

LICENCE APPLICATION MANUAL

for
service providers
in the

ELECTRICITY SUPPLY INDUSTRY

May 2012



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PREFACE

The License Application Manual for Service Providers in the Electricity Supply Industry has been developed and issued by the Energy Commission of Ghana to formally establish the framework for licensing service providers of Wholesale Supply (Thermal/Hydro Electricity Generation), Electricity Brokerage, Electricity Transmission, Electricity Distribution, Electricity Sale, Embedded Electricity Generation, Electricity Export and Electricity import in the electricity supply industry as stipulated by the Energy Commission Act (Act 541), 1997.

The issue of the Manual for Service Providers in the electricity supply industry marks a significant development in the pursuit and implementation of reforms in the Power Sector, which is aimed at opening up the sector to attract private capital injections and thereby introduce competition into the sector. These are expected to be achieved through the development and introduction of regulatory and institutional reforms that would assure open access and transparency of transactions and operations within the sector.

The 2012 Version is the second edition of the Manual to be issued by the Commission. This is in accordance with the mandate of the Commission to subject the Manual to periodic review in order to improve its quality and to make it more amenable to its objects and functions as and when it deems it necessary. The first version was published in 2006.

Finally, users of the Manual are highly encouraged to make submissions on any part or portion of it that needs improvement and refinement to assist in the establishment of a versatile licensing framework for the electricity supply industry in Ghana. Submission of any relevant comments and ideas in this regard should be forwarded to:

The Executive Secretary, Energy Commission, PMB, Ministries Post Office, Accra, Ghana;

e-mail: info@energycom.gov.gh and telephones: (233-302) 813763, 813762 or 813756.

Definitions

"Access Code"	<i>means</i> Electricity Networks (Third Party Access) Code.
"Act "	<i>means</i> the Energy Commission Act, 1997 (ACT 541).
"Applicant"	<i>means</i> a person who has applied for a licence under the Act or exempted from the requirement to be licensed under Part II of the Act
"Bulk Customer"	<i>means</i> a customer that purchases or receives electric power and energy of such amount or level as the Commission may specify.
"Commission"	<i>means</i> the Energy Commission of the Ghana as established under section 1 of Act 541.
"Connection Agreement"	<i>means</i> an agreement between the ETU and a GRID Participant that seeks connection of its facilities to the NITS and sets out the rights, obligations and liabilities of both parties.
"Distributed Generation"	<i>means</i> production of electricity utilizing a generation facility that is electrically connected to a stand-alone or isolated distribution network that is serving a localized or restricted area.
"Distribution System"	<i>means</i> electrical power and energy delivery system consisting of interconnected substation and network facilities operated at voltages of 34.5 kilovolts or less located within the boundaries of the Republic of Ghana.
"Embedded Electricity Generation"	<i>means</i> production of electricity utilizing a generation facility that is electrically connected directly to a distribution system and for which the total output of the facility is distributed and utilized locally without any requirement for use of the national interconnected transmission system.
"Manual"	<i>meansthe</i> License Application Manual
"National Interconnected Transmission System (NITS)"	<i>means</i> electrical power and energy delivery system consisting of interconnected generation, substation and network facilities operated at a voltage above 34.5 kilovolts located within the boundaries of the Republic of Ghana.
"Network Access"	<i>means</i> an agreement between the distribution utility and a participant engaged in embedded electricity generation or distributed generation services that seeks connection of its facilities to the distribution network

	and sets out the rights, obligations and liabilities of both parties.
"Person"	<i>means</i> a body corporate, whether corporation aggregate or corporation sole and an unincorporated body of persons as well as an individual.
"Power System"	<i>means</i> generation, transmission and distribution network facilities which together are integral to the supply of electricity and are operated as an integrated arrangement.
"System Operator"	<i>means</i> the licensed service provider entrusted with responsibility for operational planning and dispatch of electric power/energy to ensure that generation and demand are matched at all times while maintaining quality and security of supplies at an economic cost and for the reliable operation of the transmission grid for the purpose of providing open access to all market participants in a non-discriminatory manner.
" Wholesale Supplier"	<i>means</i> a person licensed under the Act to install and operate facilities to procure or produce electricity for sale to a bulk customer or to an electricity distribution company for distribution and sale to consumers.

CHAPTER

1

BACKGROUND

Introduction

1.1. The Energy Commission was established by an Act of Parliament, Energy Commission Act (Act 541), 1997 to, among other things, license and regulate the technical operations of service providers in the electricity supply industry. The Commission performs these regulatory functions through elaborations and enforcement of licensing conditions, technical rules of practice and standards of performance rules.

Purpose of License Application Manual

1.2 The purpose of this Licence Application Manual is to outline the EC's framework for licensing of service providers in the electricity supply industry. The Manual provides an outline of procedures and processes involved.

1.3 The Manual is essentially a document developed to guide the Commission in the performance of its licensing obligations and also intended to serve as a source of information to both licensed operators and prospective applicants that wish or intend to engage in operations in the industry.

Obligation to be licensed

1.4 Section 11 of the Act provides that a person must not carry on operations in Ghana's electricity supply industry for which a licence is required unless the person either:

- (a) holds a licence granted under the Act authorizing the relevant operations; or
- (b) is exempted from holding a licence.

A breach of this requirement is an offence under the Act and may be sanctioned accordingly.

Exemptions

1.5 The Commission may grant an exemption from some or all of the requirements in the *General Provisions on Licences* of the Act.

- 1.6 A request for an exemption under clause 1.5 should be made to the Commission in a form similar to an application for a licence.
- 1.7 An application for an exemption will be considered on its merits in the light of the relevant legislation. Exemptions would be granted by the Commission only under exceptional circumstances.

Transmission Connection Agreement and Distribution Network Access

Agreements

- 1.8 The acquisition of an electricity distribution or wholesale supply licence does not authorize the prospective electricity service provider to have access to the national interconnected transmission system in Ghana. A *Connection Agreement* or *Network Access Agreement* with the relevant network service provider is required for that purpose.
- 1.9 Pursuant to Section 24 of the Act, all prospective participants in the deregulated segment of Ghana's electricity supply industry must negotiate and conclude Connection Agreement with the Electricity Transmission Utility (ETU) at the second stage of the licence application procedures while seeking a licence from the Commission.
- 1.10 To ensure transparency and non-discriminatory access to the relevant information, the Electricity Transmission Utility shall make available to the public at its offices the procedures for obtaining and terminating Transmission Connection Agreements with a licensee.
- 1.11 A participant seeking to engage in embedded electricity generation or distributed generation services must negotiate and conclude a Distribution Network Access Agreement with the relevant licensed distribution entity at the second stage of the licence application procedures while seeking a licence from the Energy Commission.
- 1.12 The conditions for connection agreements shall at all times be in full compliance with the National Electricity Grid Code. The Commission will be available to facilitate these negotiations as and when required.
- 1.13 Without prejudice to clause 1.9, the scope of a connection or access agreement, shall among other things, seek to secure a network user's agreement to:
 - a) Pay for services provided by the network operator according to negotiated prices up to the maximum prices approved by the Public Utilities Regulatory Commission (PURC);
 - b) Use all reasonable endeavors to ensure that:
 - i) The user's actual demand at a connection point does not exceed the contract maximum demand for that connection,
 - ii) The quantity of electricity transferred to the electricity network by the supplier or on behalf of the user at a connection point does not exceed the declared sent-out capacity from the user in respect of that connection, and
 - iii) The user's use of the network is in 'balance' such that, after allowing for network energy losses, the quantity of electrical energy transferred into the network in

respect of each of its access agreements for each energy usage period is equal to the quantity of electrical energy transferred out (to its customers) of the network for that period;

- c) Arrange the supply and transportation of standby power to satisfy this 'balancing' obligation, and to keep the power system operator informed of such arrangements and any material changes;
- d) Arrange payment for any balancing amount of electricity;
- e) Comply with good electricity industry practice in operating, maintaining, constructing and commissioning of the plant or equipment connected to the electricity network to facilitate the transfer of electricity to or from the network;
- f) Comply with all technical rules and codes of practice to be issued by the Commission and any other relevant agency regarding connection to and the use of the electricity network; and
- g) Make a capital contribution (after negotiating with the relevant asset owner) in respect of the capital investment associated with the designing, constructing, installing and commissioning of the connection equipment or network system assets where the granting of access necessitates the augmentation of connection equipment or network system assets that would otherwise not be 'commercially viable'.

Obligation to purchase electricity from embedded electricity generation facilities

- 1.14** Licensed distribution service providers shall be obliged to connect embedded electricity installations (especially, renewable energy sources and cogeneration facilities) to their distribution network and, as priority, purchase electricity from and compensate them for the supplies in accordance with the national energy policy and tariffs approved by the PURC.
- 1.15** This obligation shall apply to the licensed distribution service provider, whose franchise or operational area is closest to the location of the embedded electricity generation facility, providing that the network is technically suitable to receive generation from the facility.
- 1.16** A distribution network shall be considered to be technically suitable or feasible even if the network operator (or licensee) needs to upgrade its network at reasonable economic expense in order to accept the electricity in-feed. In such a case, the licensee shall be obliged to upgrade its network without delay if this is requested by a party interested in feeding in electricity. Relevant data on both the network and the embedded electricity generation facility shall be disclosed for both parties to do their respective planning and to determine the technical suitability of the connection arrangement.
- 1.17** The embedded electricity generation companies shall be compensated in accordance with agreed terms and conditions set by the Commission and the PURC.

CHAPTER

2

ROLE OF THE COMMISSION

Guiding principles

- 2.1** In its decision making with respect to its licensing (and other) functions, the Commission must have regard to the general factors specified in the Act.
- 2.2** The Commission, in performing its functions, will:
- a) promote competitive and fair market conduct;
 - b) prevent misuse of monopoly or market power;
 - c) facilitate entry into and exit from the relevant markets;
 - d) ensure consumers benefit from competition and efficiency;
 - e) collaborate with the PURC to protect the interests of consumers with respect to reliability and quality of electricity supply services;
 - f) collaborate with the PURC to promote economic efficiency, fair, transparent and competitive operations in the electricity supply industry;
 - g) collaborate with the PURC in facilitating the maintenance of a financially viable electricity supply industry; and
- 2.3** The Commission further will ensure the safe and efficient generation, transmission, distribution and sale of electricity in the power system by establishing and enforcing:
- a) proper standards of safety, reliability and quality in the electricity supply;
 - b) proper safety and technical standards for electrical installations;
 - c) standards to ensure efficient electricity end-use practices and promote productive uses of electricity;

Licensing functions

- 2.4** The Commission has responsibility for a number of licensing functions under the Act, notably:
- a) granting licence;
 - b) specifying licence conditions;
 - c) varying licensing terms and conditions;
 - d) maintaining a register of issued licences;

- e) compliance monitoring and enforcement of licence conditions; and
- f) suspension and cancellation of licences.

Granting of licence

2.5 The Commission may issue a licence if satisfied that:

- a) the applicant is a suitable person to hold the licence; and
- b) specified requirements are met for each licence type .

Specifying licence conditions

2.6 The Act provides that the Commission, in granting a licence, may make the licence subject to certain statutory and other conditions in a manner determined by the Commission.

Varying licence conditions

2.7 The Commission may vary licence conditions by written notice to the electricity service provider involved, as the Commission considers appropriate. A variation may be made only if the Commission considers it necessary to further the objects of the Act.

Register of issued licences

2.8 The Commission shall keep a register of the licences granted to electricity service providers under the Act. A copy of the register will be available at the Commission's web site (www.energycom.gov.gh) to facilitate access by the public for inspection.

Compliance monitoring and enforcement

2.9 The Commission shall monitor and enforce compliance with all licence conditions. A contravention of the licence is a breach of the Act, which could give rise to penalties. The Commission may suspend or cancel the licence of an electricity service provider where that licensee contravenes a condition of the licence.

2.10 As part of the compliance monitoring procedure, the licensee shall be required to submit to the Commission a detailed corporate performance statistics half-yearly and an annual report at the end of each financial year.

2.11 The Performance Statistics shall include, but shall not be limited to, the benchmarks stipulated in all the relevant legislation and Codes as well as the benchmarks stipulated in the respective licences.

2.12 Authorized officers of the Commission shall have the right of free access to the premises and/or operational area of the licensee for the purpose of inspecting and ensuring

compliance with the licence conditions. In the course of such inspections, the Licensee is required to co-operate with and render assistance to such authorized officers.

2.13 While on the premises of the licensee, the authorized officers shall monitor and adhere to the licensee's internal rules and regulations, particularly relating to health and safety.

Suspension and cancellation of licence

2.14 The Commission has the mandate under Section 19 of the Act to suspend or cancel a licence when it is convinced that there has been:

- a) an act of default meaning that the licensee is not complying or has not complied with any of the conditions stipulated in its licence; or
- b) a change in circumstances under which the licence was granted such that the electricity service provider would no longer be entitled to a licence.

2.15 Prior to suspension or cancellation of a licence, the Commission shall serve the licensee with written notice specifying:

- a) the cause of dissatisfaction;
- b) the directives for rectification of the breach; and
- c) the Commission's proposed line of action in the event that the licensee does not comply within the period specified in the written notice.

2.16 The defaulting licensee served with a notice under clause 2.15 shall be given an opportunity to respond to the Commission's written complaint and the proposed action of remedy.

2.17 The Commission shall take into consideration in its determination to suspend or cancel a licence, the extent to which any person is likely to suffer loss or damage as a result of the suspension or cancellation of a licence.

2.18 A licence that has been granted but has not been utilized within one (1) year from the date of issue may be cancelled by the Commission after giving thirty (30) days notice to this effect.

CHAPTER

3

TYPES AND DURATION OF LICENCES

Types of licence

3.1 The operations and services in the electricity supply industry for which a licence is required are:

- a) wholesale electricity supply operations and services;
- b) electricity brokerage operations and services;
- c) electricity transmission operations and services;
- d) electricity distribution operations and services;
- e) electricity sale operations and services;
- f) embedded electricity generation operations and services;
- g) electricity export operations and services; and
- h) electricity import operations and services.

3.2 The Commission may create licences for any other market activity in the electricity industry for which a licence may be required and for which at present, provision or regulation has not been made.

3.3 Separate licences shall be required for each market activity and where the activity is carried out as follows:

- a) for wholesale electricity supply activity – separate licences are required for each generation facility;
- b) for electricity brokerage activity - a licence grants a person the permission to operate in the NITS;
- c) for electricity transmission activity – only one licence shall be issued;
- d) for electricity distribution activity – separate licences are required for each concession area;
- e) for electricity sale activity – separate licences are required for each concession area;
- f) for embedded electricity generation activity– separate licences are required for each facility;

- g) for electricity export activity –a licence grants a person the permission to export to any country; and
- h) for electricity import activity –a licence grants a person the permission to import into the country.

3.4 With the exception of Electricity Brokerage Licence, Electricity Export Licence and Electricity Import Licence, **all** other licences shall be site specific and with the location, geographical limits and scope of each licence clearly specified. A new licence shall be required if an entity decides to engage in a similar industry operation at a different location or to expand or extend its operations beyond the boundaries of its licensed area of operation.

3.5 A **wholesale electricity supply licence** will authorize the licensee to install and operate facilities to:

- a) produce; or
- b) procure

electricity for sale to bulk customers or to a distribution company for sale to consumers.

3.6. A **wholesale electricity supply licence** may be classified under one of the following categories:

- a) Thermal Electricity Generation Licence; and
- b) Hydro Electricity Generation Licence.

3.7 A **wholesale electricity supply licence** will authorize the licensee to construct and operate an electricity generation facility to produce electricity for sale to Distribution Companies and Bulk Customers directly or through Electricity Brokers.

3.8 An **electricity brokerage licence** will authorize the licensee to procure electricity from wholesale suppliers for sale to Distribution Companies and Bulk Customers

3.9 The Commission shall grant a **transmission licence** to only one operator, the Electricity Transmission Utility, in accordance with section 23of the Act.

3.10 An **electricity transmission licence**will authorize the licensee:

- a) to monitor and control the operation of the national interconnected network for the transmission of electricity in areas within Ghana, and to ensure the safe, reliable and economic dispatch of all electricity generation facilities connected to the national interconnected transmission system as stated in the licence;
- b) to provide open access transmission and interconnection services without discrimination to other licensees in the Ghanaian electricity supply industry; and

- c) to provide open access transmission and interconnection services to operators of electricity networks and/or power systems in ECOWAS member states, subject to the ECOWAS Energy Protocol.

3.11 An **electricity distribution licence** will authorize the licensee to operate a distribution network and distribute electricity without discrimination to consumers within a designated area or zone as stated in their licence

3.12 An **electricity sale licence** will authorize the licensee to procure electricity from a wholesale supplier and sell to consumers without discrimination in a designated area or zone as stated in their licence.

3.13 An **embedded electricity generation** licence will authorize the licensee to;

- a) generate electricity at agreed points of injection in a distribution network and utilizing a specified embedded electricity generation facility with clearly specified technical details; and
- b) sell electricity:
 - i. to any electricity bulk customer; or
 - ii. to electricity entities holding a distribution licence; or
 - iii. provision may be made for specific sales;

in accordance with agreed terms and conditions negotiated in line with the national energy policy.

3.14 An **electricity export licence** will authorize the licensee to produce or procure electricity for sale in designated area outside the borders of Ghana

3.15 An **electricity import licence** will authorize the licensee to procure electricity from outside the shores of Ghana for sale to wholesale suppliers, transmission utility, distribution companies, and bulk customers in Ghana.

Duration of Licences

3.16 A licence shall be granted for a definite period.

3.17 The duration of a licence shall be as indicated in Table 1 and shall be renewable upon compliance with the conditions of the licence. Applicants may make submissions in relation to the term that they wish the licence to be granted.

Table 1: Duration of Licences

Type of Licence	Recommended Duration
Wholesale Supply (Thermal Electricity Generation)	Up to 20 years
Wholesale Supply (Hydro Electricity Generation)	Up to 25 years
Electricity Brokerage	Up to 20 years
Electricity Transmission	Up to 25 years
Electricity Distribution	Up to 20 years
Electricity Sale	Up to 20 years
Embedded Electricity Generation	Up to 20 years
Electricity Export	Up to 5 years
Electricity Import	Up to 5 years

Renewal of Licence

3.18 A licence shall be renewed subject to equipment or facility having been certified to be in good technical operating condition by the Commission. The procedure for renewal of a licence shall be the same as that applicable to the grant of the original licence.

CHAPTER

4

APPLICATION FOR AND APPROVAL OF LICENCE

Applications

- 4.1 A formal application for a licence shall be submitted to the Office of the Executive Secretary of the Commission with all relevant information as specified in the respective chapter for each licence type.
- 4.2 An application for a licence shall be made on forms approved and supplied by the Commission. The application form can also be accessed from the Commission's website www.energycom.gov.gh. Samples of the forms are provided in **Schedule 1: Application Forms A and B**.
- 4.3 The applicant shall complete the appropriate application form in its entirety and submit all required attachments, affidavits, and evidence of capability specified by the form at the time an application is filed.
- 4.4 An incomplete application will not be processed or may be rejected. All specified exhibits required shall be submitted together with the formal duly signed application form for consideration for the issue of a licence to undertake the prescribed operations in the electricity supply industry in Ghana.
- 4.5 Separate applications are required from an applicant to engage in different market activities that fall within different segments of the industry. The Commission will accept a single application from an applicant in respect of multiple activities in the same segment of the industry. While the Commission will accept applications in this form, separate licences will be issued for each market activity and for each facility where the activity is carried out and the appropriate fees charged.
- 4.6 An applicant will be required to furnish the Commission with further information where necessary.
- 4.7 An application shall be deemed to have been successfully lodged only if all relevant supporting documentation required as indicated in the respective chapter for each licence type are attached in addition to full payment of the required application fee as in 4.9
- 4.8 The Commission shall acknowledge receipt of an application for a licence **within ten (10) working days** of submission of an application and indicate whether the applicant's submissions fully satisfy the requirements expected of the relevant type of licence or otherwise.

Application Fee

- 4.9 The applicant must pay to the Commission an application fee determined by the Commission.
- 4.10 The application fee to apply is stated in **Schedule 2: Schedule of Licence Fees**. The application fees as stated in the Schedule shall be valid for the period from January 1 through to December 31 of each year
- 4.11 Application fees may be revised by the Commission and announced by Public Notice.
- 4.12 Application fees are also payable for an application to transfer a licence.
- 4.13 The stipulated application fee will be payable in respect of each type of licence sought, regardless of whether or not applications are made separately or are aggregated into a single application document. .
- 4.14 A licence application shall not be assessed unless the appropriate *Application Fee* is paid by the applicant
- 4.15 Application fee paid at the time of submitting an application as referred to in 4.9 shall cover all the stages in the licensing process .
- 4.16 An amendment application filing fee shall be charged for a request to amend an approved licence, siting clearance, construction work permit or authorization to operate.
- 4.17 The amendment application filing fee shall be determined by the Commission based on the amount of work involved with the amended portion of the application.

Siting Committee

- 4.18 All applications for generation, transmission and distribution facilities shall be subject to the approval of the Siting Committee of the Commission.(refer to appendix III- Membership of the Siting Committee.)
- 4.19 The Commission shall review an application taking into consideration the recommendations of the Siting Committee.

Consideration and approval of application

- 4.20 The Commission shall issue a licence if it is satisfied that:
 - (a) The applicant is suitable to hold the licence;
 - (b) In the case of a wholesale supply licence or embedded electricity generation licence - the generating plant supporting the supplier will have the necessary and relevant characteristics to generate electricity of the appropriate quality for the relevant electricity network in a safe manner;

- (c) For a transmission licence - the network must have the necessary characteristics to guarantee a safe, reliable and economic transmission of electricity and the applicant has capacity to adequately exercise system control functions and operations in an efficient, transparent and fair manner;
 - (d) For a distribution licence – the network must have the necessary characteristics and integrity to distribute electricity to consumers efficiently;
 - (e) For an electricity sale licence - the applicant must be able to reasonably meet obligations for the sale of electricity as specified by the Commission;
 - (f) For an electricity export licence – the applicant shall be a Wholesale Supplier or Brokerage licensed by the Energy Commission with stipulated capital adequacy and liquidity requirement; and
 - (g) for an electricity import licence- the applicant shall be a Wholesale Supplier, Distribution Company, Bulk Customer or Brokerage licensed by the Energy Commission with stipulated capital adequacy and liquidity requirement.
- 4.21** In deciding whether an applicant is suitable to hold a licence, the Commission will consider:
- a) The applicant’s previous commercial and other dealings, within and outside Ghana, as may be deemed appropriate by the Commission (including that of its major officers, principals and shareholders) in order to determine and/or assess the applicant’s standard of honesty and integrity and to ascertain, among other things, possible past breaches of statutory and other legal obligations in previous dealings.
 - b) The financial and technical capability of the applicant and the human resources available for the operations under the licence.
 - c) Other matters as prescribed by the Act or any other relevant laws and Regulations.

Notice of licence decision

- 4.22** The Commission shall **within sixty (60) working days** after acknowledging receipt of the last relevant submission from an applicant, provide an applicant with a written notice of the Commission’s decision on the determination of the status of an application for a licence.

CHAPTER

5

LICENCE FEES AND CONDITIONS

Licence conditions

- 5.1 Licences granted shall be subject to conditions. These conditions may include limitations and/or constraints that are determined and imposed by the Commission or statutory requirements stipulated by the Act or any other relevant legislation.
- 5.2 A licensee shall not contravene a condition of its licence. A licensee that contravenes a condition of its licence may be subject to:
- a) an order for compensation payment;
 - b) the recovery of any profits realized by the licensee from the contravention of a licence condition; and/or
 - c) the suspension or cancellation of the licence for a material contravention of a licence condition.

Licence fees

Initial Licence Fee (ILF)

- 5.3 A new licence shall not be granted unless the appropriate *Initial Licence Fee (ILF)* is paid by the licensee.
- 5.4 The Initial Licence Fee for a particular type of licence shall be the fee determined by the Commission to be paid by the licensee prior to the issue and commencement of a licence.

Annual Licence Fee (Annual Operating Fee)

- 5.5 All licences shall be subject to payment of an annual fee called *Annual Licence Fee* payable annually during the commercial operations period of the licence.
- 5.6 A licensed facility under construction shall be exempted from payment of the annual licence fee during the construction period. A licensee shall commence payment of the annual licence fee on the issue of an authorization by the Commission to start commercial operations.
- 5.7 The Annual Licence Fee for a particular type of licence shall be the fee determined by the Commission.

- 5.8** The Commission may consider a request for payment of an Annual Licence Fee in feasible instalments.
- 5.9** Annual Licence Fees shall be demanded by the Commission by **November 15** and shall be considered due on **January 1** of the following year.
- 5.10** The Commission shall base its assessment of the Annual Licence Fee invoiced for the forthcoming Licence Year on actual returns submitted by the licensee for the 1st, 2nd and 3rd quarters and an estimate for the last quarter of the current Licence Year.
- 5.11** A reconciliation of the Annual Licence Fee amount due shall be effected and differences settled by April 15 following the submission of Annual Performance Statistics which is required to be lodged with the Commission by March 15 each year.
- 5.12** Payment of outstanding Annual Licence Fees shall be made not later than **April 15 of each calendar year (i.e. 15 clear days after the deadline for lodgement of the annual returns with the Commission)** after which the Commission may sanction the licensee as deemed necessary in line with Section 19 of the Act.
- 5.13** The annual licence fee to apply is stated in **Schedule 2: Schedule of Licence Fees**. The annual licence fees as stated in the schedule shall be revised by the Commission and announced by Public Notice.
- 5.14** The Annual Fees of all licences granted after commencement of a licence year will be apportioned on the basis of the formula:
- Fee Payable = Full Year Fee x Z/12 where**
- Z** = the number of months remaining in the licence year for which the licence fee is payable.
- 5.15** Any fee payable for a part of a licence year will be calculated in accordance with the formula above.
- 5.16** The Licence Year for all licences shall be the period from **January 1** up to **December 31** of each calendar year.
- 5.17** There will be no refund of fees, whether in whole or in part on cancellation of a licence.
- 5.18** Market share will be calculated on the basis of energy sales data provided by licencees to the Commission as a percentage of total kWh in both the contestable or non-contestable market that the licensee's sales represent.
- 5.19** All energy sales, installed capacity and circuit kilometer data used to calculate an annual fee payable will be based on the latest available actual values prior to the commencement of the licence year.

5.20 Only one fee amount per licence type will be payable each year by a licensee.

CHAPTER

6

REVIEW OF DECISION AND APPEALS

Review of decisions

6.1 The Act provides for:

- (a) Persons who are dissatisfied with a decision of the Commission in relation to a licence application to have the decision reviewed by the Commission; and
- (b) Persons who have had a decision reviewed by the Commission but are dissatisfied with the results of the review, to appeal the decision to the Minister responsible for Energy who shall within 30 days of receipt of the complaint make a decision. If dissatisfied with the Decision of the Minister, or where the 30 days expire without a decision, the person may pursue the matter in the courts (Refer to Sections 20 & 21 of the Act).

6.2 An application for the review of a Decision may be made to the Commission by:

- (a) An applicant for the grant or variation of the conditions of a licence, or for agreement to transfer a licence or for review of the decision of the Commission to refuse an application; or
- (b) A licensee regarding the decision to suspend or cancel its licence or to vary the conditions of its licence.

6.3 An application for the review of a Decision shall:

- (a) Be made in writing;
- (b) Set out the decision to which the application relates;
- (c) Set out in detail the grounds on which the applicant seeks a review of the Decision in question;
- (d) Be accompanied by any information or evidence that the applicant considers should be taken into account by the Commission; and
- (e) Be lodged with the Commission within 14 days after the notification of the decision.

6.4 Once the application for the review of a decision has been received, the Commission:

- (a) May stay the execution of the decision to which the application relates; and

- (b) will take a decision on the review within 30 days of the application being lodged, or otherwise the Commission shall be deemed to have confirmed the decision (on expiry of the 30 days); or
- (c) may confirm, amend or substitute the decision; and
- (d) will give the applicant written notice of the Commission's decision, and the reasons for the Decision on the review.

Appeals

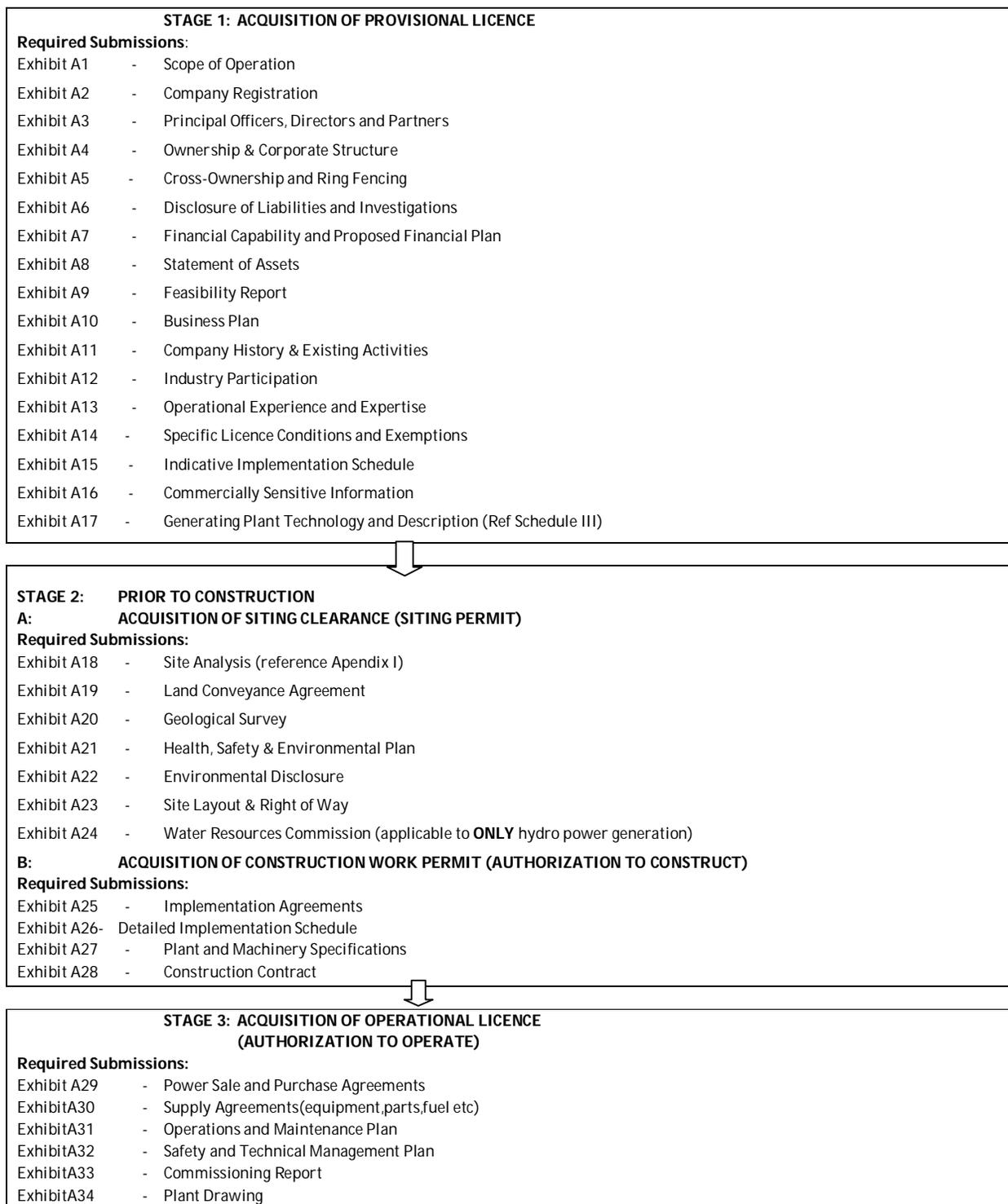
- 6.5** An applicant who is dissatisfied with a decision of a review by the Commission has a right to appeal to the Minister responsible for Energy, and subsequently to the Courts if not satisfied as set out in Section 20 of the Act.
- 6.6** The appeal must be made within 14 days after receipt of the written notice of the Decision appealed against.

CHAPTER

7

WHOLESALE SUPPLY(THERMAL/HYDRO ELECTRICITY GENERATION) LICENCE

7.1 Stages in Acquiring a Wholesale Supply (Thermal/Hydro Electricity Generation) Licence



Stage 1:- Procedure for Acquisition of Provisional Wholesale Supply (Thermal/Hydro Electricity Generation) Licence

- 7.2** An applicant shall submit a signed application letter addressed to the Executive Secretary of the Commission
- 7.3** Applicants shall fill and submit one original application form signed by a Principal Officer (reference schedule 1-Application form A)
- 7.4** Applicants shall attach receipt confirming the payment of the prescribed licence application fee (reference schedule II – Schedule of Licence Fees)
- 7.5** Applicants shall provide ten (10) copies and a soft if available of the following exhibits as separate attachment, clearly labelled and all pages sequentially numbered,
1. **Exhibit A1 – "Scope of Operation,"** provide a written description of the operational nature of the applicant's business.
 2. **Exhibit A2 "Company Registration,"** provide evidence that the applicant has registered with the Registrar General's Department. Exhibits required include
 - a. Certificate of Registration
 - b. Certificate to Commence Business
 - c. Regulations 8 to 82; Second schedule to the Companies Code, 1963 (Act 179)
 3. **Exhibit A3- "Principal Officers, Directors and Partners"** provide the names, titles, nationality, addresses and telephone numbers of the applicant's principal officers, directors, partners, or other similar officials.
 4. **Exhibit A4 - "Ownership & Corporate Structure,"** provide a description of the applicant's corporate and ownership structures, including a graphical depiction of such structure, and a list of all affiliate and subsidiary companies.
 5. **Exhibit A5 – "Cross-ownership and ring-fencing" Applicants should outline the following:**
 - a) The basis on which services and resources will be transacted between relevant operating areas of the applicants, or the applicant and its other related entities;
 - b) In the case of applicants that are wholly owned subsidiaries, information on proposed audit arrangements should be provided and also stated whether separate reports for the licensee and its parent company (if applicable) are to be prepared and made publicly available; and

- c) Other guidelines or standards relating to financial separation, ring-fencing and separate audit arrangements which the applicant intends to follow.
6. **Exhibit A6- "Disclosure of Liabilities and Investigations,"** provide a description of all existing, pending or past rulings, judgments, contingent liabilities, revocation of authority, regulatory investigations, or any other matter that could adversely impact the applicant's financial or operational status or ability to provide the services it is seeking to be certified to provide. Also include a statement whether the applicant or any of his associates, or partners, or promoters, or Directors was ever refused licence or had licence cancelled, and if so, the particulars of such application, date of making the application, date of order refusing or cancelling licence and reasons for such refusal or cancellation.
7. **Exhibit A7- "Financial Capability and Proposed Financial Plan,"** provide the two most recent Annual Reports to Shareholders and copies of the applicant's three most recent years of audited financial statements (balance sheet, income statement, and cash flow statement). If audited financial statements are not available, provide officer certified financial statements. If the applicant has not been in business long enough to satisfy this requirement, it shall file audited or officer certified financial statements covering the life of the business. Provide copies of the applicant's financial arrangements to conduct electricity business as a business activity (e.g., guarantees, bank commitments, contractual arrangements, credit agreements, etc.). Provide two years of forecasted financial statements (balance sheet, income statement, and cash flow statement) for the applicant's operation, along with a list of assumptions.
8. **Exhibit A8- "Statement of Assets, Technology & Fuel Type"**, provide a list, description and technical specification of major plant and machinery to be installed, as well as the proposed plant layout.
- In the case of thermal power plant**, state the technology, fuel and fuel source. This should include Heat Rates (kJ/kWh) and emission parameters (NO_x, SO_x, CO and CO₂ etc).
- In the case of hydro power plant**, indicate whether reservoir or run-of-river and type of turbines to be used.
9. **Exhibit A9- "Feasibility Report,"** provide a Feasibility Study Report on the new facility or installations to be used by the applicant. The report should include, among other things, drawings of generator's and/or substation's installations and equipment specifications together with proposed interconnections to the relevant distribution or transmission network.
10. **Exhibit A10- "Business Plan,"** provide a written explanation of the company's business model for the venture.
11. **Exhibit A11- "Company's History & Existing Activities,"** provide a concise description of the applicant's company history and principal business interests. It should include all jurisdictions in which the applicant or any affiliated interest of the applicant is, at the date of filing the application with respect to licensing or otherwise authorization to provide wholesale electric services.

12. **Exhibit A12– “Industry Participation,”** provide general information about its existing activities, both within and outside the electricity supply industry. The application should summarize the reasons why the applicant intends to participate in the Ghanaian electricity industry, and the broad nature of that participation. In providing the above explanation, the applicant should address the Commission's objectives as set out in Section 2 of the Act and the objects of the Act, and explain how the granting of a licence would be consistent with those requirements.
13. **Exhibit A13– “Operational Experience & Expertise,”** provide names, titles, e-mail addresses, telephone numbers, and the background of key personnel involved in the operational aspects of the applicant’s business. Provide the following information:
 - (a) details of their experience in and knowledge of the electricity supply industry;
 - (b) a summary of the skills and experience of the directors and senior managers, and their relevance to meeting the requirements of the licence;
 - (c) evidence that the applicant has the capacity to comply with the licence conditions, codes and guidelines relevant to its application; and
 - (d) if the applicant is to rely on another entity to provide staff and resources, a summary of the relationship between the applicant and this entity, including any formal agreements to provide services, and a summary of this other entity's experience in and knowledge of the electricity supply industry, and technical capacity to meet the relevant requirements of the licence should be provided.
14. **Exhibit A14– “Specific Licence Conditions and exemptions,”** Where the applicant is seeking particular licence conditions or exemptions, the nature and reasons for seeking those conditions or exemptions should be explained. In such circumstances, the applicant should also provide a draft outline of the proposed licence condition(s) or exemption(s). The Commission may waive any of the requirements for a licence in respect of a particular applicant provided the waiver does not compromise on public safety.
15. **Exhibit A15– “Indicative Implementation Schedule,”** provide indicative timelines for the specific activities that must be performed to produce the various project deliverables, establishing interdependences and sequencing.
16. **Exhibit A16 – “Commercially sensitive information”**The Commission may make public the information included in an application for a licence. Where the applicant considers information contained in an application to be commercially sensitive, the applicant should clearly identify such information and state the reasons why they are to be regarded as commercially sensitive, to enable the Commission determine its consideration of the confidentiality request.
17. **Exhibit A17 – “ Generating Plant Technology and Description”** Provide details as per Schedule III – Generating Plant Technology and Description.

Stage 2:-

A. Procedure for Acquisition of Siting Clearance

- 7.6 An Applicant shall submit a signed application letter addressed to the Executive Secretary of the Commission
- 7.7 Proof of payment of prescribed licence application fee
- 7.8 Applicants shall provide ten (10) copies and a soft if available of the following exhibits as separate attachment, clearly labelled and all pages sequentially numbered,
1. **Exhibit A 18 – “Site Analysis”** Provide details as per Appendix I-Site analysis for the siting of Electric Power Generation Facility
 2. **Exhibit A19 – “Land Conveyance Agreement,”** provide appropriately approved documentation of proof of title to land, site plan, and relevant municipal permits for construction (i.e. Town & Country Planning Permit) etc.
 3. **Exhibit A20– “Geological Survey,”** provide a report from the Geological Survey Department of Ghana attesting to either the absence of or acceptable levels of seismic activity on and around the proposed site.
 4. **Exhibit A21– “Health, Safety & Environmental Plan”** provide plans to comply with all legislation and standards relevant to the firm’s activities and implement systems and structures that prevent the recurrence of injuries, ill health and hazardous conditions.
 5. **Exhibit A22– “Environmental Disclosure”** provide an Environmental Impact Assessment (EIA) Report certified by the Environmental Protection Agency (EPA) of Ghana and an Environmental Permit or Permanent Environmental Certificate issued by the Environmental Protection Agency.
 6. **Exhibit A23– “Site Layout & Right-of-Way,”** provide detailed Site-Layout and “Right-of-Way” drawings. Provide a programme for compensation payments (where relevant).
 7. **Exhibit A24– “Water Resources Commission Permit,”** provide a permit from the Water Resources Commission (**applicable ONLY to hydro power generation activities - either conventional hydro or small hydro embedded electricity generation.**)

B. Procedure for Acquisition of Construction Work Permit

- 7.9 An Applicant shall submit a signed application letter addressed to the Executive Secretary of the Commission

7.10 Proof of payment of prescribed licence application fee

7.11 Applicants shall provide ten (10) copies and a soft if available of the following exhibits as separate attachment, clearly labelled and all pages sequentially numbered,

1. **Exhibit A25– “Implementation Agreements,”** Provide copies of licences, Memorandum of understanding (MOUs), etc with agencies relevant to the implementation.
2. **Exhibit A26– “Detailed Implementation Schedule,”** provide detailed timelines for the specific activities that must be performed to produce the various project deliverables, establishing interdependences and sequencing.
3. **Exhibit A27– “Plant and Machinery Specifications,”** Detailed engineering design and equipment specifications.
4. **Exhibit A28– “Construction Contract,”** provide basic terms between the owner and the contractor. This details the contractor's basic duties and responsibilities, including bonds and insurance; progress and final payments; and substantial completion.

Stage 3:- Procedure for acquisition of Authorization to Operate

7.12 An Applicant shall submit a signed application letter addressed to the Executive Secretary of the Commission

7.13 Applicants shall provide ten (10) copies and a soft if available of the following exhibits as separate attachment, clearly labelled and all pages sequentially numbered,

1. **Exhibit A29– “Power Sale and Purchase Agreements,”** Power Sale and Purchase Agreement between the wholesale supplier and a Brokerage, distribution utility or a bulk customer.
2. **Exhibit A30– “Supply Agreements (equipment, parts and fuel)”** Provide Equipment and Parts Agreements for major spare parts and frequently changed parts and equipment; Provide Supply Agreements for fuel, water, network access etc.
3. **Exhibit A31– “Operations & Maintenance Plans,”** Operations and maintenance agreement, and plan.
4. **Exhibit A32– “Safety & Technical Management Plan,”** Safety & Technical Management Plan (STMP) approved by the Energy Commission and shall include
 - (a) Company Safety Policy Statement
 - (b) Company's Safety Codes and practices
 - (c) Demarcation, protection and prevention of unauthorized entry of site

- (d) Employee health and safety requirements in accordance with Ghana's labour regulations
- (e) Waste Management policy and plan in line with EPA or WHO regulations & standards (effluents, cooling water, drainage of runoff water etc.)
- (f) Compliance Plan
- (g) Environmental hazards impact mitigation measure, actions and plans (sampling, monitoring analyzing of air, aquatic toxicity, noise etc.)
- (h) Emergency preparedness
- (i) Deployment of disaster management measures
- (j) Fire safety (prevention and fighting measures)
- (k) Precautions for prevention of environmental hazards (oil spills, pollutants etc)
- (l) Operational and maintenance safety rules, procedure and instructions
- (m) Company's operation and maintenance culture
- (n) Adherence to equipment manufacturer's recommended maintenance schedules
- (o) Specific commitment and arrangements to operate facilities/installations to ensure safe and reliable electricity supply.

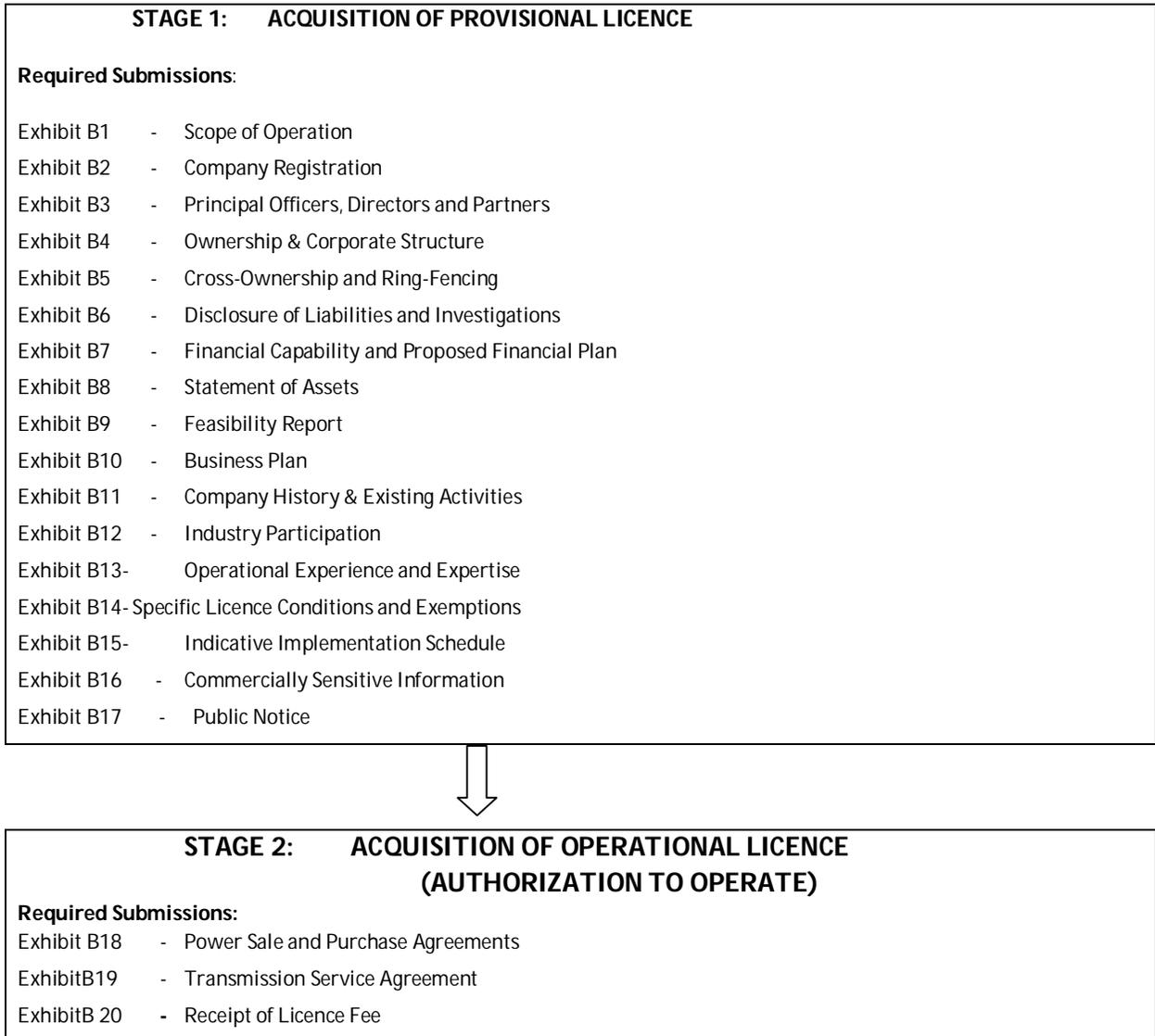
5. **Exhibit A33– "Commissioning Report,"** Satisfactory commissioning test report.
6. **Exhibit A34– "Plant Drawing,"** As-built drawings and layout of plant and/or facilities.

CHAPTER

8

ELECTRICITY BROKERAGE LICENCE

8.1 Stages in Acquisition of an Electricity Brokerage Licence



Stage 1:- Procedure for the Acquisition of Provisional Electricity Brokerage Licence

- 8.2** An applicant for an electricity brokerage licence shall show proof of capital adequacy and ability to meet the liquidity requirement based on the category of electricity brokerage licence (reference Schedule VI – Categories of Electricity Brokerage Licence)
- 8.3** An applicant shall submit a signed application letter addressed to the Executive Secretary of the Commission
- 8.4** Applicants shall fill and submit one original application form signed by a Principal Officer (reference schedule 1-Application form B)
- 8.5** Applicants shall attach receipt confirming the payment of the prescribed licence application fee (reference schedule II-Schedule of Licence Fees)
- 8.6** The applicant shall post complete application along with attachments (reference 8.13) on his own website so as to facilitate access to the application by any person through internet and shall keep them on the website till the disposal of his application.
- 8.7** The applicant shall within 7 days after making such application, publish a notice of his application, in two daily papers having circulation in each of the ten regions with the following particulars, namely:-
- a) Name of the applicant (in bold) at the top clearly bringing out whether the applicant is an individual/sole proprietor, an association or body of individuals, a partnership firm registered under the Incorporated Private Partnership Act 1962 (Act 152), a private limited company or a public limited company, incorporated under the Companies Act 1963 (Act 179) giving full particulars of its registered office address in case of a company incorporated under the Companies Act 1963 (Act 179) and address for correspondence;
 - b) A statement that the applicant has made an application for grant of licence under Section 13 of the Act and the Category of licence applied for.
 - c) Share capital (in GH¢)
 - i. Authorised:
 - ii. Issued:
 - iii. Subscribed:
 - iv. Paid up:
 - d) Shareholding pattern (List of details of shareholders holding 5% or more shares, number of shares held by each of them and percentage of shares of the total paid up capital) of the applicant;
 - e) Financial and technical strength of the applicant;
 - f) Volume of electricity intended to be traded per year;

- g) Management profile of the applicant including details of past experience of the applicant or the persons on its management in same or similar activity;
 - h) Net worth, current ratio and liquidity ratio of the applicant as at the close of the financial year for the three consecutive years immediately preceding the year of the application or for such lesser period as may be applicable and on the date of the special balance sheet accompanying the application;
 - i) A statement whether the applicant or any of his associates, or partners, or promoters, or Directors has been declared insolvent, and if so, the details thereof and whether or not they have been discharged;
 - j) Details of cases resulting in conviction of an offence involving dishonesty, fraud, or economic offence of the applicant, or any of his associates, or partners, or promoters, or Directors during the year of making the application or three years immediately preceding that year and the date of release of the above person from imprisonment, if any, consequent to such conviction;
 - k) A statement whether the applicant or any of his associates, or partners, or promoters, or Directors was ever refused licence, and if so, the particulars of such application, date of making the application, date of order refusing licence and reasons for such refusal;
 - l) A statement whether an order cancelling the licence of the applicant or any of his associates, or partners, or promoters, or Directors has been made by the Commission and if so the details thereof;
 - m) A statement whether the applicant or any of his associates, or partners, or promoters, or Directors has been found guilty of non-compliance of any of the provisions of the Act or the rules or the regulations made thereunder or an order made by the appropriate legal entity;
 - n) A statement to the effect that the application and other documents filed before the Commission, are available with the applicant for inspection by a member of the public;
 - o) Name and address and other relevant details of the person under the control of the applicant with whom the application and other documents can be inspected;
 - p) Address of the website where the complete application along with attachments has been posted;
 - q) A statement that objections or suggestions, if any, be filed before the Energy Commission, Frema House, 89 Spintex Road, Accra, with a copy of the objections or suggestions to the applicant, within 30 days of the publication of the notice;
- 8.8** The applicant shall within 7 days from the date of publication of the notice as aforesaid, submit to the Commission on affidavit, the details of the notice published and shall also file the original complete page of the newspaper in which the notice has been published.
- 8.9** The applicant may file his reply to the objections or suggestions received in response to the Notice within 30 days of its publication in the newspapers.
- 8.10** The Commission after consideration of the objections or suggestions received in response to the notice published by the applicant and his reply may propose to grant licence.

- 8.11** When the Commission proposes to grant licence, it shall publish its proposal in two daily newspapers, as the Commission may consider appropriate, stating the name and address of the person to whom it proposes to issue the licence, with such other details as the Commission considers appropriate, to invite further suggestions or objections to its proposals.
- 8.12** On consideration of further objections or suggestions received and the reply of the applicant thereto, if any, the Commission may grant the licence or reject the applications, for reasons to be recorded in writing if the application does not conform to the provisions of the Act, the rules, or regulations or provisions of any other law for the time being in force, provided that no application shall be rejected, unless the applicant has been given an opportunity of being heard.
- 8.13** Applicants shall provide ten (10) copies and a soft if available of the following exhibits as separate attachment, clearly labelled and all pages sequentially numbered,
1. **Exhibit B1 – “Scope of Operation,”** provide a written description of the operational nature of the applicant’s business.
 2. **Exhibit B2 "Company Registration,"** provide evidence that the applicant has registered with the Registrar General’s Department. Exhibits required include
 - a. Certificate of Registration
 - b. Certificate to Commence Business
 - c. Regulations 8 to 82; Second schedule to the Companies Code, 1963 (Act 179)
 3. **Exhibit B3 - "Principal Officers, Directors and Partners"** provide the names, titles, nationality, addresses and telephone numbers of the applicant’s principal officers, directors, partners, or other similar officials.
 4. **Exhibit B4 - "Ownership & Corporate Structure,"** provide a description of the applicant’s corporate and ownership structures, including a graphical depiction of such structure, and a list of all affiliate and subsidiary companies.
 5. **Exhibit B5 – “Cross-Ownership and Ring-Fencing”** Applicants should outline the following:
 - a) The basis on which services and resources will be transacted between relevant operating areas of the applicants, or the applicant and its other related entities;
 - b) In the case of applicants that are wholly owned subsidiaries, information on proposed audit arrangements should be provided and also stated whether separate reports for the licensee and its parent company (if applicable) are to be prepared and made publicly available; and

- c) Other guidelines or standards relating to financial separation, ring-fencing and separate audit arrangements which the applicant intends to follow.
6. **Exhibit B6 - "Disclosure of Liabilities and Investigations,"** provide a description of all existing, pending or past rulings, judgments, contingent liabilities, revocation of authority, regulatory investigations, or any other matter that could adversely impact the applicant's financial or operational status or ability to provide the services it is seeking to be certified to provide. Also include a statement whether the applicant or any of his associates, or partners, or promoters, or Directors was ever refused licence or had licence cancelled, and if so, the particulars of such application, date of making the application, date of order refusing or cancelling licence and reasons for such refusal or cancellation
7. **Exhibit B7- "Financial Capability and Proposed Financial Plan,"** provide the two most recent Annual Reports to Shareholders and copies of the applicant's three most recent years of audited financial statements (balance sheet, income statement, and cash flow statement). If audited financial statements are not available, provide officer certified financial statements. If the applicant has not been in business long enough to satisfy this requirement, it shall file audited or officer certified financial statements covering the life of the business. Provide copies of the applicant's financial arrangements to conduct electricity business as a business activity (e.g., guarantees, bank commitments, contractual arrangements, credit agreements, etc.). Provide two years of forecasted financial statements (balance sheet, income statement, and cash flow statement) for the applicant's operation, along with a list of assumptions.
8. **Exhibit B8- "Statement of Assets,"** provide a list of equipment to be used.
9. **Exhibit B9 – "Feasibility Report,"** provide a Feasibility Study Report of its operation
10. **Exhibit B10- "Business Plan,"** provide a written explanation of the company's business model for the venture.
11. **Exhibit B11 – "Company's History & Existing Activities,"** provide a concise description of the applicant's company history and principal business interests. It should include all jurisdictions in which the applicant or any affiliated interest of the applicant is, at the date of filing the application with respect to licensing or otherwise authorization to provide electricity brokerage services-
12. **Exhibit B12 – "Industry Participation,"** provide general information about its existing activities, both within and outside the electricity supply industry. The application should summarize the reasons why the applicant intends to participate in the Ghanaian electricity industry, and the broad nature of that participation. In providing the above explanation, the applicant should address the Commission's objectives as set out in Section 2 of the Act and the objects of the Act, and explain how the granting of a licence would be consistent with those requirements.

13. **Exhibit B13 – “Operational Experience & Expertise,”** provide names, titles, e-mail addresses, telephone numbers, and the background of key personnel involved in the operational aspects of the applicant’s business. Provide the following information:
 1. details of their experience in and knowledge of the electricity supply industry;
 2. a summary of the skills and experience of the directors and senior managers, and their relevance to meeting the requirements of the licence;
 3. evidence that the applicant has the capacity to comply with the licence conditions, codes and guidelines relevant to its application; and
 4. if the applicant is to rely on another entity to provide staff and resources, a summary of the relationship between the applicant and this entity, including any formal agreements to provide services, and a summary of this other entity’s experience in and knowledge of the electricity supply industry, and technical capacity to meet the relevant requirements of the licence should be provided.
14. **Exhibit B14 – “Specific Licence Conditions and exemptions,”** Where the applicant is seeking particular licence conditions or exemptions, the nature and reasons for seeking those conditions or exemptions should be explained. In such circumstances, the applicant should also provide a draft outline of the proposed licence condition(s) or exemption(s). The Commission may waive any of the requirements for a licence in respect of a particular applicant provided the waiver does not compromise on public safety.
15. **Exhibit B15– “Indicative Implementation Schedule,”** provide indicative timelines for the specific activities that must be performed to produce the various project deliverables, establishing interdependences and sequencing.
16. **Exhibit B16 – “Commercially sensitive information”**The Commission may make public the information included in an application for a licence. Where the applicant considers information contained in an application to be commercially sensitive, the applicant should clearly identify such information and state the reasons why they are to be regarded as commercially sensitive, to enable the Commission determine its consideration of the confidentiality request.
17. **Exhibit B17 – “Public Notice”** The applicant shall within 7 days from the date of publication of the notice as in 8.7, submit to the Commission on affidavit, the details of the notice published and shall also file the original complete page of the newspaper in which the notice has been published

Stage 2:- Exhibits required for the acquisition of Authorization to Operate

- 8.14 Applicants shall provide ten (10) copies and a soft if available of the following exhibits as separate attachment, clearly labelled and all pages sequentially numbered

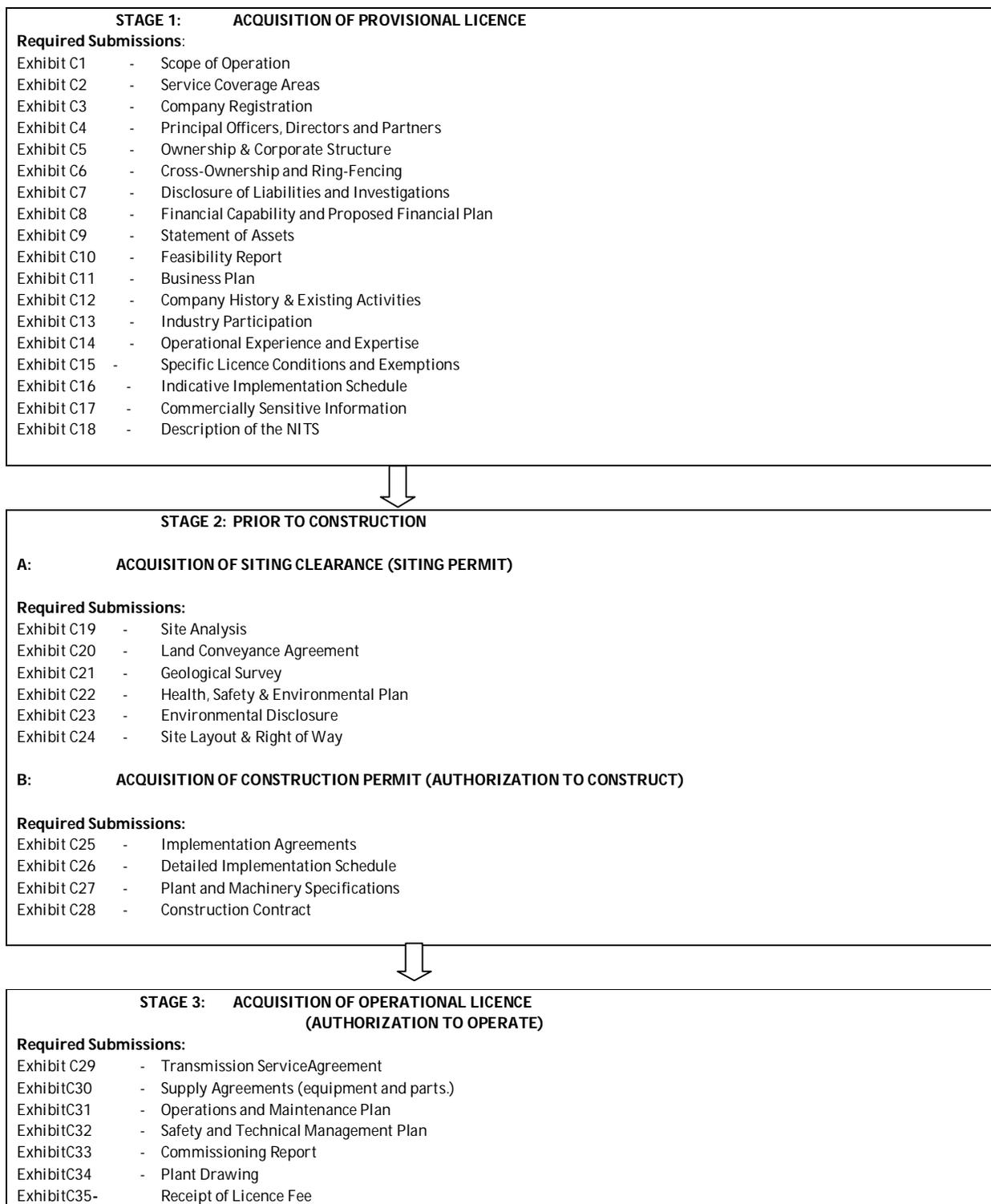
1. **Exhibit B18- "Power Sales and Purchase Agreement"** Power Purchase Agreement (where relevant especially with generators) and Power Sales Agreement (where relevant especially with DISCOs or Bulk Customers).
2. **Exhibit B19-"Transmission Service Agreement"** Agreement with the ETU for network access.
3. **Exhibit B20- "Receipt of Licence Fee,"** Evidence of payment of the appropriate prevailing licence fee to the Energy Commission.

CHAPTER

9

ELECTRICITY TRANSMISSION LICENCE

9.1 Stages in acquiring Electricity Transmission Licence



Stage 1: Procedure for the acquisition of a provisional Electricity Transmission Licence

- 9.2** An applicant shall submit a signed application letter addressed to the Executive Secretary of the Commission
- 9.3** Applicants shall fill and submit a signed application form (reference schedule 1-Application form A)
- 9.4** Applicants shall attach receipt confirming the payment of the prescribed licence application fee (reference schedule II-Schedule of Licence Fees)
- 9.5** Applicants shall provide ten (10) copies and a soft if available of the following exhibits as separate attachment, clearly labelled and all pages sequentially numbered,
1. **Exhibit C1– “Scope of Operation,”** provide a written description of the operational nature of the applicant’s business.
 2. **Exhibit C2– “Service Coverage Areas,”** provide list of cities, towns and rural areas (supported with maps) in which the applicant intends to establish and provide the service.
 3. **Exhibit C3“Company Registration,”** provide evidence that the applicant has registered with the Registrar General’s Department. Exhibits required include
 - a. Certificate of Registration
 - b. Certificate to Commence Business
 - c. Regulations 8 to 82; Second schedule to the Companies Code, 1963 (Act 179)
 4. **Exhibit C4- “Principal Officers, Directors and Partners”** provide the names, titles, nationality, addresses and telephone numbers of the applicant’s principal officers, directors, partners, or other similar officials.
 5. **Exhibit C5- “Ownership & Corporate Structure,”** provide a description of the applicant’s corporate and ownership structures, including a graphical depiction of such structure, and a list of all affiliate and subsidiary companies.
 6. **Exhibit C6 –“Cross-Ownership and Ring-Fencing”** Applicants should outline the following:
 - a. The basis on which services and resources will be transacted between relevant operating areas of the applicants, or the applicant and its other related entities;
 - b. In the case of applicants that are wholly owned subsidiaries, information on proposed audit arrangements should be provided and also stated whether separate reports for the

licensee and its parent company (if applicable) are to be prepared and made publicly available; and

c. Other guidelines or standards relating to financial separation, ring-fencing and separate audit arrangements which the applicant intends to follow.

7. **Exhibit C7- "Disclosure of Liabilities and Investigations,"** provide a description of all existing, pending or past rulings, judgments, contingent liabilities, revocation of authority, regulatory investigations, or any other matter that could adversely impact the applicant's financial or operational status or ability to provide the services it is seeking to be certified to provide. Also include a statement whether the applicant or any of his associates, or partners, or promoters, or Directors was ever refused licence or had licence cancelled, and if so, the particulars of such application, date of making the application, date of order refusing or cancelling licence and reasons for such refusal or cancellation.
8. **Exhibit C8- "Financial Capability and Proposed Financial Plan,"** provide the two most recent Annual Reports to Shareholders and copies of the applicant's three most recent years of audited financial statements (balance sheet, income statement, and cash flow statement). If audited financial statements are not available, provide officer certified financial statements. If the applicant has not been in business long enough to satisfy this requirement, it shall file audited or officer certified financial statements covering the life of the business. Provide copies of the applicant's financial arrangements to conduct electricity business as a business activity (e.g., guarantees, bank commitments, contractual arrangements, credit agreements, etc.). Provide two years of forecasted financial statements (balance sheet, income statement, and cash flow statement) for the applicant's operation, along with a list of assumptions.
9. **Exhibit C9- "Statement of Assets and Technology** provide a list, description and technical specification of major plant and machinery to be installed and proposed layout plan.
10. **Exhibit C10- "Feasibility Report,"** provide a Feasibility Study Report on the new facility or installations to be used by the applicant. The report should include, among other things, drawings of substation's installations and equipment specifications together with proposed point(s) of interconnection to the transmission network.
11. **Exhibit C11- "Business Plan,"** provide a written explanation of the company's business model for the venture.
12. **Exhibit C12- "Company's History & Existing Activities,"** provide a concise description of the applicant's company history and principal business interests. It should include all jurisdictions in which the applicant or any affiliated interest of the applicant is, at the date of filing the application with respect to licensing or otherwise authorization to provide electricity transmission services.
13. **Exhibit C13- "Industry Participation,"** provide general information about its existing activities, both within and outside the electricity supply industry. The application should

summarize the reasons why the applicant intends to participate in the Ghanaian electricity industry, and the broad nature of that participation. In providing the above explanation, the applicant should address the Commission's objectives as set out in Section 2 of the Act and the objects of the Act, and explain how the granting of a licence would be consistent with those requirements.

14. **Exhibit C14– “Operational Experience & Expertise,”** provide names, titles, e-mail addresses, telephone numbers, and the background of key personnel involved in the operational aspects of the applicant's business. Provide the following information:

- (a) details of their experience in and knowledge of the electricity supply industry;
- (b) a summary of the skills and experience of the directors and senior managers, and their relevance to meeting the requirements of the licence;
- (c) evidence that the applicant has the capacity to comply with the licence conditions, codes and guidelines relevant to its application; and
- (d) if the applicant is to rely on another entity to provide staff and resources, a summary of the relationship between the applicant and this entity, including any formal agreements to provide services, and a summary of this other entity's experience in and knowledge of the electricity supply industry, and technical capacity to meet the relevant requirements of the licence should be provided.

15. **Exhibit C15 – “Specific Licence Conditions and exemptions,”** Where the applicant is seeking particular licence conditions or exemptions, the nature and reasons for seeking those conditions or exemptions should be explained. In such circumstances, the applicant should also provide a draft outline of the proposed licence condition(s) or exemption(s). The Commission may waive any of the requirements for a licence in respect of a particular applicant provided the waiver does not compromise on public safety.

16. **Exhibit C16– “Indicative Implementation Schedule,”** provide indicative timelines for the specific activities that must be performed to produce the various project deliverables, establishing interdependences and sequencing.

17. **Exhibit C17 – “Commercially sensitive information”**

The Commission may make public the information included in an application for a licence. Where the applicant considers information contained in an application to be commercially sensitive, the applicant should clearly identify such information and state the reasons why they are to be regarded as commercially sensitive, to enable the Commission determine its consideration of the confidentiality request.

18. **Exhibit C18 – “ Description of NITS”**(Provide details as per Schedule V-Description of the National Interconnected Transmission System)

Stage 2:

A. Procedure for Acquisition of Siting Clearance

- 9.6 An Applicant shall submit a signed application letter addressed to the Executive Secretary of the Commission
- 9.7 Proof of payment of prescribed licence application fee
- 9.8 Applicants shall provide ten (10) copies and a soft if available of the following exhibits as separate attachment, clearly labelled and all pages sequentially numbered
1. **Exhibit C19 – “ Site Analysis”** Provide details as per Appendix II-Site analysis for the siting of Electric Power Transmission and Distribution Facilities
 2. **Exhibit C20– “Land Conveyance Agreement,”** provide appropriately approved documentation of proof of title to land, site plan, and relevant municipal permits for construction (i.e. Town & Country Planning Permit) etc.
 3. **Exhibit C21– “Geological Survey,”** provide a report from the Geological Survey Department of Ghana attesting to either the absence of or acceptable levels of seismic activity on and around the proposed site.
 4. **Exhibit C22– “Health, Safety & Environmental Plan”** provide plans to comply with all legislation and standards relevant to the firm’s activities and implement systems and structures that prevent the recurrence of injuries, ill health and hazardous conditions.
 5. **Exhibit C23– “Environmental Disclosure”** provide an Environmental Impact Assessment (EIA) Report certified by the Environmental Protection Agency (EPA) of Ghana and an Environmental Permit or Permanent Environmental Certificate issued by the Environmental Protection Agency.
 6. **Exhibit C24– “Site Layout & Right-of-Way,”** provide detailed Site-Layout and “Right-of-Way” drawings. Provide a programme for compensation payments (where relevant).

B. Procedure for Acquisition of Construction Work Permit

- 9.9 An Applicant shall submit a signed application letter addressed to the Executive Secretary of the Commission.
- 9.10 Proof of payment of prescribed licence application fee.

- 9.11** Applicants shall provide ten (10) copies and a soft if available of the following exhibits as separate attachment, clearly labelled and all pages sequentially numbered
1. **Exhibit C25– “Implementation Agreements,”** Provide copies of licences, Memorandum of understanding (MOUs), etc with agencies relevant to the implementation.
 2. **Exhibit C26– “Detailed Implementation Schedule,”** provide detailed timelines for the specific activities that must be performed to produce the various project deliverables, establishing interdependences and sequencing.
 3. **Exhibit C27– “Plant and Machinery Specifications,”** Detailed engineering design and equipment specifications.
 4. **Exhibit C28– “Construction Contract,”** provide basic terms between the owner and the contractor. This details the contractor's basic duties and responsibilities, including bonds and insurance; progress and final payments; and substantial completion.

Stage 3: Procedure for Acquisition of Authorization to Operate

- 9.12** An Applicant shall submit a signed application letter addressed to the Executive Secretary of the Commission
- 9.13** Proof of payment of prescribed licence application fee
- 9.14** Applicants shall provide ten (10) copies and a soft if available of the following exhibits as separate attachment, clearly labelled and all pages sequentially numbered
1. **Exhibit C29 – “Transmission Service Agreement,”** Transmission Service Agreement between the transmission utility and grid participants.
 2. **Exhibit C30 – “Supply Agreements (equipment and parts)”** Provide Equipment and Parts Agreements for major spare parts and frequently changed parts and equipment.
 3. **Exhibit C31 – “Operations & Maintenance Plans,”** Operations and maintenance agreement and plan.
 4. **Exhibit C32 – “Safety & Technical Management Plan,”** Safety & Technical Management Plan (STMP) approved by the Energy Commission and shall include the following:
 - (a) Company Safety Policy Statement
 - (b) Company's Safety Codes and practices
 - (c) Demarcation, protection and prevention of unauthorized entry of site

- (d) Employee health and safety requirements in accordance with Ghana's labour regulations
- (e) Waste Management policy and plan in line with EPA or WHO regulations & standards (effluents, cooling water, drainage of runoff water etc.)
- (f) Compliance Plan
- (g) Environmental hazards impact mitigation measure, actions and plans (sampling, monitoring analyzing of air, aquatic toxicity, noise etc.)
- (h) Emergency preparedness
- (i) Deployment of disaster management measures
- (j) Fire safety (prevention and fighting measures)
- (k) Precautions for prevention of environmental hazards (oil spills, pollutants etc)
- (l) Operational and maintenance safety rules, procedure and instructions
- (m) Company's operation and maintenance culture
- (n) Adherence to equipment manufacturer's recommended maintenance schedules
- (o) Specific commitment and arrangements to operate facilities/installations to ensure safe and reliable electricity supply.

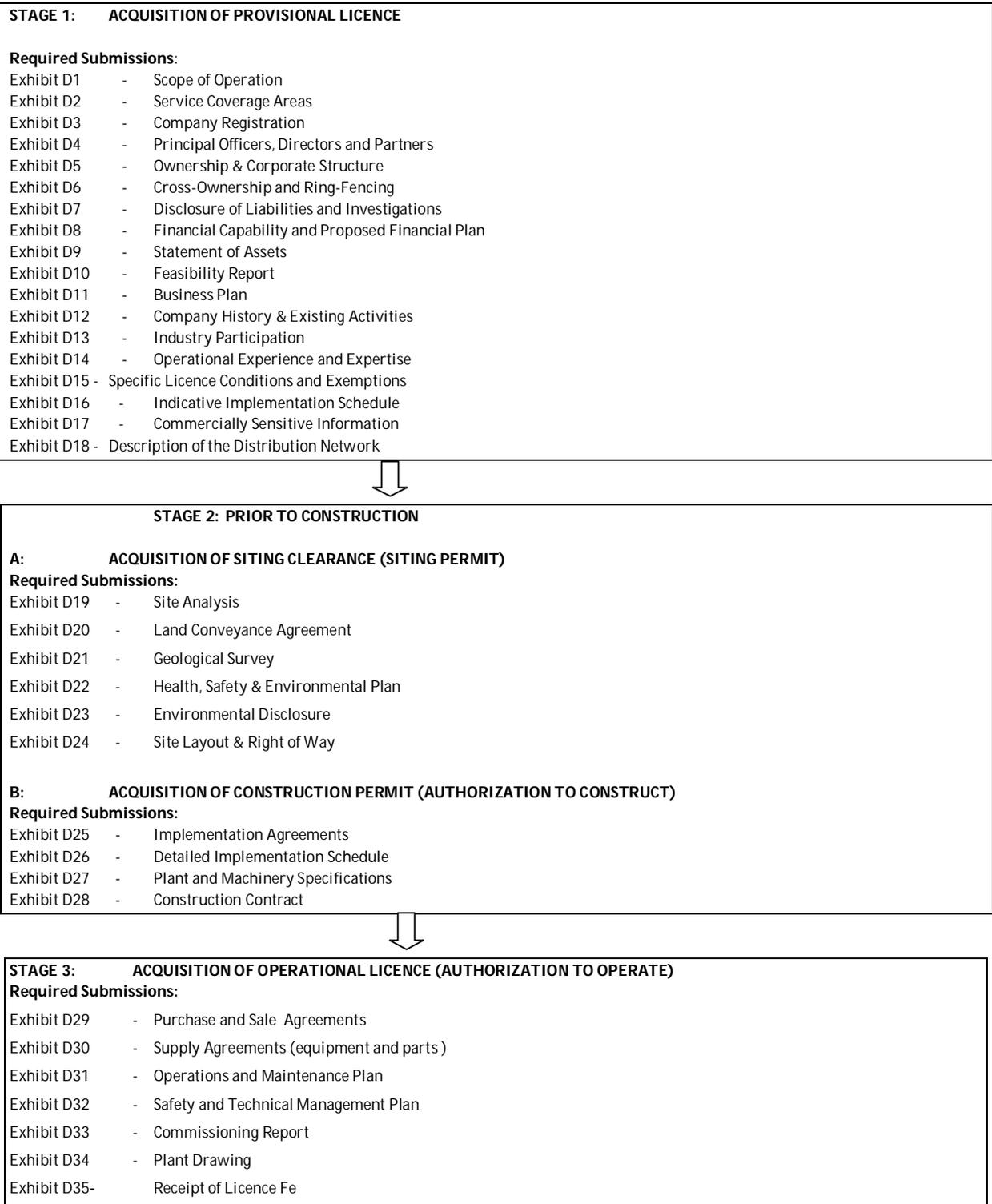
5. **Exhibit C33 – "Commissioning Report,"** Satisfactory commissioning test report.
6. **Exhibit C34– "Plant Drawing,"** As-built drawings and layout of transmission network.
7. **Exhibit C35 – "Receipt of Licence Fee,"** Evidence of payment of the appropriate prevailing licence fee to the Energy Commission.

CHAPTER

10

ELECTRICITY DISTRIBUTION LICENCE

10.1 Stages in acquiring an Electricity Distribution Licence



Stage 1: Procedure for the acquisition of a provisional Electricity Distribution Licence

- 10.2** An applicant shall submit a signed application letter addressed to the Executive Secretary of the Commission
- 10.3** Applicants shall fill and submit a signed application form (reference schedule 1- Application form A)
- 10.4** Applicants shall attach receipt confirming the payment of the prescribed licence application fee (reference schedule II – Schedule of Licence Fees)
- 10.5** Applicants shall provide ten (10) copies and a soft if available of the following exhibits as separate attachment, clearly labelled and all pages sequentially numbered
1. **Exhibit D1– “Scope of Operation,”** provide a written description of the operational nature of the applicant’s business.
 2. **Exhibit D2– “Service Coverage Areas,”** provide list of cities, towns and rural areas (supported with maps) in which the applicant intends to establish and provide the service
 3. **Exhibit D3“Company Registration,”** provide evidence that the applicant has registered with the Registrar General’s Department. Exhibits required include
 - a) Certificate of Registration
 - b) Certificate to Commence Business
 - c) Regulations 8 to 82; Second schedule to the Companies Code, 1963 (Act 179)
 4. **Exhibit D4- “Principal Officers, Directors and Partners”** provide the names, titles, nationality, addresses and telephone numbers of the applicant’s principal officers, directors, partners, or other similar officials.
 5. **Exhibit D5- “Ownership & Corporate Structure,”** provide a description of the applicant’s corporate and ownership structures, including a graphical depiction of such structure, and a list of all affiliate and subsidiary companies.
 6. **Exhibit D 6 – “Cross-ownership and ring-fencing”** Applicants should outline the following:
 - a) The basis on which services and resources will be transacted between relevant operating areas of the applicants, or the applicant and its other related entities;
 - b) In the case of applicants that are wholly owned subsidiaries, information on proposed audit arrangements should be provided and also stated whether separate reports for the licensee and its parent company (if applicable) are to be prepared and made publicly available; and
 - c) Other guidelines or standards relating to financial separation, ring-fencing and separate audit arrangements which the applicant intends to follow
 7. **Exhibit D7- “Disclosure of Liabilities and Investigations,”** provide a description of all existing, pending or past rulings, judgments, contingent liabilities, revocation of authority,

regulatory investigations, or any other matter that could adversely impact the applicant's financial or operational status or ability to provide the services it is seeking to be certified to provide. Also include a statement whether the applicant or any of his associates, or partners, or promoters, or Directors was ever refused licence or had licence cancelled, and if so, the particulars of such application, date of making the application, date of order refusing or cancelling licence and reasons for such refusal or cancellation.

8. **Exhibit D8– “Financial Capability and Proposed Financial Plan,”** provide the two most recent Annual Reports to Shareholders and copies of the applicant's three most recent years of audited financial statements (balance sheet, income statement, and cash flow statement). If audited financial statements are not available, provide officer certified financial statements. If the applicant has not been in business long enough to satisfy this requirement, it shall file audited or officer certified financial statements covering the life of the business. Provide copies of the applicant's financial arrangements to conduct electricity business as a business activity (e.g., guarantees, bank commitments, contractual arrangements, credit agreements, etc.). Provide two years of forecasted financial statements (balance sheet, income statement, and cash flow statement) for the applicant's operation, along with a list of assumptions.
9. **Exhibit D9– “Statement of Assets and Technology** provide a list, description and technical specification of major plant and machinery to be installed and proposed layout plan.
10. **Exhibit D10– “Feasibility Report,”** provide a Feasibility Study Report on the new facility or installations to be used by the applicant. The report should include, among other things, drawings of substation's installations and equipment specifications together with proposed point(s) of interconnection to the distribution network.
11. **Exhibit D11– “Business Plan,”** provide a written explanation of the company's business model for the venture.
12. **Exhibit D12– “Company's History & Existing Activities,”** provide a concise description of the applicant's company history and principal business interests. It should include all jurisdictions in which the applicant or any affiliated interest of the applicant is, at the date of filing the application with respect to licensing or otherwise authorization to provide electricity distribution services.
13. **Exhibit D13– “Industry Participation,”** provide general information about its existing activities, both within and outside the electricity supply industry. The application should summarize the reasons why the applicant intends to participate in the Ghanaian electricity industry, and the broad nature of that participation. In providing the above explanation, the applicant should address the Commission's objectives as set out in Section 2 of the Act and the objects of the Act, and explain how the granting of a licence would be consistent with those requirements.
14. **Exhibit D14– “Operational Experience & Expertise,”** provide names, titles, e-mail addresses, telephone numbers, and the background of key personnel involved in the operational aspects of the applicant's business. Provide the following information:
 - (a) details of their experience in and knowledge of the electricity supply industry;

- (b) a summary of the skills and experience of the directors and senior managers, and their relevance to meeting the requirements of the licence;
 - (c) evidence that the applicant has the capacity to comply with the licence conditions, codes and guidelines relevant to its application; and
 - (d) if the applicant is to rely on another entity to provide staff and resources, a summary of the relationship between the applicant and this entity, including any formal agreements to provide services, and a summary of this other entity's experience in and knowledge of the electricity supply industry, and technical capacity to meet the relevant requirements of the licence should be provided.
15. **Exhibit D15 – “Specific Licence Conditions and exemptions,”** Where the applicant is seeking particular licence conditions or exemptions, the nature and reasons for seeking those conditions or exemptions should be explained. In such circumstances, the applicant should also provide a draft outline of the proposed licence condition(s) or exemption(s). The Commission may waive any of the requirements for a licence in respect of a particular applicant provided the waiver does not compromise on public safety.
16. **Exhibit D16– “Indicative Implementation Schedule,”** provide indicative timelines for the specific activities that must be performed to produce the various project deliverables, establishing interdependences and sequencing.
17. **Exhibit D17 – “Commercially Sensitive Information”**The Commission may make public the information included in an application for a licence. Where the applicant considers information contained in an application to be commercially sensitive, the applicant should clearly identify such information and state the reasons why they are to be regarded as commercially sensitive, to enable the Commission determine its consideration of the confidentiality request.
18. **Exhibit D18 – “Description of the Distribution Network”**Provide details as per Schedule IV- Description of the Electricity Distribution System.

Stage 2:

A. Procedure for Acquisition of Siting Clearance

- 10.6 An Applicant shall submit a signed application letter addressed to the Executive Secretary of the Commission
- 10.7 Proof of payment of prescribed licence application fee
- 10.8 Applicants shall provide ten (10) copies and a soft if available of the following exhibits as separate attachment, clearly labelled and all pages sequentially numbered

1. **Exhibit D19 – “Site Analysis”** Provide details as per Appendix II-Site analysis for the siting of Electric Power Transmission and Distribution Facilities
2. **Exhibit D20 – “Land Conveyance Agreement,”** provide appropriately approved documentation of proof of title to land, site plan, and relevant municipal permits for construction (i.e. Town & Country Planning Permit) etc.
3. **Exhibit D21– “Geological Survey,”** provide a report from the Geological Survey Department of Ghana attesting to either the absence of or acceptable levels of seismic activity on and around the proposed site.
4. **Exhibit D22– “Health, Safety & Environmental Plan”** provide plans to comply with all legislation and standards relevant to the firm’s activities and implement systems and structures that prevent the recurrence of injuries, ill health and hazardous conditions.
5. **Exhibit D23– “Environmental Disclosure”** provide an Environmental Impact Assessment (EIA) Report certified by the Environmental Protection Agency (EPA) of Ghana and an Environmental Permit or Permanent Environmental Certificate issued by the Environmental Protection Agency.
6. **Exhibit D24– “Site Layout & Right-of-Way,”** provide detailed Site-Layout and “Right-of-Way” drawings. Provide a programme for compensation payments (where relevant).

