



ENERGY REGULATORS
ASSOCIATION
OF EAST AFRICA

REF: EXCO/26/2023

EXECUTIVE COUNCIL MEETING (EXCO)

PROTEA HOTEL,
ENTEBBE, UGANDA

12TH DECEMBER 2023

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**REPORT OF THE 26TH EXECUTIVE COUNCIL MEETING HELD ON TUESDAY 12TH
DECEMBER 2023 AT 9.00 A.M.**

AGENDA ITEM

MIN 1. EXCO/26/23: OPENING PRAYER AND PRELIMINARIES

The meeting began with opening prayers from a representative of the Electricity Regulatory Authority (ERA). The meeting was thereafter opened by the **Hon. Sidronius Okaasai Opolot** the Hon. Minister of State for Energy, Uganda.

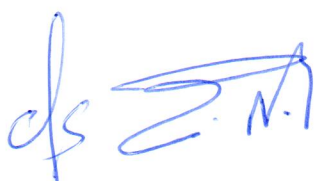
MIN 2. EXCO/26/23: CONSTITUTION OF BUREAU

The Executive Secretary confirmed the Quorum for the 26th EXCO Meeting and noted the attendance of Authority for Regulation of Water and Energy Sectors (AREEN), Energy and Petroleum Regulatory Authority (EPRA), Electricity Regulatory Authority (ERA), Energy and Water Utilities Regulatory Authority (EWURA), Petroleum Upstream Regulatory Authority (PURA), Rwanda Utilities Regulatory Authority (RURA), Petroleum Authority of Uganda (PAU) and Autorité de Régulation du secteur de l'Electricité (ARE).

RECEIVED the apologies of the substantive Heads of National Regulatory Institutions (NRI) and recognised their nomination and attendance of their representatives as follows;

- i) EPRA, represented by Mr. Waweru Karanja,
- ii) AREEN, represented by Eng. Didace Ndivyariye,
- iii) EWURA, represented by Eng. Gerald Maganga,
- iv) RURA, represented by Eng. Alexis Mutware,
- v) ARE, represented by Mr. Marco Kuyu who attended online.

In attendance were **Ms. Sylvie OLELA ODIMBA** the Board Chairperson of Autorité de Régulation du Secteur de l' Electricite DRC (ARE), Democratic Republic of Congo, **Mr. Halfani R. Halfani** Board, Chairperson, Petroleum



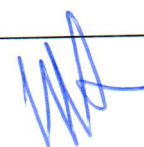
Upstream Regulatory Authority (PURA). **Mr. Ephrem Tesfaye**, the Independent Regulatory Board (IRB) Lead Coordinator.

In addition, the Secretariat received apologies from the Director General of the Zanzibar Utilities Regulatory Authority (ZURA).

MIN 3. EXCO/26/23: ADOPTION OF THE AGENDA

The **EXCO ADOPTED** the following agenda for the 26th EXCO Meeting.

1. Opening Prayer.
2. Constitution of Bureau
3. Adoption of the Agenda
4. Declaration of Conflicts of Interests
5. Introduction and Opening remarks
6. Tabling of the Report from the 25th EXCO Meeting held on 12th July 2023 in Arusha, Tanzania.
7. Matters Arising from the 25th EXCO Meeting held on 12th July 2023 in Arusha, Tanzania.
8. Matters Arising from the 15th AGA Meeting held on 13th July 2023 in Arusha, Tanzania.
9. Presentation of Portfolio Committees' Reports:
 - (i) Legal Portfolio Committee
 - (ii) Electricity and Renewable Energy Portfolio Committee
 - (iii) Petroleum Portfolio Committee
 - (iv) Economic Portfolio Committee
10. Presentation of EXCO Sub-Committees' Reports;
 - (i) Report of EXCO Committee on Finance and Administration (CFA)
 - (ii) Report of EXCO's Strategic Planning and Human Resources Committee (SPHRC)
11. EREA'S Meetings Frequency and Venue



MIN 4. EXCO/26/23: DECLARATION OF CONFLICTS OF INTEREST

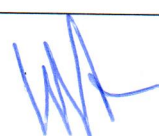
There were no conflicts of interest declared by the members in the business of the 26th EXCO meeting.

MIN 5. EXCO/26/23: INTRODUCTION AND OPENING REMARKS.

The Chairperson of EXCO welcomed the Heads of Delegations of ARE, AREEN, EWURA, EPRA, ERA, PAU, PURA, and RURA to introduce themselves and the members of their delegations. The chairperson also recognized the presence of the Lead Coordinator of the IRB.

The Chairperson, Eng. Ziria Tibalwa Waako welcomed the members present at the meeting in Entebbe, Uganda and made her opening remarks. In her remarks, the Chairperson lauded the Petroleum Authority of Uganda (PAU) for hosting the 26th EXCO meeting which was opened by the Hon. Minister of State for Energy, Uganda. She commended the EREA secretariat for its efforts in sourcing alternative funding and the establishment of the Energy Regulation Centre of Excellence (ERCE) noting that over 300 energy experts in the EAC region have been trained to date. The Chairperson also recognized the need to urgently establish the ERCE on the land that was allocated in the United Republic of Tanzania. She emphasized and encouraged the members to promptly remit their annual subscriptions to facilitate the efficient operation of the EREA secretariat. In this regard, she underscored the need for members to mainstream EREA activities and budget in their respective institutional annual work plans. She noted that there are several regional organizations in the EAC with distinct mandates and the importance of the members to be sensitized on the distinctions and their respective benefits. The chairperson further commended the PCs for working tirelessly in implementing planned activities, including the progress implementation of action plans, directives of EXCO, AGA, and progress in implementing the ERCE and the various funding options for constructing the centre.

In closing the chairperson appreciated the member NRIs for their commitment to EREA as demonstrated by their participation in the 26th EXCO and encouraged them to remain firm in steering the EAC region.



MIN 6. EXCO/26/23: TABLING OF THE REPORT FROM THE 25TH EXCO MEETING HELD ON 12TH JULY 2023 IN ARUSHA, TANZANIA

The Secretariat tabled the report of the 25th EXCO meeting held on 12th July 2023 in Arusha, Tanzania.

The EXCO **NOTED** the report of the 25th EXCO meeting.

MIN 7. EXCO/26/23: MATTERS ARISING FROM THE 25TH EXCO MEETING HELD ON 12TH JULY 2023 IN ARUSHA, TANZANIA

The Secretariat submitted and reported on the status of the matters arising from the 25th Executive Council meeting held on 12th July 2023 in Arusha, Tanzania.

The EXCO:

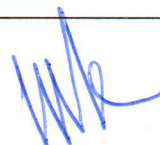
NOTED the status of the progress of implementation of the 25th EXCO resolutions and commended the secretariat for the report.

ADOPTED the report of the matters arising from the 25th Executive Council meeting held on 12th July 2023.

MIN 8. EXCO/26/23: MATTERS ARISING FROM THE 15TH AGA MEETING HELD ON 13TH JULY 2023 IN ARUSHA, TANZANIA.

The Secretariat submitted and reported on the status of the matters arising from the 15th AGA meeting held on 13th July 2023 in Arusha, Tanzania.

The EXCO **NOTED** the report of the matters from the 15th AGA meeting held on 13th July 2023 in Arusha, Tanzania.



MIN 9. EXCO/26/23: PRESENTATION OF PORTFOLIO COMMITTEES' REPORTS

9.1. EXCO/26/23: LEGAL PORTFOLIO COMMITTEE (LPC)

The Legal Portfolio Committee presented its progress implementation report for the financial year 2023/24.

