



# National Electric Power Regulatory Authority

ISLAMIC REPUBLIC OF PAKISTAN  
NEPRA TOWER Ataturk Avenue (East),  
Sector G-5/1, Islamabad.  
Ph:051-2013200, Fax: 051-2600021

Consumer Affairs  
Department

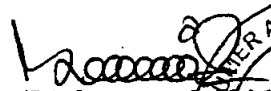
TCD.04/ 3374 -2023  
August 11, 2023

Chief Executive Officer,  
Faisalabad Electric Supply Company Limited (FESCO)  
Abdullah Pur, Canal Bank Road, Faisalabad.

Subject: **DECISION IN THE MATTER OF COMPLAINTS FILED BY  
PROPERTY/PLAZA OWNERS OF KOHINOOR CITY FAISALABAD UNDER  
SECTION 39 OF THE REGULATION OF GENERATION, TRANSMISSION  
AND DISTRIBUTION OF ELECTRIC POWER ACT, 1997 AGAINST FESCO  
REGARDING NON PROVISION OF ELECTRICITY CONNECTION**  
Complaint No. FESCO-27/02/2020.

Please find enclosed herewith the decision of the NEPRA Consumer Complaints Tribunal dated August 11, 2023 regarding the subject matter for further necessary action.

**Encl: As above**

  
(Muhammad Abid) NEPRA  
Assistant Director (CAD)  
Islamabad  
(CAD)

Copy to:

1. C.E/Customer Services Director, FESCO, Abdullah Pur, Canal Bank Road Faisalabad.
2. Chief Engineer (Planning), FESCO, Abdullah Pur, Canal Bank Road, Faisalabad.
3. Mr. Ubaid Rana, NEPRA Regional Office, 1st floor, Plaza No. C-6B, Opposite National Bank, College (Hockey Stadium) Road, Kohinoor City, Faisalabad.
4. Manager, Kohinoor Industries Limited, Jaranwala Road, Faisalabad, Ph No. 8540211-15.
5. Mr. Liaqat Ali, Plot No.01, Kohinoor Mall, Faisalabad.
6. Mr. Asim Rana Muhammad Khan, Plot No.C-6/B, Kohinoor City, Faisalabad.
7. Rana Fayyaz Ahmed, Plot No.C-6/c, Kohinoor City, Faisalabad.
8. Mr. Muhammad Sarwar, Kohinoor City, Faisalabad.
9. Mr. Muhammad Azmat, Plot No.12-A, Kohinoor City, Faisalabad.
10. Mr. Mehmood Ahmed, Manager (Admin) 17-Aziz Avenue Canal Bank, Gulberg V, Lahore
11. Mr M. Iftikhar, Orion Plaza, P 8-G, 7B, Kohinoor City, Faisalabad
12. Mr. Faisal Iqbal, P-27, College Road, Kohinoor City, Faisalabad
13. Mr. Faisal Rashid, Plot No 16, Kohinoor City, Faisalabad
14. Mr. Muhammad Faisal, 133-C Peoples Colony No 1, Faisalabad
15. Miss Sultana Bibi, 458-459A, Street 6, Nazimabad, Faisalabad
16. Mr. Hamza Tariq, 436-D Peoples Colony 1, Faisalabad
17. Mr. Kamran Ali, Plot 13-C, Kohinoor City, Faisalabad
18. Mr. Muhammad Arshad, House 142 A, Shoaib Bilal Market, Sgd Road, Near General Bus Stop, Faisalabad
19. Mr. Muhammad Arshad, House No P-78, St 4, Samanabad Colony, Block 1, Faisalabad.
20. Mr. Muhammad Nadeem, House 510-F, Gulestan Colony, Faisalabad.
21. Mr. Usman Ali, R/o 12-C, Kohinoor City, Commercial Area, Jaranwala Road, Faisalabad.
22. Mr. Muhammad Iftikhar, R/O 08-G, Kohinoor City, Commercial Area, Jaranwala Road, Faisalabad.
23. Mr. Muhammad Faisal, R/O 13-B, Kohinoor City, Commercial Area, Jaranwala Road, Faisalabad.
24. Mst. Farzana Riaz, H. No. 15, Canal Ban, Muslim Town No. 1, Lasani Pali Sargodha Road, Faisalabad
25. Mr. Muhammad Naeem, Plot No. 8B, Kohinoor City, Faisalabad. 0332-6819484



**BEFORE THE  
NATIONAL ELECTRIC POWER REGULATORY AUTHORITY  
(NEPRA)**

**Complaint No. FESCO-27/02/2020**

Mr. Asim Rana Muhammad Khan,  
and others Kohinoor City, Faisalabad.

