

GOVERNMENT NOTICE No. 449 published on 7/7/2023

THE ELECTRICITY ACT,  
(CAP.131)

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**RULE**

*(Made under section 14(5), 22(1) and 45)*

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THE ELECTRICITY (GENERATION, TRANSMISSION AND DISTRIBUTION ACTIVITIES) RULES,  
2023

ARRANGEMENT OF RULES

PART I  
PRELIMINARY PROVISIONS

1. Citation.
2. Application.
3. Interpretation.

PART II  
LICENSING PROCEDURES

4. Obligation to Apply for Licence.
5. Licence application procedure.
6. Publication of licence application.
7. Grant of licence.
8. Application for provisional licence.
9. Publication of Provisional licence application.
10. Grant of Provisional licence.
11. Exemption.
12. Publication of application for exemption.
13. Grant of exemption.
14. Reasons for decisions.
15. Appeal procedure.
16. Duration and transfer of licence.
17. Licence suspension and revocation.

PART III  
OBLIGATIONS OF A LICENSEE

18. Generation licensee.
19. Transmission licensee.
20. Distribution licensee.
21. Cross-border electricity trade licensee.
22. General obligations of a licensee.
23. Customer service charter.
24. Compensation for loss suffered.
25. Annual reports.
26. Performance report.
27. Compliance audit.
28. Performance improvement plan.

PART IV  
FINANCIAL PROVISIONS

29. Financial reporting.
30. Regulatory financial reporting standards.
31. Maintenance of separate accounts.
32. Prohibition to cross subsidization.

PART V  
TECHNICAL PROVISIONS

33. Planned outages and preventive maintenance.
34. Interruptions and emergency repairs.
35. Notifications of service interruptions.
36. Reliability of supply.
37. Metering.
38. Testing and commissioning.

Sub Part II  
Technical obligations of a transmission licensee

39. Access and offer to connect or provide transmission services.
40. General obligations of a transmission licensee.
41. Rights of the transmission licensee.
42. Transmission network performance report.
43. Transmission network planning and land acquisition.
44. Transmission network system expansion plan.
45. Power factor.

46. Transmission losses.
47. Compliance with instructions from system and market operator.
48. Submission of information to system and market operator.
49. Preparation for emergency situation.
50. Periodic maintenance.
51. Emergency repairs and rehabilitation.
52. Preventive maintenance.
53. Service interruption.
54. Outages.
55. Notice of service interruption.
56. Meters.
57. Performance improvement plan.
58. Quality assurance plan.

### Sub Part III

#### Technical Obligations of a Distribution Licensee

59. Access, offer to connect or provide distribution services.
60. Supply agreement.
61. Distribution network planning and land acquisition.
62. Load Forecast.
63. Security and safety of supply.
64. Service quality.
65. Power factor.
66. Distribution network losses.
67. Preparation for emergency situations.
68. Planned outages for preventative maintenance.
69. Interruption and emergency repairs.
70. Notification of distribution service interruption.
71. Metering.
72. Detection and prevention of theft, damage meter interference.
73. Performance improvement plan.

### PART VI

#### DESIGNATION OF ELIGIBLE CUSTOMERS

74. Application to be an Eligible Customer.
75. Criteria for designation as an eligible customer.
76. Rights of an eligible customer.
77. Overriding effect.

PART VII  
COMPLIANCE MONITORING AND ENFORCEMENT

- 78. Inspection.
- 79. Obligations of an inspector during inspection.
- 80. Prohibited acts to inspectors.

PART VIII  
CONTROL ROOM MANAGEMENT

- 81. General requirements.
- 82. Obligations.
- 83. Procedures.
- 84. Compliance to emergency procedures.
- 85. Roles and responsibilities.
- 86. Adequate information.
- 87. Fatigue mitigation.
- 88. Alarm management.
- 89. SCADA verification.
- 90. Change management.
- 91. Operation experience.
- 92. Control room layout.
- 93. Thermal environment.
- 94. Visual environment.
- 95. Auditory environment.
- 96. Alarm.
- 97. Text.
- 98. Labels.
- 99. Display devices.
- 100. Compliance validation.
- 101. Compliance and deviation.

PART IX  
GENERAL PROVISIONS

- 102. Decommissioning planr.
- 103. Decommissioning during licence revocationr.
- 104. Offencesr.
- 105. Revocationr.

THE ELECTRICITY ACT,  
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THE ELECTRICITY (GENERATION, TRANSMISSION AND DISTRIBUTION  
ACTIVITIES) RULES, 2023

PART I  
PRELIMINARY PROVISIONS

- Citation 1. These Rules may be cited as the Electricity (Generation, Transmission and Distribution Activities) Rules, 2023.
- Application 2. These Rules shall govern the regulatory matters related to-
- (a) electricity generation including generation for own use, transmission, distribution and cross-border trade in electricity activities in Mainland Tanzania;
  - (b) eligible customers; and
  - (c) control room management.
- Interpretation 3. In these Rules, unless the context otherwise requires:  
Cap. 131 “Act” means the Electricity Act;  
“affiliate” means any legal entity holding shares in the licensee or any other legal entity in which the licensee is a shareholder;  
“alarm” means an audible or visible means of indicating to the control room operator an equipment or process is outside licensee defined safety-related parameters;  
“Authority” means the Energy and Water Utilities Regulatory Authority established under the provisions of the Energy and Water Utilities Regulatory Authority Act;
- Cap 414 “cross-border electricity trade” means trading in electricity between two states sharing a common border through an inter-connector power line, or between more than two states not sharing a common border, but linked through a power pool that involves the export or import of electric energy between the states;  
“cross-border electricity trade licence” means a licence issued by the Authority to a licensee to conduct cross-border electricity trade;

“control room” means an operation center staffed by personnel charged with the responsibility for remotely monitoring and controlling entire or multiple sections of facility systems;

“control room operator” means a qualified individual whose function is to remotely monitor and control the safety related operations of entire or multiple sections of facility systems via a SCADA from a facility control room and who has operational authority and accountability for the daily remote operational functions of the licensed activities systems as defined by the licensee;

“customer” means a person that receives or purchases regulated services from a licensee;

“Distribution Code” is the technical and procedural rules and standards issued by the Authority governing matters pertaining to the distribution of electricity;

“distribution licence” means an authorization issued by the Authority to a licensee to operate a distribution network;

“distribution licensee” means an entity licensed by the Authority to operate a distribution network and includes any entity that is exempted to obtain a distribution licence pursuant to section 18 of the Act;

“distribution network” means facilities and equipment belonging to a distribution licensee, designed to distribute electrical power for voltage up to 33 kV, that includes overhead lines, ground cables, feeders, transformers, control stations and metering equipment;

“eligible customer” means any person who is authorized by the Authority by virtue of these rules to enter into a contract for the purchase of electricity directly with any person licensed to generate electricity;

“facility” means a place or electricity infrastructure constructed and meeting internationally acceptable standards and includes electricity generation, transmission, distribution and firefighting systems in respect of which a regulated activity is carried out;

“generation facility” means premises, electric energy producing equipment including its auxiliary equipment, transformers, fuel handling equipment, switch-yard and interconnection facilities that are necessary for performing the generation services as shall be specified in a generation licence;

“generation for own use” means electricity generation activities for which the entire generated electricity is consumed by the licensee without supplying it to the other party;

“generation licence” means an authorization issued by the Authority to a licensee to undertake generation services;

Cap 287 and  
288

- “generation licensee” means an entity licensed by the Authority to provide generation services and includes any entity that is exempted to obtain a generation licence pursuant to section 18 of the Act;
- “generation services” means electricity generation services including generation for own use and the term “generation activity” shall be construed accordingly;
- “Grid Code” is the technical and procedural rules and standards issued by the Authority on transmission and system operation;
- “inspector” means an officer of the Authority or an agent appointed by the Authority pursuant to section 31 (2) of the Act to act as an inspector;
- “interconnection point” means a point where the generation facility output line or electric system feeds into the distribution network or transmission network;
- “letter of intent” means a statement of intent by a Distribution Licensee to connect and purchase power to be generated by a developer of a project up to ten megawatts;
- “licence” means cross-border electricity trade licence, electricity generation licence, electricity transmission licence or electricity distribution licence issued by the Authority;
- “licensee” means a holder of a cross-border electricity trade licence, generation licence, transmission licence or distribution licence;
- “licensed facility” means premises, electric energy producing, transmitting and/or distributing equipment including its auxiliary equipment, transformers, fuel handling equipment, switch-yard and interconnection facilities that are necessary for performing the regulated activity as specified in a respective licence;
- “local government authority” means district authority, urban authority, ward authority or village authority established under the Local Government (District Authorities) Act, and the Local Government (Urban Authorities) Act;
- “Minister” means the minister responsible for electricity matters;
- “power purchase agreement” means a contract for buying and selling of electric power entered into between a generation licensee and any other party;
- “provisional licence” means a licence issued by the Authority to allow an applicant to conduct preparatory activities such as carrying out assessments, studies and other activities necessary for the application of a licence;
- “Prudent Utility Practices” means those good and prudent practices, methods, and procedures which are attained by exercising that degree of skill, diligence, prudence, and foresight that would reasonably and ordinarily be expected from a skilled and

- experienced international operator engaged in the same or a similar type of a regulated activity in Tanzania and under the same or similar circumstances and conditions to those pertaining in Tanzania and satisfying the health, safety and environmental national or international standards;
- “regulated activity” means cross-border electricity trade, electricity generation activity, electricity transmission activity or electricity distribution activity and the term “regulated services” shall be construed accordingly;
- “regulatory financial reports or regulatory financial statements” means financial records or reports prepared and submitted to the Authority by a regulated entity as prescribed in the regulatory financial reporting manual.
- “SCADA” means a computer-based system or systems that collects and displays information about electricity facilities and has the ability to send commands back to the electricity facilities or a system that is a combination of computer hardware and software used to send commands and acquire data for the purpose of monitoring and controlling electricity facilities;
- “site” means the location where the generation facility is located and details of which shall be provided in a licence;
- “small power project” means a power plant using a renewable energy source or waste heat, or cogeneration of heat and electricity, with an export capacity of up to 10 MW;
- “tariff” means any charge, fee, price or rate for the purchase of a regulated service as shall be approved by the Authority;
- “tariff methodology” means a methodology used to compute a tariff as approved by the Authority;
- “transmission licence” means an authorization issued by the Authority to a licensee to operate a transmission network;
- “transmission licensee” means an entity licensed by the Authority to operate transmission network and includes any entity exempted to obtain a transmission licence pursuant to section of the Act;
- “transmission network” means a group of facilities and equipment belonging to a transmission licensee designed to transport electric energy and power at 50 Hz by means of high voltage lines, for voltage of 66 kV and above that includes overhead lines, underground cables, sub-marine cables, dispatchers, transformers, communication networks, control stations and metering equipment; and
- “Wheeling Agreement” means an agreement for transportation of electric energy from a source connected to an electric grid to an electric load within the grid.



PART II  
 LICENSING PROCEDURES

Obligation to  
 Apply for  
 Licence

4.-(1) A person shall not conduct any regulated activity without a licence.

(2) A person who contravenes the provisions of subrule (1) commits an offence and on conviction shall be liable to a fine not exceeding ten million shillings or to imprisonment for a term not exceeding five years or to both.

Licence  
 application  
 procedure

5.-(1) A person who intends to conduct regulated activity shall apply for a licence to the Authority in the manner to be prescribed by the Authority and the application shall be accompanied by the following documents:

(a) certified copies of the applicant's registration documents;
(b) proof of payment of the application fee;
(c) TIN and VAT registration certificate;
(d) Project's financing source;
(e) a copy of the environmental and social impact assessment certificate or clearance for the facility as required in the Environmental Management Act; and
(f) any other information as may be required by the Authority.
(2) In addition to the information mentioned under subrule (1), an application for a licence shall be accompanied by:
(a) for a generation licence:
(i) a letter of support of the initiative from the Ministry responsible for electricity matters;

Cap. 191

- (ii) proof of support of the project by local government Authority;
- (iii) proof of water rights for applicants intending to generate power from hydro;
- (iv) proof of land use rights for the facility;
- (v) proof of authorization of development of the site, including building permit;
- (vi) feasibility study report;
- (vii) power purchase agreement, where applicable;
- (viii) site layout;
- (ix) description of the generation facility;
- (x) As-Built drawing; and
- (xi) commissioning report.

- (b) for a transmission licence:
  - (i) proof of the availability of electric energy to be transmitted including a power purchase agreement, import licence or any transmission use-of-system agreement;
  - (ii) description of the service area;
  - (iii) description of the transmission network;
  - (iv) proof of right of way;
  - (v) feasibility study report;
  - (vi) transmission network expansion plan, if any;
  - (vii) As Built drawing; and
  - (viii) commissioning report.
- (c) for distribution licence:
  - (i) letter of support of the initiative from the Ministry responsible for electricity matters;
  - (ii) proof of support of the project by Local Government Authority;
  - (iii) proof of the availability of electric energy to be distributed;
  - (iv) feasibility study report;
  - (v) description of the area intended to be supplied with distribution services;
  - (vi) description of the distribution network;
  - (vii) expansion plan, if any;
  - (viii) As Built drawing; and
  - (ix) commissioning report.
- (d) for cross-border electricity trade:
  - (i) Power Purchase Agreement;
  - (ii) Interconnection Agreement;
  - (iii) Bilateral Agreement between states, if any; and
  - (iv) Wheeling Agreement where applicable.

(3) An application for a licence shall be accompanied by a non-refundable application fee prescribed by the Authority.

(4) Notwithstanding the provisions of these Rules, an application for a transmission licence shall only be done by a transmission entity owned by the state.

Publication of  
licence  
application

6.-(1) The application received by the Authority shall be evaluated to verify its completeness and legality of information contained therein and thereafter a notice of the application shall be published in at least two newspapers of wide circulation in Tanzania, one in English and another in Kiswahili with a view to soliciting comments and representations on the application.

(2) The public shall be invited to submit comments and representations state twenty one days from the date of publication of the notice and the comments and representations submitted shall be considered by the Authority in arriving at the decision on the application.

Grant of  
licence

7.-(1) The Authority shall, after the expiration of the twenty one days evaluate the application for a licence and decide where to:

- (a) grant the application and issue a licence;
- (b) refer back the application;
- (c) deny the application; or
- (d) grant an exemption.

(2) Notwithstanding the provisions of sub-rule (1), a transmission licence shall only be granted to a transmission entity owned by the state.

(3) The Authority, while making a decision on whether to grant, deny or grant an exemption, take into consideration the following:

- (a) protection of the environment;
- (b) economic efficiency and benefit to the applicant and the public in general;
- (c) comments and representations received from the public, if any;
- (d) the compliance of a licensed facility on matters including:
  - (i) safety;
  - (ii) health;
  - (iii) security;
  - (iv) hazardous substances;
  - (v) environment;
  - (vi) rural and urban planning requirements; and
- (e) any other matter relevant to the orderly provision of the cross-border electricity trade, electricity generation, distribution or transmission services in Tanzania.

(4) Upon expiry of the licence granted under this Rule, a licensee may apply for renewal or extension of the licence term in the manner prescribed by the Authority.

(5) The application for renewal or extension of a licence term shall be accompanied by such information or documents as the Authority may require.

Application  
for provisional  
licence

8.-(1) A person seeking to conduct a regulated activity may, prior to applying for a licence, apply to the Authority for a provisional licence with a view to conducting some preparatory activities like conducting

assessments, studies, financial arrangements and other activities necessary for applying for a licence.

(2) The application for a provisional licence shall be lodged to the Authority in a prescribed format accompanied by the following:

- (a) certified copies of the applicant's registration documents;
- (b) proof of payment of the application fee;
- (c) project's financing plan;
- (d) TIN and VAT registration certificate; and
- (e) copy of the environmental and social impact assessment certificate or clearance as required in the Environmental Management Act or proof of initiation of the process to acquire the certificate or clearance; and

(3) The applicant shall, in addition to the documentation mentioned under subrule (2), submit the following:

- (a) for generation licence:
  - (i) site layout;
  - (ii) generation technology and capacity;
  - (iii) construction schedule;
  - (iv) a letter of support of the initiative from the Ministry responsible for electricity matters;
  - (v) proof of support of the project by Local Government Authority;
  - (vi) proof of water rights for applicants intending to generate power using hydro, if any;
  - (vii) proof of land use rights for the project or an initiation process to acquire such rights;
  - (viii) proof of authorization of development of the site, including building permit, if any;
  - (ix) pre-feasibility study report or project write up; and
  - (x) power purchase agreement, memorandum of understanding or a letter of intent, whichever applicable;
- (b) for a transmission licence:
  - (i) proof of the availability of electric energy to be transmitted including a power purchase agreement, import licence or any transmission use-of-system agreement, if any;
  - (ii) description of the intended service area;
  - (iii) description of the transmission network;
  - (iv) right of way or an initiation process to acquire such rights;

- (v) construction schedule;
  - (vi) pre-feasibility study report;
  - (vii) transmission network expansion plan, if any; and
  - (viii) a sketch map of the proposed service area.
- (c) for a distribution licence:
- (i) letter of support of the initiative from the Ministry responsible for electricity matters;
  - (ii) proof of support of the project by Local Government Authority;
  - (iii) proof of the availability of electric energy to be distributed;
  - (iv) pre-feasibility study report
  - (v) description of the area intended to be supplied with distribution services;
  - (vi) description of the distribution network;
  - (vii) right of way or an initiation process to acquire such rights;
  - (viii) construction schedule; and
  - (ix) expansion plan, if any.