The EXCO;

NOTED:

- a) The progress implementation of the LPC action plan for financial year 2023/24;
- b) The Amendment No. 3 of the EREA Constitution 2013 to provide for ERCE to be an organ of EREA; and
- c) The executed MOU between EREA and the IRB to guide on the areas and methods of collaboration between EREA and IRB.

DIRECTED

- a) The LPC to extend the scope of e-mobility benchmarking to other NRIs and incorporate international best practices; and
- b) The secretariat to circulate the draft documents to NRIs for review and signature.

APPROVED:

- a) The draft *Lecturer Recruitment Policy* in order to ensure consistency, transparency and accountability in facilitator/lecturer recruitment for the ERCE;
- b) The draft MOU in order to guide the areas and methods of collaboration between EREA and the East Africa Law Society;
- c) The draft cooperation agreement in order to guide the areas of education and research between EREA and Akita University; and
- d) The benchmarking questionnaire on e-mobility.

ADOPTED the LPC report.

9.2. EXCO/26/23: ELECTRICITY AND RENEWABLE ENERGY PORTFOLIO COMMITTEE (EREPC)

The Electricity and Renewable Energy Portfolio Committee (EREPC) presented its progress implementation report for the financial year 2023/24.

The EXCO;

NOTED the 75% progress implementation of the EREPC action plan for the financial year 2023/24.

DIRECTED the EREPC to;

- a) Include data from the Democratic Republic of Congo in subsequent reports; and
- b) Provide specific recommendations arising from their technical analyses

APPROVED the terms of reference (TOR) for the consultancy on developing a regulatory framework for electricity mobility including a suitable tariff structure for vehicle charging and power supply to electric trains and the secretariat to source funds and engage a consultant for the e-mobility study.

ADOPTED the EREPC report.

9.3. EXCO/26/23: PETROLEUM PORTFOLIO COMMITTEE(PPC)

The Petroleum Portfolio Committee (PPC) presented its progress implementation report for the financial year 2023/24.

The EXCO;

NOTED the 40% progress implementation of the PPC action plan for financial Year 2023/24.

DIRECTED the PPC to review the experience of PAU and EWURA on National Content Management to form a basis for analysing other NRIs.

ADOPTED the PPC report subject to proposed amendments.

9.4. EXCO/26/23: ECONOMIC PORTFOLIO COMMITTEE (EPC)

The Economic Portfolio Committee (EPC) presented its progress implementation report for the financial year 2023/24.

The EXCO;

NOTED the progress implementation of the EPC action plan for financial Year 2023/24.

DIRECTED the EPC to include in the emerging issues report other aspects in energy and petroleum besides electricity and renewables projects.

ADOPTED the EPC report subject to proposed amendments.

MIN 10. EXCO/26/23: EXCO SUB-COMMITTEES REPORTS

10.1. EXCO/26/23: COMMITTEE ON FINANCE AND ADMINISTRATION (CFA)

The Chairperson of the EXCO sub-committee on Finance and Administration (CFA) tabled their 12th Meeting report for consideration by the EXCO.

The EXCO:

NOTED the commitments by NRIs to settle outstanding training and subscription fees.

APPROVED;

- a) NRIs to make part payment of their member subscription fee at any time within the financial year and pay the balance before the end of a given financial year;
- b) The budget reallocation of **USD 9,850.00** to enable the Secretariat to cover its planned operational expenses.
- c) That the NRIs pay total outstanding training fees of **USD 20,400.00** before 18th December 2023 to enable the Secretariat to pay for the salaries of its staff for December 2023 (ERA-USD2,000, ZURA-USD800, PURA-USD16,000, EPRA-USD1,600).

- d) Waiving of observer's fees totalling **USD 1,000.00** (USD 500 payable each for ZPRA and PURA) as per auditors' recommendation.
- e) The draft Audited Financial Statement for the financial year ended 30th June 2023 ;
- f) The Secretariat to comply with statutory tax requirements by paying **USD 4,950.15** as withholding tax that is outstanding by 30th November 2023;
- g) The Secretariat to arrange with the KCB Bank to allow for online payments of all statutory payments to avoid penalties due to delayed payments to respective institutions;
- h) ARE's request for a waiver of the annual subscription fee amounting to **USD 21,000.00** for the financial year 2023/24.

