

20 July 2018

Nkhangweleni Sigwadi
National Energy Regulator of South Africa
BY EMAIL: nkhangweleni.sigwadi@nersa.org.za

Dear Madam

(_____) Electrical License Contravention

1. We act on behalf of our members as well as the community in this regard.
2. In terms of section 7 of the Electricity Regulation Act, 4 of 2006, no licensee may operate any generation, transmission or distribution facility, import or export any electricity or be involved in trading without a license duly issued by the regulator.
3. It has come to our attention that a license was duly issued to (_____) Municipality in accordance with the aforementioned act and more specifically the powers and duties as stated in the license with the following requirements:
 - 3.1.
 - 3.2.
 - 3.3.
4. (_____) municipality has failed to adhere to the powers and duties as set out in paragraph 3 hereof. Due to the above, we urge you in your capacity as regulator to enforce the provisions of section 18 of the Act in order to consider the allegations in a sitting of the tribunal and based on the outcome of same to provide the licensee with a notice requesting that it adheres to the requirements as set out above. We request that the ongoing failure of the licensee should be penalised as provided for in Section 18(4) of the Act.
5. Should you not be amenable to the aforementioned proposal, we request that the license of the licensee be revoked in accordance with section 17 of the Act, on the following grounds:
 - 5.1. another person is willing and demonstrably able to assume the rights and obligations of the licensee in accordance with the requirements and objectives of this act, and a new license is issued to such person;
 - 5.2. conditions of a license are not met.
6. Kindly acknowledge receipt of this letter.

Address: Cnr D.F. Malan Drive and Union Avenue, Kloofsig, Centurion • **Postal address:** P.O. Box 17216, LYTTTELTON, 0140 • **Tel:** 086 10 200 30 • **Fax:** 012 611 1281
Member Administration – Fax: 012 644 0342 • **E-mail:** afriforum@afriforum.co.za • **Directors:** Flip Buys, Rev. Dirk Laufs, Dr Dirk Hermann, Alana Bailey, Prof. Danie Goosen, Frans de Klerk, Deon de Vries, Louis Trichardt, Prof. Koos Malan, Kallie Kriel • **Reg. No** 2005/042861/08 • 054 - 590 - NPO

7. Our rights as well as the members of the community's rights to use any remedy at our disposal is hereby reserved.

Kind regards

Name and surname

Job title

AfriForum

Email:

Cell: