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**COMMON MARKET FOR EASTERN AND SOUTHERN AFRICA**

Second Annual General Meeting (AGM) of the Regional Association of Energy Regulators for Eastern and Southern Africa (RAERESA)

COMESA Centre, Lusaka, Zambia

24 - 25 March, 2011

# FINAL REPORT

## INTRODUCTION

1. The Second Annual General Meeting (AGM) of the Regional Association of Energy Regulators for Eastern and Southern Africa (RAERESA) was held at the COMESA Centre in Lusaka, Zambia on 24 - 25 March 2011. The main objectives of the Meeting were:

a. to review the annual report of activities and the effectiveness of RAERESA and to facilitate the implementation of RAERESA's work programme; and
b. to validate the material of the training workshop on energy utility benchmarking, regulatory practices and regulatory guidelines to be held on 28 – 30 March 2011.

### Attendance

2. The Meeting was attended by the following members of RAERESA:

a. Egyptian Electric Utility and Consumer Protection Regulatory Agency of the Arab Republic of Egypt, Ethiopian Electricity Regulatory Agency of the Federal Democratic Republic of Ethiopia, Energy Regulatory Commission of the Republic of Kenya, Madagascar Electricity Regulation Office of the Republic of Madagascar, Rwanda Utilities Regulatory Agency of the Republic of Rwanda and Electricity Regulatory Authority of the Republic of Sudan;

b. The following Associate members of RAERESA: Burundi, Comoros, Djibouti, Mauritius and Seychelles. representing the Ministry responsible for Energy which currently regulates the energy sector;

c. Ministry of Energy and Water Development of the Republic of Zambia;

d. Electricity Regulatory Authority of the Republic of Uganda and ; also attended the Meeting as an observer; and

e. The Eastern African Power Pool (EAPP) also attended the Meeting.

3. The list of participants is attached as Annex VI to this report.

## A. OPENING – AGENDA ITEM 1

4. The Meeting was officially opened by Ambassador Nagla El-Hussainy, the Acting Secretary of the COMESA. The Acting Secretary welcomed all the delegates to the Second Annual General Meeting (AGM). She invited them to enjoy the renowned hospitality of the people of Zambia where tranquility, peace and the warmth of the country and its people provided an ideal environment in which to take forward the process of regional economic co-operation and integration.

5. Ambassador El-Hussainy indicated that the challenge of integration was to make sure that the benefits of integration were not restricted only to the "haves" and not reaching the "have-nots". On this score, she indicated that COMESA's programmes on trade, gender, energy, transport and trade facilitation, monetary co-operation and agriculture, among other, were meant to cascade the benefits of integration to the common man and woman. She then observed that in the final analysis, improvement of the standards of living of the peoples of the region was the most important goal of integration.

6. Ambassador El-Hussainy noted that despite the huge energy potential that the COMESA region was endowed with, the region was faced by a number of challenges in the area of energy which would include high cost of energy and also scarcity of energy. She further noted that the high energy cost had always been an impediment to enhance the competitiveness of the region in the intra and extra markets.

7. In this regards, she observed that insufficient investment in the energy sector and the increased demand for energy due to economic growth were among the factors that were contributing to the existing energy challenges of our continent.

8. Ambassador El-Hussainy indicated that the role of the Regional Association of Energy Regulators for Eastern and Southern Africa (RAERESA) was pivotal in facilitating the trade in energy services through creating an enabling environment for investments in generation, transmission and distribution, and also improving regulatory transparency.

9. Ambassador El-Hussainy reiterated that RAERESA should be committed to work towards the harmonization of the rules as they pertain to energy and promote good governance in order to brand energy sector in the COMESA region as an investors' friendly sector and also to improve the services of the existing energy infrastructure through enhanced efficiency

10. Ambassador El-Hussainy recognized all COMESA cooperating partners for their generous assistance, which had been instrumental in undertaking key COMESA programs.

11. It is worth noting that Eng. Kaburu Mwirichia, the Director General of the Energy Regulatory Commission of Kenya, the Chairperson of the Plenary of RAERESA was represented by Eng. Buge Wasioya who chaired the Meeting. In his opening remarks Eng. Wasioya welcomed the Members and Associate members of RAERESA and also observers to the Second Annual General Meeting (AGM).

12. Eng. Wasioya highlighted that the COMESA region was faced by major challenges in the development of the physical energy infrastructure such as lack of financing for agreed priority infrastructure projects.

13. Eng. Wasioya recalled that RAERESA Members, Associate Members and Observers met last year here in Lusaka, Zambia in the same venue and they adopted the work programme of RAEREA whose objective was to give direction and impetus to RAERESA and to enable it to commence work to meet its mission and objectives, as set out in its Constitution, and which could be summarized as: capacity building and information sharing; development of energy sector policy and regulatory guidelines and fostering inter-regional co-operation in energy regulatory matters.

14. Eng. Wasioya informed that this Meeting would review the annual report of activities and the effectiveness of RAERESA and would facilitate the implementation of RAERESA's work programme; and also would validate the material of the training workshop on energy utility benchmarking, regulatory practices and regulatory guidelines to be held on 28 – 29 March 2011.

15. He further informed the Meeting that some progress had been made in the implementation of the activities which were contained in the work programme of RAERESA. And that resources should be mobilized in order to facilitate the implementation of activities that were contained in the RAERESA's work programme.

**Vote of thanks**

16. The vote of thanks was moved by Eng. Mohamed Ahmed Mohamed Adam, Chairperson of the Portfolio Committee on Environment and Energy Efficiency and Secretary General of Electricity Regulatory Authority of Sudan On behalf of all delegates, he thanked the Acting Secretary General of COMESA for opening the Meeting and the Secretariat for the logistical arrangements.

17. He thanked the Government and People of Zambia for the warm welcome extended to the delegates since their arrival in Lusaka. He assured that the Meeting would be guided by the wise words of advice of the Acting Secretary General.

## B. AGENDA AND ORGANISATION OF WORK – AGENDA ITEM 2

18. The Meeting considered and adopted the following agenda:

1. Opening of the Meeting
2. Adoption of the Agenda and Organization of the Work
3. Presentation of the Work Programme of RAERESA
4. Consideration of the Report of the Third Meeting of the Executive Committee of RAERESA
5. Consideration of the Report of the First Meeting of the Portfolio Committee on Renewable Energy of RAERESA
6. Consideration of the Report of the Joint Meeting of the Portfolio Committee on Electricity and the Portfolio Committee on Oil and Gas of RAERESA
7. Consideration of Outlines of the Material of the Training Workshop on Energy Utility Benchmarking and Regulatory Good Governance for RAERESA Members
8. Any Other Business
9. Adoption of the Report and Closure of the Meeting

**Organisation of Work**

19. The Meeting adopted the following working hours:

**Thursday, 24th March, 2011**

Morning - 09.00 – 12.45 hours
Afternoon - 14.30 – 18.00 hours

**Friday, 25th March, 2011**

Morning - 09.00 – 12.30 hours report writing
Afternoon - 14.00 – 16.00 hours

## C. Presentation of the Work Programme of RAERESA - AGENDA ITEM 3

20. The COMESA Secretariat, which is the interim Secretariat of RAERESA, presented, for information, the Work Programme of RAERESA which was adopted by the First Annual General Meeting (AGM) held in Lusaka, Zambia in January 2010.

21. The objective of the Work Programme of RAERESA is to give direction and impetus to the Regional Association of Energy Regulators for Eastern and Southern Africa (RAERESA) and to enable it to commence work to meet its mission and objectives, as set out in its Constitution, and which can be summarized as: capacity building and information sharing; development of energy sector policy and regulatory guidelines and fostering inter-regional co-operation in energy regulatory matters.

22. The meeting noted that the Work Programme which constitutes five pillars was developed.

23. Those five pillars are as follows:

a. Capacity building and information exchange;

b. Legal and regulatory framework harmonization;

c. Development of baseline energy data base;

d. Development of an efficient and effective Secretariat and RAERESA communication; and

e. Meetings of RAERESA including Portfolio Committees and Annual General Meeting.

