



National Electric Power Regulatory Authority

Islamic Republic of Pakistan

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Registrar

No. NEPRA/SA(M&E)/LAT-01/ 2671

February 04, 2026

Managing Director,
National Grid Company of Pakistan Limited (NGC),
414-WAPDA House, Shahrah-e-Quaid-e-Azam
Lahore

Subject: Order of the Authority in the matter of: Revision in Minimum Loading Limits of M/S Lalpir and M/S Pakgen Power Plants

Enclosed please find herewith the Order of the Authority alongwith dissent note of Mr. Rafique Ahmed Shaikh, Ex-Member (NEPRA) (total 03 Pages) in the subject matter for information and compliance.

Enclosure: As above

(Syed Zavar Haider)

National Electric Power Regulatory Authority

(NEPRA)

Order

In the Matter of: Revision in Minimum Loading Limits of M/s Lalpir and M/s Pakgen Power Plants

1. The National Electric Power Regulatory Authority (hereinafter referred to as the "Authority" or "NEPRA") was established under Section 3 of the Regulation of Generation, Transmission and Distribution of Electric Power Act, 1997 (hereinafter referred to as the "NEPRA Act").
2. The National Transmission & Despatch Company Limited (now National Grid Company – NGC) (hereinafter referred to as the "Licensee") was granted a Transmission License (No. TL/01/2002 dated 31 December 2002) by the Authority under Section 17 of the NEPRA Act (now Section 16 after promulgation of the Regulation of Generation, Transmission and Distribution of Electric Power (Amendment) Act, 2018).
3. NEPRA had initiated legal proceedings against National Transmission & Despatch Company Limited (now National Grid Company – NGC) / National Power Control Center (Now Independent System and Market Operator (ISMO)) in the matter of revision in the minimum loading limits of M/s Lalpir and M/s Pakgen Power Plants from 20 percent to 50 percent without the prior approval of the Authority. Consequently, a fine of PKR 10 million was imposed upon NGC / ISMO for failure to discharge its responsibilities as System Operator under Section 18 of the NEPRA Act and Article 22 of its Transmission License.
4. Aggrieved by the said decision, NGC filed an appeal before the Appellate Tribunal (NEPRA). The Tribunal decided as follows:

"The parties will appear before Registrar (NEPRA), Islamabad, on 12th December 2022. The Authority will also consider the prayer of appellant, if pressed, for not initiating any coercive measures on the basis of order under review ... For the ends of justice, till the date the Authority takes cognizance of the review petition, as ad interim relief no coercive measures be taken. This ad interim relief shall be regulated, extended, modified or vacated, as the case may be, by the Authority in accordance with law, rules and regulations, after affording audience to all the concerned."



5. Accordingly, the case was remanded back to the Authority for fresh consideration. The Authority converted the remanded case into a Review Petition and re-examined the record and submissions made by the licensee.
6. The Authority reviewed the case and observed that the Power Purchase Agreements (PPAs) of M/s Lalpir and M/s Pakgen were executed under the 1994 Power Policy, which predates NEPRA's establishment. NEPRA had minimal oversight over these projects, as their tariffs and other terms/conditions were decided before the inception of the regulator. Further, at the time the amendments were executed, no clear regulatory framework was in place requiring the Authority's review or approval of PPAs or amendments thereto. Additionally, it was also considered that the amendments arose from renegotiations conducted on a purely bilateral basis, with each party negotiating terms to its own benefit and detriment.
7. After due deliberation, and in view of the above, the Authority has decided to close all proceedings in the subject matter. Accordingly, no further action shall be pursued in this regard.
8. The above direction is being issued for information and necessary compliance at your end.

Authority

Rafique Ahmed Shaikh
Member (Technical)

Disputed, not to be
[Signature]

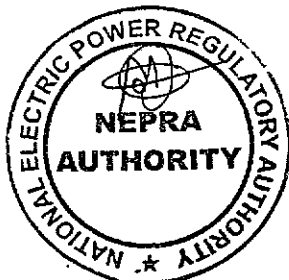
Amina Ahmed
Member (Law)

[Signature: Amina Ahmed]

Maqsood Anwar Khan
Member (Development)

[Signature: Maqsood Anwar Khan]

Chairman



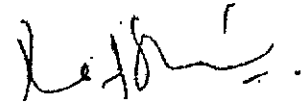
[Signature: W. S. Anwar]

Dated: Feb 04, 2026

Dissent Note of Member (Technical)

I respectfully disagree with the opinion of the learned majority members of the Authority that the parties to the PPAs executed for power plants established under the Power Policy of 1994 could amend those agreements on their own after the enactment of the NEPRA Act, 1997. I am of the considered view that the saving clause applicable to PPAs executed under the 1994 Power Policy—prior to the establishment of NEPRA—extended only to the period before the Authority came into existence. Any change or amendment to those PPAs made after NEPRA's establishment should have required prior approval of the Authority, particularly when such modifications impose additional burdens on the power sector and electricity consumers.

My detailed opinion, provided with ARM 25-341, is attached to the decision.



Rafique Ahmed Shaikh
Member (Technical), NEPRA

