



**ESKOM HOLDINGS SOC LIMITED:
REGULATORY CLEARING ACCOUNT (RCA)
APPLICATIONS –
THIRD MULTI-YEAR PRICE DETERMINATION (MYPD3)
REVIEW
OF THE FINANCIAL YEARS 2014/15, 2015/16 AND 2016/17
IN LINE WITH THE HIGH COURT ORDER**

CONSULTATION PAPER

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ABBREVIATIONS AND ACRONYMS

CAPEX	:	Capital Expenditure
CECA	:	Capital Expenditure Clearing Account
CP	:	Cost Plus
ELS	:	Electricity Subcommittee
GDP	:	Gross Domestic Product
IPPs	:	Independent Power Producers
kV	:	kilovolt
MYPD	:	Multi-Year Price Determination
NERSA	:	National Energy Regulator of South Africa
RAB	:	Regulatory Assets Base
RCAs	:	Regulator Clearing Accounts
REC	:	Regulator Executive Committee
SOEs	:	State- Owned Entities
WUC	:	Work Under Construction
ER	:	Energy Regulator (NERSA board)

1 THE SCOPE OF THE CONSULTATION PROCESS

- 1.1 The National Energy Regulator of South Africa (NERSA) is in the process of reviewing Eskom's three Regulatory Clearing Account (RCA) applications as directed by the High Court with the aim of finalising the review by 27 January 2021. However, prior to the decision being made, the Energy Regulator will embark on a due process involving stakeholder consultations. As part of this process, NERSA is requesting that stakeholders comment on the issues raised in this consultation paper. The consultation paper is broken down into sections relating to the key elements/components that make up the areas being contended.
- 1.2 This consultation paper is structured as follows: each section starts with what the principles of the MYPD3 Methodology, the court judgement, followed by Eskom's arguments and NERSA's analysis. Lastly, questions are posed to the stakeholders to enable them to comment on the consultation paper.
- 1.3 NERSA will collate all comments received, which will be taken into consideration when the decision is made. NERSA will also hold public hearings using any acceptable public consultation mechanism in line with the COVID-19 restrictions and applicable government regulations; wherein presentations may be made by interested and affected parties. The process for the consultation and decision-making is outlined in Table 1 below.

Table 1: Indicative Timelines

DRAFT HIGH-LEVEL TIMELINES FOR APPROVAL OF THE SUPPLEMENTARY APPLICATION RCAs	
ACTIVITY/TASK	DATE
Electricity Subcommittee (ELS) to recommend publication of the Three RCA applications and indicative timelines to the Energy Regulator (ER)	23 September 2020
The Energy Regulator approves publication of the consultation paper together with the Three RCA applications	29 September 2020
Publication of the consultation paper and the Three RCA applications to solicit written stakeholder comments	30 September 2020

Closing date for stakeholder comments on the Three RCA applications	30 October 2020
Microsoft Teams Public Hearings ¹	23 November – 2 December 2020
Analysis of stakeholders comments and drafting the Reasons for Decision (RfD) for ELS consideration	03 December 2020 - 18 December 2020
Extended ELS workshop (interrogation of the analysis done on the applications and stakeholder comments) Draft Decision and Reasons for Decision	13 January 2021
Special ELS to recommend the Draft Decision and Reasons for Decision	20 January 2021
Requesting licensee to provide comments on the ELS recommendation before ER approval	21 January 2021
Energy Regulator decision on Three RCA applications	27 January 2021
Submission of the RfD to Eskom for treatment of confidentiality (Eskom given 7 days to indicate matters deemed confidential)	29 January 2021
NERSA analysis of matters deemed confidential by Eskom	5 February 2021
Regulator Executive Committee (REC) deals with the treatment of matters deemed confidential by Eskom	15 February 2021
Publish NERSA decision and reasons for decision	26 February 2021

Table 2: Public Hearing dates and venues

PROVINCE	CITY	DATE
Western Cape	Virtual meeting	16 November 2020
Eastern Cape	Virtual meeting	17 November 2020
Kwa-Zulu Natal	Virtual meeting	18 November 2020
North West	Virtual meeting	23 November 2020

¹ Details provided on Table 2 below

Northern Cape	Virtual meeting	25 November 2020
Free State	Virtual meeting	26 November 2020
Mpumalanga	Virtual meeting	27 November 2020
Limpopo	Virtual meeting	30 November 2020
Gauteng	Midrand (physical public hearing) and Virtual meeting	1-2 December 2020

*The dates of the public hearings might be extended/reviewed depending on the number of presenters registered.

- 1.4 Due to Covid19 restrictions, public hearings will be conducted virtually. Provision will be made for one physical public hearing in Gauteng as the risk will be less in that there will not be any travelling/usage of airports and hotels. NERSA will continue to observe developments in the COVID19 regulations and make amendments where necessary.
- 1.5 Stakeholders are requested to comment in writing on the Consultation Paper for the three RCA applications. Written comments can be forwarded to mypd@nersa.org.za; hand-delivered to Kulawula House, 526 Madiba Street, Arcadia, Pretoria, or posted to PO Box 40343, Arcadia, 0083, Pretoria, South Africa. The closing date for the submission of comments is **30 October 2020 at 16:00**.
- 1.6 For more information and queries on the above, please contact Ms Lehuma Masike or Ms Lorraine Leburu at the National Energy Regulator of South Africa, Kulawula House, 526 Madiba Street, Arcadia, Pretoria.
Tel: 012 401 4724/4641
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2 INTRODUCTION

- 2.1 The RCA is a claw-back mechanism. Its key purpose, over and above its risk management function, is to ensure that both the industry and consumers are treated fairly and are not subject to unfair gains or losses as a result of incorrect forecasting, inaccurate information and system shocks.
- 2.2 Table 3 below shows that the three RCAs add up to R66.6 billion.

Table 3: RCA Applications

2014/15	2015/16	2016/17
R19.2 billion	R23.6 billion	R23.8 billion

- 2.3 Table 4 below shows that the NERSA decision on the RCAs add up to R32.67 billion.

Table 4: ER decision on the three RCAs

2014/15	2015/16	2016/17
R12.57billion	R12.05 billion	R8.05 billion

- 2.4 The main driver for processing of the RCAs is that NERSA must efficiently regulate the electricity sector and ensure that the allowed costs are prudently incurred.
- 2.5 NERSA was cognisant of the challenges Eskom faced regarding its ability to operate as a going concern including its financial stability and liquidity. However, it is of paramount importance that the RCAs are processed strictly within the prescripts of the NERSA Methodology, applicable laws and policy to ensure that the decision to be made is not open to being reviewed.
- 2.6 A summary of the court judgement of 29 June 2020 (detailed judgement attached as **Annexure A**) made the following order:
- NERSA failed to process Eskom's three RCAs within a reasonable time and in so doing acted in a manner that was inconsistent with the Constitution.
 - The decisions taken by NERSA on 14 July 2018 on the three RCAs are reviewed and set aside.
 - The above orders shall not affect the validity of the decision by NERSA on 26 September 2018 to liquidate approved amounts of the three RCAs.
- 2.7 NERSA is required to comply with the court judgement otherwise, non-compliance with the judgement is a criminal offence (contempt of court).
- 2.8 The third Multi-Year Price Determination (MYPD3) Methodology (attached as **Annexure B**) will be used to assess these applications. The Methodology started was applicable **1 April 2013 to 31 March 2018**². The objectives of the MYPD3 Methodology were:
- to ensure Eskom's sustainability as a business and limit the risk of excess or inadequate returns; while providing incentives for new investment;
 - to ensure reasonable tariff stability and smoothed changes over time consistent with the socio-economic objectives of the Government;
 - to appropriately allocate commercial risk between Eskom and its customers;
 - to provide efficiency incentives without leading to unintended consequences of regulation on performance;
 - to provide a systematic basis for revenue/tariff setting; and

² There was an interim price determination during the 2009/10 Eskom financial year due to unforeseen increases in fuel costs and Eskom's capital expansion programme.

f) to ensure consistency between price control periods.

2.9 The MYPD Methodology does not preclude the Energy Regulator from applying reasonable judgement on Eskom's revenue after due consideration of what may be in the best interest of the overall South African economy and the public.

3 EXECUTIVE SUMMARY

3.1 The shock 51% Gross Domestic Product (GDP) collapse in the second quarter of 2020, following a decrease of 2.1% in the first quarter of 2020, is the biggest quarterly fall in economic activity since the first quarter of 2009 when the economy was affected by the global financial crisis. The biggest negative contributors to growth in GDP were the manufacturing (-10.8%), trade (-10.5%) and transport (-6.6%) sectors, followed by other sectors such as mining (-6%) and finance (-5.4%).

3.2 The uncertainty about the economic recovery, as lockdown restrictions are eased, suggests that the economic outlook for 2020 may even be worse than the latest National Treasury and South African Reserve bank forecasts of -7% and -8.2% in 2020 GDP, respectively. It is expected that economic activity will further decline once the widespread effects of the shocks to the economy have been quantified beyond the 2020 second-quarter performance. Some economists are predicting an even worse outcome with a double-digit GDP reduction in 2020.

3.3 There is an increasing risk that the worsening macro-economic challenges, which are exacerbated by the effects of the COVID-19 pandemic and rising electricity prices, will drive more electricity consumers (industrial, commercial and residential) into default (unaffordable electricity) and ultimately affect the sustainability of Eskom. There is no doubt that the rebound of key economic sectors, such as manufacturing, trade, transport, mining and construction, from negative growth will be underpinned by the costs of electricity and reliability of supply.

3.4 All these factors make it difficult for State-Owned Entities (SOEs) to raise capital and funding. It also hampers the ability of government to continue to support SOEs funding activities through credit guarantees.

3.5 As a basic and socio-economic commodity, electricity is also a major input cost to industry and manufacturing. In fact, competitively priced electricity is, in essence, the corner stone on which economic growth is built. The prolonged load shedding as a result of a system that has been capacity constrained during the period in question as well as up to date remains a

challenge. The relief provided by the reduced demand during Covid 19 lockdown was short lived as load shedding resumed again from July 2020 as lockdown restriction started to be eased, the system therefore remains constrained and is anticipated to remain constrained in the medium term. Eskom's failure to invest in its infrastructure will continue to spur the environment of low economic growth even further.

- 3.6 The High Court order is a consequence of Eskom's allegation that the process undertaken by NERSA in relation to the three RCA applications brought by Eskom in respect of the 2014/15, 2015/16 and 2016/17 years was unconstitutional and invalid. The court decided to review and set aside these three decisions taken by NERSA.
- 3.7 The aggregate amount applied for by Eskom in the three RCA applications was R66.6 billion. NERSA justifiably delayed the processing of the RCAs because of the pending legal proceedings before it finally took its decisions in respect of the RCA applications on 14 June 2018. It awarded Eskom R32.69 billion; just under half of what Eskom had applied for.

- 3.8 The following issues have been raised in the judgement as the grounds for Eskom's review of the three RCAs:
- a) Disallowed amounts claimed in respect of Capital Expenditure;
 - b) Disallowed recoveries owing to lower than Forecast Sales Revenues;
 - c) Disallowed Coal Costs; and
 - d) Disallowed costs of procuring energy from Independent Power Producers (IPPs) for the 2016/17 financial year.
- 3.9 NERSA invites all stakeholders to comment on these issues raised in relation to the three RCAs in this document.

4 LEGAL BASIS

- 4.1 In the ordinary course of implementing the regulatory process regarding Eskom's price determination, NERSA will either deal with a revenue determination or a regulatory clearing account. The distinction between the two is that revenue determination is based on forecast, while a regulatory clearing account is based on expended cost.
- 4.2 The processing of the three RCA applications applicable here is not based on any new applications submitted by Eskom, but is the consequence of a court order which reviewed and set aside the decision of the Energy Regulator on the same regulatory clearing account. NERSA is required to make another decision having reconsidered the application.
- 4.3 In setting aside the decision of NERSA, the court recognised that there were principle issues that Eskom has submitted as the basis under which the decisions should be reviewed and set aside. It is incumbent on NERSA to also place emphasis on those issues to insulate the decision from possible future judicial challenge by any interested or affected person. The court order does not entitle NERSA to ignore the tenets of any applicable law to its performance of its function inclusive of the requirements of the National Energy Regulator Act, 2004 (Act No. 40 of 2004) and the Promotion of Administrative Justice Act, 2000 (Act No. 3 of 2000).
- 4.4 Because the applications relate to expanded costs, the part of the Methodology that deals with the Regulatory Clearing Account will be applicable to ensure that the decision is just and fair.
- 4.5 For NERSA's decision in this regard to be fair or just, it must: (a) be *lawful*: the official must work within the confines of the law; be authorised to take action and not abuse or exceed their authority; (b) be *reasonable*: actions/decisions taken must be rational and must fit the purpose; and c) be

procedurally fair: must include the right to a hearing and the decision making must be impartial.

- 4.6 NERSA does not have the discretion to exercise in this regard and not process the RCA application already considered without exposing itself to the criminal sanction of failure to comply with the court order.
- 4.7 In the processing of these three RCAs, NERSA will have to take into account the effect of the decision already taken on the application and implemented, as this is not a completely new application. The decision to be made in these applications must comply with the National Energy Regulator Act, which in section 10(1)(d) provides that every decision of the Energy Regulator must be in writing and be: 'taken within a procedurally fair process in which affected persons have the opportunity to submit their views and present relevant facts and evidence to the Energy Regulator'. It is from this obligation entrusted to NERSA by section 10 that the application must be taken through the public participation process.
- 4.8 Not observing the provisions of section 10 exposes the decision of NERSA to judicial review because of procedural unfairness. There is a demand for public participation in instances where NERSA, as an administrator, has to take administrative action, as it is a fundamental right protected by the Constitution of the Republic of South Africa, 1996.

Regulatory Clearing Account (RCA) Application – Third Multi-Year Price Determination (MYPD3) Year 2 (2014/15), Year 3 (2015/16) and Year 4 (2016/17)

5 DISALLOWED AMOUNTS CLAIMED IN RESPECT OF CAPITAL EXPENDITURE

MYPD3 Methodology

5.1 Section 6.7.3 of the MYPD3 Methodology states that balances on the Capital Expenditure Clearing Account (CECA) will be adjusted in the RCA as follows:

6.7.3.1 *At the end of the financial year, if there is any under expenditure compared to forecasted works under construction, the value of the RAB will be adjusted downwards for works under construction not undertaken and the revenues for the subsequent financial year adjusted to compensate for the return earned on unused funds in the previous MYPD. For any over expenditure approved by the Energy Regulator compared to forecast works under construction, the balance will be added to the RAB and Eskom will be allowed additional returns on the CECA balance to recover the costs of the over expenditure for that year. This approach will effectively minimise any potential windfall losses or gains should the approved capital expenditure differ from the actual expenditure.*

Court Judgement/Order

5.2 Disallowed costs claimed in respect of the capital expenditure.

Eskom's Argument

5.3 According to Eskom, NERSA disallowed all capital expenditure incurred by Eskom on distribution and transmission, claiming that it was unable to assess the prudence of this expenditure because Eskom had failed to comply with a request to provide NERSA with the total kilometres of lines built under Distribution at the varying voltage levels ranging from 11 kV to 132kV and under Transmission from 132kV to 765kV. The amounts that Eskom would like NERSA to reconsider are R3.305bn for transmission capital expenditure and R2.133bn for distribution capital expenditure.

NERSA's Analysis

- 5.4 Eskom did not provide the cost break down of the lines built per voltage level, nor did they provide the expenditure per transformer sizes on both Distribution and Transmission Capital Expenditure (CAPEX).

Stakeholder Question 1:

- a) How should the Energy Regulator deal with CAPEX costs where information was not provided to the required level of detail?

6 TREATMENT OF LOWER THAN FORECAST SALES DEMAND

MYPD3 Methodology

- 6.1 In the MYPD3 decision, several assumptions were made in developing the Sales Forecast. The main economic assumptions used for sales forecasting were the GDP growth and commodity prices' positive trajectory.

Court Judgement/Order

- 6.2 In respect of forecast sales, by way of example it disallowed R12.711 billion in respect of the variance between actual and forecast sales on the basis that any variance in respect of proportional primary costs would not be recoverable. While there is logic in what it purported to do, in that if less electricity is generated, the primary energy would reduce, what it overlooked however was that Eskom had already deducted such primary energy costs and it was therefore impermissible for NERSA to do so again.

Eskom's Arguments

- 6.3 In the 2014/15 RCA, NERSA disallowed an aggregate amount of R12,711bn in relation to lower than forecast sales revenues. Eskom claims that NERSA assumed that variable costs should reduce proportionately if less electricity is generated for sale, but that this resulted in a double-counting of the saving, because the same reduction of primary energy costs was already reflected in Eskom's computation of its RCA claims in respect of primary energy.
- 6.4 In 2015/16, NERSA disallowed an amount of R4 299m in relation to lower than forecast sales revenues, translating to a 32% reduction in revenue variance. According to Eskom, the decision was inconsistent with both the MYPD2 and the first year of MYPD3 control periods. Eskom believes that

the approach that NERSA used had a superficial logic due to the fact that primary energy costs, being variable costs, should reduce proportionately if less electricity is generated for sale. This therefore resulted in a double-counting of the saving, because the same reduction of primary energy costs was already reflected in Eskom's computation of its RCA claims in respect of primary energy.

- 6.5 NERSA disallowed an amount of R5.9 billion in 2016/17. Eskom's view is that there is no rational basis to disallow sales volume variance because there was a proportional reduction in coal volume cost savings in favour of customers.
- 6.6 Eskom argues that NERSA's decision to disallow the variable cost was inconsistent with the approach, both in relation to the RCA applications in the MYPD2 and first year of MYDP3.

NERSA's Analysis

- 6.7 NERSA determined the fixed costs based on the principle that fixed costs are costs that do not change proportionally with the volumes produced. On the other hand; variable costs will increase proportionally with increases in sales volume (because it costs more to increase output). The allowed revenue component based on NERSA's calculation of the split between the fixed costs and the variable costs is averaged over the year.
- 6.8 The total allowed revenues for the MYPD3 were used to arrive at a fixed cost/variable cost ratio. Utilising allowed revenues as opposed to actual revenues ensures prudence and efficiency, because allowed revenues were based on prudence and efficiency assessments done at the time the MYPD decision was taken.
- 6.9 NERSA contends that it is Eskom's approach which constitutes double-counting. Eskom cannot be permitted to claim back both a lower than expected sales revenue and higher than expected variable production costs. The allowed revenue component based on NERSA's calculation of the split between the fixed costs and the variable costs is averaged over the year.
- 6.10 NERSA's view is that there is no double counting, because the costs that the revenue requirement recovers are costs emanating from different cost components and that these are dealt with under different sections, e.g. coal. OPEX, etc. All that the fixed/variable split does is to allow Eskom to recover its fixed costs (e.g. Return on Assets, Depreciation).

6.11 NERSA's view is that this approach does not unfairly compensate Eskom for a decline in sales due to factors that are within its control. At the same time, it still recovers its fixed costs even when volumes are lower. NERSA utilised its discretion by not allowing the full variance in the subsequent years of the MYPD3, even though it had done so previously. This was done after it became apparent that Eskom has a role to play in lower than forecast sales volumes.

Stakeholder Question 2:

- a) Eskom argues that the whole revenue variance should be awarded due to the fact that lower sales arise out of the sales forecast that did not materialise. How should the Energy Regulator deal with decline in revenues due to reasons that are within Eskom's control (e.g. capacity constraints)?
- b) What approach should the Energy Regulator use to share the risks of lower sales between Eskom and its customers?
- c) What should the Energy Regulator do when receiving new information that may change what it had approved in the past?
- d) How should the primary energy cost variances be taken into account when lower sales volumes variance are determined?
- e) What is your view on NERSA splitting fixed and variable costs in order to determine the revenue variance?

7 DISALLOWED COAL COSTS

MYPD3 Methodology

- 7.1 The MYPD3 Methodology requires that coal should be treated as a single cost centre without differentiating between the various coal sources.
- 7.2 Section 8.3.1 states that coal will be treated as a single cost centre without differentiating between the various coal sources (i.e. cost plus contracts, fixed price contract, etc.).
- 7.3 Section 8.3.2 further states that the Energy Regulator will determine and approve the coal benchmark cost (i.e. an average cost of coal R/ton) and alpha for each of the MYPD years.

Court Judgement/Order

- 7.4 With regard to coal costs, NERSA disallowed the sum of R3.1 billion and it did so on the basis that Eskom has purchased coal under Cost Plus

contracts, rather than short and medium-term contracts and it deducted what it considered to be the difference between what Eskom should have spent, as opposed to what it actually spent.

- 7.5 Eskom says it was unable to procure coal via Cost Plus contracts because of the under-investment in Cost Plus mines, which occurred as a result of the Government request. Eskom therefore argues that it was not able, under these circumstances, to procure from Cost Plus mines. The decision to disallow such cost was therefore not rational.

Eskom's Argument

- 7.6 Eskom says production from Cost Plus mines reduced, because those mines were over-mined during the MYPD2 period when electricity demand was high, hence future output was affected.
- 7.7 Eskom argues that for the 2013/14 RCA application, NERSA did not make adjustments to coal costs based on delayed investment in Cost Plus mines. In subsequent RCA applications, NERSA made adjustments to coal costs, arguing that Eskom failed to invest in Cost Plus mines. This was in contrast to NERSA's previous position, yet the issue of delayed investments was also there in FY14.
- 7.8 Eskom also argued the forecast coal contract type mix changed because of a change in the availability of power stations, which resulted in increased coal costs.

NERSA's Analysis

- 7.9 The Energy Regulator was of the view that the contract type mix changed because Eskom delayed investments in Cost Plus (CP) mines, which would have minimised changes to the mix. Eskom's failure to invest in such mines is attributable to its own inefficiency and decisions and cannot simply be transferred to the consumer of electricity.
- 7.10 Eskom is choosing an operating model where rather than using the dedicated Cost Plus Mines, they were using ST coal purchase programme where they suffered risks of spot prices for coal, transportation etc. It was costlier than the dedicated CP mines and this was a choice they made.

Stakeholder Question 3:

- a) If Eskom chooses an operating model that is not the least cost, should they be allowed to transfer the costs to the public?
- b) To what extent should Eskom be held to the original coal volume estimates (see section.13 of the judgement)?
- c) How should NERSA handle the lower than planned availability [energy availability factor (EAF)] of power stations? To what extent should the change in power stations mix be allowed when compared to the original application?

8 DISALLOWED COSTS OF PROCURING ENERGY FROM INDEPENDENT POWER PRODUCERS (IPPs) FOR THE 2016/17 FINANCIAL YEAR**MYPD3 Methodology**

8.1 Section 9.1 states that 'In accordance with the provisions of Section 14(f) of the Electricity Regulation Act, the Energy Regulator shall, as a condition of licence, review power purchase agreements entered into by licensees before signature'. This also includes all Power Purchase Agreements (PPAs) considered under the Ministerial Determination (by the then Department of Energy). In evaluating the MYPD, the cost associated with the IPPs will be based on the conditions of the respective PPAs.

Court Judgement

8.2 Disallowed costs claimed in respect of the IPPs.

Eskom's Argument

8.3 Eskom view is that the fallacy in the reason provided by NERSA is that the disallowed expenditure was expenditure to which Eskom contractually committed itself in advance of the 2016/17 financial year, in terms of the contract NERSA approved on 29 March 2016. At the time of that contractual commitment undertaken by Eskom and approved by NERSA, it was not clear that Eskom would be in a position to meet the power supply needs of the country without the need of IPPs.

NERSA's Analysis

- 8.4 Eskom applied for R2.5billion, and was granted R0.79billion.
- 8.5 The purchases from these non-renewable short-term IPPs in 2016/17 have clearly led to unnecessary expenditure on the short-term contracts. This could have been foreseen in that period, given that additional unit capacity was anticipated to come online from Eskom's New-Build Programme.
- 8.6 NERSA had foreseen that Eskom would have excess capacity when Eskom applied for permission to extend the short-term contracts for two years (2016/17 and 2017/18). NERSA gave Eskom the benefit of the doubt and approved the extension for only one year (2016/17). NERSA's approval was based on incorrect information submitted by Eskom. Eskom, as the prudent operator, should have forecast its power requirements better, especially in the short term of 1 year or less.
- 8.7 In its application, Eskom made indicated that certain plants would come on line by certain dates in line with the build programme. Eskom missed the deadline therefore they did emergency procurement.

Stakeholder Question 4:

- a) How should NERSA treat Eskom's failure to commission new capacity on time as per Eskom's own delivery schedule and costs associated with it?
- b) How should Eskom comply with the dispatch rules if its own generation fleet meets national power demand and there is also a committed PPA?

Stakeholders are requested to comment in writing on the Consultation Paper on Eskom's three RCA applications. Written comments can be forwarded to mypd@nersa.org.za; hand-delivered to Kulawula House, 526 Madiba Street, Arcadia, Pretoria or posted to PO Box 40343, Arcadia, 0083, Pretoria, South Africa. The closing date for comments is 30 October 2020 at 16:00.

For more information and queries on the above, please contact Ms Lehuma Masike and Ms Lorraine Leburu at the National Energy Regulator of South Africa, Kulawula House, 526 Madiba Street, Arcadia, Pretoria.

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End.