



Before the Appellate Board
National Electric Power Regulatory Authority
(NEPRA)
Islamic Republic of Pakistan

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No. NEPRA/AB/Appeal/062/POI/2022/ 969


September 19, 2022

- | | |
|---|--|
| 1. Sana Aluminum Industries (Pvt.) Ltd,
Plot No. 58, Industrial Estate,
Jamrud Road, Peshawar | 2. Chief Executive Officer
PESCO Ltd,
WAPDA House, Sakhi Chashma,
Shami Road, Peshawar |
| 3. Sub Divisional Officer (Operation),
PESCO Ltd,
Hayatabad-II Sub Division,
Peshawar | 4. Saeed Khan Akhunzada,
Advocate High Court,
Chamber No. 19, Muslim Block,
District Courts, F-8 Markaz,
Islamabad |
| 5. Shakeel Asif,
Advocate High Court,
Upper Bar Room. High Court,
Peshawar | 6. POI/Electric Inspector,
Peshawar Region,
Benovelent Fund Building,
3 rd Floor, Near Jan's Bakers,
Peshawar Cantt |

Subject: Appeal Titled PESCO Vs. Sana Aluminum Industries (Pvt.) Ltd. Against the Decision Dated 09.05.2022 of the Provincial Office of Inspection to Government of the Khyber Pakhtunkhwa, Peshawar Region, Peshawar

Please find enclosed herewith the decision of the Appellate Board dated 15.09.2022, regarding the subject matter, for information and necessary action accordingly.

Encl: As Above


(Ikram Shakeel)
Deputy Director (M&E)
Appellate Board

Forwarded for information please.

1. Additional Director (IT) –for uploading the decision on NEPRA website



National Electric Power Regulatory Authority

Before The Appellate Board

In the matter of

Appeal No.062/POI-2022

Peshawar Electric Supply Company Limited

.....Appellant

Versus

Sana Aluminum Industries (Pvt.) Limited, Plot No.58,
Industrial Estate, Jamrud Road, Peshawar

.....Respondent

APPEAL UNDER SECTION 38(3) OF REGULATION OF GENERATION, TRANSMISSION, AND DISTRIBUTION OF ELECTRIC POWER ACT, 1997 AGAINST THE DECISION DATED 09.05.2022 PASSED BY THE PROVINCIAL OFFICE OF INSPECTION PESHAWAR REGION, PESHAWAR

For the Appellant:

Mr. Saeed Khan Advocate

For the Respondent:

Nemo

DECISION

1. As per facts of the case, M/s. Sana Aluminum Industries (hereinafter referred to as the "Respondent") is an industrial consumer of PESCO (hereinafter referred to as the "Appellant") bearing Ref No.30-26216-0003600 with a sanctioned load of 300 kW and the applicable tariff category is B-2(b). The Audit Department vide Audit Note No.05 dated 20.08.2021 pointed out wrong application of Multiplication Factor (MF) i.e. 80 instead of 160 for twenty-two months for the period March 2019 to December 2020 and recommended to charge 309,142 units. Resultantly, a detection bill of Rs.7,438,306/- for



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twenty-two months for the period March 2019 to December 2020 was charged by the Appellant to the Respondent in November 2021.

2. Being aggrieved, the Respondent filed a complaint before the Provincial Office of Inspection, Peshawar Region, Peshawar (the "POI") on 25.04.2022 and challenged the detection bill of Rs.7,438,306/-. The complaint of the Respondent was disposed of by the POI vide decision dated 09.05.2022, wherein the Appellant was directed to adjust three installments already paid by the Respondent against the above dispute arrears and to withdraw the remaining arrears. The POI further directed the Appellant to restore the electric supply of the Respondent without further delay.
3. Subject appeal has been filed against the above-referred decision of the POI (hereinafter referred to as the "impugned decision") by the Appellant before the NEPRA.

4. Proceedings by the Appellate Board

Upon filing of the instant appeal, a Notice dated 01.06.2022 was sent to the Respondent for filing reply/para-wise comments to the appeal within ten (10) days, which were filed by the Respondent on 21.06.2022.

5. Hearing

- 5.1 Hearing in the matter of the subject Appeal was fixed for 02.09.2022 at Islamabad and accordingly, the notices dated 26.08.2022 were issued to the parties (i.e. the Appellant and the Respondent) to attend the hearing. As per schedule, hearing of the appeal was conducted at the NEPRA Head Office Islamabad on 02.09.2022 in which learned



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counsel appeared for the Appellant and no one represented the Respondent. At the outset of the hearing, learned counsel for the Appellant declared that the matter of the disputed bill was amicably settled between the parties and he does not intend to press this Appeal anymore. Learned counsel for the Appellant prayed for withdrawal of the appeal and submitted a written application dated 02.09.2022 in this regard.

6. In view of the above, the appeal is dismissed as withdrawn.

Syed Zavar Haider
Member

Muhammad Irfan-ul-Haq
Member

Abid Hussain
Convener

Dated: 15/9/2022