..... Complainant

**Versus**

**Faisalabad Electric Supply Company (FESCO)**  
Abdullah Pur, Canal Bank Road Faisalabad.

..... Respondent

**Date of Hearing:** July 20, 2023

**On behalf of**

**Complainant:** Mr. Asim Rana Muhammad Khan and others

**Kohinoor City:** Mr. Mehmood Ahmed, Admin Manager

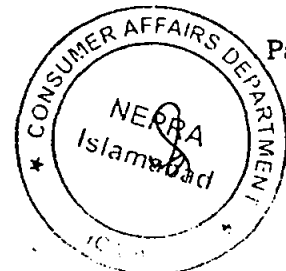
**Respondent:** Mr. Faisal Raza Marath, C.E (P&D), FESCO  
Mr. Muhammad Abdullah, Addl. Director, FESCO

**Subject:** **DECISION IN THE MATTER OF COMPLAINT FILED BY PROPERTY/PLAZA OWNERS OF KOHINOOR CITY FAISALABAD UNDER SECTION 39 OF THE REGULATION OF GENERATION, TRANSMISSION AND DISTRIBUTION OF ELECTRIC POWER ACT, 1997 AGAINST FESCO REGARDING NON PROVISION OF ELECTRICITY CONNECTION**

**DECISION**

Consumer Complaints Tribunal decided the Complaint of property/plaza owners of Kohinoor City, Faisalabad vide decision dated July 07, 2022 in following terms:

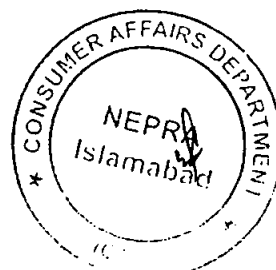
- (i) The sponsor / committee to purchase 20-Kanal land indicated by the committee and accepted by FESCO. Once the land is purchased, FESCO shall take over the same.
- (ii) A mechanism be devised by FESCO in consultation with the committee that the cost incurred on purchase of the land be returned to the committee.
- (iii) From our point of view, the load of Kohinoor City will be below 20MW. However, FESCO is of the view that the load may exceed the limit of 20MW. Payment criteria / charges for both i.e. above 20MW and below 20MW are different. FESCO may reassess the complete load of Kohinoor City at its own in consultation with the committee as per provisions of Consumer Service Manual (CSM). However, it shall not impact provision of connections to the applicants of Kohinoor City. FESCO may start provision of connections upon receipt of this order.



- (iv) FESCO may recover the charges from the applicants as per the provisions of Consumer Service Manual (CSM) for load below 20MW for the time being. In case the ultimate load is assessed by FESCO exceeds 20MW then the difference of charges shall be paid by the applicants for which they have to provide an undertaking while applying for connection that in case of change in assessed load, they will pay the difference as per the criteria. These charges are not applicable to already energized residential consumers, however, such residential consumers will pay these charges in case of extension of load, if any for their extended load.
- (v) The charges @per kW be assessed after adjustment of already paid grid sharing charges for 9398 kW load. As committed, the sponsor shall pay cost of one of the additional 11kV feeders. The cost of this feeder shall not be included in the estimate to be charged to the applicants on per kW basis.
- (vi) At present the running load of Kohinoor city is about 4 MW. FESCO to provide connections for the time being from its own distribution system / grid station(s) to avoid delay for redressal of a long outstanding issue of the occupants. Priority be given to those consumers whose connections have been disconnected.
- (vii) In case the assessed load exceeds 20MW, the working of the same be shared with this office and the difference in charges earlier paid on the basis of load assessed below 20 MW and charges assessed on the basis of load above 20 MW be recovered from the applicants on per kW basis.
- (viii) After collection of these charges FESCO may install a power transformer of appropriate capacity at any of its grid stations for feeding the load of Kohinoor City or FESCO may construct a grid station on the land provided by the committee and install an independent power transformer of Kohinoor City on that grid station in addition to utilization of the grid station for its other consumers. Moreover, additional 11kV feeder(s) be constructed as per requirements. The actual costs for installation of power transformer along with equipment and 11kV feeders be worked out by FESCO on per kW basis of the new ultimate assessed load. The charges shall be taken from the applicants on per kW basis.

2. The plaza/property owners of Kohinoor City filed a petition at Islamabad High Court, Islamabad regarding non-implementation of decision of the NEPRA Consumer Complaints Tribunal dated July 07, 2022 by FESCO. NEPRA apprised the court that certain requirements are yet to be completed on part of both parties i.e. FESCO as well as the Complainants. Therefore, the court vide decision dated January 17, 2023 directed to get implemented the decision of the tribunal within four weeks and the petitioners shall fulfill the requirements as provided in the decision of the tribunal. In order to proceed further, a hearing was held on February 08, 2023 at NEPRA Head Office, Islamabad which was attended by all the concerned parties i.e. FESCO, Complainants and representatives of the sponsor wherein the issue was discussed in detail. The complainants raised the objection on assessment of load made by FESCO and submitted that FESCO has intentionally assessed the load of Kohinoor City on higher side. According to the Complainants the ultimate load of Kohinoor City is less than 10 MW. During the said hearing, the parties agreed for reassessment of load through third party i.e. M/s Barqab Consultants. The representative committee/Complainants agreed to bear the cost of consultancy for reassessment of load. Accordingly, NEPRA vide letter dated February 16, 2023 directed that the load be re-assessed as per provisions of Consumer Service Manual (CSM) with following conditions:

- (i) Ultimate load of existing plazas will be assessed according to approved layout plans of the plazas.



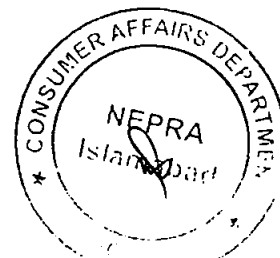
- (ii) Ultimate load of vacant plots will be assessed on the basis of average load and constructed plazas of similar sizes existing in the Kohinoor City.
- (iii) The Load of residential plots/houses (un-electrified) be assessed as per their plot size provided in Consumer Service Manual (CSM).
- (iv) The Load of Houses which have temporary connections be also included in the load assessment as per their plot size provided in Consumer Service Manual (CSM).

3. However, compliance report w.r.t. re-assessment of load was not submitted within the stipulated time period i.e. 10 days, therefore, reminders were issued to both parties and hearings were also conducted. Subsequently, the committee of the Complainants submitted a report to FESCO regarding assessment of load by M/s Barqab (total load was assessed as 18.743 MW), however, FESCO vide letter dated July 14, 2023 raised certain observations on assessment of load by M/s Barqab. FESCO submitted that M/s Barqab has assessed load of 86-plots only and load of certain plazas, buildings and vacant plots (residential/commercial) has not been included. Moreover, in certain buildings load of presented constructed storeys has been assessed and ignored the number of storeys in approved layout plan.

4. In order to finalize the matter a hearing was held on July 20, 2023 which was attended by all concerned parties i.e. FESCO, the Complainants and representative of Kohinoor City. During the hearing FESCO submitted that current load of society has been assessed in accordance with provisions of Consumer Service Manual (CSM) and the same is 33480-KW (33.48 MW). During the said hearing the Complainants admitted the discrepancies in load assessment by M/s Barqab as pointed out by FESCO and agreed with load assessed by FESCO i.e. 33.48 MW. Moreover, FESCO apprised that grid sharing charges @ Rs. 13,864/- per kilo watt are calculated which may raise due to escalation of rates of material.

5. External electrification of the Kohinoor City was approved by FESCO on July 14, 2005 with ultimate load of 9398kW and there was no requirement of separate grid station. The Kohinoor City was to be provided with two independent 11kV feeders for the entire load of 9398kW. The sponsor paid cost for construction of one feeder. Accordingly, FESCO constructed the feeder and provided connections to the inhabitants / occupants / residents / Plaza owners etc of Kohinoor City, however, the demand notice for second feeder was not issued by FESCO. In this way delay was on the part of FESCO. If FESCO had issued demand notice at that time, electrification would have been completed in past. FESCO submitted that with the passage of time, some residential areas were converted into commercial areas which caused variation in assessed load and electrification.

6. In the instant case, there was no requirement of independent grid station when electrification case was approved by FESCO in the year 2005, However, in order to resolve the long outstanding issue, NEPRA decided to process the case in light of provisions of Consumer Service Manual (CSM) which provide that any housing society / scheme having load beyond 20MW are required to be provided with electricity supply through an independent grid station. The Consumer Service Manual (CSM) further envisages that the housing schemes having load above 10MW upto 20MW are required to be fed through dedicated grid station and associated transmission line or the distribution company may provide connection from its own grid station subject to availability of capacity / load in its grid station and mutual consent. In such case, distribution company shall recover 100% grid sharing charges including transmission line charges and a piece of land i.e. minimum 12 Kanal land for construction of Gas-insulated grid station and 20 Knaala land for air-insulated grid station within the housing scheme / society. Since the instant case is very old and no land is available inside the society, therefore the sponsor / applicants / complainants / consumers / plaza owners were directed to arrange land outside the Kohinoor City and acceptable to FESCO. The committee of the Complainants selected 20-Kanal land which was physically inspected by the FESCO's Technical Committee who termed it feasible. However, representative committee of the Complainants could not provide the said land to FESCO. Moreover, the sponsor has paid demand notice issued by



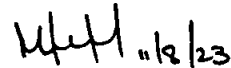
FESCO for second feeder as directed by NEPRA Consumer Complaints Tribunal vide decision dated July 07, 2022. The Complainant(s) submitted that they cannot purchase land because they cannot recover the cost of land from individuals, however, they are ready to pay cost of land to FESCO at prevailing market rates. FESCO has calculated grid sharing charges @ Rs. 13864/KW. This grid sharing charges include cost of one power transformer, one transformer bay, two lines, control house building alongwith allied material, 132 KV transmission line charges and cost of 5-Nos. 11 KV feeders.

7. Foregoing in view following is directed:

- (i) FESCO will assess load of each plaza/building as per provisions of Consumer Service Manual (CSM) as and when any applicant approaches FESCO for provision of connection. Accordingly, FESCO will issue demand notices to individual applicants as per their load @ Rs. 13864/KW for grid sharing charges.
- (ii) The dedicated system i.e. transformers, energy meters etc. of the connections will be charged separately at the time of applying for connection.
- (iii) Since it is an abundant society and its electrification is pending since long, therefore, FESCO will charge cost of land from each applicant as and when any applicant applies to FESCO for connection. The cost of land be assessed by FESCO equal to market rate of land as already selected for grid station or any other nearby land where FESCO intends to construct grid station.
- (iv) FESCO will start provision of connections with immediate effect and issue notices to existing consumers having temporary connections to apply to FESCO for regular connections on cost deposit basis immediately but not later than three months to regularize these connections. Grid sharing charges, cost of land etc. will also be applicable to these consumers.
- (v) FESCO is directed to ensure usage of electricity is restricted to the premises for which connection is provided and no extension is given to adjacent/nearby buildings.



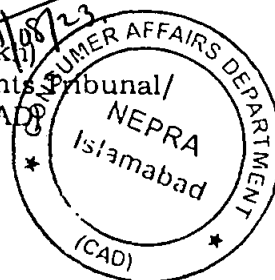
(Lashkar Khan Qambrani)  
Member Consumer Complaints Tribunal  
Director (CAD)



(Moqem ul Hassan)  
Member Consumer Complaints Tribunal  
Assistant Legal Advisor (CAD)



(Naveed Hani Shariq)  
Convener Consumer Complaints Tribunal/  
Director General (CAD)



Islamabad, August 11, 2023