24. The meeting also noted that the following principles should be applied when implementing the Work Pogramme of RAERESA:

a. all 19 countries should be able to benefit to some degree from the work of RAERESA, to help the least developed to advance more rapidly;

b. all should contribute something financially;

c. those who are more advanced and who have better resources may contribute more “in kind” to the benefit of the less well off;

d. share the benefits of training through peer review, know-how transfer, mentoring and placements; and

e. bring the best training “in house” – into Africa.

25. In the discussion that ensued, the Meeting urged those countries which had not yet joined RAERESA to consider joining particularly Uganda and Zambia.

The Work Programme of RAERESA is attached as Annex I to this report.

## D. CONSIDERATION OF THE REPORT OF THE THIRD MEETING OF THE EXECUTIVE COMMITTEE MEETING OF RAERESA – AGENDA ITEM 4

26. Mr. George Kabango Barigye from Rwanda Utilities Regulatory Agency presented the Report of the 3rd Meeting of the Executive Committee. The Second Annual General Meeting (AGM) considered the report and the discussions and decisions are detailed below.

27. The Second Annual General Meeting (AGM) noted that the Executive Committee of RAERESA held a meeting on 23 March 2011 whose objective was to review the annual report of activities and the effectiveness of RAERESA and to facilitate the implementation of RAERESA's work programme.

28. The Meeting further noted that the Executive Committee discussed the report of the First Meeting of the Portfolio Committee on Renewable Energy which was held in Addis Ababa on 23 – 24 June 2010 and made relevant comments. The Meeting further noted that this report would be present to the Meeting as a substantive agenda item. The Meeting also noted that the Executive Committee also discussed the report of the Joint Meeting of the Portfolio Committee on Electricity and the Portfolio Committee on Oil and Gas which was held in Lusaka, Zambia on 12 - 22 March 2011 and made relevant comments.

29. The Meeting noted that the Portfolio Committee on Environment and Energy Efficiency was not able to hold a meeting due to the restructuring exercise of the energy sector which was taking place in Sudan. It is worth noting that Sudan is the current Chair of this Committee.

30. The Meeting underscored the importance of matters arising from the previous Meeting. In this record, the Meeting was informed that a progress was made in the implementation of the activities that were contained in RAERESA's Work Programme, although a lot of efforts were still required.

31. On capacity building and information sharing, (pillar 1), the Meeting noted that Kenya and Rwanda were able to define TOR and rationale of peer review and the COMESA Secretariat would be requested to circulate the material to all members, (activity 1.1).

32. Moreover, Egypt offered to assist RAERESA members and associate members to build their capacity through a placement of six persons, (activity 1.2). Egypt also managed to develop a design for African Energy Expert Database (AEED) in its website as one of the activities contained in RAERESA's work programme (activity 1.5).

33. The Meeting also noted that a utility benchmarking would be organized, next week, in Lusaka, Zambia on 28 – 30 March 2011 for RAERESA countries, (activity 1.9 and 1.10).

34. On development of baseline energy database, (pillar 3), the Meeting noted that progress had been made regarding accessibility and affordability surveys.(activity 3.1).The Meeting further noted that a lot of progress was made on the renewable energy survey, (activity 3.8).

35. On development of an efficient and effective Secretariat and RAERESA communication, (pillar 4), the Meeting noted that Rwanda managed to develop the website of RAERESA, (activity 4.1). In this regard, the Meeting urged members and associate members of RAERESA to enrich the website with relevant material and link it to their websites.

36. On Meetings of RAERESA, (pillar 5), the Meeting noted that all the Meetings were held except the Meeting of the Portfolio Committee on Environment and Energy Efficiency.

37. The Meeting emphasized the need to have a dedicated staff member for RAERESA to be stationed at the COMESA Secretariat which is the Interim Secretariat of RAERESA.

The Meeting further agreed that the Secretariat should exert efforts to mobilize resource to meet the cost of having a dedicated staff member of RAERESA.

38. The Meeting also agreed that and extraordinary meeting of the Executive Committee of RAERESA should be convened by August 2011 in order to discuss the organizational needs of RAERESA in order to sustain its activities and also to discuss mechanisms to mobilize resources. In this regard, the Meeting emphasized that members of RAERESA be encouraged to subscribe to the budget of running the Secretariat of RAERESA and other expected activities to be undertaken by RAERESA.

