

13

**Issues to be Discussed**  
**During the Public Hearing in the Matter of APM Proceedings Initiated With**  
**Respect to Distribution Licence of LESCO**

1. Whether LESCO has absolute monopoly or exclusive right to provide distribution services within its service territory under Section-20 of the NEPRA Act read with Proviso to Section 21(2(a) and Section-26?
2. Whether LESCO has successfully fulfilled its statutory duties and responsibilities to provide distribution services and make sales of electric power within its service territory, particularly in the area of Bismillah Energy (Private) Limited (BEPL) in terms of Section-21 of the NEPRA act read with Article-7 of its distribution licence?
3. Whether carving out a part of service territory amounts to amend or vary terms and conditions of distribution licence in terms of Section-26 of the NEPRA Act?
4. Whether grant of distribution licence to BEPL for safe, continuous and reliable supply of electricity to its housing scheme/society in the service territory of LESCO is in the public interest?
5. LESCO submitted that, after being included in the privatization programme, it cannot grant or have granted any consent as the same would be contrary to the provisions of Section-35 of the Privatization Commission Ordinance, 2000. Whether Section-35 of the said Ordinance is applicable in this case?
6. Whether BEPL is eligible to apply for the grant of Distribution Licence under Regulation-4(1) of NEPRA (Supply of Electric Power) Regulations, 2015 which specifically requires that any housing society/colony may obtain a distribution licence if it fulfills the eligibility criteria prescribed in these Regulations?

7. Whether BEPL fulfils conditions and criteria for grant of distribution licence as laid down in Section-20 of the NEPRA Act and Regulation-4(4) of the NEPRA (Supply of Electric Power) Regulations, 2015?
8. Whether BEPL is charging its residents/consumers any "Development Charges" to raise funds to develop infrastructure including water supply, sewerage, gas and electricity? If yes, can BEPL claim distribution assets developed through public funds and request for the grant of distribution licence?
9. BEPL has submitted application for distribution licence for a specific demarcated area (i.e. Al-Rehman Garden Housing Scheme/Society). Whether this area remains fixed or BEPL has future expansion plan in this respect?
10. Whether management of BEPL has relevant experience in the electric power sector, especially in the electricity distribution business? Whether BEPL has the required expertise and capability to construct, own, operate and maintain the proposed distribution facilities?
11. Whether BEPL has obtained consent of its residents/consumers to avail distribution services from BEPL instead of LESCO?
12. Whether BEPL has obtained necessary approvals from the LDA, EPA Punjab and other relevant agencies to lay the proposed infrastructure regarding distribution of electric power in its housing scheme/society?
13. Whether BEPL has capability to adhere to the prescribed performance standards laid down by the Authority for distribution of electric power, including safety, health and environmental protection instructions issued by the Authority or any Government agency?