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PART II

Statutory Notifications (S. R. O.)

GOVERNMENT OF PAKISTAN

**NATIONAL ELECTRIC POWER REGULATORY AUTHORITY
Competitive Bidding Tariff (Approval Procedure) Regulations, 2008**

NOTIFICATION

Islamabad, the 23rd September, 2008

S. R. O. 1039 (I)/2008.—In exercise of the powers conferred by section 47 of the Regulation of Generation, Transmission and Distribution of Electric Power Act, 1997 (XL of 1997) read with sub-clause (a) and (f) of sub-section (3) of section 7 thereof, the National Electric Power Regulatory Authority, hereby notifies the following regulations to lay down the procedure for approval of tariff determined through a competitive bidding.

PART - I

1. Short title and commencement.—(1) These regulations may be called the National Electric Power Regulatory Authority Competitive Bidding Tariff (Approval Procedure) Regulations, 2008.

(3867)

Price : Rs. 3.00

[3055 (2008)/Ex. Gaz.]

(2) They shall come in to force at once.

2. **Definitions.**—In these regulations unless there is anything repugnant in the subject or context,—

- (a) “Act” means the Regulation of Generation, Transmission and Distribution of Electric Power Act, 1997 (XL of 1997);
- (b) “application” means an application made by a person in accordance with the provision of these regulation and where the context so admits, include the document-in-support, and “application” be construed accordingly;
- (c) “competitive bidding tariff” means the tariff of a generation project arrived at through a process of competitive bidding, as administered by the Federal Government, any of its functionary or an agency recognized by the Authority;
- (d) “information” includes documents, accounts, reports, records, data returns or estimates of any description; and
- (e) “Registrar” means the office of the Authority appointed to perform the functions of the Registrar laid in these regulations;

(2) Words and expressions used but not defined in these regulations shall have the same meaning as in the Act.

PART-II

3. **Application for the approval of Competitive Bidding Tariff.**—

(1) An application for seeking approval of tariff arrived out of a competitive bidding shall be filed with the Registrar alongwith the following document support:—

- (a) certified copies of:
 - (i) Approval of the GOP;
 - (ii) Generation Licence or an application for the grant of a generation licence; and
 - (iii) Details of charges and term sheets.

(2) An application for the approval of a competitive bidding tariff shall be filed in triplicate.

(3) The applicant shall pay a non-refundable application fee to the Authority for the consideration and processing of the application, calculated in accordance with the Schedule attached to these regulations.

(4) The Registrar shall present the application for the approval of a competitive bidding tariff to the Authority within three days of the filing of any such application.

(5) The Authority may require the applicant to provide any further information or document-in-support before the grant of approval of the competitive bidding tariff.

(6) The decision of the Authority in respect of an application for the grant approval of a competitive bidding tariff shall be conveyed to the applicant within ten days of the receipt of complete information from the applicant.

MAHJOOB AHMAD MIRZA,
Registrar.

Schedule
[regulations 3(3)]

Part-I

**APPLICATION FOR THE APPROVAL OF COMPETITIVE BIDDING
TARIFF FEE**

Category of Licence	Fees (Million Rs.)
Upto 100 MW	0.25
101 to 500 MW	0.50
Above 500 MW	0.75

PART-II

INDEXATION OF FEES

1. The application fee for the approval of competitive bidding tariff payable by an applicant or the licensee, as the case may be, shall be indexed to the Consumer Price Index ("CPI") published from time to time by the Federal Bureau of Statistics.
2. The indexation shall be done on the basis of the most recent CPI prevailing on the date of payment of the application fee and the fee payable on the date of

payment shall be increased or decreased, as the case may be, in accordance with the following formula:

- $Fpd = Ft [CPIpd/CPIrd]$
- Where
- Fpd = The actual fee payable on the date of payment.
- Ft = The respective fee set out in Part I of this Schedule II.
- $CPIpd$ = The most recent CPI prevalent on the last day of the month immediately preceding the month in which application is made.
- $CPIrd$ = The reference or base CPI, prevalent on the last day of the month in which the National Electric Power Regulatory Authority Competitive Bidding Tariff (Approval Procedure) Regulations, 2008, are notified in the official Gazette.