39. The Meeting agreed on calendar of meetings of RAERESA. These meetings include the 3rd Annual General Meeting (AGM), Executive Committee meeting and Portfolio Committees meetings.

40. EAPP reported that harmonized policy, legal institutional and regulatory frameworks were developed. EAPP further reported that the regional power master plan and region interconnection grid code had been developed. And that a governance structure had been proposed. EAPP also informed the Meeting that draft interconnection (transmission) standards had been released for comments.

41. EAPP then reported that there was a gap analysis tool for each country to be able to assess where they presently are and where they should be. This enables each country to appreciate what needs to be done.

42. The Meeting was informed that EAPP had also come up with the strategic road map for the development of the electricity power market within the region, and that the market rules were also being developed.

43. The Meeting noted that the necessary capacity building and training were being undertaken under the financing by USAID, EC, AFDB, MFA, and Norway etc. In this regard, the Meeting underscored that COMESA and RAERESA should officially take on board, all the achievements to date by EAPP.

44. EAPP is a specialized institution of COMESA. Thus all the deliverables by EAPP belong to COMESA for consideration, adoption and/or adaptation.

*Decisions*

*45. The Meeting decided as follows:*

a. *the 3rd Annual General Meeting of RAERESA be held in January 2012 and be preceded by the Meeting of the Executive Committee;*
b. *an extraordinary meeting of the Executive Committee should be convened by August 2011 in order to discuss the organizational needs of RAERESA in order to sustain its activities and also to discuss mechanisms to mobilize resources;*
c. *the Meeting of the Portfolio Committee on Renewable Energy be held in Addis Ababa, Ethiopia in August 2011;*
d. *the Meeting of the Portfolio Committee on Environment and Energy Efficiency be held in Khartoum, Sudan in September 2011 Sudan;*
e. *the Meeting of the Portfolio Committee on Oil and Gas be held in Kigali, Rwanda in October 2011;*
f. *the Meeting of the Portfolio Committee on Electricity be held in Cairo, Egypt in October 2011;*

*g. the Meeting emphasized the need to have a dedicated staff member for RAERESA to be stationed at the COMESA Secretariat which is the Interim Secretariat of RAERESA;*
*h. the COMESA Secretariat should exert efforts to mobilize resources to meet the cost of having a dedicated staff member of RAERESA; and*
*i. members of RAERESA be encouraged to subscribe to the budget of running the Secretariat of RAERESA.*

## E. CONSIDERATION OF THE REPORT OF THE FIRST MEETING OF THE PORTFOLIO COMMITTEE ON RENEWABLE ENERGY OF RAERESA – AGENDA ITEM 5

46. Mr. Getahun Moges, Director General of the Ethiopia Electricity Agency and the Chairperson of the Portfolio Committee on Renewable Energy of RAERESA presented the report of the First Meeting of the Portfolio Committee on Renewable Energy of RAERESA which was held in Addis Ababa, Ethiopia on 23 – 24 June 2010.

47. The Meeting noted that the First Meeting of the Portfolio Committee on Renewable energy agreed on data collection format for renewable energy. The main objective of the format is to facilitate development of baseline renewable energy database in order to produce a report on existing/planned and potential small and off-grid renewable energy projects in the COMESA region including their location, technology, duration (of pilot schemes), size, pricing, subsidy required, funding, constraints etc. The report should also contain recommendations for rolling out regional best practices

48. The Meeting observed on the data collection effort, that member regulatory bodies could actually do the task given the nature of the survey, but some countries were unable to do so because of their own circumstances. In this regard, the Meeting noted that Ethiopia, Egypt, Kenya and Sudan took the assignment, but only Ethiopia, Kenya and Rwanda reported.

49. The Meeting urged that the survey could be undertaken now in anticipation to harness the resources to increase the generation capacity of the region. The Meeting also underscored that the data format could include other items such as national energy policy with reference to the COMESA model energy policy framework. In this regard, the Meeting noted that more efforts shall be required.

50. The Meeting noted that USAID had made available some funds to develop a baseline renewable energy database and the way forward for the COMESA region through a short term consultancy. The Meeting further noted that the assignment would be led by a team leader (lead consultant) to be identified and contracted by the COMESA Secretariat.