DIRECTED the Secretariat to:

- a) Work with the LPC to review the proposed PPP-BOT arrangement for constructing the ERCE and the role of the Tanzanian government; and
- b) Follow-up with the respective NRIs on the payment of outstanding training and subscription fees

ADOPTED the CFA report.

10.2. EXCO/26/23: STRATEGIC PLANNING AND HUMAN RESOURCE COMMITTEE(SPHRC)

The Chairperson of the EXCO sub-committee on Strategic Planning and Human Resources (SPHRC) tabled their 12th meeting report for consideration by the EXCO.

The EXCO:

NOTED the status of filling the ROI on the electricity sector of NRIs.

APPROVED;

- a) The NRIs to include in respective websites a link referring to the ERCE website and EREA Magazine for visibility;
- b) The 2023/24 Action plan status report;

- c) The 2-year ERCE curriculum calendar;
- d) The signing of the Memorandum of Understanding (MoU) between the Energy Regulators Association of East Africa (EREA); and
 - a. AKITA University,
 - b. Morendat Institute of Oil and Gas (MIOG),
 - c. Curve Solutions.
- e) The proposed PPP-BOT arrangement with China Railway Group Ltd;
- f) The development of Regulatory Index for petroleum Member NRIs with support by the Economic Portfolio Committee (EPC) and the Petroleum Portfolio Committee (PPC); and
- g) The EREA Secretariat Semi-annual Report for the period ending November 2023.

DIRECTED;

Member NRIs that have not submitted comments on the Regulatory Outcome Index (ROI) to provide the comments to the EREA Secretariat for monitoring of member NRIs performance.

ADOPTED the SPHRC report.

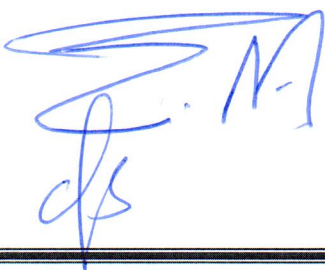
MIN 11. EXCO/26/23: EREA'S MEETINGS' FREQUENCY AND VENUE

The secretariat presented the proposed EREA schedule of the next meetings and venues for consideration by EXCO.

The EXCO **APPROVED** the 27th EXCO to be held on 26th June 2024 in Kinshasa, DRC.

MIN 12. EXCO/26/23: ANY OTHER BUSINESS

There being no other business the meeting was concluded at 3.45 p.m. by a word of prayer from the member from AREEN.



Signed this 12th December 2023

(1) **Eng. Ziria Tibalwa Waako**

Chairperson, Chief Executive Officer (CEO),
Electricity Regulatory Authority (ERA).

(2) **Mr. Ernest N.T. Rubondo**

Member, Executive Director (ED),
Petroleum Authority of Uganda (PAU).

(3) **Eng. Charles Sangweni**

Member, Director General (DG),
Petroleum Upstream Regulatory Authority (PURA).

(4) **Eng. Alexis Mutware**

Member, For Director General (DG),
Rwanda Utilities Regulatory Authority (RURA).

(5) **Eng. Gerald Maganga**

Member, For Director General (DG),
Energy and Water Utilities Regulatory Authority (EWURA).

(6) **ING. Didace Ndivyariye**

Member, For Director General (DG),
Authority for Regulation of Water and Energy Sectors (AREEN).

(7) **Mr. Waweru Karanja**

Member, For Director General (DG),
Energy and Petroleum Regulatory Authority (EPRA).

(8) **Mr. Marco Kuyu**

Member, For Director General (DG),
Autorité de Régulation du secteur de l'Electricité (ARE).

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