



National Electric Power Regulatory Authority

ISLAMIC REPUBLIC OF PAKISTAN

NEPRA TOWER

Attaturk Avenue (East) Sector G-5/1, Islamabad.

**Consumer Affairs
Department**

TCD.09/2241-2024
May 17, 2024

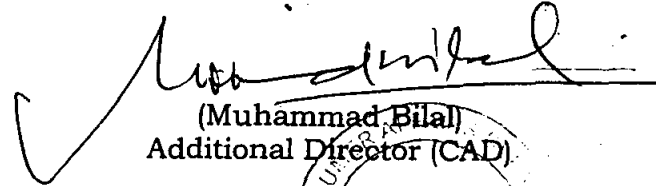
Chief Executive Officer
K-Electric Limited, KE House No. 39-B,
Sunset Boulevard Phase-II, Defense Housing Authority Karachi.

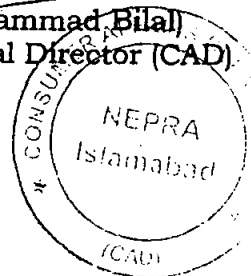
Subject: **DECISION IN THE MATTER OF COMPLAINT FILED BY MR. ZEESHAN KHAN
UNDER SECTION 39 OF THE REGULATION OF GENERATION,
TRANSMISSION AND DISTRIBUTION OF ELECTRIC POWER ACT, 1997
AGAINST K-ELECTRIC LIMITED REGARDING LOAD SHEDDING**

Complaint No. KElectric-KHI-29553-10-23

Please find enclosed herewith the decision of the NEPRA Complaints Resolution Committee dated May 16, 2024 regarding the subject matter for necessary action and compliance within thirty (30) days.

Encl: As above


(Muhammad Bilal)
Additional Director (CAD)



Copy to:

1. Mr. M. Imran Hussain Qureshi
Chief Regulatory Affairs Officer & Govt. Relations Officer,
K-Electric Limited Office, 56 A, Street No. 88, G-6/3, Islamabad.
2. Mr. Zeeshan Khan,
1-G-11/8, Row 11& 12, Nazimabad No. 1, Karachi
Ph: 03132557384



BEFORE THE
NATIONAL ELECTRIC POWER REGULATORY AUTHORITY
(NEPRA)

Complaint No. KElectric-KHI-22738-05-23

Mr. Zeeshan Khan,
1-G-11/8, Row 11& 12, Nazimabad No. 1, Karachi,
Contact# 03132557384

.....Complainant

Versus

K-Electric Limited (KE)
KE House No.39B, Sunset Boulevard
Defence Housing Authority, Karachi.

..... Respondent

Date of Hearing(s):

- 1) July 13, 2023
- 2) July 31, 2023
- 3) October 24, 2023

On behalf of:

Complainant: Mr. Zeeshan Khan

Respondent:

- 1) Mr. Shahmim Ahmed (K-Electric Limited)
- 2) Mr. Israr Ahmed (K-Electric Limited)

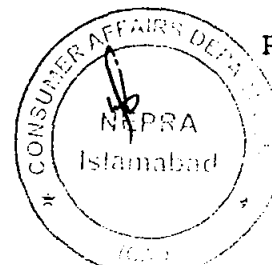
Subject: DECISION IN THE MATTER OF COMPLAINT FILED BY MR. ZEESHAN KHAN
UNDER SECTION 39 OF THE REGULATION OF GENERATION, TRANSMISSION
AND DISTRIBUTION OF ELECTRIC POWER ACT, 1997 AGAINST K-ELECTRIC
LIMITED REGARDING LOAD SHEDDING

This decision shall dispose of the Complaint filed by Mr. Zeeshan Khan resident of 1-G-11/8, Row 11& 12, Nazimabad No. 1, Karachi, (hereinafter referred to as "the Complainant") against K-Electric Limited (hereinafter referred to as the "Respondent" or "KE"), under Section 39 of the Regulation of Generation, Transmission and Distribution of Electric Power Act, 1997 (hereinafter referred to as the "NEPRA Act").

2. Brief facts of the case are that NEPRA received a complaint dated May 17, 2023 wherein the dispute agitated by the Complainant was regarding excessive load shedding in their area. Thereafter, the matter was taken-up with KE for submission of para wise comments/report. In response, KE vide letter dated May 22, 2023 reported that electricity to the complainant's area is supplied from "Nazimabad Post Office" Feeder which falls in "High Loss" category based on its Aggregate Technical and Commercial Losses. KE added that load shedding is carried out based on the gravity of the losses irrespective of the area or the class of people being fed from particular feeder/PMT. KE also submitted that KE's load shed policy is in line with current National Power Policy.

3. The report of KE was sent to the Complainant for information/comments. Subsequently, the Complainant vide letter dated May 31, 2023 provided comments and

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raised observations regarding the report of KE. In order to proceed further into the matter, hearings were held at NEPRA Regional office Karachi on July 13, 2023, July 31, 2023 & October 24, 2023 which were attended by the Complainant in person and representative of KE via video link. Additionally, a joint site inspection was also conducted on August 08, 2023 in presence of both the parties whereby it was noted that the Complainant's connection is installed in a planned area/society and it was also observed that only one street of the society is receiving electric power through High Loss Feeder, while the remaining connections of the society which are connected with other PMT is fed through Low Loss Feeder.

4. Moreover, during the aforesaid inspection, it was noted that only 2 LT poles will be required to shift the Complainant's service wire to the Low Loss Feeder. In this regard, KE was directed vide letter dated September 12, 2023 to consider the possibility of shifting of the Complainant's electricity service wire to nearby Low Loss Feeder and submit its report for examination. In response, KE vide letter dated October 19, 2023 submitted that a survey was conducted to explore the possibility of shifting of the complainant's supply to a nearby adjacent feeder with lower losses keeping in view all technical safety and commercial considerations. However, it is not operationally feasible to divert the supply of the area from LT side as it necessitates redirecting the entire HT loop to accommodate the area which requires high capital expenditure as well as several technical and safety considerations.

5. Thereafter, further hearings were held on October 24, 2023 and February 20, 2024 at NEPRA Regional office Karachi which were attended by the Complainant in person and representative of KE via video link wherein the matter was once again discussed in detail. The Complainant suggested for an alternate route for resolution of the issue. Accordingly, a Site inspection was conducted on February 28, 2024 in presence of concerned parties. During the site inspection, it was observed that LT line of Complainant's area is connected to Jalalabad 500kVA PMT which is being supplied from Nazimabad, P.O. 11kV feeder whereas the right side street was connected to a PMT being fed from Pak P.O. 11kV feeder, which is load shedding exempted feeder. The LT of right-side street is supplied from Jalalabad feeder (LS exempted) whereas overhead HT of Nazimabad P.O. 11kV feeder is running in the same street. Two poles will be required to shift the area of the Complainant on the LT circuit of load shedding exempted feeder.

6. The Complainant's connection is installed in a planned area, while other connections in the society receive power from a Low Loss feeder. However, KE has supplied electricity to the Complainant's street from a high loss feeder, despite high recovery and low loss in the said area. This discrepancy has resulted in discrimination among the consumers of same locality. In addition, this arrangement may give rise to safety concerns if a consumer takes illegal dual supply from both sides.

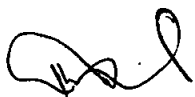
7. It is to note that Section 21(1)(b) of the NEPRA Act, 1997 (to be read with successive amendments) stipulates that all distribution licensees shall be responsible to provide distribution service within its service territory on a non-discriminatory basis to all the consumers who meet the eligibility criteria laid down by the Authority. Additionally, NEPRA Licensing (Distribution) Regulations, 2022 impose an obligation on distribution licensees to provide safe, secure and reliable distribution of electric power on a non-discriminatory basis to all persons who meet the consumer eligibility criteria, in accordance with the applicable documents and NEPRA Consumer Eligibility Criteria (Distribution Licensees) Regulations, 2022 ("Eligibility Criteria Regulations, 2022) which also stipulate that a distribution licensee shall ensure that all applicants and consumers are treated in a non-discriminatory,



fair, transparent and just manner. Moreover, Article 2 of the Distribution License expressly mandates that the K-Electric/Licensee shall comply with the Applicable Law (i.e. NEPRA Act and Applicable Documents) and shall be obligated to comply with the Distribution Regulations. The Authority vide decision dated April 03, 2024 has declared the load shedding illegal and has already imposed penalty upon K-Electric.

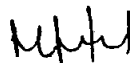
8. It is also observed that the complainant is a regular payee of electricity bills of K-Electric. The Authority also allowed capacity charges to the K-Electric in its tariff for the purpose of supplying electric power to its consumers on non-discriminatory basis and operation and maintenance of its distribution network which is then passed on to the consumers through monthly electricity bills. The consumers who regularly pay their electricity bills have a legitimate expectation of receiving uninterrupted electricity supply around the clock. It is, therefore, obligatory on the K-Electric to supply un-interrupted electric power to its consumers. Furthermore, the consumer/complainant cannot be held liable and punished on account of non-paying consumers of K-Electric. Being located in the same locality where other community members enjoy load shedding free electricity, it would be rather unconstitutional and discriminatory on part of K-Electric to punish the complainant for fault of others in the shape of 8 – 10 hours of power-cut. The electricity is a fundamental right as guaranteed by the Constitution of Islamic Republic of Pakistan, 1973 which is also held by the Honourable Supreme Court of Pakistan in its reported Judgement of Alleged Corruption in Rental Power Plants etc, Human Rights Case (2012 SCMR 773).

9. As explained above, the Complainant's premises is situated in a planned society and the street of the Complainant is being provided electricity supply from high loss feeder and the remaining streets in the vicinity are provided electricity supply from low loss feeder which has created discrimination amongst the consumers in the same society. Therefore, K-Electric is directed to take appropriate measures to provide electricity supply to the complainant from the low loss feeder in order to eliminate discrimination. Compliance in the matter be submitted within thirty (30) days, positively.



(Lashkar Khan Qambrani)

Member, Complaints Resolution Committee/
Director (CAD)

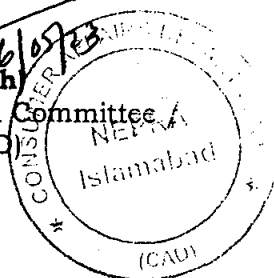


(Moqeem-ul-Hassan)

Member, Complaints Resolution Committee/
Assistant Legal Advisor (CAD)


(Naweed Illahi Shaikh)

Convener, Complaints Resolution Committee/
Director General (CAD)



Islamabad, May 16, 2024