B. Procedure for Acquisition of Construction Work Permit

- 10.9** An Applicant shall submit a signed application letter addressed to the Executive Secretary of the Commission.
- 10.10** Proof of payment of prescribed licence application fee.
- 10.11** Applicants shall provide ten (10) copies and a soft if available of the following exhibits as separate attachment, clearly labelled and all pages sequentially numbered.
1. **Exhibit D25 – “Implementation Agreements,”** Provide copies of licences, Memorandum of understanding (MOUs), etc with agencies relevant to the implementation.
 2. **Exhibit D26– “Detailed Implementation Schedule,”** provide detailed timelines for the specific activities that must be performed to produce the various project deliverables, establishing interdependences and sequencing.
 3. **Exhibit D27– “Plant and Machinery Specifications,”** Detailed engineering design and equipment specifications.
 4. **Exhibit D28– “Construction Contract,”** provide basic terms between the owner and the contractor. This details the contractor's basic duties and responsibilities, including bonds and insurance; progress and final payments; and substantial completion.

Stage 3: Procedure for Acquisition of Authorization to Operate

- 10.12** An Applicant shall submit a signed application letter addressed to the Executive Secretary of the Commission
- 10.13** Proof of payment of prescribed licence application fee
- 10.14** Applicants shall provide ten (10) copies and a soft if available of the following exhibits as separate attachment, clearly labelled and all pages sequentially numbered
1. **Exhibit D29– “Purchase and Sale Agreements,”** Power Purchase and Sale Agreement
 2. **Exhibit D30–“Supply Agreements (equipment and parts) ,”** Provide Equipment and Parts Agreements for major spare parts and frequently changed parts and equipment..
 3. **Exhibit D31– “Operations & Maintenance Plans,”** Operations and maintenance agreement and plan.
 4. **Exhibit D32– “Safety & Technical Management Plan,”** Safety & Technical Management Plan (STMP) approved by the Energy Commission and shall include the following;
 - (a) Company Safety Policy Statement
 - (b) Company’s Safety Codes and practices
 - (c) Demarcation, protection and prevention of unauthorized entry of site
 - (d) Employee health and safety requirements in accordance with Ghana’s labour regulations
 - (e) Waste Management policy and plan in line with EPA or WHO regulations & standards (effluents, cooling water, drainage of runoff water etc.)
 - (f) Compliance Plan
 - (g) Environmental hazards impact mitigation measure, actions and plans (sampling, monitoring analyzing of air, aquatic toxicity, noise etc.)
 - (h) Emergency preparedness
 - (i) Deployment of disaster management measures
 - (j) Fire safety (prevention and fighting measures)
 - (k) Precautions for prevention of environmental hazards (oil spills, pollutants etc)

- (l) Operational and maintenance safety rules, procedure and instructions
 - (m) Company's operation and maintenance culture
 - (n) Adherence to equipment manufacturer's recommended maintenance schedules
 - (o) Specific commitment and arrangements to operate facilities/installations to ensure safe and reliable electricity supply.
- 5) **Exhibit D33– "Commissioning Report,"** Satisfactory commissioning test report.
- 6) **Exhibit D34– "Plant Drawing,"** As-built drawings and layout of the distribution network...
- 7) **Exhibit D35– "Receipt of Licence Fee,"** Evidence of payment of the appropriate prevailing licence fee to the Energy Commission.

CHAPTER

11

ELECTRICITY SALE LICENCE

11.1 Stages in the acquisition of Electricity Sale Licence

STAGE 1: ACQUISITION OF PROVISIONAL LICENCE

Required Submissions:

- Exhibit E1 - Scope of Operation
- Exhibit E2 - Service Coverage Areas
- Exhibit E3 - Company Registration
- Exhibit E4 - Principal Officers, Directors and Partners
- Exhibit E5 - Ownership & Corporate Structure
- Exhibit E6 - Cross-Ownership and Ring-Fencing
- Exhibit E7 - Disclosure of Liabilities and Investigations
- Exhibit E8 - Financial Capability and Proposed Financial Plan
- Exhibit E9 - Statement of Assets
- Exhibit E10 - Feasibility Report
- Exhibit E11 - Business Plan
- Exhibit E12 - Company History & Existing Activities
- Exhibit E13 - Industry Participation
- Exhibit E14 - Operational Experience and Expertise
- Exhibit E15 - Specific Licence Conditions and Exemptions
- Exhibit E16 - Indicative Implementation Schedule
- Exhibit E17 - Commercially Sensitive Information
- Exhibit E 18 - Public Notice



STAGE 2: ACQUISITION OF OPERATIONAL LICENCE (AUTHORIZATION TO OPERATE)

Required Submissions:

- Exhibit E19 - Power Purchase Agreement
- Exhibit E20 - Sample Sales Agreement
- Exhibit E21 - Receipt of Licence Fee

Stage 1:- Procedure for the Acquisition of Provisional Electricity Sale Licence

- 11.2** An applicant shall submit a signed application letter addressed to the Executive Secretary of the Commission
- 11.3** Applicants shall fill and submit one original application form signed by a Principal Officer (reference schedule 1-Application form B)
- 11.4** Applicants shall attach receipt confirming the payment of the prescribed licence application fee (reference schedule II-Schedule of Licence Fees)
- 11.5** The applicant shall post complete application along with attachments (reference 11.12) on his own website so as to facilitate access to the application by any person through internet and shall keep them on the website till the disposal of his application.
- 11.6** The applicant shall within 7 days after making such application, publish a notice of his application, in two daily papers having circulation in each of the ten regions with the following particulars, namely:-
- a) Name of the applicant (in bold) at the top clearly bringing out whether the applicant is an individual/sole proprietor, an association or body of individuals, a partnership firm registered under the Incorporated Private Partnership Act 1962 (Act 152), a private limited company or a public limited company, incorporated under the Companies Act 1963 (Act 179) giving full particulars of its registered office address in case of a company incorporated under the Companies Act 19.63 (Act 179) and address for correspondence;
 - b) A statement that the applicant has made an application for grant of licence under Section 13 of the Act and the Category of licence applied for.
 - c) Share capital (in GH¢)
 - i. Authorised:
 - ii. Issued:
 - iii. Subscribed:
 - iv. Paid up:
 - d) Shareholding pattern (List of details of shareholders holding 5% or more shares, number of shares held by each of them and percentage of shares of the total paid up capital) of the applicant;
 - e) Financial and technical strength of the applicant;
 - f) Volume of electricity intended to be traded per year;

- g) Management profile of the applicant including details of past experience of the applicant or the persons on its management in same or similar activity;
 - h) Net worth, current ratio and liquidity ratio of the applicant as at the close of the financial year for the three consecutive years immediately preceding the year of the application or for such lesser period as may be applicable and on the date of the special balance sheet accompanying the application;
 - i) A statement whether the applicant or any of his associates, or partners, or promoters, or Directors has been declared insolvent, and if so, the details thereof and whether or not they have been discharged;
 - j) Details of cases resulting in conviction of an offence involving dishonesty, fraud, or economic offence of the applicant, or any of his associates, or partners, or promoters, or Directors during the year of making the application or three years immediately preceding that year and the date of release of the above person from imprisonment, if any, consequent to such conviction;
 - k) A statement whether the applicant or any of his associates, or partners, or promoters, or Directors was ever refused licence, and if so, the particulars of such application, date of making the application, date of order refusing licence and reasons for such refusal;
 - l) A statement whether an order cancelling the licence of the applicant or any of his associates, or partners, or promoters, or Directors has been made by the Commission and if so the details thereof;
 - m) A statement whether the applicant or any of his associates, or partners, or promoters, or Directors has been found guilty of non-compliance of any of the provisions of the Act or the rules or the regulations made thereunder or an order made by the appropriate legal entity;
 - n) A statement to the effect that the application and other documents filed before the Commission, are available with the applicant for inspection by a member of the public;
 - o) Name and address and other relevant details of the person under the control of the applicant with whom the application and other documents can be inspected;
 - p) Address of the website where the complete application along with attachments has been posted;
 - q) A statement that objections or suggestions, if any, be filed before the Energy Commission, Frema House, 89 Spintex Road, Accra, with a copy of the objections or suggestions to the applicant, within 30 days of the publication of the notice;
- 11.7** The applicant shall within 7 days from the date of publication of the notice as aforesaid, submit to the Commission on affidavit, the details of the notice published and shall also file the original complete page of the newspaper in which the notice has been published.
- 11.8** The applicant may file his reply to the objections or suggestions received in response to the Notice within 30 days of its publication in the newspapers.

- 11.9** The Commission after consideration of the objections or suggestions received in response to the notice published by the applicant and his reply may propose to grant licence.
- 11.10** When the Commission proposes to grant licence, it shall publish its proposal in two daily newspapers, as the Commission may consider appropriate, stating the name and address of the person to whom it proposes to issue the licence, with such other details as the Commission considers appropriate, to invite further suggestions or objections to its proposals.
- 11.11** On consideration of further objections or suggestions received and the reply of the applicant thereto, if any, the Commission may grant the licence or reject the applications, for reasons to be recorded in writing if the application does not conform to the provisions of the Act, the rules, or regulations or provisions of any other law for the time being in force, provided that no application shall be rejected, unless the applicant has been given an opportunity of being heard.
- 11.12** Applicants shall provide ten (10) copies and a soft if available of the following exhibits as separate attachment, clearly labelled and all pages sequentially numbered,
1. **Exhibit E1 – “Scope of Operation,”** provide a written description of the operational nature of the applicant’s business.
 2. **Exhibit E2 – “Service Coverage Areas”** provide list of cities, towns and rural areas (supported with maps) in which the applicant intends to establish and provide the service.
 3. **Exhibit E3 “Company Registration,”** provide evidence that the applicant has registered with the Registrar General’s Department. Exhibits required include
 - a. Certificate of Registration
 - b. Certificate to Commence Business
 - c. Regulations 8 to 82; Second schedule to the Companies Code, 1963 (Act 179)
 4. **Exhibit E4- “Principal Officers, Directors and Partners”** provide the names, titles, nationality, addresses and telephone numbers of the applicant’s principal officers, directors, partners, or other similar officials.
 5. **Exhibit E5 - “Ownership & Corporate Structure,”** provide a description of the applicant’s corporate and ownership structures, including a graphical depiction of such structure, and a list of all affiliate and subsidiary companies.
 6. **Exhibit E6 – “Cross-Ownership and Ring-Fencing”** Applicants should outline the following:
 - a) The basis on which services and resources will be transacted between relevant operating areas of the applicants, or the applicant and its other related entities;

- b) In the case of applicants that are wholly owned subsidiaries, information on proposed audit arrangements should be provided and also stated whether separate reports for the licensee and its parent company (if applicable) are to be prepared and made publicly available; and
 - c) Other guidelines or standards relating to financial separation, ring-fencing and separate audit arrangements which the applicant intends to follow.
7. **Exhibit E7 - "Disclosure of Liabilities and Investigations,"** provide a description of all existing, pending or past rulings, judgments, contingent liabilities, revocation of authority, regulatory investigations, or any other matter that could adversely impact the applicant's financial or operational status or ability to provide the services it is seeking to be certified to provide. Also include a statement whether the applicant or any of his associates, or partners, or promoters, or Directors was ever refused licence or had licence cancelled, and if so, the particulars of such application, date of making the application, date of order refusing or cancelling licence and reasons for such refusal or cancellation
 8. **Exhibit E8- "Financial Capability and Proposed Financial Plan,"** provide the two most recent Annual Reports to Shareholders and copies of the applicant's three most recent years of audited financial statements (balance sheet, income statement, and cash flow statement). If audited financial statements are not available, provide officer certified financial statements. If the applicant has not been in business long enough to satisfy this requirement, it shall file audited or officer certified financial statements covering the life of the business. Provide copies of the applicant's financial arrangements to conduct electricity business as a business activity (e.g., guarantees, bank commitments, contractual arrangements, credit agreements, etc.). Provide two years of forecasted financial statements (balance sheet, income statement, and cash flow statement) for the applicant's operation, along with a list of assumptions.
 9. **Exhibit E9- "Statement of Assets,"** provide a list of equipment to be used.
 10. **Exhibit E10 – "Feasibility Report,"** provide a Feasibility Study Report of applicant's operation
 11. **Exhibit E11– "Business Plan,"** provide a written explanation of the company's business model for the venture.
 12. **Exhibit E12 – "Company's History & Existing Activities,"** provide a concise description of the applicant's company history and principal business interests. It should include all jurisdictions in which the applicant or any affiliated interest of the applicant is, at the date of filing the application with respect to licensing or otherwise authorization to provide electricity sale services-
 13. **Exhibit E13 – "Industry Participation,"** provide general information about its existing activities, both within and outside the electricity supply industry. The application should summarize the reasons why the applicant intends to participate in the Ghanaian electricity industry, and the broad nature of that participation. In providing the above explanation, the applicant should address the Commission's objectives as set out in Section 2 of the Act and

the objects of the Act, and explain how the granting of a licence would be consistent with those requirements.

14. **Exhibit E14 – “Operational Experience & Expertise,”** provide names, titles, e-mail addresses, telephone numbers, and the background of key personnel involved in the operational aspects of the applicant’s business. Provide the following information:
 1. details of their experience in and knowledge of the electricity supply industry;
 2. a summary of the skills and experience of the directors and senior managers, and their relevance to meeting the requirements of the licence;
 3. evidence that the applicant has the capacity to comply with the licence conditions, codes and guidelines relevant to its application; and
 4. if the applicant is to rely on another entity to provide staff and resources, a summary of the relationship between the applicant and this entity, including any formal agreements to provide services, and a summary of this other entity's experience in and knowledge of the electricity supply industry, and technical capacity to meet the relevant requirements of the licence should be provided.
15. **Exhibit E15 – “Specific Licence Conditions and exemptions,”** Where the applicant is seeking particular licence conditions or exemptions, the nature and reasons for seeking those conditions or exemptions should be explained. In such circumstances, the applicant should also provide a draft outline of the proposed licence condition(s) or exemption(s). The Commission may waive any of the requirements for a licence in respect of a particular applicant provided the waiver does not compromise on public safety.
16. **Exhibit E16– “Indicative Implementation Schedule,”** provide indicative timelines for the specific activities that must be performed to produce the various project deliverables, establishing interdependences and sequencing.
17. **Exhibit E17 – “Commercially sensitive information”**The Commission may make public the information included in an application for a licence. Where the applicant considers information contained in an application to be commercially sensitive, the applicant should clearly identify such information and state the reasons why they are to be regarded as commercially sensitive, to enable the Commission determine its consideration of the confidentiality request.
18. **Exhibit E18 – “Public Notice”** The applicant shall within 7 days from the date of publication of the notice as in 11.6, submit to the Commission on affidavit, the details of the notice published and shall also file the original complete page of the newspaper in which the notice has been published

Stage 2: -Exhibits required for the acquisition of Authorization to operate

11.13 Applicants shall provide as separate attachment and clearly label as indicated, 10 copies of the following exhibits

1. **Exhibit E19- "Power Purchase Agreement"** Power Purchase Agreement with a distribution company.
2. **Exhibit E20-"Sample Sales Agreement"** Agreement with potential customers.
3. **Exhibit E21 – "Receipt of Licence Fee,"** Evidence of payment of the appropriate prevailing licence fee to the Energy Commission

CHAPTER

12

EMBEDDED ELECTRICITY GENERATION LICENCE

12.1 Stages in acquiring Embedded Electricity Generation Licence

STAGE 1: ACQUISITION OF PROVISIONAL LICENCE	
Required Submissions:	
Exhibit F1	- Scope of Operation
Exhibit F2	- Company Registration
Exhibit F3	- Principal Officers, Directors and Partners
Exhibit F4	- Ownership & Corporate Structure
Exhibit F5	- Cross-Ownership and Ring-Fencing
Exhibit F6	- Disclosure of Liabilities and Investigations
Exhibit F7	- Financial Capability and Proposed Financial Plan
Exhibit F8	- Statement of Assets, Technology & Fuel Type
Exhibit F9	- Feasibility Report
Exhibit F10	- Business Plan
Exhibit F11	- Company History & Existing Activities
Exhibit F12	- Industry Participation
Exhibit F13	- Operational Experience and Expertise
Exhibit F14	- Specific Licence Conditions and Exemptions
Exhibit F15	- Indicative Implementation Schedule
Exhibit F16	- Commercially Sensitive Information
Exhibit F17	- Generating Plant Technology and Description



STAGE 2: PRIOR TO CONSTRUCTION	
A: ACQUISITION OF SITING CLEARANCE (SITING PERMIT)	
Required Submissions:	
Exhibit F18	- Site Analysis (reference Appendix I)
Exhibit F19	- Land Conveyance Agreement
Exhibit F20	- Geological Survey
Exhibit F21	- Health, Safety & Environmental Plan
Exhibit F22	- Environmental Disclosure
Exhibit F23	- Site Layout & Right of Way
Exhibit F24	- Water Resources Commission (applicable to ONLY hydro power generation)
B: ACQUISITION OF CONSTRUCTION PERMIT (AUTHORIZATION TO CONSTRUCT)	
Required Submissions:	
Exhibit F25	- Implementation Agreements
Exhibit F26	- Detailed Implementation Schedule
Exhibit F27	- Plant and Machinery Specifications
Exhibit F28	- Construction Contract



STAGE 3: ACQUISITION OF OPERATIONAL LICENCE (AUTHORIZATION TO OPERATE)	
Required Submissions:	
Exhibit F29	- Purchase Agreements
Exhibit F30	- Supply Agreements (equipment, parts and fuel)
Exhibit F31	- Operations and Maintenance Plan
Exhibit F32	- Safety and Technical Management Plan
Exhibit F33	- Commissioning Report
Exhibit F34	- Plant Drawing
Exhibit F35	- Receipt of Licence Fee

Stage 1: Procedure for the acquisition of a provisional Embedded Electricity Generation Licence

12.2 An applicant shall submit a signed application letter addressed to the Executive Secretary of the Commission

12.3 applicants shall fill and submit a signed application form (reference schedule 1-Application form A)

12.4 Applicants shall attach receipt confirming the payment of the prescribed licence application fee (reference schedule II-Schedule of Licence Fees)

12.5 Applicants shall provide ten (10) copies and a soft if available of the following exhibits as separate attachment, clearly labelled and all pages sequentially numbered

1. **Exhibit F1- "Scope of Operation,"** provide a written description of the operational nature of the applicant's business.
2. **Exhibit F2 "Company Registration,"** provide evidence that the applicant has registered with the Registrar General's Department. Exhibits required include
 - a. Certificate of Registration
 - b. Certificate to Commence Business
 - c. Regulations 8 to 82; Second schedule to the Companies Code, 1963 (Act 179)
3. **Exhibit F3- "Principal Officers, Directors and Partners"** provide the names, titles, nationality, addresses and telephone numbers of the applicant's principal officers, directors, partners, or other similar officials.
4. **Exhibit F4- "Ownership & Corporate Structure,"** provide a description of the applicant's corporate and ownership structures, including a graphical depiction of such structure, and a list of all affiliate and subsidiary companies.
5. **Exhibit F5 –"Cross-ownership and ring-fencing"** Applicants should outline the following:
 - a) The basis on which services and resources will be transacted between relevant operating areas of the applicants, or the applicant and its other related entities;
 - b) In the case of applicants that are wholly owned subsidiaries, information on proposed audit arrangements should be provided and also stated whether separate reports for the licensee and its parent company (if applicable) are to be prepared and made publicly available; and
 - c) Other guidelines or standards relating to financial separation, ring-fencing and separate audit arrangements which the applicant intends to follow.

