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PART II

Statutory Notifications (S. R. O.)

GOVERNMENT OF PAKISTAN

MINISTRY OF ENERGY (POWER DIVISION)
(Private Power and Infrastructure Board)

NOTIFICATION

Islamabad, the 6th June, 2022

PRIVATE POWER AND INFRASTRUCTURE BOARD (FEE AND CHARGES)
(AMENDMENT) RULES, 2021

S.R.O. 795(I)/2022.— Whereas it is expedient further to amend the Private Power and Infrastructure Board (Fee and Charges) Rules 2018, hereinafter referred to as the said Rules, for the purpose hereinafter appearing;

NOW THEREFORE, in exercise of the powers conferred by Section 23 read with Section 5 of the Private Power & Infrastructure Board Act, 2012 (VI of 2012), Private Power & Infrastructure Board hereby notifies the following amendments in the said Rules, namely:—

1. **Title and Commencement.**— (1) These rules may be called the Private Power & Infrastructure Board (Fee and Charges) (Amendment) Rules, 2021.
- (2) These amendment rules shall come into force at once.
2. **Insertion of new sub-clause (ee) in Clause 2 of the Private Power and Infrastructure Board (Fee and Charges) Rules 2018—**

(1483)

Price: Rs. 20.00

[8061(2022)/Ex. Gaz.]

In the said Rules, after the sub-clause (e) of Clause 2, following new sub-clause (ee) shall be inserted, namely:

““IGCEP” means indicative generation capacity expansion plan including any amendments thereto as duly approved by NEPRA from time to time.”

3. **Insertion of new sub-clause (8) in Clause 3 of the Private Power and Infrastructure Board (Fee and Charges) Rules 2018—**

“(8) Fee and charges payable hereunder in relation to power generation projects shall be calculated on the basis of gross capacity until the COD of such project and on the basis of net capacity on or after the COD.”

4. **Insertion of Clause 3A after Clause 3 of the Private Power and Infrastructure Board (Fee and Charges) Rules 2018—**

In the said Rules, after Clause 3, a new Clause 3A shall be inserted, namely:

“3A. Exemption from payment of fee and charges.—From and after the commencement of these Rules, the power companies and sponsors shall be exempt from payment of any fee or charges under these Rules in relation to any extension required in the target date of a specific milestone under the LOI solely due to adjustment of its timelines under the IGCEP.”

5. **Amendment in Clause 4 of the Private Power and Infrastructure Board (Fee and Charges) Rules 2018—**

In Clause 4 of the said Rules, for the words “two percent” the words “one percent” shall be substituted.

6. **Insertion of a new Clause 4A in the Private Power and Infrastructure Board (Fee and Charges) Rules 2018—**

In the said Rules, after Clause 4, a new Clause 4A shall be inserted, namely:

“Notwithstanding anything contained in these Rules, late payment charges due and payable by any power company under these Rules that remain unpaid upto the commencement date of Private Power & Infrastructure Board (Fee and Charges) (Amendment) Rules, 2021, shall stand waived.”

7. **Substitution of Schedule to the Private Power and Infrastructure Board (Fee and Charges) Rules 2018**

In the said Rules, the Schedule shall stand substituted with the revised Schedule to the Private Power & Infrastructure Board (Fee and Charges) (Amendment) Rules, 2021

SCHEDULE**PART-I****[see rules 2 and 3]****FEE AND CHARGES PAYABLE IN RELATION TO GENERATION PROJECTS**

Sr #	Instances of payment	Fee and Charges in US\$	Timing
(1)	(2)	(3)	(4)
1.	Registration	300	On or before registration of application
2.	Unsolicited Proposals: Issuance of Pre-Qualification Documents Solicited Proposals: Issuance of Request for Proposals (RFP) documents	300 500	On or before issuance of PQDs/RFP
3.	Bid Processing for ICB Projects from each Bidder	500/MW Min. 10,000 Max. 100,000	On or before submission of bids date
4.	Proposal Processing for Solicited (Non ICB) Projects	300/MW Min. 7,000 Max. 50,000	Before submission of proposal
5.	Issuance of LOI	500/MW Min. 10,000 Max. 300,000	Before due date of issuance of LOI as notified by PPIB
	Extension in any of the milestones under LOI (for each extension)	250/MW Min. 5,000 Max. 150,000	With application for extension
6.	Issuance of LOS	800/MW Min. 20,000 Max. 400,000	Before due date of issuance of LOS as notified by PPIB
	Issuance of LOS/LOA for ICB Projects	Same as above	Before due date of issuance of LOS or LOA as notified by PPIB
	Extension in Financial Close under LOS (for each extension)	500/MW Min. 10,000 Max. 300,000	With the application for extension

