

News Coverage for Website

Daily Media Brief

Friday, May 23, 2025

CCP News

The News

CAT upholds CCP ruling on abuse of market power in right-of-way case

The Competition Appellate Tribunal (CAT) has upheld a ruling by the country's antitrust regulator against Peshwar Electric Supply Company (Pesco), directing it to restore right of way (ROW) access for broadband and cable operators on fair, reasonable and non-discriminatory terms. The tribunal instructed the utility to formulate a revised ROW policy within 30 days, after dismissing its appeal against the Competition Commission of Pakistan's (CCP) earlier finding that it had abused its dominant market position.

The case originated from complaints by licensed telecom and broadband service providers that alleged discriminatory pricing practices in the use of electricity poles for aerial fibre installations. The CCP's investigation found the utility was charging significantly higher fees to internet operators than to local cable companies -- Rs100 per pole compared to Rs10.

Rather than addressing the pricing disparity, the utility's board opted to revoke ROW access for all service providers. The CCP subsequently determined this action violated Section 3 of the Competition Act, 2010, citing abuse of dominance in a market with no practical alternatives for pole access.

During appellate proceedings, the CCP argued that the company's conduct conflicted with government-issued Public and Private Right of Way Policy Directives, which permit licensed operators to access public infrastructure for network expansion, subject to standardised fees.

The CCP reiterated that electricity distribution companies hold a dominant position in the ROW market within their jurisdictions and called for a uniform policy framework to facilitate broadband rollout, while ensuring safety and operational integrity.

<https://www.thenews.com.pk/print/1314331-cat-upholds-ccp-ruling-on-abuse-of-market-power-in-right-of-way-case>

Profit by Pakistan Today

Competition tribunal upholds CCP ruling against PESCO for abuse of dominant position

The Competition Appellate Tribunal (CAT) has upheld the Competition Commission of Pakistan's (CCP) decision against Peshawar Electric Supply Company (PESCO), ordering it to restore the Right of Way (ROW) access on fair, reasonable, and non-discriminatory terms to all service providers, including fiber optic and local internet/cable TV operators.

The tribunal directed PESCO to formulate a new ROW policy within 30 days, following complaints by Cyber Internet Services and Nayatel alleging discriminatory pricing. Investigations revealed PESCO was charging internet providers Rs. 100 per pole while local cable operators paid only Rs. 10 per pole, amounting to unfair treatment and abuse of its dominant market position.

After the CCP issued a show-cause notice, PESCO initially withdrew the ROW facility entirely, further complicating service providers' access. The Commission found this to be a violation of Section 3 of the Competition Act, 2010, which prohibits abuse of dominance.

CCP's legal counsel emphasized that PESCO's actions breached government directives on public and private ROW policies, underlining that licensed providers have the right to use electricity poles for fiber installations upon payment of regulated rent.

With sole ownership of poles in its jurisdiction and no alternative infrastructure available, PESCO's dominant position was a key factor in the Commission's ruling.

The CCP also recommended that all electricity distribution companies implement uniform, transparent ROW policies to ensure equitable broadband infrastructure deployment while addressing safety and access concerns.

<https://profit.pakistantoday.com.pk/2025/05/22/competition-tribunal-upholds-ccp-ruling-against-pesco-for-abuse-of-dominant-position/>

APP News

CAT upholds CCP's decision, directs PESCO to restore right of way

The Competition Appellate Tribunal (CAT) on Thursday has upheld the decision of the Competition Commission of Pakistan (CCP) against Peshawar Electric Supply Company (PESCO).

The CAT has directed it to restore the Right of Way (ROW) facility on fair, reasonable and non-discriminatory terms for all service providers, including fiber optic and local internet/cable TV operators, said a release issued here on Thursday.

Disposing of the appeal, the CAT further directed PESCO to formulate a new policy within 30 days.

The CCP had initiated an enquiry after receiving formal complaints from Cyber Internet Services (Private) Limited and Nayatel (Private) Limited, alleging discriminatory practices in ROW charges.

The investigation revealed that PESCO was charging Rs. 100 per pole from internet service providers like Nayatel, while demanding only Rs. 10 per pole from local cable TV operators.

Following the issuance of a show-cause notice by CCP, PESCO's Board of Directors annulled its existing policy and decided to withdraw the ROW facility entirely for all service providers, including both cable TV

and fiber optic operators. In its final order, the Commission found that PESCO had abused its dominant position, constituting a violation of Section 3 of the Competition Act, 2010.

During proceedings before the CAT, CCP's counsel argued that PESCO's actions contravened the Public and Private Right of Way Policy Directives issued by the Government of Pakistan.

The counsel further highlighted that, under the prevailing legal framework, licensed service providers are entitled to use poles owned by government-managed or private electricity distribution companies for aerial fiber optic installations—upon payment of government-determined rent.

The CCP maintained that PESCO holds a dominant position in the ROW market within its service jurisdiction, as it solely owns and controls the electricity poles used for such installations, with no viable alternatives available to service providers.

The Commission has reiterated its recommendation to all electricity distribution companies to develop a uniform and non-discriminatory policy for Right of Way and broadband deployment, addressing legitimate space, access, and safety concerns in the process.

<https://www.app.com.pk/business/cat-upholds-ccps-decision-directs-pesco-to-restore-right-of-way/>

Urdu Point

CAT Upholds CCP's Decision, Directs PESCO To Restore Right Of Way

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<https://www.urdupoint.com/en/business/cat-upholds-ccps-decision-directs-pesco-t-1983619.html>

Pro Pakistani

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<https://propakistani.pk/2025/05/22/cat-upholds-ccps-decision-directs-pesco-to-restore-right-of-way/>

Bloom Pakistan

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READ MORE: CCP Greenlights PTCL-Telenor Merger With New Conditions

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READ MORE: CCP Tracks Sugar Crisis, Vows Action against Cartels

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INTERNATIONAL

THE NEWS

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By our correspondent

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Continued on page 11

upholds CCP ruling...

Continued from page 1

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The CCP reiterated that electricity distribution companies hold a dominant position in the ROW market within their jurisdictions and called for a uniform policy framework to facilitate broadband rollout, while ensuring safety and operational integrity.



Pakistan fully confident of its nuclear security regime

Pakistan remained fully confident in the strength of its comprehensive nuclear security regime and the robustness of its command and control structures, Foreign Office Spokesperson said on Thursday.



Awais Leghari meets WB delegation, discusses power sector reforms

Federal Minister for Power, Sardar Awaiz Ahmad Khan Leghari, on Thursday met with a World Bank delegation led by Ms. Anna Bjerde, Managing Director of Operations, to discuss Pakistan's ongoing reforms in the energy sector. During the meeting, the Minister shared that Pakistan is set to introduce a competitive electricity market in the near future.

Simultaneously published from Islamabad, Lahore and Multan

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CAT Upholds CCP's Decision, Directs PESCO to Restore Right of Way

Commerce Desk

ISLAMABAD: The Competition Appellate Tribunal (CAT) has upheld the decision of the Competition Commission of Pakistan (CCP) against Peshawar Electric Supply Company (PESCO) and directed it to restore the Right of Way (ROW) facility on fair, reasonable, and non-discriminatory terms for all service providers, including fiber optic and local internet/cable TV operators. Disposing of the appeal, the CAT further directed PESCO to formulate a new policy within 30 days.

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کمپنیشن اپیلٹ ٹریبونل کا پیسکو کو رائٹ آف وے پالیسی بنانے کی ہدایت

کمیشن اپیلٹ ٹریبونل نے پشاور الیکٹرک سپلائی کمپنی (پیسکو) کو حکم دیا ہے کہ وہ فائبر آپٹک اور مقامی انٹرنیٹ و کبیل ٹی وی آپریٹرز سمیت تمام خدمات فراہم کرنے والوں کے لئے منصفانہ، معقول اور غیر امتیازی شرائط پر رائٹ آف وے کی سہولت بحال کرے۔ ٹریبونل نے درخواست نمٹاتے ہوئے پیسکو کو 30 دن کے اندر نئی پالیسی بنانے کی بھی ہدایت کی ہے۔

مسابقتی کمیشن آف پاکستان نے سائبر انٹرنیٹ سروسز (پرائیویٹ) لمیٹڈ اور نیٹیل پرائیویٹ لمیٹڈ کی جانب سے باضابطہ شکایات موصول ہونے کے بعد پیسکو کے خلاف انکوائری کا آغاز کیا تھا۔ کمیشن کی تحقیقات میں یہ بات سامنے آئی تھی کہ پیسکو رائٹ آف

وے کی کی فیس وصولی میں امتیازی رویہ اختیار کرتے ہوئے بعض انٹرنیٹ سروس فراہم کنندگان جیسا کہ نیاٹیل سے 100 روپے فی پول جبکہ مقامی کیبل آپریٹرز سے صرف 10 روپے فیس وصول کر رہی ہے۔

کمیشن کی جانب سے شوکار نوٹس جاری ہونے کے بعد پیسکو کے بورڈ آف ڈائریکٹرز نے اپنی پالیسی منسوخ کر دی تھی اور تمام کیبل ٹی وی اور فائبر آپٹک سروس فراہم کنندگان کے لئے رائٹ آف وے سہولت مکمل طور پر واپس لینے کا فیصلہ کیا تھا۔ کمیشن کمیشن نے اپنے آرڈر میں پیسکو کو اپنی غالب پوزیشن کے غلط استعمال کا مرتکب پایا تھا، جو کہ کمیشن ایکٹ 2010 کے سیکشن 3 کی خلاف ورزی ہے۔

کمیشن اپیلٹ ٹریبونل میں پیسکو کی درخواست پر سماعت کے دوران کمیشن کمیشن کے وکلاء نے پیسکو کی جانب سے سرکاری و نجی رائٹ آف وے پالیسی سے متعلق حکومت پاکستان کے بنائے گئے قواعد و ضوابط کی خلاف ورزی کی نشاندہی کی۔ وکلاء نے ٹریبونل کو بتایا کہ قانونی فریم ورک کے تحت لائسنس یافتہ خدمات فراہم کنندگان آپٹیکل فائبر کیبلز کی تنصیب کے لیے حکومت کی جانب سے مقرر کردہ فیس کی ادائیگی کے بعد سرکاری یا نجی بجلی کی تقسیم کار کمپنیوں کے کھمبوں کو استعمال کرنے کے حقدار ہوتے ہیں۔ کمیشن نے مؤقف اختیار کیا کہ پیسکو کے زیر انتظام علاقوں میں انٹرنیٹ و ٹی وی کیبل کی تنصیبات کے لیے درکار بجلی کے تمام کھمبے پیسکو کی ملکیت ہیں اور وہاں کوئی متبادل کمپنی موجود نہیں، یہی وجہ ہے کہ پیسکو اپنے زیر انتظام علاقوں کی رائٹ آف وے مارکیٹ میں ایک غالب پوزیشن رکھتی ہے۔ کمیشن کمیشن نے بجلی کی تمام تقسیم کار کمپنیوں کو ہدایت کی ہے کہ وہ رائٹ آف وے اور براڈ بینڈ انٹرنیٹ کی تنصیب کے لیے ایسی یکساں پالیسی تشکیل دیں جس سے جگہ اور حفاظت کے مسائل حل ہوسکیں۔

<https://www.urdupoint.com/daily/livenews/2025-05-22/news-4434651.html>