6. **Exhibit F6- "Disclosure of Liabilities and Investigations,"** provide a description of all existing, pending or past rulings, judgments, contingent liabilities, revocation of authority, regulatory investigations, or any other matter that could adversely impact the applicant's financial or operational status or ability to provide the services it is seeking to be certified to provide. Also include a statement whether the applicant or any of his associates, or partners, or promoters, or Directors was ever refused licence or had licence cancelled, and if so, the particulars of such application, date of making the application, date of order refusing or cancelling licence and reasons for such refusal or cancellation.
7. **Exhibit F7- "Financial Capability and Proposed Financial Plan,"** provide the two most recent Annual Reports to Shareholders and copies of the applicant's three most recent years of audited financial statements (balance sheet, income statement, and cash flow statement). If audited financial statements are not available, provide officer certified financial statements. If the applicant has not been in business long enough to satisfy this requirement, it shall file audited or officer certified financial statements covering the life of the business. Provide copies of the applicant's financial arrangements to conduct electricity business as a business activity (e.g., guarantees, bank commitments, contractual arrangements, credit agreements, etc.). Provide two years of forecasted financial statements (balance sheet, income statement, and cash flow statement) for the applicant's operation, along with a list of assumptions.
8. **Exhibit F8- "Statement of Assets, Technology & Fuel Type",** provide a list of major plant and machinery to be installed, stating technology and fuel type and also proposed layout plan. The site plan describing the generation location should also clearly indicate the nearest or intended point of connection to the public distribution network.
9. **Exhibit F9 – "Feasibility Report,"** provide a Feasibility Study Report on the new facility or installations to be used by the applicant. The report should include, among other things, drawings of generator's and/or substation's installations and equipment specifications together with proposed interconnections to the relevant distribution network.
10. **Exhibit F10- "Business Plan,"** provide a written explanation of the company's business model for the venture.
11. **Exhibit F11- "Company's History & Existing Activities,"** provide a concise description of the applicant's company history and principal business interests. It should include all jurisdictions in which the applicant or any affiliated interest of the applicant is, at the date of filing the application with respect to licensing or otherwise authorization to provide retail or wholesale electric services.
12. **Exhibit F12- "Industry Participation,"** provide general information about its existing activities, both within and outside the electricity supply industry. The application should summarize the reasons why the applicant intends to participate in the Ghanaian electricity industry, and the broad nature of that participation. In providing the above explanation, the applicant should address the Commission's objectives as set out in Section 2 of the Act and the objects of the Act, and explain how the granting of a licence would be consistent with those requirements.
13. **Exhibit F13- "Operational Experience & Expertise,"** provide names, titles, e-mail addresses, telephone numbers, and the background of key personnel involved in the operational aspects of the applicant's business. Provide the following information:

- (a) details of their experience in and knowledge of the electricity supply industry;
 - (b) a summary of the skills and experience of the directors and senior managers, and their relevance to meeting the requirements of the licence;
 - (c) evidence that the applicant has the capacity to comply with the licence conditions, codes and guidelines relevant to its application; and
 - (d) if the applicant is to rely on another entity to provide staff and resources, a summary of the relationship between the applicant and this entity, including any formal agreements to provide services, and a summary of this other entity's experience in and knowledge of the electricity supply industry, and technical capacity to meet the relevant requirements of the licence should be provided.
14. **Exhibit F14 – “Specific Licence Conditions and exemptions,”** Where the applicant is seeking particular licence conditions or exemptions, the nature and reasons for seeking those conditions or exemptions should be explained. In such circumstances, the applicant should also provide a draft outline of the proposed licence condition(s) or exemption(s). The Commission may waive any of the requirements for a licence in respect of a particular applicant provided the waiver does not compromise on public safety.
15. **Exhibit F15– “Indicative Implementation Schedule,”** provide indicative timelines for the specific activities that must be performed to produce the various project deliverables, establishing interdependences and sequencing.
16. **Exhibit F16 – “Commercially sensitive information”**The Commission may make public the information included in an application for a licence. Where the applicant considers information contained in an application to be commercially sensitive, the applicant should clearly identify such information and state the reasons why they are to be regarded as commercially sensitive, to enable the Commission determine its consideration of the confidentiality request.
17. **Exhibit F17 – “Generating Plant Technology and Description”** Provide details as per Schedule III - Generating Plant Technology and Description

Stage 2:

A. Procedure for Acquisition of Siting Clearance

- 12.6 An Applicant shall submit a signed application letter addressed to the Executive Secretary of the Commission.
- 12.7 Proof of payment of prescribed licence application fee.

12.8 Applicants shall provide ten (10) copies and a soft if available of the following exhibits as separate attachment, clearly labelled and all pages sequentially numbered

1. **Exhibit F18 – “Site Analysis”** Provide details as per Appendix I-Site analysis for the siting of Electric Power Generating Facility.
2. **Exhibit F19– “Land Conveyance Agreement,”** provide appropriately approved documentation of proof of title to land, site plan, and relevant municipal permits for construction (i.e. Town & Country Planning Permit) etc.
3. **Exhibit F20– “Geological Survey,”** provide a report from the Geological Survey Department of Ghana attesting to either the absence of or acceptable levels of seismic activity on and around the proposed site.
4. **Exhibit F21– “Health, Safety & Environmental Plan”** provide plans to comply with all legislation and standards relevant to the firm’s activities and implement systems and structures that prevent the recurrence of injuries, ill health and hazardous conditions.
5. **Exhibit F22– “Environmental Disclosure”** provide an Environmental Impact Assessment (EIA) Report certified by the Environmental Protection Agency (EPA) of Ghana and an Environmental Permit or Permanent Environmental Certificate issued by the Environmental Protection Agency.
6. **Exhibit F23– “Site Layout & Right-of-Way,”** provide detailed Site-Layout and “Right-of-Way” drawings. Provide a programme for compensation payments (where relevant).
7. **Exhibit F24– “Water Resources Commission Permit,”** provide a permit from the Water Resources Commission (**applicable ONLY to hydro power generation activities - either conventional hydro or small hydro embedded electricity generation.**)

B. Procedure for Acquisition of Construction Work Permit

12.9 An Applicant shall submit a signed application letter addressed to the Executive Secretary of the Commission.

12.10 Proof of payment of prescribed licence application fee.

12.11 Applicants shall provide ten (10) copies and a soft if available of the following exhibits as separate attachment, clearly labelled and all pages sequentially numbered

1. **Exhibit F25– “Implementation Agreements,”** Provide copies of licences, Memorandum of understanding (MOUs), etc with agencies relevant to the implementation. In the case of **embedded electricity generation**, this should include evidence of preliminary discussions

and agreements with the licensed distribution service provider in whose zone or area the embedded electricity generation facility is intended to be sited.

2. **Exhibit F26– “Detailed Implementation Schedule,”** provide detailed timelines for the specific activities that must be performed to produce the various project deliverables, establishing interdependences and sequencing.
3. **Exhibit F27– “Plant and Machinery Specifications,”** Detailed engineering design and equipment specifications.
4. **Exhibit F28– “Construction Contract,”** provide basic terms between the owner and the contractor. This details the contractor’s basic duties and responsibilities, including bonds and insurance; progress and final payments; and substantial completion.

Stage 3: Procedure for Acquisition of Authorization to Operate

12.12 An Applicant shall submit a signed application letter addressed to the Executive Secretary of the Commission.

12.13 Proof of payment of prescribed licence application fee.

12.14 Applicants shall provide ten (10) copies and a soft if available of the following exhibits as separate attachment, clearly labelled and all pages sequentially numbered.

1. **Exhibit F29– “Power Sale and Purchase Agreements,”** Power Sale and Purchase Agreement between the embedded electricity generator and a distribution utility or bulk customers
2. **Exhibit F30–“Supply Agreements,(equipment, parts and fuel)”** Provide Equipment and Parts Agreements for major spare parts and frequently changed parts and equipment; Provide Supply Agreements for fuel, water, network access etc
3. **Exhibit F31– “Operations & Maintenance Plans,”** Operations and maintenance agreement, and plan.
4. **Exhibit F32– “Safety & Technical Management Plan,”** Safety & Technical Management Plan (STMP) approved by the Energy Commission
 - (a) Company Safety Policy Statement
 - (b) Company’s Safety Codes and practices
 - (c) Demarcation, protection and prevention of unauthorized entry of site

- (d) Employee health and safety requirements in accordance with Ghana's labour regulations
 - (e) Waste Management policy and plan in line with EPA or WHO regulations & standards (effluents, cooling water, drainage of runoff water etc.)
 - (f) Compliance Plan
 - (g) Environmental hazards impact mitigation measure, actions and plans (sampling, monitoring analyzing of air, aquatic toxicity, noise etc.)
 - (h) Emergency preparedness
 - (i) Deployment of disaster management measures
 - (j) Fire safety (prevention and fighting measures)
 - (k) Precautions for prevention of environmental hazards (oil spills, pollutants etc)
 - (l) Operational and maintenance safety rules, procedure and instructions
 - (m) Company's operation and maintenance culture
 - (n) Adherence to equipment manufacturer's recommended maintenance schedules
 - (o) Specific commitment and arrangements to operate facilities/installations to ensure safe and reliable electricity supply.
5. **Exhibit F33– "Commissioning Report,"** Satisfactory commissioning test report.
 6. **Exhibit F34– "Plant Drawing,"** As-built drawings and layout of plant and/or facilities.
 7. **Exhibit F35– "Receipt of Licence Fee,"** Evidence of payment of the appropriate prevailing licence fee to the Energy Commission.

CHAPTER

13

ELECTRICITY EXPORT LICENCE

13.1 Stages in acquisition of an Electricity Export Licence

STAGE 1: ACQUISITION OF PROVISIONAL LICENCE

Required Submissions:

- Exhibit G1 - Scope of Operation
- Exhibit G2 - Company Registration
- Exhibit G3 - Principal Officers, Directors and Partners
- Exhibit G4 - Ownership & Corporate Structure
- Exhibit G5 - Cross-Ownership and Ring-Fencing
- Exhibit G6 - Disclosure of Liabilities and Investigations
- Exhibit G7 - Financial Capability and Proposed Financial Plan
- Exhibit G8 - Statement of Assets
- Exhibit G9 - Feasibility Report
- Exhibit G10 - Business Plan
- Exhibit G11 - Company History & Existing Activities
- Exhibit G12 - Industry Participation
- Exhibit G13 - Operational Experience and Expertise
- Exhibit G14 - Specific Licence Conditions and Exemptions
- Exhibit G15 - Indicative Implementation Schedule
- Exhibit G16 - Commercially Sensitive Information
- Exhibit G17 - Public Notice



STAGE 2: ACQUISITION OF OPERATIONAL LICENCE (AUTHORIZATION TO OPERATE)

Required Submissions:

- Exhibit G18 - Power Purchase Agreement & Power Sales Agreement
- Exhibit G19 - Transmission Service Agreement
- Exhibit G20 - Receipt of Licence Fee

Stage 1: -Procedure for the Acquisition of Provisional Electricity Export Licence

- 13.2** An applicant for an electricity export licence shall be a wholesale supplier or an electricity Brokerage licenced by the Commission and has the capital adequacy and meets the liquidity requirement based on the category of electricity export licence (reference Schedule VII-Categories of Electricity Export Licence)
- 13.3** An applicant shall submit a signed application letter addressed to the Executive Secretary of the Commission
- 13.4** Applicants shall fill and submit one original application form signed by a Principal Officer (reference schedule 1-Application form B)
- 13.5** Applicants shall attach receipt confirming the payment of the prescribed licence application fee (reference schedule II- Schedule of Licence Fees)
- 13.6** The applicant shall post complete application along with attachments (reference 13.13) on his own website so as to facilitate access to the application by any person through internet and shall keep them on the website till the disposal of his application.
- 13.7** The applicant shall within 7 days after making such application, publish a notice of his application, in two daily papers having circulation in each of the ten regions with the following particulars, namely:-
- a) Name of the applicant (in bold) at the top clearly bringing out whether the applicant is an individual/sole proprietor, an association or body of individuals, a partnership firm registered under the Incorporated Private Partnership Act 1962 (Act 152), a private limited company or a public limited company, incorporated under the Companies Act 1963 (Act 179) giving full particulars of its registered office address in case of a company incorporated under the Companies Act 1963 (Act 179) and address for correspondence;
 - b) A statement that the applicant has made an application for grant of licence under Section 13 of the Act and the Category of licence applied for.
 - c) Share capital (in GH¢)
 - i. Authorised:
 - ii. Issued:
 - iii. Subscribed:
 - iv. Paid up:
 - d) Shareholding pattern (List of details of shareholders holding 5% or more shares, number of shares held by each of them and percentage of shares of the total paid up capital) of the applicant;

- e) Financial and technical strength of the applicant;
- f) Volume of electricity intended to be traded per year;
- g) Management profile of the applicant including details of past experience of the applicant or the persons on its management in same or similar activity;
- h) Net worth, current ratio and liquidity ratio of the applicant as at the close of the financial year for the three consecutive years immediately preceding the year of the application or for such lesser period as may be applicable and on the date of the special balance sheet accompanying the application;
- i) A statement whether the applicant or any of his associates, or partners, or promoters, or Directors has been declared insolvent, and if so, the details thereof and whether or not they have been discharged;
- j) Details of cases resulting in conviction of an offence involving dishonesty, fraud, or economic offence of the applicant, or any of his associates, or partners, or promoters, or Directors during the year of making the application or three years immediately preceding that year and the date of release of the above person from imprisonment, if any, consequent to such conviction;
- k) A statement whether the applicant or any of his associates, or partners, or promoters, or Directors was ever refused licence, and if so, the particulars of such application, date of making the application, date of order refusing licence and reasons for such refusal;
- l) A statement whether an order cancelling the licence of the applicant or any of his associates, or partners, or promoters, or Directors has been made by the Commission and if so the details thereof;
- m) A statement whether the applicant or any of his associates, or partners, or promoters, or Directors has been found guilty of non-compliance of any of the provisions of the Act or the rules or the regulations made thereunder or an order made by the appropriate legal entity;
- n) A statement to the effect that the application and other documents filed before the Commission, are available with the applicant for inspection by a member of the public;
- o) Name and address and other relevant details of the person under the control of the applicant with whom the application and other documents can be inspected;
- p) Address of the website where the complete application along with attachments has been posted;
- q) A statement that objections or suggestions, if any, be filed before the Energy Commission, Frema House, 89 Spintex Road, Accra, with a copy of the objections or suggestions to the applicant, within 30 days of the publication of the notice;

13.8 The applicant shall within 7 days from the date of publication of the notice as aforesaid, submit to the Commission on affidavit, the details of the notice published and shall also file the original complete page of the newspaper in which the notice has been published.

- 13.9** The applicant may file his reply to the objections or suggestions received in response to the Notice within 30 days of its publication in the newspapers.
- 13.10** The Commission after consideration of the objections or suggestions received in response to the notice published by the applicant and his reply may propose to grant licence.
- 13.11** When the Commission proposes to grant licence, it shall publish its proposal in two daily newspapers, as the Commission may consider appropriate, stating the name and address of the person to whom it proposes to issue the licence, with such other details as the Commission considers appropriate, to invite further suggestions or objections to its proposals.
- 13.12** On consideration of further objections or suggestions received and the reply of the applicant thereto, if any, the Commission may grant the licence or reject the applications, for reasons to be recorded in writing if the application does not conform to the provisions of the Act, the rules, or regulations or provisions of any other law for the time being in force, provided that no application shall be rejected, unless the applicant has been given an opportunity of being heard.
- 13.13** Applicants shall provide ten (10) copies and a soft if available of the following exhibits as separate attachment, clearly labelled and all pages sequentially numbered,
1. **Exhibit G1 – “Scope of Operation,”** provide a written description of the operational nature of the applicant’s business.
 2. **Exhibit G2 "Company Registration,"** provide evidence that the applicant has registered with the Registrar General’s Department. Exhibits required include
 - a. Certificate of Registration
 - b. Certificate to Commence Business
 - c. Regulations 8 to 82; Second schedule to the Companies Code, 1963 (Act 179)
 3. **Exhibit G3 - "Principal Officers, Directors and Partners"** provide the names, titles, nationality, addresses and telephone numbers of the applicant’s principal officers, directors, partners, or other similar officials.
 4. **Exhibit G4 - "Ownership & Corporate Structure,"** provide a description of the applicant’s corporate and ownership structures, including a graphical depiction of such structure, and a list of all affiliate and subsidiary companies.
 5. **Exhibit G5 – “Cross-Ownership and Ring-Fencing”** Applicants should outline the following:
 - a) The basis on which services and resources will be transacted between relevant operating areas of the applicants, or the applicant and its other related entities;
 - b) In the case of applicants that are wholly owned subsidiaries, information on proposed audit arrangements should be provided and also stated whether separate

reports for the licensee and its parent company (if applicable) are to be prepared and made publicly available; and

- c) Other guidelines or standards relating to financial separation, ring-fencing and separate audit arrangements which the applicant intends to follow.
6. **Exhibit G6 - "Disclosure of Liabilities and Investigations,"** provide a description of all existing, pending or past rulings, judgments, contingent liabilities, revocation of authority, regulatory investigations, or any other matter that could adversely impact the applicant's financial or operational status or ability to provide the services it is seeking to be certified to provide. Also include a statement whether the applicant or any of his associates, or partners, or promoters, or Directors was ever refused licence or had licence cancelled, and if so, the particulars of such application, date of making the application, date of order refusing or cancelling licence and reasons for such refusal or cancellation
 7. **Exhibit G7- "Financial Capability and Proposed Financial Plan,"** provide the two most recent Annual Reports to Shareholders and copies of the applicant's three most recent years of audited financial statements (balance sheet, income statement, and cash flow statement). If audited financial statements are not available, provide officer certified financial statements. If the applicant has not been in business long enough to satisfy this requirement, it shall file audited or officer certified financial statements covering the life of the business. Provide copies of the applicant's financial arrangements to conduct electricity business as a business activity (e.g., guarantees, bank commitments, contractual arrangements, credit agreements, etc.). Provide two years of forecasted financial statements (balance sheet, income statement, and cash flow statement) for the applicant's operation, along with a list of assumptions.
 8. **Exhibit G8- "Statement of Assets,"** provide a list of equipment to be used.
 9. **Exhibit G9 – "Feasibility Report,"** provide a Feasibility Study Report of its operation
 10. **Exhibit G10- "Business Plan,"** provide a written explanation of the company's business model for the venture.
 11. **Exhibit G11 – "Company's History & Existing Activities,"** provide a concise description of the applicant's company history and principal business interests. It should include all jurisdictions in which the applicant or any affiliated interest of the applicant is, at the date of filing the application with respect to licensing or otherwise authorization to provide electricity export services.
 12. **Exhibit G12 – "Industry Participation,"** provide general information about its existing activities, both within and outside the electricity supply industry. The application should summarize the reasons why the applicant intends to participate in the Ghanaian electricity industry, and the broad nature of that participation. In providing the above explanation, the applicant should address the Commission's objectives as set out in Section 2 of the Act and

the objects of the Act, and explain how the granting of a licence would be consistent with those requirements.

13. **Exhibit G13 – “Operational Experience & Expertise,”** provide names, titles, e-mail addresses, telephone numbers, and the background of key personnel involved in the operational aspects of the applicant’s business. Provide the following information:
 1. details of their experience in and knowledge of the electricity supply industry;
 2. a summary of the skills and experience of the directors and senior managers, and their relevance to meeting the requirements of the licence;
 3. evidence that the applicant has the capacity to comply with the licence conditions, codes and guidelines relevant to its application; and
 4. if the applicant is to rely on another entity to provide staff and resources, a summary of the relationship between the applicant and this entity, including any formal agreements to provide services, and a summary of this other entity's experience in and knowledge of the electricity supply industry, and technical capacity to meet the relevant requirements of the licence should be provided.
14. **Exhibit G14 – “Specific Licence Conditions and exemptions,”** Where the applicant is seeking particular licence conditions or exemptions, the nature and reasons for seeking those conditions or exemptions should be explained. In such circumstances, the applicant should also provide a draft outline of the proposed licence condition(s) or exemption(s). The Commission may waive any of the requirements for a licence in respect of a particular applicant provided the waiver does not compromise on public safety.
15. **Exhibit G15– “Indicative Implementation Schedule,”** provide indicative timelines for the specific activities that must be performed to produce the various project deliverables, establishing interdependences and sequencing.
16. **Exhibit G16 – “Commercially sensitive information,”**The Commission may make public the information included in an application for a licence. Where the applicant considers information contained in an application to be commercially sensitive, the applicant should clearly identify such information and state the reasons why they are to be regarded as commercially sensitive, to enable the Commission determine its consideration of the confidentiality request.
17. **Exhibit G17 – “Public Notice”** The applicant shall within 7 days from the date of publication of the notice as in 13.7, submit to the Commission on affidavit, the details of the notice published and shall also file the original complete page of the newspaper in which the notice has been published

Stage 2: Exhibits required for the acquisition of Authorization to operate

13.14 Applicants shall provide ten (10) copies and a soft if available of the following exhibits as separate attachment, clearly labelled and all pages sequentially numbered

1. **Exhibit G18- “Power Sales and Purchase Agreement”** Power Purchase Agreement (where relevant especially with generators) and Power Sales Agreement (where relevant with a foreign customer or customers).
2. **Exhibit G19-“Transmission Service Agreement”** Agreement with the ETU for network access.
3. **Exhibit G20 – “Receipt of Licence Fee,”** Evidence of payment of the appropriate prevailing licence fee to the Energy Commission.