Sr #	Instances of payment	Fee and Charges in US\$		Timing
(1)	(2)	(3)		(4)
7.	Upon achievement of Financial Closing	1,000/MW Min. 20,000 Max. 500,000		On or before financial closing date
8.	Upon achievement of Commercial Operation Date (COD). Payable on each anniversary of COD.	250 /MW (Gross Capacity) 250 /MW (Net Capacity)		Within seven days from COD On or before each anniversary of COD
9.	Design Modification/Change of Power Complex	500/MW Min. 10,000 Max. 300,000		With the application for change/modification in design
10.	Creation of lien in relation to working capital/short term facilities	For new facility 10,000 For each renewal or rollover 5,000		With the application for no objection to term sheet or submission of undertaking to PPIB, as applicable
11.	Change in direct, indirect or beneficial shareholding of the power companies and their affiliates, as the case may be, where PPIB approval is required either under the Act, LOI, LOS or Implementation Agreement	As listed below		With application for change in shareholding
	Capacity MW	Rate per % change	Max Cap	„
	Upto 25	375	25,000	„
	From 26-50	450	30,000	„
	From 51-150	600	40,000	„
	From 151-250	750	50,000	„
	From 251-350	1,500	100,000	„
	From 351-550	2,250	150,000	„
	From 551-750	4,500	300,000	„
	Above 750	6,000	400,000	„

SCHEDULE**PART-II****[see rules 2 and 3]****FEE AND CHARGES PAYABLE IN RELATION TO HVAC / HVDC
TRANSMISSION PROJECTS**

In case a transmission project (Bid/Proposal) comprises different components such as one or more transmission line (TL), Converter Station (CS) and / or Grid Station (GS) / Sub Station (SS), fee for each component shall be charged / applied separately.

Sr #	Instances of payment	Fee and Charges in US\$	Timing
(1)	(2)	(3)	(4)
1.	Registration	300	On or before registration of application
2.	Issuance of Request for Proposals (RFP) documents (ICB projects)	500	On or before issuance of RFP by PPIB
	Issuance of Application Form and other necessary documents by PPIB (For upfront or other modes)	300	On or before issuance of Application Form by PPIB
3.	Bid Processing Fee for ICB Projects from each Bidder / Proposal Processing Fee for Projects under Upfront Tariff or any other mode	<u>For each TL component of the Bid / Proposal:</u> 3,000 (upto 100 km) 6,000 (101-200 km) 13,000 (above 200 km) <u>For each CS and / or GS / SS(s) of the Bid / Proposal:</u> 3,000 (upto 1000 MW or 1000 MVA as applicable)	On or before bid submission date : : : : : : : : :

Sr #	Instances of payment	Fee and Charges in US\$	Timing
(1)	(2)	(3)	(4)
		6,000 (1001 to 3000 MW or 1001 to 3000 MVA as applicable) 13,000 (above 3000 MW or 3000 MVA as applicable)	On or before bid submission date : : : :
4	Issuance of LOI	<u>For each TL component of the Project:</u> 10,000 (upto 100 km) 20,000 (101-200 km) 40,000 (above 200 km) <u>For each CS and / or GS / SS(s) of the Project:</u> 15,000 (upto 1000 MW or 1000 MVA as applicable) 30,000 (1001 to 3000 MW or 1001 to 3000 MVA as applicable) 45,000 (Above 3000 MW or 3000 MVA as applicable)	With application for LOI : : : : : : : : : : : :
5	Extension in any of the milestones under LOI (for each extension)	<u>For each TL component of the Project:</u> 5,000 (upto 100 km) 10,000 (101-200 km) 20,000 (above 200 km) <u>For each CS and / or GS / SS(s) of the Project:</u>	With application for extension : : : : : :

Sr #	Instances of payment	Fee and Charges in US\$	Timing
(1)	(2)	(3)	(4)
		5,000 (upto 1000 MW or 1000 MVA as applicable)	With application for extension
		10,000 (1001 to 3000 MW or 1001 to 3000 MVA as applicable)	:
		20,000 (Above 3000 MW or 3000 MVA as applicable)	:
6	Issuance of LOS/Letter of Award/Project Fee	<u>For each TL component of the Project:</u> 40,000 (upto 100 km) 60,000 (101-200 km) 80,000 (above 200 km) <u>For each CS and / or GS / SS(s) of the Project:</u> 50,000 (upto 1000 MW or 1000 MVA as applicable) 70,000 (1001 to 3000 MW or 1001 to 3000 MVA as applicable) 90,000 (above 3000 MW or 3000 MVA as applicable)	With application for LOS : : : : : : : : : : : :
7.	Extension in Financial Close under LOS (for each extension)	<u>For each TL component of the Project:</u> 20,000 (upto 100 km) 30,000 (101-200 km) 40,000 (above 200 km)	With application for extension : : :

Sr #	Instances of payment	Fee and Charges in US\$	Timing
(1)	(2)	(3)	(4)
		<u>For each CS and / or GS / SS(s) of the Project:</u> 20,000 (upto 1000 MW or 1000 MVA as applicable) 30,000 (1001 to 3000 MW or 1001 to 3000 MVA as applicable) 40,000 (above 3000 MW or 3000 MVA as applicable)	: : : : : : : : : : :
8.	Upon achievement of Financial Close	<u>For each TL component of the Project:</u> 50,000 (upto 100 km) 60,000 (101-200 km) 80,000 (above 200 km) <u>For each CS and / or GS / SS(s) of the Project:</u> 50,000 (upto 1000 MW or 1000 MVA as applicable) 60,000 (1001 to 3000 MW or 1001 to 3000 MVA as applicable) 80,000 (above 3000 MW or 3000 MVA as applicable)	On or before financial closing date : : : : : : : : : : : : :
9.	Upon achievement of Commercial Operation Date (COD) and	<u>For each TL component of the Project:</u>	Within seven days after the COD and

Sr #	Instances of payment	Fee and Charges in US\$	Timing
(1)	(2)	(3)	(4)
	Payable on each anniversary of COD starting from past anniversary	50,000 (upto 100 km) 60,000 (101-200 km) 80,000 (above 200 km) <u>For each CS and / or GS / SS(s) of the Project:</u> 50,000 (upto 1000 MW or 1000 MVA as applicable) 60,000 (1001 to 3000 MW or 1001 to 3000 MVA as applicable) 80,000 (above 3000 MW or 3000 MVA as applicable)	On or before each anniversary of COD : : : : : : : : :
10.	Design Change/Modification of CS or GS/SS/Transmission Line	<u>For each TL component of the Project:</u> 5,000 (upto 100 km) 15,000 (101-200 km) 30,000 (above 200 km) <u>For each CS and / or GS / SS(s) of the Project:</u> 15,000 (upto 1000 MW or 1000 MVA as applicable) 20,000 (1001 to 3000 MW or 1001 to 3000 MVA as applicable)	With the application for change/modification in design : : : : : : : : :

Sr #	Instances of payment	Fee and Charges in US\$	Timing
(1)	(2)	(3)	(4)
		30,000 (above 3000 MW or 3000 MVA as applicable)	With the application for change/modification in design
11.	Creation of lien in relation to working capital/short term facilities (CS or GS/SS/Transmission Line)	For new facility 10,000 For each renewal or rollover 5,000	With the application for no objection to term the sheet or submission of undertaking to PPIB as applicable
12.	Fee upon any change in direct, indirect or beneficial shareholding of the project companies and their affiliates, as applicable, where PPIB approval is required either under the Act, LOI, LOS or Implementation Agreement	<u>Rate per % change in shareholding</u> <u>For each TL component of the Project:</u> 300 (upto 100 km) : 600 (101 – 200 km) : 1,000 (200 km and above) : <u>For each CS and / or GS / SS(s) of the Project:</u> 300 (upto 1000 MW or 1000 MVA as applicable) : 600 (1001-3000 MW or 1001 to 3000 MVA as applicable) : 1,000 (above 3000 MW or 3000 MVA as applicable) : After the 6 th anniversary of the COD of the :	With application for change in shareholding

Sr #	Instances of payment	Fee and Charges in US\$	Timing
(1)	(2)	(3)	(4)
		power project, the Fee and Charges with respect to change in shareholding as mentioned above shall be reduced to half.	With application for change in shareholding : : : : :

[No.B(B99)/PPIB/2022/O-57401.]

FAWAD HASSAN,
Board Secretary.