Publication of provisional licence application

9.-(1) The provisional licence application received by the Authority shall be evaluated to verify its completeness and legality of information contained therein and thereafter a notice of the application shall be published in at least two newspapers of wide circulation in Tanzania one in English and another in Kiswahili with a view to soliciting comments and representations on the application.

(2) The public shall be invited to submit comments and representations within twenty one days from the date of publication of the notice and the comments and representations submitted shall be considered by the Authority in arriving at the decision on the application.

Grant of provisional licence

10- (1)The Authority shall, after the expiration of the twenty one days evaluate the application and thereafter make a decision basing on:

- (a) economic efficiency and benefit to the applicant and the public in general; and
- (b) comments or representations received from the public, if any.

(2) Upon expiry of the provisional licence granted under this Rule, a licensee may apply for renewal or extension of the licence in the manner prescribed by the Authority.

(3) The application for renewal or extension of a provisional licence term shall be accompanied by such information or documents as the Authority may require.

- Exemption
- 11.-(1) An operator who undertakes or intends to undertake a regulated activity but with sufficient reasons unable to comply with the licensing requirement may apply to the Authority to be exempted from complying with the requirements of section 8 of the Act.
- (2) Notwithstanding the provisions of subrule (1), any person undertaking;
- (a) generation activity with a capacity below one megawatt; or
  - (b) off-grid distribution activities in rural areas where the maximum demand on the off-grid system is below one megawatt;
- shall be exempted from the requirements of section 8 of the Act.
- (3) The application for exemption under sub-rule (1) shall be made in writing to the Authority stating the following:
- (a) description of the project including its shareholders, description of the plant, site details and proposed service area; and
  - (b) reasons for the request for exemption.
- (4) A person exempted from the requirements of section 8 of the Act shall be required to register with the Authority and provide the Authority with accurate information related to its generation or distribution services.
- (5) Unless otherwise required by the Authority, any generation activities with a capacity below one megawatt intended for own use shall be exempted from registration requirement.
- Publication of application for exemption
- 12.-(1) Upon receipt of the application made under rule 11, the Authority shall publish a notice of the application in at least two newspapers of wide circulation in Tanzania one in English and another in Kiswahili with a view to soliciting comments and representations on the application.
- (2) The public shall be invited to submit their comments and representations within twenty one days from the date of publication of the notice and the comments and representations submitted shall be considered by the Authority in arriving at the decision on the application.
- Grant of exemption
- 13.-(1) The Authority shall after expiration of twenty one days, proceed to evaluate the application and make a decision on whether to grant or deny the application subject to such terms and conditions it may deem fit.
- (2) The Authority shall, while making a decision whether to grant, deny or exemption, take into consideration the following:
- (a) gravity of the reasons submitted in support of the application

- for exemption;
  - (b) public interest to be protected; and
  - (c) comments or representations received from the public, if any.
  
- Reasons for decision                    14. The Authority shall, where it denies or refers back an application for a licence or an exemption, inform the applicant of such decision in writing, including the reasons thereof.
  
- Appeal Procedure Cap. 285                    15. A person aggrieved by the decision of the Authority may appeal to the Fair Competition Tribunal pursuant to the provisions of the Fair Competition Act.
  
- Duration and transfer of licence                    16.-(1) The terms of a licence and provisional licence shall be stated on the face of such licence or provisional licence
  - (2) A licence shall remain valid for the term issued, provided that, the Authority may, on the written application of a licensee, renew or extend the initial period for such further period as the Authority may deem appropriate.
  - (3) A licence or a provisional licence shall not be assigned or transferred to another person without a written approval of the Authority.
  - (4) Without prejudice to the provisions of subrule (3), a change of ownership where a third party becomes a majority shareholder of a licensee in relation to which a licence or a provisional licence has been issued shall be communicated to the Authority within fourteen days after acquiring transfer approvals from relevant authorities.
  
- Suspension and revocation                    17.-(1) The Authority may suspend a licence for a period up to twelve months in case of-
  - (a) a violation of a licence term; or
  - (b) violation of a provision of the Act, these Rules or applicable law;
  - (c) a licensee's failure to pay the regulatory levy to the Authority and such levy remains unpaid thirty days after it has become due and the Authority has given the licensee notice in writing that such payment is overdue.
  - (2) The Authority may revoke a licence where it determines that a licensee has failed to remedy or desist from an act or omission constituting a violation within the prescribed time despite being ordered to do so by the Authority.
  - (3) Notwithstanding the provisions of subrule (1), the Authority may-
    - (a) waive a licence suspension where it is satisfied that a licensee

- has abstained from the act that caused the suspension and the reason for suspension no longer exists; and
- (b) in lieu of suspending or revoking a licence and subject to the provisions of the Act, appoint an administrator in accordance with the guidelines issued by the Authority to replace the management of a licensee and manage the affairs of the licensee for such period the Authority may determine.

PART III  
OBLIGATIONS OF A LICENSEE

- Generation licensee
- 18.-(1) A generation licensee shall, where applicable be required to-
- (a) provide reliable generation services to customers;
  - (b) operate and maintain the generation facility;
  - (c) charge the approved tariff to customers; and
  - (d) carry out all works related to the provision of generation services, including engineering, construction, rehabilitation, operation and maintenance of the generation facility in accordance with Prudent Utility Practices and a power purchase agreement.
- (2) A generation licensee may use part of the power generated to meet its own demand at the generation facility.
- Transmission licensee
- 19.-(1) A transmission licensee shall be required to-
- (a) conduct transmission activity in the service area;
  - (b) operate and maintain the transmission network;
  - (c) charge the approved tariff to customers or in accordance to the applicable law;
  - (d) carry out all works related to the conduct of transmission activity, including engineering, construction, rehabilitation, operation and maintenance of the facilities in accordance with applicable law and Prudent Utility Practices;
  - (e) provide access to its transmission assets and offer transmission activities to qualified participants in a non-discriminatory basis; and
  - (f) publish procedures governing request to connect to its transmission facilities.
- Distribution licensee
- 20.-A distribution licensee shall be required to-
- (a) conduct distribution activity in the service area;
  - (b) operate and maintain the distribution network;



- (c) charge the approved tariff to customers;
- (d) carry out all works related to the conduct of distribution activity, including engineering, construction, rehabilitation, operation and maintenance of the facilities in accordance with applicable law and Prudent Utility Practices; and
- (e) as far as it is practicable purchase all the required electric energy from least cost generation licensee first.

Cross-border  
electricity trade  
licensee

21.-(1) A Cross-border Electricity Trade licensee shall be required to-

- (a) undertake cross-border electricity trade in a manner that does not jeopardize the national grid security;
- (b) notify the Authority of any change to the cross-border agreement that affects the approved tariff;
- (c) submit to the Authority annually an audited financial report and technical performance; and
- (d) submit to the Authority for approval the Power Purchase Agreement, Wheeling Agreement and applicable charges and tariffs.

(2) The Authority may make guidelines to provide for operations of cross-border electricity trade.

General  
obligations of  
licensee

22.-A licensee shall, where applicable, while providing a regulated activity observe the rules and guidelines issued by the Authority and:

- (a) charge tariff approved by the Authority;
- (b) pay all applicable fees and levies
- (c) conduct regulated activity without any discrimination and bias to customers;
- (d) shall not cease to conduct a regulated activity without prior notice to the Authority; and
- (e) notify the Authority on accidents occurring when conducting its licensed activities within twenty four hours for fatal accidents and annually for non-fatal accidents.

Customer  
Service Charter

23. A distribution licensee shall, within three months from the date of issue or transfer of a licence, prepare and submit to the Authority for approval a Customer Service Charter, which shall include-

- (a) an offer to connect or provide services to a potential customer upon receipt of a request from such potential

- customer;
- (b) an offer to connect any electric power generation licensee, including small power projects, as per the approved arrangement by the Authority;
- (c) obligations of a licensee and that of consumers and the remedy for breaching such obligations;; and
- (d) the minimum quality of power supply services and standards based on Prudent Utility Practices.

Compensation  
for loss suffered

24.-(1) A licensee shall be obliged to compensate any person who has suffered any injury or loss of property as a result of a regulated activity.

(2) A person who suffers injury or loss of property as a result of a regulated activity shall first lodge a complaint with a licensee with a view to reaching an amicable settlement.

(3) Where no settlement is reached under subrule (2), a person who has suffered injury or loss may refer the matter to the Authority for a decision and the Authority shall deal with such matter pursuant to the provisions of the Energy Water Utilities Regulated Authority Act.

Cap.414

(4) For the purpose of this rule, “person” includes an administrator or administratrix, executor or executrix of the estate of a deceased person.

Annual reports

25. – (1) A licensee shall submit to the Authority its annual report not later than thirty days after issuance of its audited accounts.

(2) An Annual report prepared by a licensee and submitted to the Authority shall provide details of technical and economical performance of the regulated activities carried out during the reporting year.

Performance  
report

26. A licensee shall, on a monthly basis or any other time as may be required by the Authority, provide a performance report of its regulated activities in a format and content prescribed by the Authority, and such reports shall be submitted to the Authority within seven days of the proceeding month.

Compliance  
audit

27.-(1)The Authority shall, on an annual basis conduct an audit to a licensee to check its compliance with:

- (a) these Rules;
- (b) as appropriate, power purchase agreement(s), any

agreement relevant with the conduct of its generation activity, transmission activity or distribution activity; and

(c) any relevant codes.

(2) The Authority may, if it deems necessary, hire an independent auditor to carry out the compliance audit described in subrule (1) on its behalf.

Performance improvement plan

28. A licensee who is not performing to the required standards shall, on annual basis, submit to the Authority a performance improvement plan comprising of key performance indicators in accordance with-

(a) international best practices;

(b) prudent utility practices; and

(c) directions issued by the Authority.

#### PART IV FINANCIAL PROVISIONS

Financial reporting

29.-(1) A licensee shall, within ninety days after the start of its financial year, submit to the Authority its approved budget in relation to the regulated activities for such financial year, which include-

(a) operating revenue; and

(b) capital and operating expenses.

(2) A licensee shall annually submit to the Authority-

(a) regulatory financial reports within ninety days from the end of the financial year; and

(b) audited financial statements within thirty days after receipt of the same.

Regulatory financial reporting standards

30.-(1) A licensee shall submit regulatory financial reports in accordance to the standards specified by the Authority.

(2) The regulatory financial reporting standards and frequency of reporting shall be as prescribed in the Regulatory Financial Reporting Manual issued by the Authority.

Maintenance of separate accounts

31.-(1) A licensee shall maintain a separate set of accounts for provision of activities not related to the regulated activity.

(2) A licensee who possesses more than one licence shall maintain separate books of accounts and submit a separate report for

each licence.

(3) The provisions of subrule (2) shall not apply to a licensee who is vertically integrated until when the electricity market is reorganized pursuant to section 41 of the Act.

Prohibition to  
Cross  
Subsidization

32. A licensee shall ensure that there is no cross subsidization between-

- (a) regulated activities; or
- (b) regulated activities and any other activity including activities of affiliates.

PART V  
TECHNICAL PROVISIONS  
Sub-Part I  
Generation Activity

Planned outages  
and preventive  
maintenance

33. A generation licensee shall-

- (a) undertake the preventive maintenance activities as scheduled in accordance with the manufacturers specification to ensure continuation and reliability of generation services; and
- (b) provide details of proposed planned outages periods to the Authority in writing not less than ninety days before the occurrence of any planned outages.

Interruptions and  
emergency  
repairs

34. A generation licensee shall-

- (a) take all reasonable action to restore generation services in the event supply and delivery of electric energy to a customer at the interconnection point is reduced or interrupted for any reason other than unplanned outage;
- (b) immediately upon being made aware of any damage to plant or equipment that poses a danger or a risk of injury to the public or to property, remove such danger or risk of injury prior to carrying out any emergency repair or rehabilitation; and
- (c) promptly repair a damaged plant or equipment and other defects to the generation facility and shall immediately thereafter commission the plant or equipment.

Service  
interruptions

35. A generation licensee shall-

- (a) within seven days prior to a planned outage notify the Authority and customers in writing in case the generation service is interrupted for the purpose of conducting

rehabilitation, preventive maintenance or any other plausible cause beyond the control of the generation licensee; and

- (b) within twenty four hours, notify customers and report to the Authority in writing in case generation service is interrupted for the purpose of conducting emergency repairs or for any other cause beyond the control of a licensee, where such interruption affects the delivery of generation services for more than twenty four hours.

Reliability of supply

36. A generation licensee shall ensure that, from the effective date of the licence, and at all times thereafter until the expiration of the licence, receives a reliable supply of materials needed for generation activities including spare parts, fuels and water of such quality and in quantity sufficient to meet electric power requirements.

Metering

37. A generation licensee shall:

- (a) install meters to measure the electric energy and any resource needed for generating power, according to rules and measuring procedures and standards stated in an agreement entered into between the licensee and any other person;
- (b) ensure the energy meters are of the agreed inaccuracy limit but in any case not exceeding one half (0.5%) percent;
- (c) verify the accuracy and calibration of the meters and ensure that all meters give accurate and detailed readings except as otherwise provided in the power purchase agreement;
- (d) take necessary measures to prevent tampering with or damage to the meters; and
- (e) test, maintain, and replace the meters according to the manufacturers' recommendations.

Testing and commissioning

38.-(1) A generation licensee shall test-

- (a) the generation facility's dependable capacity and perform commissioning test as per the terms and conditions of the power purchase agreement; and
- (b) the generation facility in case of increased capacity or commissioning of a new facility or upgraded facility.

(2) A generation licensee shall, within thirty working days after conducting the tests in subrule (1), submit to the Authority a report thereof.

(3) A generation licensee shall allow the Authority to witness the testing in sub-rule (1).

Sub-Part II  
Technical Obligations of a Transmission Licensee

Access and offer  
to connect or  
provide  
transmission  
services

39. A transmission licensee shall-
- (a) provide access to the transmission network to all qualified participants on a fair, reasonable and non-discriminatory basis;
  - (b) provide transmission services required to allow connection, disconnection and reconnection to or from its transmission network pursuant to the terms of the relevant transmission system connection contract and codes and standards issued by the Authority;
  - (c) offer its connection and access to its transmission network on fair, reasonable and non-discriminatory terms to any person that concludes a transmission system connection contract or a transmission system use of system contract;
  - (d) after receiving an application to connect to its transmission network evaluate such application pursuant to rules, guidelines orders and directions of the Authority;
  - (e) treat a contract to connect to the transmission network and a contract to use the transmission network as separate and distinct from each other and any other electricity sales contract;
  - (f) not later than sixty working days after the receipt of a written request to connect, offer a transmission network connection contract and a plan of implementation of the physical connection to any market participant located within the service area that wishes to connect to the transmission network;
  - (g) notwithstanding the generality of paragraph (f), offer any customer opportunity to connect to a transmission network where there is sufficient capacity in the transmission network;
  - (h) not later than thirty working days after being notified of the acceptance of the offer given in sub-rule (f):
    - (i) conclude a transmission use-of-system agreement with such person; and
    - (ii) connect such person;
  - (i) notwithstanding the provisions of paragraphs (f), (g) and (h) and upon receipt of a written request, make an offer to provide the requested services within a reasonable time taking into account the complexity of the services

- requested and best practices; and
- (j) perform all services required to allow connection, disconnection, and reconnection to or from the transmission network.
- General obligations of transmission licensee
- 40.-(1) A transmission licensee shall-
- (a) manage, maintain and operate the transmission network to ensure that under normal circumstances electricity is continuously transferred at a connection point pursuant to-
- (i) applicable technical designs; and
- (ii) standards of reliability and quality of service approved by the Authority;
- (b) minimize the number of interruptions or reductions in rated capacity at a connection point pursuant to Prudent Utility Practices; and
- (c) restore the rated capacity as soon as reasonably practicable following an interruption either:
- (i) at a connection point on the transmission network; or
- (ii) involving the transmission network.
- Rights of the Transmission Licensee
41. A transmission licensee shall be entitled-
- (a) to disconnect any equipment owned by a transmission system user that adversely affects the integrity and security of the transmission network;
- (b) to have access to system and market operator services on a non-discriminatory basis;
- (c) to work with the system and market operator, to:
- (i) coordinate outages;
- (ii) represent the quality, capacity of its own equipment; and
- (iii) determine on its own liability the forced outages of its own equipment;
- (d) to have access to the reports, non-confidential information and the website of the system and market operator; and
- (e) in the event that the system and market operator or a transmission user fails to comply with the rules, to file a complaint with:
- (i) the system and market operator; or
- (ii) the Authority.
- Transmission network performance
42. A transmission licensee shall provide the Authority with a detailed statement of its transmission network operations, including capacity, outages, losses, efficiency and reliability as the Authority may