CHAPTER

14

ELECTRICITY IMPORT LICENCE

14.1 Stages in acquisition of an Electricity Import Licence

STAGE 1: ACQUISITION OF PROVISIONAL LICENCE

Required Submissions:

- Exhibit H1 - Scope of Operation
- Exhibit H2 - Company Registration
- Exhibit H3 - Principal Officers, Directors and Partners
- Exhibit H4 - Ownership & Corporate Structure
- Exhibit H5 - Cross-Ownership and Ring-Fencing
- Exhibit H6 - Disclosure of Liabilities and Investigations
- Exhibit H7 - Financial Capability and Proposed Financial Plan
- Exhibit H8 - Statement of Assets
- Exhibit H9 - Feasibility Report
- Exhibit H10 - Business Plan
- Exhibit H11 - Company History & Existing Activities
- Exhibit H12 - Industry Participation
- Exhibit H13 - Operational Experience and Expertise
- Exhibit H14 - Specific Licence Conditions and Exemptions
- Exhibit H15 - Indicative Implementation Schedule
- Exhibit H16 - Commercially Sensitive Information
- Exhibit H17 - Public Notice



STAGE 2: ACQUISITION OF OPERATIONAL LICENCE (AUTHORIZATION TO OPERATE)

Required Submissions:

- Exhibit H18 - Power Purchase Agreement & Power Sales Agreement
- Exhibit H19 - Transmission Service Agreement
- Exhibit H20 - Receipt of Licence Fee

Stage 1: -Procedure for the Acquisition of Provisional Electricity Import Licence

- 14.2** An applicant for an electricity import licence shall be an electricity Brokerage or distribution utility licenced by the Commission and has the capital adequacy and meets the liquidity requirement based on the category of electricity import licence (reference Schedule VIII-Categories of Electricity Import Licence)
- 14.3** An applicant shall submit a signed application letter addressed to the Executive Secretary of the Commission
- 14.4** Applicants shall fill and submit one original application form signed by a Principal Officer (reference schedule 1-Application form B)
- 14.5** Applicants shall attach receipt confirming the payment of the prescribed licence application fee (reference schedule II - Schedule of Licence Fees)
- 14.6** The applicant shall post complete application along with attachments(reference 14.13) on his own website so as to facilitate access to the application by any person through internet and shall keep them on the website till the disposal of his application.
- 14.7** The applicant shall within 7 days after making such application, publish a notice of his application, in two daily papers having circulation in each of the ten regions with the following particulars, namely:-
- a) Name of the applicant (in bold) at the top clearly bringing out whether the applicant is an individual/sole proprietor, an association or body of individuals, a partnership firm registered under the Incorporated Private Partnership Act 1962 (Act 152), a private limited company or a public limited company, incorporated under the Companies Act 1963 (Act 179) giving full particulars of its registered office address in case of a company incorporated under the Companies Act 19.63 (Act 179) and address for correspondence;
 - b) A statement that the applicant has made an application for grant of licence under Section 13 of the Act and the Category of licence applied for.
 - c) Share capital (in GH¢)
 - i. Authorised:
 - ii. Issued:
 - iii. Subscribed:
 - iv. Paid up:
 - d) Shareholding pattern (List of details of shareholders holding 5% or more shares, number of shares held by each of them and percentage of shares of the total paid up capital) of the applicant;
 - e) Financial and technical strength of the applicant;

- f) Volume of electricity intended to be traded per year;
- g) Management profile of the applicant including details of past experience of the applicant or the persons on its management in same or similar activity;
- h) Net worth, current ratio and liquidity ratio of the applicant as at the close of the financial year for the three consecutive years immediately preceding the year of the application or for such lesser period as may be applicable and on the date of the special balance sheet accompanying the application;
- i) A statement whether the applicant or any of his associates, or partners, or promoters, or Directors has been declared insolvent, and if so, the details thereof and whether or not they have been discharged;
- j) Details of cases resulting in conviction of an offence involving dishonesty, fraud, or economic offence of the applicant, or any of his associates, or partners, or promoters, or Directors during the year of making the application or three years immediately preceding that year and the date of release of the above person from imprisonment, if any, consequent to such conviction;
- k) A statement whether the applicant or any of his associates, or partners, or promoters, or Directors was ever refused licence, and if so, the particulars of such application, date of making the application, date of order refusing licence and reasons for such refusal;
- l) A statement whether an order cancelling the licence of the applicant or any of his associates, or partners, or promoters, or Directors has been made by the Commission and if so the details thereof;
- m) A statement whether the applicant or any of his associates, or partners, or promoters, or Directors has been found guilty of non-compliance of any of the provisions of the Act or the rules or the regulations made thereunder or an order made by the appropriate legal entity;
- n) A statement to the effect that the application and other documents filed before the Commission, are available with the applicant for inspection by a member of the public;
- o) Name and address and other relevant details of the person under the control of the applicant with whom the application and other documents can be inspected;
- p) Address of the website where the complete application along with attachments has been posted;
- q) A statement that objections or suggestions, if any, be filed before the Energy Commission, Frema House 89, Spintex Road, Accra, with a copy of the objections or suggestions to the applicant, within 30 days of the publication of the notice;

14.8 The applicant shall within 7 days from the date of publication of the notice as aforesaid, submit to the Commission on affidavit, the details of the notice published and shall also file the original complete page of the newspaper in which the notice has been published.

14.9 The applicant may file his reply to the objections or suggestions received in response to the Notice within 30 days of its publication in the newspapers.

- 14.10** The Commission after consideration of the objections or suggestions received in response to the notice published by the applicant and his reply may propose to grant licence.
- 14.11** When the Commission proposes to grant licence, it shall publish its proposal in two daily newspapers, as the Commission may consider appropriate, stating the name and address of the person to whom it proposes to issue the licence, with such other details as the Commission considers appropriate, to invite further suggestions or objections to its proposals.
- 14.12** On consideration of further objections or suggestions received and the reply of the applicant thereto, if any, the Commission may grant the licence or reject the applications, for reasons to be recorded in writing if the application does not conform to the provisions of the Act, the rules, or regulations or provisions of any other law for the time being in force, provided that no application shall be rejected, unless the applicant has been given an opportunity of being heard.
- 14.13** Applicants shall provide ten (10) copies and a soft if available of the following exhibits as separate attachment, clearly labelled and all pages sequentially numbered,
1. **Exhibit H1 – “Scope of Operation,”** provide a written description of the operational nature of the applicant’s business.
 2. **Exhibit H2 "Company Registration,"** provide evidence that the applicant has registered with the Registrar General’s Department. Exhibits required include
 - a. Certificate of Registration
 - b. Certificate to Commence Business
 - c. Regulations 8 to 82; Second schedule to the Companies Code, 1963 (Act 179)
 3. **Exhibit H3 - "Principal Officers, Directors and Partners"** provide the names, titles, nationality, addresses and telephone numbers of the applicant’s principal officers, directors, partners, or other similar officials.
 4. **Exhibit H4 - "Ownership & Corporate Structure,"** provide a description of the applicant’s corporate and ownership structures, including a graphical depiction of such structure, and a list of all affiliate and subsidiary companies.
 5. **Exhibit H5 – “Cross-Ownership and Ring-Fencing”** Applicants should outline the following:
 - d) The basis on which services and resources will be transacted between relevant operating areas of the applicants, or the applicant and its other related entities;
 - e) In the case of applicants that are wholly owned subsidiaries, information on proposed audit arrangements should be provided and also stated whether separate

reports for the licensee and its parent company (if applicable) are to be prepared and made publicly available; and

- f) Other guidelines or standards relating to financial separation, ring-fencing and separate audit arrangements which the applicant intends to follow.
6. **Exhibit H6 - "Disclosure of Liabilities and Investigations,"** provide a description of all existing, pending or past rulings, judgments, contingent liabilities, revocation of authority, regulatory investigations, or any other matter that could adversely impact the applicant's financial or operational status or ability to provide the services it is seeking to be certified to provide. Also include a statement whether the applicant or any of his associates, or partners, or promoters, or Directors was ever refused licence or had licence cancelled, and if so, the particulars of such application, date of making the application, date of order refusing or cancelling licence and reasons for such refusal or cancellation
 7. **Exhibit H7- "Financial Capability and Proposed Financial Plan,"** provide the two most recent Annual Reports to Shareholders and copies of the applicant's three most recent years of audited financial statements (balance sheet, income statement, and cash flow statement). If audited financial statements are not available, provide officer certified financial statements. If the applicant has not been in business long enough to satisfy this requirement, it shall file audited or officer certified financial statements covering the life of the business. Provide copies of the applicant's financial arrangements to conduct electricity business as a business activity (e.g., guarantees, bank commitments, contractual arrangements, credit agreements, etc.). Provide two years of forecasted financial statements (balance sheet, income statement, and cash flow statement) for the applicant's operation, along with a list of assumptions.
 8. **Exhibit H8- "Statement of Assets,"** provide a list of equipment to be used.
 9. **Exhibit H9 - "Feasibility Report,"** provide a Feasibility Study Report of its operation
 10. **Exhibit H10- "Business Plan,"** provide a written explanation of the company's business model for the venture.
 11. **Exhibit H11 - "Company's History & Existing Activities,"** provide a concise description of the applicant's company history and principal business interests. It should include all jurisdictions in which the applicant or any affiliated interest of the applicant is, at the date of filing the application with respect to licensing or otherwise authorization to provide wholesale electric services.
 12. **Exhibit H12 - "Industry Participation,"** provide general information about its existing activities, both within and outside the electricity supply industry. The application should summarize the reasons why the applicant intends to participate in the Ghanaian electricity industry, and the broad nature of that participation. In providing the above explanation, the applicant should address the Commission's objectives as set out in Section 2 of the Act and the objects of the Act, and explain how the granting of a licence would be consistent with those requirements.

13. **Exhibit H13 – “Operational Experience & Expertise,”** provide names, titles, e-mail addresses, telephone numbers, and the background of key personnel involved in the operational aspects of the applicant’s business. Provide the following information:
 1. details of their experience in and knowledge of the electricity supply industry;
 2. a summary of the skills and experience of the directors and senior managers, and their relevance to meeting the requirements of the licence;
 3. evidence that the applicant has the capacity to comply with the licence conditions, codes and guidelines relevant to its application; and
 4. if the applicant is to rely on another entity to provide staff and resources, a summary of the relationship between the applicant and this entity, including any formal agreements to provide services, and a summary of this other entity's experience in and knowledge of the electricity supply industry, and technical capacity to meet the relevant requirements of the licence should be provided.
14. **Exhibit H14 – “Specific Licence Conditions and exemptions,”** Where the applicant is seeking particular licence conditions or exemptions, the nature and reasons for seeking those conditions or exemptions should be explained. In such circumstances, the applicant should also provide a draft outline of the proposed licence condition(s) or exemption(s). The Commission may waive any of the requirements for a licence in respect of a particular applicant provided the waiver does not compromise on public safety.
15. **Exhibit H15– “Indicative Implementation Schedule,”** provide indicative timelines for the specific activities that must be performed to produce the various project deliverables, establishing interdependences and sequencing.
16. **Exhibit H16 – “Commercially sensitive information”**The Commission may make public the information included in an application for a licence. Where the applicant considers information contained in an application to be commercially sensitive, the applicant should clearly identify such information and state the reasons why they are to be regarded as commercially sensitive, to enable the Commission determine its consideration of the confidentiality request.
17. **Exhibit H17 – “Public Notice”** The applicant shall within 7 days from the date of publication of the notice as in 14.7, submit to the Commission on affidavit, the details of the notice published and shall also file the original complete page of the newspaper in which the notice has been published

Stage 2:- Exhibits required for the acquisition of Authorization to operate

14.14 Applicants shall provide ten (10) copies and a soft if available of the following exhibits as separate attachment, clearly labelled and all pages sequentially numbered

1. **Exhibit H18- “Power Sales and Purchase Agreement”** Power Purchase Agreement (with foreign generators) and Power Sales Agreement (where relevant especially with DISCOs or Bulk Customers).
2. **Exhibit H19-“Transmission Service Agreement”** Agreement with the ETU for network access.
3. **Exhibit H20 – “Receipt of Licence Fee,”** Evidence of payment of the appropriate prevailing licence fee to the Energy Commission.

*This Manual is based on the Energy Commission Act, 1997 (ACT 541).
If the legislation or other material underlying this Manual
is amended, the Commission reserves the right
to amend the Manual.*

SCHEDULE I:APPLICATION FORMS A and B

APPLICATION FORM A

A-1 Applicant/Company intends to be licensed for the service of: (check all that apply)

- Wholesale Electricity Supply
- Electricity Transmission
- Electricity Distribution
- Embedded Electricity Generation

A-2 Applicant/Company's legal name, postal address, telephone number and web site address

Legal Name _____

Postal Address _____

Telephone # _____ Fax # _____

Website address (if any) _____

A-3 Office location address

House/Plot Number _____

Street Name _____

Town/City _____ Region _____

A-4 Contact person for regulatory matters

Name _____

Title _____

Business address _____

Telephone # _____ Fax # _____

E-mail address (if any) _____

A-5 Customer Segment (Check all that apply)

- Generation Company
- Transmission Utility
- Distribution Company
- Bulk Customer
- Industrial, Commercial & Residential

A-6 Location of plant where applicant intends to establish generation service (Generation Licence)

Community _____

Town/City _____

District _____

Region _____

A-7 Provide the approximate start date that the applicant proposes to begin delivering services

A-8 Duration in years of licence _____

SIGNATURE..... **DATE**.....

APPLICATION FORM B

B-1 Applicant/Company intends to be licensed for the service of: (check all that apply)

- Electricity Brokerage
- Electricity Sale
- Electricity Export
- Electricity Import

B-2 Applicant/Company's legal name, postal address, telephone number and web site address

Legal name: _____

Postal Address: _____

Telephone #: _____ Fax # _____

Website Address (if any) _____

B-3 Office location address

House/Plot Number _____

Street Name _____

Town/City _____ Region _____

B-4 Contact person for regulatory matters

Name _____

Title _____

Business Address _____

Telephone # _____ Fax # _____

E-mail Address _____

B-5 Existing licence held by applicant

Wholesale Electricity Supplier

Electricity Brokerage

Electricity Distributor

Not Applicable

B-6 Incorporation

Place of Incorporation /

Registration _____

Year of Incorporation/ Registration

B-7 Shares

Authorised share capital _____

Issue share capital _____

Subscribed share capital _____

Paid up share capital _____

B-8 Details of shareholding as of the date of making the application (Give details of each of the shareholders holding 5% and above of the shares of the applicant directly or with relatives)

#	Name of share holder	Citizenship	Residential Status	No. of shares held	% holding of total paid up capital of the company
1					
2					
3					
4					
5					
6					
7					
8					
9					
10					

Note: Copies of the following documents shall be enclosed

- a. Memorandum of Association and Articles of Association
- b. Original power of attorney in favour of the signatory to commit the applicant

B-9 Category of licence applied for (applicable for electricity brokerage, export and import) - *reference schedule VI, VII and VIII*

B-10 Volume of power intended to be traded

B-11 Franchised Area of Trading _____

B-12 State the country which the applicant proposes to export/import electricity to/from _____

B-13 Net worth:

i. As per the audited accounts for immediate past three (3) years or such shorter period as may be applicable, (specify financial year as applicable)

#	From (dd/mm/yyyy)	To (dd/mm/yyyy)	Net Worth (GH ¢)
1			
2			
3			

ii. On the date of preparation of the special balance sheet accompanying the application _____

Note: Copies of Annual Reports or certified audited accounts to be enclosed in support of above

B-14 Current Ratio

i. As per audited accounts for immediate past three (3) financial years or such shorter period as may be applicable, (specify financial year as applicable)

#	From (dd/mm/yyyy)	To (dd/mm/yyyy)	Current Ratio
1			
2			
3			

ii. On the date of preparation of the special balance sheet accompanying the application _____

B-15 Liquidity Ratio

i. as per audited accounts for immediate past three (3) financial years or such shorter period as may be applicable, (specify financial year as applicable)

#	From (dd/mm/yyyy)	To (dd/mm/yyyy)	Liquidity Ratio
1			
2			
3			

ii. Liquidity Ratio on the date of preparation of the special balance sheet accompanying the application _____

B-16 Annual turnover for immediate past three (3) financial years or such shorter period as may be applicable, (specify financial year as applicable)

#	From (dd/mm/yyyy)	To (dd/mm/yyyy)	Annual Turn Over (GH ¢)
1			
2			
3			

B-17 List of documents enclosed:

- a. _____
- b. _____
- c. _____
- d. _____

Place: _____

 (Signature of the Applicant)
 Or the authorised person

Date: _____

SCHEDULE II: SCHEDULE OF LICENCE FEES

Please refer to Licensing Fee

SCHEDULE III: GENERATING PLANT TECHNOLOGY AND DESCRIPTION

Thermal Power Plant

Type/Model of Plant	Name of Manufacturer	Installed Capacity (MW)	Available Output (MW)	Gross Heat Rate (kJ/kWh)	Cycle Mode	Generating Voltage	Frequency	Emission Parameters	Age of Plant	Remarks

Hydro Power Plant

Type of Dam	Type/Model of Plant	Name of Manufacturer	Installed Capacity (MW)	Available Output (MW)	Head		Generating Voltage	Frequency	Flow Rate	Age of Plant	Remarks
					Max	Min					

SCHEDULE IV: DESCRIPTION OF THE ELECTRICITY DISTRIBUTION SYSTEM

Type of Distribution Line	Overhead Lines (OHL)-km		Underground (UG) Cables -(km)
High Voltage/Sub-transmission (33KV)			
Medium Voltage (11KV)			
Low Voltage (415/230V) - Bare			
Low Voltage (415/230V)Service Lines - Insulated			
Other Voltage Levels			
Description	Location	Total No.	Voltage Levels
Bulk Supply Points Transformers <ul style="list-style-type: none"> ➤ Power Transformers ➤ Distribution Transformers Primary Stations Secondary Substations			

SCHEDULE V: DESCRIPTION OF THE NATIONAL INTERCONNECTED TRANSMISSION SYSTEM

1-A. Line Parameters: Positive Sequence Impedance

FROM	TO	LENGTH (KM)	YEAR OF CONSTRUC- TION	OPERATING VOLTAGE (KV)	CONDUCTORS				ELECTRICAL CHARACTERISTICS: POSITIVE SEQUENCE IMPEDANCE								
					TYPE	CODE	SQ.MM	BUNDLED	IMPEDANCE (OHMS)			PU IMPEDANCE (100MVA BASE)			THERMAL LIMIT(MVA)		
									R	X	B	R	X	B			

1-B. Line Parameters: Negative Sequence Impedance

FROM	TO	LENGTH (KM)	YEAR OF CONSTRUC- TION	OPERATING VOLTAGE (KV)	CONDUCTORS				ELECTRICAL CHARACTERISTICS: NEGATIVE SEQUENCE IMPEDANCE								
					TYPE	CODE	SQ.MM	BUNDLED	IMPEDANCE (OHMS)			PU IMPEDANCE (100MVA BASE)			THERMAL LIMIT(MVA)		
									R	X	B	R	X	B			

1-C. Line Parameters: Zero Sequence Impedance

FROM	TO	LENGTH (KM)	YEAR OF CONSTRUC- TION	OPERATING VOLTAGE (KV)	CONDUCTORS				ELECTRICAL CHARACTERISTICS: ZERO SEQUENCE IMPEDANCE								
					TYPE	CODE	SQ.MM	BUNDLED	IMPEDANCE (OHMS)			PU IMPEDANCE (100 MVA BASE)			THERMAL LIMIT(MVA)		
									R	X	B	R	X	B			

1-D. Shunt Capacitor Database

LOCATION	RATED VOLTAGE (KV)	NO. OF BANKS	RATING/BANK (MVAR)	TOTAL CAPACITY RATING (MVAR)	REMARKS

1-E: SUBSTATIONS-Circuit Breaker Database

MAKE/MANUFACTURER	TYPE	RATED VOLTAGE	RATED CURRENT	BIL/LIGHTENING WITHSTAND VOLTAGE	SYMMETRICAL BREAKING CAPACITY (KA)	SYMMETRICAL MAKING CAPACITY (KA)	RATED OPERATING DUTY	SHORT TIME CURRENT (KA)(1SEC.)	POWER FREQUENCY WITHSTAND VOLTAGE (KV)	POLE FACTOR	RATED INTERRUPTION TIME (SEC.)	LOCATION

1-F: SUBSTATIONS-Power Transformer Database

STATION	TRANF ID	MANUFAC-TURER	YEAR OF MANUF.	SERIAL No.	RATED VOLTAGE (KV)	CONN SYMBOL	RATED POWER (MVA)			TYPE OF COOLING	TAP CHANGING GEAR				PERCENT IMPEDANCE (AT 75 DEG. C)				REMARKS		
							I	II	III		TYPE	TAPPED WNDG KV	RANGE	STEPS	BASE MVA	I- II	I- III	II- III			

SCHEDULE VI – CATEGORIES OF ELECTRICITY BROKERAGE LICENCE

#	Category of the Brokerage License	Volume of Electricity proposed to be brokered in a year	Net Worth (US\$)
1	Category I	No limit	4,725,000
2	Category II	Not more than 1,500GWh	4,500,000
3	Category III	Not more than 500GWh	1,500,000
4	Category IV	Not more than 100GWh	300,000

SCHEDULE VII – CATEGORIES OF ELECTRICITY EXPORT LICENCE

#	Category of the Export License	Volume of Electricity proposed to be exported in a year	Net Worth (US\$)
1	Category I	No limit	3,120,000
2	Category II	Not more than 1,500GWh	3,000,000
3	Category III	Not more than 500GWh	1,000,000
4	Category IV	Not more than 500GWh	200,000

SCHEDULE VIII – CATEGORIES OF ELECTRICITY IMPORT LICENCE

#	Category of the Import License	Volume of Electricity proposed to be Imported in a year	Net Worth (US\$)
1	Category I	No limit	4,725,000
2	Category II	Not more than 1,500GWh	4,500,000
3	Category III	Not more than 500GWh	1,500,000
4	Category IV	Not more than 100GWh	300,000

APPENDIX I: SITING ANALYSIS FOR ELECTRIC POWER GENERATING FACILITIES

A. Project summary and facility overview

B. Review of need for proposed project

C. Site alternatives analyses

D. Technical data

E. Financial and Economic impact data

A. Project summary and facility overview

1. An applicant for clearance to site an electric power generating facility shall provide a project summary and overview of the proposed project. The summary and overview shall include:
 - (i) an explanation of the general purpose of the facility;
 - (ii) a description of the proposed facility;
 - (iii) a description of the site selection process, including descriptions of the major alternatives considered;
 - (iv) a discussion of the principal environmental and socioeconomic considerations of the preferred and alternate sites; and
 - (v) an explanation of the project schedule for which purpose a bar chart is acceptable.
2. Information filed by the applicant in response to the requirements under this section (A) shall not be deemed as responses to any other section [from (B) to (F)] of the application requirements.

