

11 May 2026

Mr K. Kumbe
Municipal Manager
JB Marks Local Municipality
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POTCHEFSTROOM
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Dear Mr Kumbe

URGENT CONCERNS REGARDING ROTATIONAL LOAD CURTAILMENT AND FAILURE OF TRANSFORMER AT POTCHEFSTROOM DS SUBSTATION

AfriForum is a non-profit organisation with its main purpose the protection of the constitutional rights of its members and the communities to which our members belong. We act on behalf of our members residing in the JB Marks Local Municipality, specifically Potchefstroom, who gave AfriForum the mandate to address the electricity issue in Potchefstroom on their behalf.

We refer to the public notice issued on 8 May 2026 regarding the implementation of rotational load curtailment due to overheating of a transformer at the Potch DS Substation. While we acknowledge the communication issued, the situation raises serious concerns regarding infrastructure maintenance, service delivery, and the ongoing impact on paying residents.

Firstly, it is unacceptable that critical electricity infrastructure has been allowed to deteriorate to the point of repeated tripping and severe overheating. According to your own notice, the transformer has been experiencing ongoing failures. This indicates a lack of preventative maintenance and long-term planning.

In terms of **Section 152(1)(b) of the Constitution of the Republic of South Africa, 1996**, municipalities are required to ensure the provision of services to communities in a sustainable manner. Furthermore, **Section 73(1)(c) of the Municipal Systems Act (Act 32 of 2000)** requires that municipal services must be provided in a manner that is **reliable, sustainable, and of a high quality**.

The current situation clearly falls short of these legal obligations. We therefore request urgent clarity on the following:

1. Maintenance and accountability

- Why was preventative maintenance not conducted timeously, given that the transformer has reportedly been problematic for an extended period?
- When were faults first identified, and what steps were taken at the time?

June 2024

Address: 58 Union Avenue, Kloofsig, Centurion • **Tel.:** 086 10 200 30

Member Affairs – Email: ledesake@afriforum.co.za • **Directors:** Ms A. Bailey, Mr P.J.W. Buys, Dr H.K. Coetzee, Mr P.L. Dekker, Mr F.J.D. de Klerk, Mr G.R. de Vries, Dr D.J. Hermann, Mr W.G. Human, Mr C.M. Kriel and Dr R. Pretorius. • **Company Secretary:** Mr W.A. Vogel.

Registration number: 2005/042861/08 • **NGO number:** 054 - 590

2. Duration and timelines

- You indicate that repairs are expected “by early next week”. Please provide:
 - A firm and binding timeline for full restoration
 - Contingency plans should repairs be delayed

3. Adherence to schedules

- Residents report that power interruptions do not align with the communicated rotational schedule.
- This creates significant disruption and prevents households and businesses from planning effectively.
- What measures will be implemented to ensure strict adherence to published schedules?

4. Impact on residents

- Paying consumers are being subjected to irregular and extended outages without reliability or predictability.
- What mitigation measures are in place to protect residents and businesses from continued losses?

5. Coordination with Eskom

- Given that the Potch DS Substation is an Eskom facility, to which extent is the responsibility divided between Eskom and the municipality?
- Who bears ultimate accountability for maintenance failures?

We must emphasise that continued failure to provide reliable electricity supply may constitute a breach of constitutional and statutory obligations, and affected residents reserve the right to pursue further action should the matter not be resolved urgently.

We request a written response within **5 working days** addressing the above concerns in full.

We trust that this matter will receive the urgent attention it requires.

Regards

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