- 4.16. The Authority has approved the Return on Equity/Investment cost of Rs. 39.20 million. According to the Petitioner, this decision needs to be reviewed by the Authority because GOP only directed reduction of ROE from 13.11% to 10% from the existing ROE tariff. According to the Petitioner, this tariff was allowed since grant of the first tariff on equity capital amounting to Rs. 6,982 million upon unbundling of WAPDA. Therefore, JPCL requested the Authority to review this aspect and allow 10% ROE amounting to Rs. 599.78 million per annum.
- 4.17. The submissions of the Petitioner have been reviewed. Since depreciation is the recovery of capital investment, it was appropriate to allow return on net fixed assets in operation instead of equity capital. The decision is in line with the applicable mechanism in case of distribution companies, National Transmission and Dispatch Company Limited, WAPDA Hydro Electric, Northern Power





Generation Company Limited (NPGCL) and in case of generation companies where equity is redeemed. Accordingly, Rs. 39.20 million was allowed @10% on equity portion of net fixed assets in operation of Rs. 392.049 million as on 30-6-2020 (reduced by outstanding long term debt of Rs. 88.253). Therefore, the request of the Petitioner to allow ROE of Rs. 599.78 million per annum on equity of Rs. 6,982 million is not justified and the Authority has decided to maintain its earlier decision in the matter.

**Fixed O&M Cost (Escalable Component- CPP)**

4.18. JPCLs fixed O&M cost consists Salaries and Wages, Administrative expenses and Repair and maintenance expenses.

**a. Salaries and Wages**

4.19. The Authority approved Salaries & Wages cost of Rs. 2,850 million as per the request made in the petition subject to CPI indexation. JPCL in its Review requested to revise the actual cost of Rs. 3,804 million per annum along with disparity reduction allowance (DRA) and CPI indexation.

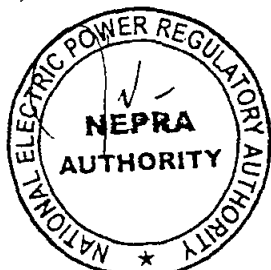
4.20. According to the Petitioner, out of actual salaries & wages cost of Rs. 3,804 million for FY 2019-20, cost of Rs. 954 million pertains to de-licensed power plant Kotri. JPCL has requested cost of Rs. 2,850 million which pertains to TPS Jamshoro only.

4.21. JPCL submitted that while realizing that the employees are company employees not the plant employees, and their salaries, pensions and allowances are protected being Federal Government employees, JPCL presented the overall employees cost of the company in the sum of Rs 3,804 million per year at the hearing of February 16, 2021 and supplied additional data through email dated February 17, 2021, with the submission to consider it as overall employees cost for determining the tariff. JPCL requested the Authority to allow Rs. 3,804 million per annum on account of employees cost along with DRA and CPI indexation in the review.

4.22. The Petitioner further submitted that with respect to NEPRA's point of view on DRA it is submitted that the Board had never disallowed DRA. Since the Authority was considering the Tariff Modification Petition at the relevant time, the Board was of the opinion that the Authority be requested to consider the DRA jointly with other matters in the tariff modification petition.

4.23. The submissions of the Petitioner have been examined. The approved salaries & wages cost of Rs. 2,850 million pertains to employees of TPS Jamshoro plant. There is no justification to allow salaries and wages of employees of de-licensed power plant amounting to Rs. 954 million. The Economic Coordination Committee (ECC) of the Cabinet vide case No. ECC-123/11/2021 dated 07.04.2021 approved absorption of surplus GENCOs employees in DISCOs. The decision is also in line with the decision on similar issue in case of NPGCL. Accordingly, the Authority has decided to maintain its decision in the matter.

4.24. With respect to DRA, the Authority did not allow it as the same was not approved by the BOD of JPCL. The Petitioner did not provide the approval of the BOD with the review motion as well. Therefore, the same has also not been considered.