B. Review of need for proposed project

1. **Need statement:** An applicant for a clearance to site an electric power generating facility under this guidelines shall provide a statement explaining the need for the proposed facility, including a listing of the factors upon which it relied to reach that conclusion and references to the most recent long-term forecast report (if applicable).
2. **Description of proposed generation and associated facility.**
 - (a) The applicant shall submit for each alternative:
 - (i) type, number of units, and designed ISO rating, heat rate, annual capacity factor and hours of annual generation;
 - (ii) land area requirement;
 - (iii) fuel type, quantity and quality (i.e., ash, sulfur, and British thermal unit value);
 - (iv) a list of types of pollutant emissions; and
 - (v) water requirement, source of water, treatment, quantity of any discharge and names of receiving streams.
 - (b) The applicant shall submit a summary description of the major equipment.
 - (c) The applicant shall submit a brief description of the need for new transmission line(s) associated with the proposed facility.
3. **Project schedule:**
 - (a) The applicant shall provide a proposed schedule in bar chart format covering all applicable major activities and milestones, including:
 - (i) acquisition of land and land rights;
 - (ii) preparation and submission of the Siting Clearance application;
 - (iii) consideration and grant of Siting Clearance;
 - (iv) issuance of the wholesale supply licence;
 - (v) preparation of the final design;
 - (vi) construction of the facility; and
 - (vii) commercial operation of the facility.

- (b) The applicant shall describe the impact of critical delays on the eventual date of commencement of operations.

C. Site alternative analyses

1. The applicant shall conduct a site selection study prior to submitting a Siting Clearance application for an electric power generating facility. The study shall be designed to evaluate at least two alternate sites for the proposed facility.
 - (a) The applicant shall provide the following:
 - (i) a description of the study area or geographic boundaries selected, including the rationale for the selection;
 - (ii) a map of suitable scale which includes the study area and which depicts the general sites which were evaluated;
 - (iii) a comprehensive list of all siting criteria utilized by the applicant, including any quantitative or weighting values assigned to each;
 - (iv) a description of relevant factors, or constraints, identified by the applicant and utilized in the site selection process;
 - (v) a description of the process by which the applicant utilized the siting criteria to determine the proposed site and any proposed alternative site(s);
 - (vi) a description of the sites selected for evaluation, their final ranking, and the rationale for selecting the proposed site and any proposed alternative site(s); and
 - (vii) a description of any qualitative or other factor utilized by the applicant in the selection of the proposed site and any proposed alternative site(s).
 - (b) The applicant shall provide one copy of any constraint map utilized for the study to the Committee for review.
2. The applicant shall provide a summary table comparing the sites, utilizing the technical, financial, environmental, socioeconomic, and other factors identified in the study. Design and equipment alternatives shall be included where the use of such alternatives influenced the siting decision.
3. The applicant may provide a copy of any site selection study produced by or for the applicant for the proposed project as an attachment to the application. The study report may be

submitted in response to paragraphs 1 and 2 of this section, provided that the information contained therein is responsive to the requirements of the referenced paragraphs.

D. Technical data

Site

1. Information on the location, major features, and the topographic, geologic, and hydrologic suitability of the proposed site and any proposed alternative site(s) shall be submitted by the applicant. Specifically, the applicant shall provide the following for each site alternative:
 - (a) **Geography and topography:** The applicant shall provide a map of 1:50,000 scale containing a five-kilometer radius from the proposed facility and showing the following features:
 - (i) the proposed facility;
 - (ii) major population centers and geographic boundaries;
 - (iii) major transportation routes and utility corridors;
 - (iv) bodies of water which may be directly affected by the proposed facility;
 - (v) topographic contours;
 - (vi) major institutions, parks, recreational areas; and
 - (vii) residential, commercial and industrial buildings and installations.
 - (b) A digital survey map of 1:2,500 scale of the site, showing the following existing features shall be provided:
 - (i) topographic contours;
 - (ii) land use and classifications;
 - (iii) existing vegetative cover and the vegetative cover that may be removed during construction;
 - (iv) individual structures and installations;
 - (v) surface water bodies; and
 - (vi) water and gas wells.
 - (c) **Geology and seismology:** The applicant shall provide a geological and structural map of suitable scale of the proposed facility site and also describe:
 - (i) the suitability of the site with respect to seismic sensitivity status; and

- (ii) the suitability of soil for grading, compaction, and drainage, and describe plans to remedy any identified inadequacies.
- (d) **Hydrology and wind:** The applicant shall provide
 - (i) the natural and the man-made water bodies, and if available, daily and monthly river/stream flows likely to be directly affected by the proposed facility;
 - (ii) an analysis of the prospects of floods for the area, including the probability of occurrences and likely consequences of various flood stages, and describe plans to mitigate any likely adverse consequences; and
 - (iii) an analysis of the prospects high winds for the area, including the probability of occurrences and likely consequences of wind velocities, and describe plans to mitigate any likely adverse consequences.

Layout and construction

- 2. The applicant shall provide information on the proposed layout and preparation of the proposed site and any proposed alternative site(s) and the description of proposed major structures and installations located thereon.
 - (a) **Site activities:** The applicant shall describe the proposed site preparation and reclamation operations, including:
 - (i) test borings;
 - (ii) removal of vegetation;
 - (iii) grading and drainage provisions;
 - (iv) access roads;
 - (v) removal and disposal of debris; and
 - (vi) post-construction reclamation.
 - (b) **Layout:** The applicant shall supply a map of 1:2,500 scale of the proposed electric power generating plant site, showing the following features of the proposed and existing facility and associated facilities:
 - (i) electric power generating plant;

- (ii) fuel, waste, and other storage facilities;
- (iii) fuel and waste processing facilities, if any;
- (iv) water supply and sewage lines;
- (v) transmission lines;
- (vi) substations;
- (vii) transportation facilities and access roads;
- (viii) security facilities;
- (ix) grade elevations where modified during construction; and
- (x) other pertinent installations.

(c) **Structures:** The applicant shall describe, in as much detail as is available at the time of submission of the application, all major proposed structures, including the following:

- (i) estimated overall dimensions;
- (ii) construction materials;
- (iii) colour and texture of facing surfaces;
- (iv) artist's pictorial sketches of the proposed facility from public vantage points; and
- (v) any unusual features.

(d) **Plans for construction:** The applicant shall describe the proposed construction sequence.

(e) **Future plans:** The applicant shall describe any plans for future additions of electric power generating units earmarked for the site (including the type and timing) and the maximum electric power generating capacity anticipated for the site.

3. Equipment

(a) The applicant shall describe the proposed major *electric power generating equipment* for the proposed site and any proposed alternative site(s).

(b) The applicant shall describe all *emission control and safety equipment* including:

- (i) all proposed major flue gas emission control equipment, including tabulations of expected efficiency, power consumption, and operating costs for supplies and maintenance;
- (ii) the reliability of the equipment and the reduction in efficiency for partial failure;
- (iii) the equipment proposed for control of effluents discharged into bodies of water and receiving streams; and

- (iv) all proposed major public safety equipment.
- (c) The applicant shall describe any other major equipment constituting the proposed facility that is not discussed in paragraph 3(b).

4. **Power Evacuation arrangement and facilities**

- (a) The applicant shall submit the following documentation relating to the facilities required for the adequate evacuation of the power to be generated into the national interconnected transmission system:
 - (i) the electrical single line diagram and equipment layout design showing how the new system would connect with the existing network;
 - (ii) the steady-state power flow calculations for the interconnected grid with special emphasis on the simulated performance of the new plant and the determination of losses resulting from power production from the new plant at the proposed point of interconnection; and
 - (iii) the short circuit calculations to determine the impact of the new generation facility on the short circuit capability of the existing power system.
- (b) Applicants should note that the granting of an operating licence would require full compliance with the national electricity grid code, especially in the areas of machine size of generating units, system stability considerations etc.

E. Financial & Economic impact data

1. The applicant shall state the type, current and proposed ownership status of the proposed facility, including site(s), rights-of-way, structures, and equipment.
2. **Capital and intangible costs.** The applicant shall:
 - (a) Submit estimates of applicable capital and intangible costs for the various alternatives. The data submitted shall be classified according to Public Utilities Regulatory Commission uniform system of accounts for utility companies (i.e. electricity generation or supply company, or a natural gas supply company).
 - (b) Provide and tabulate total costs per kilowatt, the present worth and annualized cost for capital costs and any additional cost details as required to compare capital cost of alternative sites considered (using the start of construction date as reference date), and describe techniques and all factors used in calculating present worth and annualized costs.

3. **Operation and maintenance expenses.** The applicant shall:
 - (a) Supply applicable estimated annual operation and maintenance expenses for the first two years of commercial operation. The data submitted shall be classified according to Public Utilities Regulatory Commission uniform system of accounts for utility companies (i.e. electricity generation or supply company, or a natural gas supply company).
 - (b) Tabulate the total operation and maintenance cost per kilowatt, the present worth and annualized expenditures for operating and maintenance costs as well as any additional cost breakdowns as required to compare alternative sites, and describe techniques and factors used in calculating present worth and annualized costs.
4. **Delays.** The applicant shall submit an estimate of the cost for a delay prorated to a monthly basis beyond the projected commercial operation date.
5. **Economic impact data:** The applicant shall provide estimates of:
 - (a) the annual total and present worth of construction and operation payroll;
 - (b) the construction and operation employment and estimate the number that will be employed from the area, locality and region;
 - (c) the increase in national and local tax revenue accruing from the facility; and
 - (d) the economic impact of the proposed facility on local commercial and industrial activities.

APPENDIX II: SITING ANALYSIS FOR ELECTRIC POWER TRANSMISSION AND DISTRIBUTION FACILITIES

- A. Project summary and facility overview.**
- B. Review of need for proposed project.**
- C. Site and route alternatives analyses**
- D. Technical data**
- E. Financial and Economic impact data**
- F. Environmental Data**

A. Project summary and facility overview

1. An applicant for clearance to site an electric power transmission and distribution facility shall provide a project summary and overview of the proposed project. The summary and overview shall include:
 - (a) a statement explaining the general purpose of the facility;
 - (b) a description of the proposed facility;
 - (c) a description of the site or route selection process, including descriptions of the major alternatives considered;
 - (d) a discussion of the principal environmental and socioeconomic considerations of the preferred and alternative sites; and
 - (e) an explanation of the project schedule (a bar chart is acceptable).
2. Information filed by the applicant in response to the requirements of section (A) shall not be deemed responses to any other section [from (B) to (F)] of the application requirements.

B. Review of need for proposed project

1. An applicant shall provide a statement explaining the need for the proposed facility, including a listing of the factors upon which it relied to reach that conclusion and references to the most recent long-term forecast report (if applicable).
2. The statement shall also include, but not be limited to, the following:
 - (a) a statement of the purpose of the proposed facility;
 - (b) specific projections of system conditions or local requirements that impacted the applicant's opinion on the need for the proposed facility;
 - (c) relevant load flow studies and contingency analyses, if appropriate, identifying the need for system improvement; and
 - (d) one copy of the relevant power flow base case model data with appropriate directions to recover data if compressed.

3. Expansion plans:

For electric power transmission and distribution lines and associated facilities, the applicant shall provide a brief statement of how the proposed facility and site/route alternatives fit into the applicant's most recent long-term electricity demand forecast report and the plans for expansion, including, but not limited to the following:

- (i) reference to any description of the proposed facility and site/route alternatives in the most recent long-term electricity demand forecast report of the applicant;
- (ii) if no description was contained in the most recent long-term electricity demand forecast report, an explanation as to why none was filed in the most recent long-term electricity demand forecast report; and
- (iii) reference to sub-regional expansion plans, including the West Africa Power Pool bulk power transmission plans, when applicable (if the transmission project will not affect regional plans, it shall be stated by the applicant).

4. An applicant for electric power transmission and distribution facilities shall provide an analysis of the impact of the proposed facility on the electric power system economy and reliability. The impact of the proposed facility on all interconnected utility systems shall be evaluated, and all conclusions shall be supported by relevant load flow studies.
5. An applicant for electric power transmission and distribution lines shall provide an analysis and evaluation of the options considered which would eliminate the need for construction of an electric power transmission line, including electric power generation options and options involving changes to existing and planned electric power transmission substations.
6. The applicant shall describe why the proposed facility was selected to meet the projected need.
7. **Facility schedule:**
 - (a) *Schedule:* The applicant shall provide a proposed schedule in bar chart format covering all applicable major activities and milestones for the project, including:
 - (i) preparation and submission of the Siting Clearance application;
 - (ii) consideration and grant of Siting Clearance;
 - (iii) acquisition of rights-of-way and land rights for the facility;
 - (v) preparation of the final design;
 - (vi) construction of the facility; and
 - (vii) commercial operation of the facility.
 - (b) *Delays:* The applicant shall describe the impact of critical delays on the eventual commercial operation date.

C. Site and route alternative analyses

1. The applicant shall conduct a site and route selection study prior to submitting an application for an electric power transmission or distribution line, electric power transmission or distribution. The study shall be designed to evaluate all practicable sites, routes, and route segments for the proposed facility identified within the project area.
 - (a) The applicant shall provide the following:
 - (i) a description of the study area or geographic boundaries selected, including the rationale for the selection;

- (ii) a map of suitable scale which includes the study area and which depicts the general routes, route segments, and sites which were evaluated;
 - (iii) a comprehensive list of all siting criteria utilized by the applicant, including any quantitative or weighting values assigned to each;
 - (iv) a description of relevant factors or constraints identified by the applicant and utilized in the route and site selection process;
 - (v) a description of the process by which the applicant utilized the siting criteria to determine the preferred and alternative routes and sites;
 - (vi) a description of the routes and sites selected for evaluation, their final ranking, and the rationale for selecting the preferred and alternative routes and sites; and
 - (vii) a description of any qualitative or other factors utilized by the applicant in the selection of the preferred and alternative routes or sites.
- (b) The applicant shall provide one copy of any constraint map utilized for the study to the Committee for review.
2. The applicant shall provide a summary table comparing the routes, route segments, and sites, utilizing the technical, financial, environmental, socioeconomic, and other factors identified in the study. Design and equipment alternatives shall be included where the use of such alternatives influenced the siting decision.
3. The applicant may provide a copy of any route and site selection study report produced by or for the applicant for the proposed project as an attachment to the application. The study report may be submitted in response to paragraphs (1) and (2) of this section, provided that the information contained therein is responsive to the requirements of the referenced paragraphs.

D. Technical data

1. *Site/route alternatives:* Information on the location, major features, and the topographic, geologic, and hydrologic suitability of site/route alternatives shall be submitted by the applicant. This information may be derived from the best available reference materials.
- (a) **Geography and topography:** The applicant shall provide map(s) of not less than 1:50,000 scale, including the area

- 20 meters on each side of a 330 KV Extra High Voltage (EHV) transmission line alignment,
 - 15 meters on each side of a 161 KV High Voltage (HV) transmission line alignment,
 - 10 meters on each side of a 33/34.5 KV Medium Voltage (MV) transmission or sub-transmission line alignment,
 - 10 meters on each side of 11kv distribution line
- (b) **Map features:** The map(s) required in paragraph (a) shall include the following features:
- (i) the proposed transmission or distribution line including proposed turning points;
 - (ii) the proposed substation site locations;
 - (iii) major highway and railroad routes;
 - (iv) identifiable air transportation facilities, existing or proposed;
 - (v) utility corridors;
 - (vi) proposed permanent access roads;
 - (vii) lakes, ponds, reservoirs, streams, canals, rivers, and swamps;
 - (viii) topographic contours;
 - (ix) soil associations or series; and
 - (x) population centers and legal boundaries of cities, villages and townships.
- (c) **Slope and soil mechanics:** The applicant shall:
- (i) provide a brief, but specific description of the soils in the areas depicted on the above map(s) where slopes exceed twelve per cent. This information may be extracted from published sources; and
 - (ii) discuss the rationale as to suitability of the soils for foundation construction.
2. **Layout and construction:** The applicant shall provide information on the proposed layout and preparation of route/site alternatives, and the description of the proposed major structures and their installation as detailed below.
- (a) **Site activities** - The applicant shall describe the proposed site clearing, construction methods and reclamation operations, including:
- (i) surveying and soil testing;

- (ii) grading and excavation;
- (iii) construction of temporary and permanent access roads and trenches;
- (iv) stringing of cable and/or laying of pipe;
- (v) removal and disposal of construction debris such as crates, pallets, etc; and
- (vi) post-construction reclamation.

(b) ***Layout for associated facilities-*** The applicant shall:

- (i) provide a map of 1:2,500 scale of the site of major transmission line associated facilities such as substations, and other stations, showing the following proposed features:
 - Final grades after construction, including the site and access roads,
 - Proposed location of major structures and buildings,
 - Fenced-in or secured areas, and
 - Estimated overall dimensions;
- (ii) describe reasons for the proposed layout and any unusual features; and
- (iii) describe plans for any future modifications in the proposed layout, including the nature and approximate timing of contemplated changes.

3. **Transmission or distribution equipment:** The applicant shall provide a description of the proposed transmission lines, as well as switching, capacity, metering, safety and other equipment pertinent to the operation of the proposed electric power transmission/distribution lines and associated facilities. Include any provisions for future expansion.

- (a) The applicant shall provide the following data for electric power transmission and distribution lines:
 - (i) design voltage;
 - (ii) tower designs, pole structures, conductor size and number per phase, and insulator arrangement;
 - (iii) base and foundation design;
 - (iv) cable type and size, where underground; and
 - (v) other major equipment or special structures.

- (b) The applicant shall provide a description for electric power transmission/distribution substations that includes a single-line diagram and a description of the proposed major equipment, such as:
 - (i) breakers;
 - (ii) switchgear;
 - (iii) bus arrangement and structures;
 - (iv) transformers;
 - (v) control buildings; and
 - (vi) other major equipment.

E. Financial and Economic impact data

1. **Ownership:** The applicant shall state the current and proposed ownership status of the proposed facility, including sites, rights-of-way, structures, and equipment. The information shall cover sole and combined ownerships, any leases, options to purchase, or franchises, and shall specify the extent, terms, and conditions of ownership, or other contracts or agreements.
2. **Electricity transmission/distribution facility capital costs:** The applicant shall submit estimates of applicable capital and intangible costs for the various components of electric power transmission facility alternatives. The data submitted shall be classified according to Public Utilities Regulatory Commission uniform system of accounts for utility companies (i.e. electricity generation or supply company). The estimates shall include:
 - (a) land and land rights;
 - (b) structures and improvements;
 - (c) substation equipment;
 - (d) poles and fixtures;
 - (e) towers and fixtures;
 - (f) overhead conductors;
 - (g) underground conductors and insulation;
 - (h) underground-to-overhead conversion equipment;
 - (i) right-of-way clearing and roads, trails, or other access;

F. Environmental data

1. The information requested in this section shall be used to assess the environmental effects of the proposed facility.
2. The requirements for environmental disclosure on the facility at the proposed site and all alternatives considered shall be in accordance with Environmental Protection Agency Regulations, LI 1652 and Energy Sector Guidelines for environmental assessment.

Appendix III: Membership of The Siting Committee

1. Representative of Energy Commission (chair+1)
2. Representative of Environmental Protection Agency
3. Representative of Geological Survey Department
4. Representative of the Ministry of Defence
5. Representative of Town and Country Planning Department
6. Representative of Water Resources Commission
7. Representative of Electricity Transmission Utility (Gridco)
8. Representative of the District Assembly where the facility is to be built
9. Public Stakeholder from the community where the facility is to be built