- report require.
- Transmission network planning and land acquisition
- 43.-(1) A transmission licensee shall prepare an asset expansion and development plan for its transmission network.
- (2) A transmission licensee shall, not less than sixty days prior to the beginning of each calendar year, submit the plan prescribed in subrule (1) to the Authority for approval.
- (3) The plan described in sub-rule(1) shall be carried out pursuant to specific action plans developed to upgrade the transmission network to an acceptable technical and economic level, taking into consideration:
- (a) health, safety and environmental standards;
  - (b) load growth; and
  - (c) availability and reliability of transmission services to customers.
- (4) A transmission licensee shall apply to the relevant Authorities for a wayleave right required over any piece of land to enable it to access, construct, maintain or expand the transmission network.
- (5) A transmission licensee shall take all such actions as may be necessary from time to time to maintain the interests in the land acquired under subrule (4).
- Transmission network system expansion plan
- 44.-(1) A transmission licensee shall submit to the Authority for its review a transmission network expansion plan that shall comprise a proposal with factual support to expand or upgrade the transmission network.
- (2) The transmission network expansion plan shall-
- (a) take into account the national energy policy;
  - (b) be technically, environmentally and economically viable;
  - (c) comply with-
    - (i) the load requirements established by the system and market operator;
    - (ii) requirements for new interconnectors or the agreed expansion of existing interconnectors;
    - (iii) approved standards for reliability and quality of service;
    - (iv) Power System Master Plan; and
    - (v) any requests for expansion filed by transmission users or transmission user applicants.
- Power factor
45. A transmission licensee shall, in order to ensure that the transmission network achieves the appropriate power factor-



- (a) install devices and equipment that conform to the best electricity industry practices; and
- (b) ensure that all power supply contracts concluded by the licensee clearly define the counterparty's obligation to install power factor improvement devices at the connection points where power is delivered.

Transmission losses

- 46.-(1) A transmission licensee shall reduce losses of any kind in the transmission network to levels approved by the Authority.
- (2) A transmission licensee shall submit to the Authority-
- (a) within thirty days of the proceeding year, a statement of the electrical losses on its network during the previous year, together with a plan to reduce such losses; and
  - (b) within thirty days of the next quarter, a quarterly report in respect of electrical losses, together with the licensee's plans to reduce such losses.
- (3) A transmission licensee shall comply with any targets issued by the Authority in respect of loss reductions.

Compliance with instructions from system and market operator

47. A transmission licensee shall at all times follow the instructions of the system operator and market operator.

Submission of information to system and market operator

- 48.-(1) A transmission licensee shall, upon written request of the system and market operator, provide all information related to its transmission network.
- (2) The information described in subrule (1) may be supplemental to any information provided to be delivered either by the market rules or a licence.
- (3) A transmission licensee shall not purchase or sell electricity, except:
- (a) to cover the losses on the transmission network including operation of transformer stations; or
  - (b) as a customer of other systems, to satisfy its own administrative needs.
- (4) A transmission licensee shall, in the event that the equipment of a transmission system user fails to meet the established technical requirements and standards, identify and report such failure to the Authority and the system and market operator within three days.
- (5) A transmission licensee shall-
- (a) receive, acknowledge and carry out operation instructions issued by the system and market operator, except when

- doing so may endanger the licensee's equipment or staff;
- (b) inform the system and market operator of:
  - (i) any changes to its transmission facilities; or
  - (ii) constraints encountered by a licensee in respect of Transmission System Expansion Plan or scheduling and dispatch;
- (c) submit to the system and market operator the information required under-
  - (i) the Act;
  - (ii) these Rules;
  - (iii) a licence; and
  - (iv) market rules;
- (d) in the event of any change in the information described in subrule (5) (c), notify the system and market operator within seven(7) working days from the date of such change.

Preparation for emergency situations

49.-(1) A transmission licensee shall take such actions as may be reasonably required to-

- (a) prepare for emergencies;
- (b) restore the transmission network after a disaster; and
- (c) take part in exercises and tests.

(2) A transmission licensee shall establish procedures to ensure the safe and continuous operation of the power system in emergency situations, taking into account the relevant provisions in the market rules and any other relevant codes, rules and standards established or approved by the Authority.

Periodic maintenance

50.-(1) A transmission licensee shall-

- (a) undertake preventive periodic maintenance activities to ensure continuation and reliability of transmission services;
- (b) conduct periodic preventive maintenance on its transmission network pursuant to rules, directions and schedules approved by the Authority;
- (c) conduct emergency or major maintenance work on the components of the transmission network to ensure the continuous and reliable transmission of electrical energy; and
- (d) pursuant to maintenance and investment plans approved by the Authority, replace and rehabilitate network components that:
  - (i) are nearing the end of their useful economic life; or
  - (ii) have deteriorated for any reason.

(2) A transmission licensee shall plan and schedule annual and

other long-term maintenance activities with the system and market operator.

(3) The maintenance plans and schedules described in sub-rule (2) shall be designed:

- (a) pursuant to rules or guidelines issued by the Authority; and
- (b) to minimize aggregate delivered energy costs while maintaining transmission network reliability.

Emergency repairs and rehabilitation

51. A transmission licensee shall-

- (a) in the event of damaged plant and equipment that might pose danger or a risk of injury to the public or to property, immediately upon being made aware of such damage, remove such danger or risk prior to conducting any emergency repairs or rehabilitation;
- (b) promptly repair damaged parts of the transmission network and shall reconnect market participants as quickly as possible; and
- (c) conduct all required replacement and rehabilitation activities pursuant to rehabilitation and investment plans approved by the Authority.

Preventive maintenance

52. A transmission licensee shall plan all scheduled transmission service interruptions for the shortest possible time.

Service interruption

53. A transmission licensee shall notify the Authority in writing in the event of a service interruption for emergency repair, rehabilitation or preventive maintenance that affects transmission services for more than two continuous days.

Outages

54. A transmission licensee shall, in consultation with the system and market operator, recover from outages that occur at the transmission network and resume transmission services as quickly as possible.

Notice of service interruptions

55.-(1) A transmission licensee shall, when intending to carry out preventive maintenance, replacement, restoration or any other construction that may lead to an interruption or reduction of transmission services, issue a public notice thereof, not less than three working days prior to undertaking such activities.

(2) The notice described in subrule (1) shall include date and hour of the transmission service interruption and the date and hour of intended restoration.

- Meters
- 56.-(1) A transmission licensee shall install, maintain, and verify the accuracy of meter installations at all points of off-take from the transmission network.
- (2) A transmission licensee shall, in respect of each meter installation described in subrule (1), comply with metering standards and rules made by the Authority.
- (3) A transmission licensee shall deliver to market participants all data required to calculate the achievement of its bilateral obligations, or to resolve any dispute related to relevant bilateral contracts.
- (4) A transmission licensee shall estimate the electrical energy consumed during the period when a meter is stopped or is malfunctioning pursuant to market rules.
- Performance improvement plan
- 57.-(1) A transmission licensee shall, after receipt of a licence, confirm a baseline on operational and organisational matters upon which it shall establish a performance improvement plan to be approved by the Authority.
- (2) The plan required under subrule(1) shall-
- (a) comprise specific targets to improve service by developing key performance indicators and establish methods to monitor achievements; and
- (b) as necessary, be developed pursuant to rules or directions of the Authority.
- (3) A transmission licensee shall, on an annual basis, review and submit to the Authority for approval the plan described in subrule (1).
- Quality assurance plan
- 58.-(1) A transmission licensee shall establish a plan to achieve comprehensive quality assurance in respect of transmission services, and revise it pursuant to the Authority's instructions.
- (2) A transmission licensee shall, not later than ninety days after receipt of the license, submit the quality assurance plan to the Authority for its approval.