**b. Administrative Expenses**

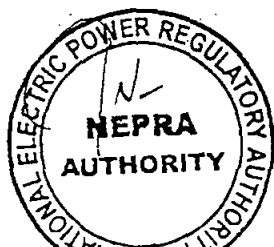
- 4.25. The Authority approved the Administrative Expenses of Rs. 173 million as requested by JPCL in the tariff petition. JPCL in the instant review motion requested the cost of Rs. 259 millions.
- 4.26. According to JPCL, the request is based on the record of three immediately preceding years which was provided by email dated February 22, 2021. The said record demonstrated that administrative expenses during the period total between Rs. 259 million per annum and Rs. 267 million per annum due to inflation and devaluation of the currency. Cost of Rs. 173 million was determined in 2015 at portion of TPS Jamshoro Capacity. Therefore, Determination to the extent of administrative costs is also amenable to review and JPCL is entitled to approval of administrative costs of Rs. 259 million per annum during FY 2019-20 (un-audited) with due Indexation for the lapsed period.
- 4.27. The submissions of the Petitioner have been examined. The Authority allowed administrative expenses of Rs. 173 million on the request of the Petitioner which is subject to CPI indexation from June 2020. However, the request of the Petitioner to allow indexation w.e.f. July 01, 2014 was not considered. In the review motion the Petitioner requested to allow cost of Rs. 259 million which also includes cost related to TPS Kotri and GENCO holding company. The Petitioner vide its email dated 25-10-2021 provided the following breakup of the cost:

Description	Rs. Mln.
Share of TPS Jamshoro	195
Share of TPS Kotri	19
GHCL Management Fee	45
Total	214

- 4.28. GENCOs are independent generation companies and all legitimate costs are taken into account in the tariff. If the owner desires to have a holding company for supervision, the cost should be borne by the owners out of profit instead of passing it on to the consumers. In case of NPGCL, GHCL management fee was not allowed. Similar methodology has been approved in the case of DISCOs for Management Fee of PEPCO. Like salaries and wages expenses, administrative expenses of Rs. 19 million pertains to delicensed TPS Kotri plant and has not be considered. The remaining expenses of Rs. 195 million seems justified. Accordingly, the Authority has decided to revise the approved administrative expenses to Rs. 195 million.

**c. Repair and Maintenance**

- 4.29. The Authority approved the Repair & Maintenance cost of Rs. 299 million against Rs. 387 million requested in the petition. JPCL in its Review requested to allow cost of Rs. 387 million.
- 4.30. According to JPCL, The Authority has decided to allow average repair & maintenance cost of Rs. 299 million over the last four years along with CPI indexation on the basis of NCPI of June 2020. JPCL requested to maintain existing 387 million per annum cost in respect of TPS Jamshoro along with indexation. The reason is that despite of reduction in despatch from NPCC, machines remained on standby and hence recommended major overhauling hours were not completed. However, in case of significant despatch in future, machines will require overhauling and ultimately higher repair and maintenance cost will be incurred. The said machines have remaining





useful life up to 2029. JPCL requested the Authority to review and allow the previous cost of Rs. 387 million per annum indexed for the intervening period.

- 4.31. The submissions of the Petitioner have been reviewed. The Authority allowed average repairs & maintenance cost of Rs. 299 million over the last four years along with CPI indexation on the basis of NCPI of June 2020. The detail of actual expense during the last four years is provided hereunder:

Description	FY 2019-20	FY 2018-19	FY 2017-18	FY 2016-17	Average
	Rs. in Million				
Repair and Maintenance Costs	136	208	250	600	299

- 4.32. The trend of repairs & maintenance cost shows that the cost declines gradually with the decrease in net output. The trend also shows that the cost is semi variable in nature. Accordingly, the Authority has decided to maintain its earlier decision of average repairs & maintenance cost of Rs. 299 million over the last four years along with CPI indexation on the basis of NCPI of June 2020.

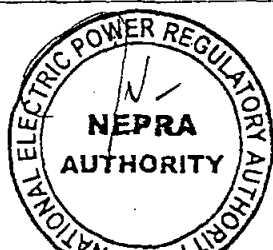
#### Start-up costs

- 4.33. JPCL requested the Authority to reconsider its request provided in the tariff modification Petition. In the earlier petition, JPCL prayed for the grant of startup costs in line with the Authority's decision in GENCO-III's case dated 19th October 2016 with effect from 26th November 2010, i.e., the execution of PPA, until the date of the Authority's decision and onward in line with the mechanism proposed to CPPA by JPCL vide letter dated 7th October 2020.
- 4.34. The submission of the Petitioner have been examined. The Authority has already decided to treat the matter of start-up cost of NPGCL and JPCL separately. As provided in the determination, a working level meeting in this respect was held in NEPRA on August 02, 2021 which was attended by the representatives of CPPA-G, NPCC, NPGCL and JPCL. Decision in the matter shall be issued after completing the separate proceedings.

#### Partial Loading Adjustment Correction Factors

- 4.35. According to JPCL, since 1998 it has operated on de-rated / dependable capacity rather than OEM capacity. NEPRA granted JPCL generation license on de-rated capacity in 2002. Similarly, JPCL first generation tariff and subsequent tariffs to the existing tariff were granted by NEPRA on de-rated or current dependable capacity. Therefore, it will be a case of Wednesbury unreasonableness to apply correction factors established on the basis of 100% OEM capacity. Consequently, correction factors established as result of CDC will be technically and logically applicable to charge partial load adjustment fuel charges as per following table:

Unit 1		Unit 2		Unit 3		Unit 4	
% Loading	Correction Factor	% Loading	Correction Factor	% Loading	Correction Factor	% Loading	Correction Factor
100	1.0000	100	1.0000	100	1.0000	100	1.0000
95	1.0050	95	1.0055	95	1.0058	95	1.0066





90	1.0115	90	1.0135	90	1.0129	90	1.0158
85	1.0193	85	1.0239	85	1.0212	85	1.0274
80	1.0285	80	1.0367	80	1.0307	80	1.0415
75	1.0391	75	1.0519	75	1.0415	75	1.0582
70	1.0511	70	1.0695	70	1.0535	70	1.0773
65	1.0644	65	1.0895	65	1.0668	65	1.0989
60	1.0792	60	1.1120	60	1.0812	60	1.1230
55	1.0953	55	1.1369	55	1.0970	55	1.1496
50	1.1128	50	1.1642	50	1.1139	50	1.1788

4.36. JPCL requested the Authority to apply CDC Correction Factors on percentage-loading of actual partial load, with respect to the CDC Load as per above table.

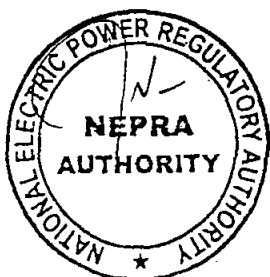
4.37. The submissions of JPCL regarding Partial Loading correction factors have already been considered by the Authority twice and the Authority did not agree with the same and decided to reject it and directed JPCL to apply the approved OEM correction factor for calculation of the partial loading. JPCL has not submitted any new evidence/information/documents regarding partial loading correction factors. Therefore, the request of JPCL for the review of the Correction Factors for the purpose of Partial Load Adjustment Charges does not merit consideration and the Authority has decided to maintain its earlier decision in the matter.

## 5. ORDER

5.1. Jamshoro Power Company Limited (JPCL) is hereby allowed to charge the following tariff on take & pay basis for sale of electricity to the Central Power Purchasing Agency (Guarantee) Limited:

### Capacity Charges

Description	Rs. Miln	Rs./kWh
<b>Escalable Component:</b>		
Fixed O&M-Salaries & Wages	2,850.00	1.9280
Fixed O&M-Repair & Maintenance	299.00	0.2023
Fixed O&M-Administrative Expenses	195.00	0.1319
<b>Total Escalable</b>	<b>3,344.00</b>	<b>2.2622</b>
<b>Non-Escalable Component:</b>		
Insurance	2.40	0.0016
Depreciation	44.54	0.0301
Finance Charges	15.44	0.0104
Return on Equity/Investment	39.20	0.0265
<b>Total Non-Escalable</b>	<b>101.58</b>	<b>0.0686</b>
Other Income	(35.75)	(0.0242)
<b>Total CPP</b>	<b>3,409.83</b>	<b>2.3067</b>



### Energy Charges

Energy Purchase Price	RFO	Gas	RLNG
	Rs./kWh		
JPCL Unit # 1	19.5519	-	-
JPCL Unit # 2	21.9576	6.9505	19.0945
JPCL Unit # 3	21.3659	6.7688	18.5952
JPCL Unit # 4	20.9160	6.6282	18.2090
Variable O&M	0.0925	0.0925	0.0925

5.2. The following adjustments/indexations shall be applicable:

#### i) Fuel Cost component

Fuel cost component on each fuel shall be subject to adjustment on account of actual variation in the price of fuel as per following mechanism:

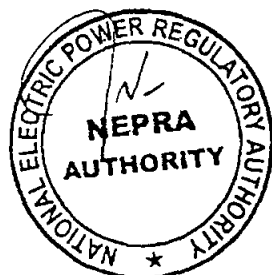
$FCC_{(Rev)}$	=	$FCC_{(Ref)} \times P_{(Rev)} / P_{(Ref)}$
Where:		
$FCC_{(Rev)}$	=	Revised Fuel cost component on RFO/Gas/RLNG
$FCC_{(Ref)}$	=	Reference Fuel cost component on RFO/Gas/RLNG
$P_{(Rev)}$	=	Revised Ex-GST delivered price of RFO/Gas/RLNG
$P_{(Ref)}$	=	Reference Ex-GST delivered price of RFO Rs. 72,897/ton, Gas Rs. 588.23/MMBTU and RLNG Rs. 1,615.99/MMBTU.

#### ii) Inflation Indexation

O&M components of tariff shall be adjusted on account of local Inflation (NCPI) biannually on 1st July and 1st January on the basis of latest available NCPI (General) published by Pakistan Bureau of Statistics as per the following mechanism:

$V. O\&M_{(REV)}$	=	$V. O\&M_{(REF)} \times NCPI_{(REV)} / NCPI_{(REF)}$
$F. O\&M_{(REV)}$	=	$F. O\&M_{(REF)} \times NCPI_{(REV)} / NCPI_{(REF)}$
Where:		
$V. O\&M_{(REV)}$	=	The revised Variable O&M Component of Tariff
$F. O\&M_{(REV)}$	=	The revised Fixed O&M Component of Tariff
$V. O\&M_{(REF)}$	=	The reference Variable O&M Component of Tariff
$F. O\&M_{(REF)}$	=	The reference Fixed O&M Component of Tariff
$CPI_{(REV)}$	=	The revised NCPI (General)
$CPI_{(REF)}$	=	The reference NCPI (General) for June 2020

#### iii) Adjustment on Account of Calorific Value



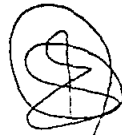
The adjustment on account of variation in calorific value will be allowed as per the following mechanism:

- a) The reference CV will be 18364 Btu/lb. There will however be no adjustment below the minimum limit of 18200 Btu/lb.
  - b) JPCL shall maintain and submit, annually a detailed record of consignment wise CV of the oil received and consumed for power generation for the adjustment on account of variation against the reference calorific value duly supported with the copies of test reports certified by the fuel supplier.
- 5.3. The impact of taxes has not been accounted for in the tariff. In case JPCL is obligated to pay any tax, the exact amount paid shall be reimbursed as per existing practice.
- 5.4. The above determined tariff shall take effect from the date of issuance of the tariff determination dated 27<sup>th</sup> August 2021.
- 5.5. The above tariff along with adjustment/indexation mechanism will continue to remain in force till the next tariff determined by the Authority and notified in the official gazette.

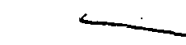
#### 6. NOTIFICATION

- 6.1. The above Order of the Authority is intimated to the Federal Government for notification in the Official Gazette in terms of Section 31(7) of the Regulations of Generation, Transmission and Distribution of Electric Power Act, 1997.

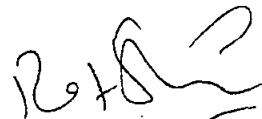
#### AUTHORITY



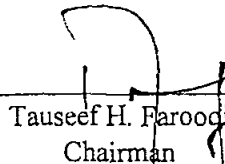
Rehmatullah Baloch  
Member



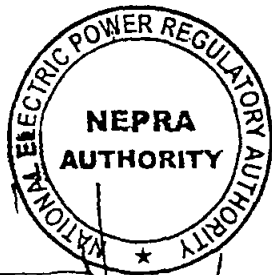
Engr. Maqsood Anwar Khan  
Member



Engr. Rafique Ahmed Shaikh  
Member



Tauseef H. Farooqi  
Chairman



23/12/21. 10



REGISTRAR

**National Electric Power Regulatory Authority**  
Islamic Republic of Pakistan

NEPRA Tower, G-5/1, Attaturk Avenue, Islamabad

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Website: [www.nepra.org.pk](http://www.nepra.org.pk), Email: [info@nepra.org.pk](mailto:info@nepra.org.pk)

No. NEPRA/TRF-543/JPCL/ 8280

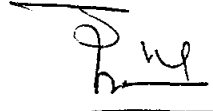
May 27, 2022

The Manager  
Printing Corporation of Pakistan Press (PCPP)  
Khayaban-e-Suharwardi,  
Islamabad

Subject: **NOTIFICATION REGARDING THE DECISION OF THE AUTHORITY  
IN THE MATTER OF MOTION FOR LEAVE FOR REVIEW FILED BY  
JAMSHORO POWER COMPANY LTD. (JPCL) AGAINST  
DETERMINATION DATED 27.08.2021**

In pursuance of Sub-Section 7 of Section 31 of the Regulation of Generation, Transmission and Distribution of Electric Power Act, 1997 (XL of 1997); enclosed please find herewith '*Decision of the Authority in the matter of Motion for Leave for Review filed by Jamshoro Power Company Ltd. (JPCL) against Determination dated 27.08.2021*' for immediate publication in the official Gazette of Pakistan. Please also furnish thirty five (35) copies of the Notification to this Office after its publication.

**Encl:** Notification (11 Pages) & CD

  
27 05 22  
(Syed Safeer Hussain)