51. The Meeting also noted that a team of independent renewable energy experts would be selected by the COMESA Secretariat from a pool of experts to be identified and submitted to the Secretariat by Member States, i. e., one expert would be selected from each Member States.

52. The Meeting noted that the main results of the development of baseline renewable energy database would include completion of a survey for COMESA countries and production of a report which would contain recommendations on the road map.

53. In this regard, the Meeting noted that the Terms of Reference (TOR) of the study was prepared. And that the Member States would be invited to identify and submit to the COMESA Secretariat one detailed Curriculum Vitae (C. V.) for a prospective candidate to compete for the assignment of the team leader. Member States would also be invited to identify and submit to the COMESA Secretariat detailed C. Vs. for three independent renewable experts from each country. This would assist the Secretariat to select one of them to gather and compile detailed

renewable energy information from his/her country as per the data collection format. The data collection format is attached as Annex II to this report.

54. The Meeting noted that the report on baseline renewable energy database and the road map would be validated by the Portfolio Committee on Renewable energy and also by a workshop which should include all stakeholders.

***Decisions***

55. The Meeting urged countries to:

a. *submit to the COMESA Secretariat one detailed Curriculum Vitae (C. V.) for a prospective candidate to compete for the assignment of the team leader by 21 April 2011;*
b. *identify and submit to the COMESA Secretariat detailed C. Vs. for three independent renewable energy experts from each country to assist the Secretariat to select one of them to gather and compile detailed renewable energy information from his/her country by 21 April 2011;*
c. *submit their country reports which should be based on agreed data collection format for renewable energy by 1 June 2011 and*
d. *expand TOR for the study to develop a baseline renewable energy database and the data collection format to include analysis of* national energy policy with reference to the COMESA model energy policy framework.

## F. CONSIDERATION OF THE REPORT OF THE JOINT MEETING OF THE PORTFOLIO COMMITTEE ON ELECTRICITY AND THE PORTFOLIO COMMITTEE ON OIL AND GAS OF RAERESA – AGENDA ITEM 6

56. Mr. Hatem Waheed Amer from the Egyptian Electricity Regulatory Agency presented the report of the Joint Meeting of the Portfolio Committee on Electricity and the Portfolio Committee on Oil and Gas of RAERESA which was held in Lusaka, Zambia on 21 – 22 March 2011.

57. The Meeting noted that the Joint Meeting of the Portfolio Committee on Electricity and the Portfolio Committee on Oil and Gas agreed on data collection questionnaires on the status of accessibility and affordability of electricity and also oil and gas in the COMESA region which were presented by Egypt and Rwanda respectively.

58. The main objective of the two questionnaires is to facilitate preparation of a report on the status of accessibility and affordability of the electricity and also oil and gas in the COMESA region.

59. The meeting discussed thoroughly the questionnaires and made relevant comments. The Meeting agreed that the data collection questionnaires were acceptable and flexible format. Countries could then use them to provide information on their status of accessibility and affordability of electricity and on their status of accessibility and affordability of oil and gas. The meeting further agreed that countries could customize and adjust the questionnaires to their specificities.

60. The data collection questionnaire on the status of accessibility and affordability of electricity in the COMESA region is attached as Annex III to this report. The data collection questionnaire on the status of accessibility and affordability of gas and oil in the COMESA region is attached as Annex IV to this report.

61. The Meeting was informed that Eritrea, Egypt, Ethiopia and Swaziland completed and sent the questionnaire on the status of accessibility and affordability of electricity to Egypt and the COMESA Secretariat. The Meeting further agreed that a period of two months and half would be enough to complete the questionnaire for electricity for those countries which had not yet completed it.

62. The Meeting agreed that Rwanda be given two weeks to revise the questionnaire on the status of accessibility and affordability of oil and gas in order to consider the comments made by the Meeting. The Meeting further agreed that countries should be given two months and half, after Rwanda submits the revised questionnaire, to complete the questionnaire and send it to Rwanda and the COMESA Secretariat.

63. The Meeting further noted the importance of analyzing and harmonizing national grid code and national electricity sector master plan of the respective member countries vis-a-vis regional master plan and regional grid code as developed by the Eastern Africa Power Pool (EAPP).

***Decisions***

*64. The Meeting agreed that:*

a. *countries which had not yet completed the questionnaire on data collection questionnaire on the status of accessibility and affordability of electricity be urged to complete it within 2.5 months and sent it to Egypt and the COMESA Secretariat;*
b. *Rwanda be given two weeks to revise the questionnaire on data collection questionnaire on the status of accessibility and affordability of oil and gas in order to consider the comments made by the Meeting;*
c. *Countries should be given 2.5 months to complete the questionnaire and send it to Rwanda and the COMESA Secretariat;*
d. *countries could customize and adjust the questionnaires to their specificities; and*
e. *analysis of national master plan and grid code vis-a-vis the regional grid code and master plan as developed by the Eastern Africa Power Pool (EAPP) be undertaken.*

## G . CONSIDERATION OF THE OUTLINES OF MATERIAL OF THE TRAINING WORKSHOP ON ENERGY UTILITY BENCHMARKING AND REGULATORY GOOD GOVERNANCE FOR RAERESA MEMBERS - AGENDA ITEM 7

65. The Meeting noted that AETS was contracted by PRO€INVEST to design the material for the training workshop on energy utility benchmarking and regulatory good governance which would be held in Lusaka, Zambia on 28 – 30 March 2011.

66. Mr. Roland Brilot who is a Lead Energy Expert and also Ms Miriam Oriolo, International Energy Consultant and Lawyer presented the outlines of the training material on energy utility benchmarking and regulatory good governance (representing AETS). The objective of the project is to support energy regulatory issues development in the COMESA Member States through institutional capacity building.

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67. The main objective of the training workshop is to build and strengthen capacities of the Regional Association of Energy Regulators for Eastern and Southern Africa (RAERESA) and share information on energy utility benchmarking and regulatory good governance to facilitate energy regulatory capacity among members at both national and regional levels.

68. PRO€INVEST who is funding the project, is an EU-ACP partnership program that aims to promote investment and technology flows to enterprises operating within key sectors in ACP countries. PRO€INVEST specific objective is to reinforce the institutional capacity of national and regional Intermediary Organizations (IOs) representative of the ACP private sector to enable them to improve the quality, relevance and diversity of their services.

69. The Meeting thanked PRO€INVEST for supporting the capacity building of RAERESA and also thanked AETS for designing the training material and also for training it would provide for RAERESA members.

70. The Meeting noted that the outlines presented had shed more light to electricity. In this regard, the Meeting reiterated that the training should also shed light on appropriate policy, legal and institutional framework on energy efficiency. Moreover, the meeting recommended that a dedicated training workshop on benchmarking and regulatory good governance for petroleum and gas downstream industry should be undertaken for RAERESA countries.

71. The Meeting noted that a number of initiatives regarding utility benchmarking and good governance were ongoing in the region. The Meeting reiterated that the consultant should harmonize the training material with other initiatives.

72. The Meeting underscored that countries would always be encouraged to send more trainees at their own cost to training workshops that would be organized by the COMESA Secretariat in order to maximize the benefits of the training.

73. The outline of the training material is attached as Annex V of this report

***Decisions***

*74. The Meeting agreed that:*

a. *the outlines of the training on benchmarking and regulatory good governance which contains very useful material for the training workshop to be held in Lusaka, Zambia, on 28 – 30 March 2011 be adopted and the Consultant should consider all comments made by the Meeting;*
b. *that a dedicated training workshop on benchmarking and regulatory good governance for petroleum and gas downstream industry be undertaken for RAERESA countries; and*
c. *countries be encouraged to send more trainees at their own cost to training workshops that would be organized by the COMESA Secretariat in order to maximize the benefits of the training.*

## H. ANY OTHER BUSINESS - AGENDA ITEM 8

75. There were no any other items discussed under any other business.

## I. ADOPTION OF THE REPORT AND CLOSURE OF THE MEETING - AGENDA ITEM 9

### Adoption of the Report

76. The Meeting adopted the report with amendments.

**Closing of the Meeting**

77. In closing the Meeting, Eng Buge Wasioya, the Chairperson thanked the delegates for the active participation in the proceedings that had enabled the Meeting to successfully adopt the report. He then wished them safe journeys back to their respective homes.

**ANNEX VI**

**LIST OF PARTICIPANTS**

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