### Sub-Part III

#### Technical Obligations of a Distribution Licensee

- Access, offer to connect or provide distribution services
59. A distribution licensee shall-
- (a) provide distribution services to all users on a fair, reasonable and non-discriminatory basis;
- (b) perform all activities required to allow connection, disconnection, and reconnection to or from a distribution network pursuant to the distribution code, and any relevant

- codes issued or approved by the Authority; and
- (c) not reduce or discontinue distribution services to a customer unless such customer has failed to pay the tariff or charge within the prescribed period or comply with the terms and conditions of the supply agreement.

Supply  
Agreement

- 60.-(1) A distribution licensee shall conclude a supply agreement with each customer.
- (2) A distribution licensee shall ensure that its supply agreement contains atleast the following information:
- (a) the licensee's identity and the address;
  - (b) the scope of the services to be provided;
  - (c) the type of maintenance and customer service support offered;
  - (d) the means by which customers may obtain information concerning tariffs;
  - (e) the duration of the contract;
  - (f) conditions for the renewal or termination of the contract; and
  - (g) any compensation or refund arrangements in the event that contracted quality service levels are not met.

Distribution  
network  
planning and  
land acquisition

- 61.-(1) A distribution licensee shall, pursuant to rules issued by the Authority, prepare an asset expansion and development plan for its distribution network.
- (2) A distribution licensee shall, not less than two months prior to the beginning of each calendar year, submit the plan described in subrule (1) to the Authority for approval.
- (3) The plan described in subrule(1) shall be carried out pursuant to specific action plans developed to upgrade the distribution network to an acceptable technical and economic level, taking into consideration:
- (a) health, safety and environmental standards;
  - (b) load growth; and
  - (c) availability and reliability of distribution services to customers.
- (4) A distribution licensee shall apply to relevant authorities for any way leave right required over any piece of land that may be required to access, construct, maintain or expand the distribution network.
- (5) A distribution licensee shall take all such actions as may be necessary to maintain the interests in the land acquired under subrule (4).

- Load forecast                                    62.-(1) A distribution licensee shall submit the load forecast on an annual basis, and on such time as may be required by the Authority.  
  (2) A distribution licensee shall, after coming into force of these Rules, establish and submit to the Authority for its approval power demand and load forecasts within its distribution network, for three years rolling.  
  (3) A distribution licensee shall deliver to the Authority:  
  (a) the actual consumption profiling achieved by the load analysis for each customer category where the power is measured; and  
  (b) the number of customers and a summary of energy needs within each customer category.
- Security and safety of supply                63. A distribution licensee shall provide its customers with contact information they can use to notify the licensee of any matter or incident related to the availability of distribution services that-  
  (a) causes danger or requires urgent attention; or  
  (b) affects or is likely to affect the security of supply, availability or quality of the distribution services.
- Service quality                                    64.-(1) A distribution licensee shall not later than six months after receipt of a licence submit to the Authority for approval the quality of distribution service and quality of supply standards.  
  (2) The quality of service and quality of supply standards provided in subrule(1) shall be based on Prudent Utility Practices.  
  (3) A distribution licensee shall not later than ninety (90) days after the approval under sub-rule (1) submit a plan on how to achieve such standards.
- Power factor                                      65. A distribution licensee shall install devices and equipment necessary to ensure that the power factor of the distribution network reaches required levels including installation of the quality measuring equipment in appropriate location in the network.
- Distribution network losses                    66.-(1) A distribution licensee shall-  
  (a) within one year after coming into force of these Rules, submit a study identifying the level of technical and commercial losses in the distribution network including illegal connections; and  
  (b) propose achievable targets for loss reduction for the approval by the Authority.  
  (2) A distribution licensee shall submit to the Authority a

statement of the electrical losses on distribution network during the previous year, together with a plan to reduce such losses.

Preparation for  
Emergency  
Situations

67.-(1) A distribution licensee shall:

- (a) take such actions within allowable technical limits as may be reasonably required for emergency preparedness and restoration of its distribution network; and
- (b) establish and implement procedures within allowable technical limits to ensure the safe and continuous operation of the distribution network in emergency situations.

Planned outages  
for preventive  
maintenance

68.-(1) A distribution licensee shall undertake the preventive maintenance activities to ensure continuation and reliability of distribution services.

(2) A distribution licensee shall, announce to the public details of the planned outages periods not less than seven days before the occurrence of any planned outages.

(3) A distribution licensee shall while undertaking preventive maintenance, replacement, restoration or any other construction that may lead to the stoppage of provision of distribution services for more than twenty four hours:

- (a) inform the Authority and the public at least three days prior to suspending the provision of the distribution service; and
- (b) ensure that all scheduled distribution service interruptions are planned for the shortest possible time.

Interruption and  
emergency  
repairs

69. A distribution licensee shall-

- (a) immediately take all reasonable action to restore services in the event supply and delivery of electric energy to customer supply point is interrupted for any reason including unplanned outages;
- (b) in the event of any damage to a plant or equipment that poses a danger or a risk of injury to the public or to property and immediately upon being made aware of such damage, remove such danger or risk of injury prior to carrying out any emergency repair or rehabilitation; and
- (c) promptly repair damaged plant or equipment and other facility defects and reconnect a customer as it shall be provided in the customer service charter.

Notification of  
distribution

70.-(1) A distribution licensee shall notify the Authority and the customers in writing, in case distribution service is interrupted for the

service interruption

purpose of conducting-

- (a) rehabilitation or preventive maintenance and such interruption affects the provision of the distribution services; and
- (b) emergency repair, where such interruption affects the provision of distribution service for more than forty eight hours.

Metering

71.-(1) A licensee shall-

- (a) from each installed metering point, deliver to a generation licensee, transmission licensee or any other person all data required in order to calculate the fulfilment of its obligations or resolve any dispute related to any contract;
- (b) install, maintain, and as per manufacturer's recommendation, verify the accuracy of meter installations at all points of off-take from the distribution network; and
- (c) in the event that any malfunction or damage occurring to a meter for any reason that is out of the customer's control, repair such malfunction or damage or change the meter as quickly as possible.

(2) The electric energy consumed during the period when a meter is stopped or is malfunctioning shall be estimated pursuant to:

- (a) in the case of a large customer the relevant contracts; and
- (b) in all other cases, and in the absence of any contract estimation based on consumption trends.

(3) Notwithstanding the provisions of subrule (2)(b), where a customer is not satisfied with the estimated amount, he shall refer the matter to the Authority for a decision and the Authority shall deal with such matter pursuant to the provisions of the Energy and Water Utilities Regulatory Authority Act.

Cap.414

Detection and prevention of theft, damage and meter interference

72. A distribution licensee shall take all reasonable steps to detect and prevent-

- (a) theft of electricity in the service area;
- (b) damage to or fault in any electric plant, electricity meter in the service area;
- (c) interference with any electricity meter in the service area; and
- (d) any unrecorded consumption of electricity in the service area.



Performance Improvement Plan

73.-(1) A distribution licensee shall, within a year after coming into operation of these Rules confirm a baseline on operational and organisational matters upon which it shall establish a performance improvement plan to be approved by the Authority where the baseline is below the required standard.

(2) The plan required under subrule(1) shall-

- (a) comprise specific targets to improve service by developing comprehensive key performance indicators and establish methods to monitor achievements; and
- (b) as necessary, be developed pursuant to rules or directions of the Authority.

(3) A distribution licensee shall, on an annual basis, review and submit to the Authority for approval the plan described in subrule (2).

#### PART VI DESIGNATION OF AN ELIGIBLE CUSTOMERS

Application to be an Eligible Customer

74.-(1) Any person with the requisite criteria and intends to be designated as an eligible customer shall apply to the Authority in the manner prescribed in the Schedule.

(2) The application under sub-rule 1 shall be accompanied by the following documents:

- (a) proof of electric energy consumption capacity;
- (b) wheeling agreement if any; and
- (c) letter of clearance from supplying utility that the applicant has no outstanding liability against the utility where applicable.

Criteria for designation as an eligible customer

75.- (1) An application for designation as an eligible customer shall meet the following criteria:

- (a) the applicant must be supplied at the voltage levels not less than 33 kilovolt;
- (b) the Applicant must have the maximum demand of two megawatts or more; and
- (c) in case the Applicant is being supplied power by a distribution licensee, must obtain a letter of clearance from such licensee to prove to the Authority that there is no pending/un-cleared obligations.

(2) Notwithstanding the provisions of subrule (1), the Authority may consider granting the application for designation as eligible customer without meeting the above criteria where the circumstances so

demands.

Rights of eligible customer

76.-Any person designated as an eligible customer by the Authority shall have the following rights:

- (a) to purchase electricity from a generation licensee of its choice;
- (b) to enter into a Power Purchase Agreement with a generation licensee without an approval of the Authority; and
- (c) to negotiate electricity tariff based on mutual understanding with the seller.

Overriding effect

77. The provisions of this Part shall have the overriding effect over any other rules made by the Authority and in case of inconsistency the provisions of this part shall apply.

PART VII  
COMPLIANCE MONITORING AND ENFORCEMENT

Inspection

78.-(1) The Authority shall, upon notice to the licensee, inspect the regulated facility and documents, and a licensee shall render necessary assistance in the course of inspection of its regulated activity.

(2) During inspection the Authority may-

- (a) make copies or take extracts from any such book, accounts or records kept by the licensee under the applicable law;
- (b) inspect machinery, equipment, appliances, meters, fittings, apparatus and take measurements or record technical data including power consumption, voltage levels, frequency, and access the implementation of the customer service charter; and.
- (c) access licensee's software systems as may deem necessary.

Obligations of the authority during inspection

79.-(1) During inspection, an officer or representative of the Authority shall be required to do the following:

- (a) identify himself to a licensee or customer with identity card issued by the Authority;
- (b) explain to a licensee or customer the purpose of the inspection;
- (c) conduct himself with fairness, objectivity and integrity;
- (d) not engage in any form of discrimination, bias or harassment;
- (e) refrain from taking part in duty where they have or may

- appear to have conflict of interest;
- (f) carry out inspection in a professional manner in accordance with the requirements of these Rules, codes, guidelines, inspection checklist, standards, applicable laws and prudent utility practices; and
  - (g) not use force or abusive, threatening and insulting language to a licensee.

(2) A person aggrieved by an act of the officer or representative of the Authority during inspection may, within fourteen (14) days from the date of the act, report the matter in writing to the Authority.

(3) Upon receipt of the complaint under subrule (2), the Authority shall proceed to determine it in accordance with its internal procedures.

Prohibited acts

80. A licensee shall not-
- (a) hinder or obstruct an officer or representative of the Authority in the exercise of any of the powers conferred upon him by these Rules or Act;
  - (b) use abusive, threatening or insulting language;
  - (c) refuse or fail to comply with a lawful order, direction or notice; and
  - (d) when required to answer a question, refuse or fail to answer such question to the best of the licensee's knowledge, information and belief.

PART VIII

CONTROL ROOM MANAGEMENT

General

Requirement

81. A licensee shall, at all times, take into account these general requirements when operating a control room-
- have at least one control room operator in each control room;
- (a) maintain written procedures to guide control room operators;
  - (b) maintain operating procedures integrated as appropriate with emergency preparedness and response plans;
  - (c) the control room's structure is capable of withstanding possible major hazards or events;
  - (d) the control room's layout, the arrangement of panels and visual display unit are in such a way to ensure effective ergonomic operation of the plant in normal and emergency circumstances; and
  - (e) the control room is, at all times, operational.

Obligation

82.-(1) A licensee shall at all times-

- (a) have and follow written control room management procedures that comply with these Rules;
- (b) have a control room designed to ensure that the risks to the occupants of the control room are within acceptable limits;
- (c) have a control room that it is suitable for the purposes of maintaining facility control;
- (d) have a control room with the emergency response plan to follow during any foreseeable, undesirable event within power infrastructure facility;
- (e) recruit skilled and knowledgeable personnel to operate a power control room
- (f) provide regular trainings for control room operators to carry out the roles and responsibilities defined by the licensee; and
- (g) develop and maintain the operations and maintenance manual.

Procedures

83.-(1) Each licensee shall prepare and follow a manual of written procedures for conducting normal operations, maintenance and emergency operations.

(2) The manual shall provide for matters including-

- (i) safety procedures to be followed during maintenance and normal operations; and
- (ii) procedures for handling abnormal operations.

(3) The manual shall be reviewed and updated by the licensee at least once every calendar year.

(4) The original manual shall be kept by the appropriate personnel.

(5) The copy of the manual shall be kept at locations where operations and maintenance activities are conducted.

Compliance to emergency procedures

84. -(1) A licensee shall be conversant with the emergency procedures and shall at all times comply with its approved emergency preparedness.

(2) A licensee shall incorporate lessons learned, including a specific review of all reportable incidents or accidents, in its control room management procedures and shall maintain documentation to demonstrate that any deviation from the procedures was necessary for the safe operation of the facility.

(3) A licensee shall ensure that physical changes to the facility and configuration are coordinated between control room

representatives, operations management and field personnel and that field personnel contact control room personnel when emergency conditions exist.

- (4) A licensee shall-
  - (a) train the appropriate operating personnel to ensure that they are knowledgeable of the emergency procedures; and
  - (b) review employee's activities to determine whether the procedures were effectively followed in each emergency situation.
- (5) A licensee shall establish and maintain contact with appropriate fire, police and other public officials in order to:
  - (a) understand the responsibility and resources of each relevant emergency response organization that may respond to a an emergency situation;
  - (b) familiarize the relevant emergency response organisation with his ability in responding to an emergency situation;
  - (c) identify the types of emergency which the licensee shall notify relevant emergency response organization ; and
  - (d) plan how the licensee and relevant emergency response organisation can engage in mutual assistance to minimize hazards to life or property.

Roles and responsibilities of control room operator

85. -(1) Each licensee shallt define the roles and responsibilities of a control room operator during normal, abnormal, and emergency operating conditions.

- (2) In order to provide for a control room operator's prompt and appropriate response to operating conditions, a licensee shall define each of the following-
  - (a) a control room operator's authority and responsibility to make decisions and take actions during normal operations;
  - (b) a control room operator's role when an abnormal operating condition is detected, even if the control room operator is not the first to detect the condition, including the control room operator's responsibility to take specific actions and to communicate with others;
  - (c) a control room operator's role during an emergency, even if he is not the first to detect the emergency, including taking specific actions and to communicate with others;
  - (d) a method of recording control room operators shift-changes and any hand-over of responsibility between control room operators or develop a method of recording when a control room operator

- is responsible for monitoring or controlling any portion of a power infrastructure facility;
- (e) the roles, responsibilities and qualifications of others with the authority to direct or supersede the specific technical actions of a control room operator;
- (f) establish shift lengths, schedule rotations and establish maximum hours-of-service to ensure control room operators can achieve eight hours of sleep under normal circumstances; and
- (g) educate and train applicable staff on fatigue and fatigue mitigation.

Adequate information

86. -(1) Each licensee must provide its control room operators with the information, tools, processes and procedures necessary for the control room operator to carry out the roles and responsibilities.

(2) A licensee shall define procedures for control room operator to perform each of the following:

- (a) conduct a point-to-point verification between SCADA displays and related field equipment when field equipment is added or moved and when other changes that affect the power infrastructure safety are made to field equipment or SCADA displays;
- (b) test and verify an internal communication plan to provide adequate means for manual operation of the power infrastructure safely, at least once each year ;
- (c) test any backup SCADA system at least once each calendar year; and
- (d) establish and implement procedures for, when a different control room operator assumes responsibility, including the content of information to be exchanged.

Fatigue mitigation

87. A licensee shall implement the following methods to reduce the risk associated with control room operator fatigue that could inhibit a control room operator's ability to carry out the roles and responsibilities:-

- (a) establish shift lengths and schedule rotations that provide control room operators off-duty time sufficient to achieve eight hours of continuous sleep;
- (b) educate control room operators and supervisors in fatigue mitigation strategies and how off-duty activities contribute to fatigue;
- (c) train control room operators and supervisors to recognize

- the effects of fatigue; and
- (d) establish a maximum limit on control room operator hours-of-service, which may provide for an emergency deviation from the maximum limit if necessary, for the safe operation of a power infrastructure facility.

Alarm  
management  
plan

88. -(1) Each licensee using a SCADA system shall have a written alarm management plan to provide for effective control room operator response to alarms.

- (2) the licensee's plan shall include provisions to: -
  - (a) review SCADA safety-related alarm operations using a process that ensures alarms are accurate and support safe licensee's operations;
  - (b) identify at least once each calendar month points affecting safety that have been taken off scan in the SCADA host, have had alarms inhibited, generated false alarms, or that have had forced or manual values for periods of time exceeding that required for associated maintenance or operating activities;
  - (c) verify the correct safety-related alarm set-point values and alarm descriptions at least once each calendar year;
  - (d) review the alarm management plan required under this rule at least once each calendar year to determine the effectiveness of the plan;
  - (e) monitor the content and volume of general activity being directed to and required of each control room operator at least once each calendar year, that will assure control room operator have sufficient time to analyse and react to incoming alarms;
  - (f) Every year, a licensee shall-
    - (i) test and verify the internal communications plan for manual operation of the facility; and
    - (ii) test any backup SCADA systems.

SCADA  
verification

89.-(1) A licensee shall conduct a point-to-point verification between SCADA displays and related field equipment when field equipment is added or moved and when other changes that affect a facility's safety are made to field equipment or SCADA displays.

(2) A licensee shall determine which changes affect facility's safety, and conduct a review as needed for future system modifications.

Change

90. A licensee shall ensure that changes that could affect

- management control room operations are coordinated with the control room personnel by performing each of the following: -
- (a) establish communications between control room representatives, management, and associated field personnel when planning and implementing physical changes to facility equipment or configuration;
  - (b) require its field personnel to contact the control room when emergency conditions exist and when making field changes that affect control room operations; and
  - (c) seek control room or control room management participation in planning prior to implementation of significant configuration changes.
- Operating experience 91. A licensee shall ensure that lessons learned from its operating experience are incorporated, as appropriate, into its control room management procedures by performing each of the following;
- (a) A licensee shall review incidents that are reported to determine if control room actions contributed to any incident and, if so, correct, where necessary, deficiencies related to-
    - (i) control room operator fatigue;
    - (ii) field equipment;
    - (iii) the operation of any protection device;
    - (iv) procedures;
    - (v) SCADA system configuration; and
    - (vi) SCADA system performance.
  - (b) A licensee shall include lessons learned from Best International Electricity Industrial Practices.
- Control room layout 92. A licensee shall ensure that a control room layout has the following features-
- (a) has adequate space for control room dimensions and takes into account the 5<sup>th</sup> and 95<sup>th</sup> percentile user;
  - (b) is derived from an appropriate task analysis method, such as link analysis or hierarchical task analysis;
  - (c) has emergency exits which accommodate exits by the 99<sup>th</sup> percentile user;
  - (d) access and exits that consider disabled control room operators;
  - (e) similar layouts are adopted where there are a number of control rooms operating in the same system, to ensure consistency;



- (f) all operational links between control room operators are considered during the design stage.
- (g) verbal and non-verbal communication are not hindered and the layout should facilitate team working;
- (h) the layout of the control room should reflect the allocation of responsibility and the requirements for supervision;
- (i) the layout should be effective under high and low staffing levels;
- (j) circulation of all personnel should be achieved with the minimum of disruption to control room operators;
- (k) where supervisory positions will increase the amount of personnel circulation, the positions shall be located close to main entrances;
- (l) distances between workstations should mean that control room operators are not sitting within each other's intimate zones;
- (m) the minimum spacing distance between workstations shall be at least 3000 mm;
- (n) adequate access should be provided so that;
- (o) inadvertent operation of equipment during maintenance is not possible; and
- (p) behind panel equipment should be appropriately coded to reduce the potential for human error.

Thermal environment

93. A licensee shall ensure that the control room temperature and airflow are adjustable to acceptable standards based on industrial best practice .

Visual environment

94. A licensee shall ensure the following-

- (a) the control room lighting does not create veiling reflections on visual display units or other reflective surfaces that require monitoring;
- (b) the control room lighting shall range between 500-800 lux;
- (c) there are no perceptible flicker from strip lighting; and
- (d) windows in control rooms should not cause veiling reflections on reflective surfaces and thus adequate means of blocking out direct sunlight should be provided.

Auditory environment

95. Each licensee shall ensure that-

- (a) Noise level in the control room is recorded and the level

- does not exceed 85 dB (A) during the length of the working day;
- (b) prolonged, very low or very high frequency noises should be avoided; and
- (c) noise levels should not interfere with communications, warning signals and mental performance.

Alarms

96. -(1) A licensee shall ensure that all employees and contractors on site know what each alarm means, what the required response is and if the cause of the alarm has the potential to affect them.

(2) An alarm should reset automatically if the fault that generated it is rectified.

(3) Alarm messages should be presented in a standard format, based upon existing conventions.

(4) Alarm messages should clearly inform the control room operator of the reason for the alarm.

(5) Following an alarm response required by the control room operator should be clear.

(6) The coding of alarms should not be based purely on colour, as colour blind control room operators will be unable to recognize what the alarm indicates.

(7) Alarm signals should be at least 10 dB(A) over the background noise of the control room.

(8) Alarms should not prevent effective communication within the control room.

(9) An alarm log should be provided to for diagnostic purposes.

(10) The design of the alarm system should prevent masking and flooding of alarms.

Text

97. A licensee shall ensure that the language used is capable of being easily understood by the control room operator.

Labels

98. -(1) A licensee shall ensure that labelling is used consistently across plant.

(2) The relationship between labels and the equipment they refer to should be clear.

(3) Labels should be easily read.

(4) Standard abbreviations should be used where abbreviations are required.

Display devices

99.-(1) A licensee shall ensure that display devices are appropriate for the type of information they are presenting.

(2) Display devices should be grouped logically to improve

signal detection.

(3) The sequence task and analysis methods shall be performed to determine the optimum arrangement for displays and their associated controls.

(4) The relationship between a control and its associated display should be obvious as follows-

- (a) The control room operator should be able to easily understand display feedback.
- (b) The response to this feedback should be clear, wherever possible.
- (c) The control method provided for navigation around displays should be appropriate for the task.

Compliance  
validation

100. Upon request, the licensee shall submit its control room management procedures to the Authority.

Compliance and  
deviations

101. A licensee shall maintain for review during inspection-

- (a) records that demonstrate compliance with the requirements of this Part; and
- (b) documentation to demonstrate that any deviation from the procedures required by this section was necessary for the safe operation of a facility.

#### PART IX GENERAL PROVISIONS

Decommissionin  
g plan

102. -(1) A licensee shall, within a period of not less than six months prior to the expiry of the term of a licence and in the absence of any extension to its term or application for a renewal or transfer, submit to the Authority for its approval, the decommissioning plan of a licensed facility that includes-

- (a) a schedule of dismantling, re-exportation, if any, and disposal of balance of the licensed facility; and
- (b) a method statement for restoration of the land and surroundings to their original state and to the satisfaction of all the responsible authorities.

(2) A licensee shall, after the expiry of the term of the licence and in the absence of any application for a renewal or extension thereof, implement the decommissioning plan described in subrule (1).

(3) A licensee shall, in the event that the licensed facility is not removed as per the decommissioning plan as required in sub-rule (2), be liable for the payment of any charge or penalty that may be imposed by

any relevant authority.

Decommissioning during licence revocation

103. Notwithstanding the provisions of the foregoing provisions a licensee shall, in the event of revocation of its licence and in the absence of any other licensee taking over the operation of the licensed facility, decommission the generation facility in accordance with Prudent Utility Practices.

Offences

104. A person who contravenes the provisions of these Rules commits an offence and upon conviction shall be liable to a fine not less than three million shillings or imprisonment for a term not less than two years or to both.

Revocation of GN. 287 of 2019

105. The Electricity (Generation, Transmission and Distribution Activities) Rules, 2019 are hereby revoked.

SCHEDULE

(Made Under Rule 74(1))

APPLICATION FORM FOR DESIGNATION OF ELIGIBLE CUSTOMERS



S/N	PARTICULARS	(TO BE FILLED BY THE APPLICANT)
<b>1</b>	<b>General Particulars</b>	
	Name of the Applicant	
	Certificate of Incorporation № (where applicable)	
<b>2</b>	<b>Physical and Postal address of Applicant:</b>	
	Physical address: (Plot No., House No., Street)	
	Postal address:	
	Ward / Town	
	District	
	Region	
	Telephone:	
	Fax:	
	Cellular Phone:	
	E-mail:	

<b>3</b>	<b>Name of the Supplier</b>	
	Physical address: (Plot No., House No., Street)	
	Postal address:	
	Electricity Licence No.	
	Expiry Date of a Licence	
<b>4</b>	<b>Technical Specifications</b>	
	Applicant's maximum demand (MW)	
	Voltage (kV)	
<b>5</b>	<b>Signature by the Applicant</b>	
	Name	
	Signature	
	Position	
	Date	

Dodoma,  
26<sup>th</sup> June, 20223

JAMES A. MWAINYEKULE  
*Director General*