

THE

LIBERIA OFFICIAL
GAZETTE

PUBLISHED BY AUTHORITY

VOL. XX	MONDAY, SEPTEMBER 28, 2020	NO.54
----------------	-----------------------------------	--------------

EXTRAORDINARY

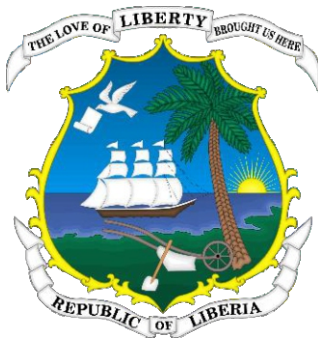
The Government of the Republic of Liberia announces that the Liberia Electricity Regulatory Commission (LERC), pursuant to its mandate under the 2015 Electricity Law of Liberia, and specifically consistent with Part III, Chapter 3 Section 3.3-4, hereby issue its Regulation N0. LERC/001/2020 herein under:

ELECTRICITY LICENSING REGULATIONS

BY ORDER OF THE PRESIDENT

HENRY B. FAHNBULLEH
ACTING MINISTER OF FOREIGN AFFAIRS

MINISTRY OF FOREIGN AFFAIRS
MONROVIA, LIBERIA



ELECTRICITY LICENSING REGULATIONS

for
SERVICE PROVIDERS
in the

ELECTRICITY SUPPLY INDUSTRY

September 2020

LDS

Table of Contents

PART I - PRELIMINARY PROVISIONS	5
1. CITATION.....	5
2. PURPOSE, APPLICABILITY AND SEVERABILITY	5
3. DEFINITIONS.....	6
5. REQUIREMENT FOR A LICENSE, PERMIT OR AUTHORIZATION	10
6. TYPES OF LICENSE	11
8. GRANT OF MULTIPLE LICENSES.....	11
9. PROCUREMENT OF SERVICE PROVIDER	12
10. FEES AND LEVIES	12
11. PAYMENT OF FEES AND LEVIES.....	12
12. PENALTIES AND FINES	12
PART II – LICENSE APPLICATION PROCEDURE	12
13. SUBMISSION OF APPLICATION AND INFORMATION REQUIRED	12
14. REQUEST FOR ADDITIONAL INFORMATION	13
15. DATE OF APPLICATION AND ACKNOWLEDGEMENT OF RECEIPT	13
16. PUBLICATION OF NOTICE OF APPLICATION BY APPLICANT	13
17. SCHEDULE FOR DECIDING THE APPLICATION	14
18. OBJECTIONS TO THE APPLICATION	14
19. WITHDRAWAL OF APPLICATION	15
PART III - PUBLIC HEARING ON APPLICATION	15
20. PUBLIC HEARING	15
21. NOTICE OF PUBLIC HEARING.....	15
22. DECISION AFTER HEARING	16
23. FACTORS TO BE CONSIDERED IN REVIEWING APPLICATIONS	16
24. FINAL DECISION	17
PART IV – ISSUANCE OR REFUSAL OF LICENSE	17
25. ISSUANCE OF LICENSE.....	17
26. REJECTION OF APPLICATION FOR LICENSE.....	17
PART V - AMENDMENT AND RENEWAL OF LICENSE	18
27. AMENDMENT OF LICENSE	18
28. RENEWAL OF LICENSE	19
29. TRANSFER OF LICENSE	19
PART VI - SUSPENSION AND REVOCATION OF LICENSE	20

LDs

30. PROCEDURE FOR SUSPENSION OF LICENSE	20
31. PROCEDURE FOR REVOCATION OF LICENSE	21
PART VII – GENERAL CONDITIONS OF A LICENSE	22
32. APPLICATION OF GENERAL CONDITIONS OF LICENSE	22
33. COMPLIANCE WITH LAW	22
34. COMPLIANCE WITH NON-TECHNICAL BENCHMARKS	23
35. COMPLAINTS AND DISPUTE RESOLUTION	23
36. SUBMISSION OF ESSENTIAL PLANS.....	23
37. FORCE MAJEURE.....	23
38. CHANGE OF NAME AND SHAREHOLDING STRUCTURE.....	23
39. FINANCIAL REPORTING	24
40. ENVIRONMENTAL AND SOCIAL MATTERS	25
41. HEALTH AND SAFETY	25
42. ASSURANCE	25
43. PROHIBITION OF ANTI-COMPETITIVE PRACTICES	25
PART VIII - SPECIFIC CONDITIONS RELATING TO A LICENSE	26
GENERATION	26
44. CONDITIONS OF A GENERATION LICENSE	26
TRANSMISSION	26
45. CONDITIONS OF A TRANSMISSION LICENSE	26
DISTRIBUTION	27
46. CONDITIONS OF A DISTRIBUTION LICENSE	27
CONDITIONS OF IMPORT & EXPORT LICENSE	28
47. FINANCIAL CAPACITY	28
48. TECHNICAL CAPACITY	29
TRANSMISSION SYSTEM OPERATOR (TSO)	29
49. RESPONSIBILITIES OF TSO	29
50. CONDITIONS OF THE TSO LICENSE	29
51. OVERSIGHT OF THE SYSTEM & MARKET OPERATION BY TSO	30
52. CONDITIONS OF ELECTRICITY RETAIL TRADING LICENSE	30
PART IX – PROVISIONS RELATING TO SELF-SUPPLY	30
53. SELF-SUPPLY	30
54. FEE PAYABLE BY SELF-SUPPLIER.....	31
55. CONDITIONS OF A SELF-SUPPLY PERMIT	31
56. INSPECTION OF SELF-SUPPLIER FACILITY	31
57. SPECIAL PROVISIONS RELATING TO LARGE SELF-SUPPLY FACILITIES ...	31

LDs

PART X - MISCELLANEOUS PROVISIONS	32
58. PROCUREMENT	32
59. CONFIDENTIALITY	32
60. PROHIBITION OF CROSS-SUBSIDIES	32
61. INCIDENT REPORTING	32
62. TIMEFRAME FOR DECISIONS	32
63. REGISTER OF LICENSES AND PERMITS	32
64. EXEMPTIONS	33
65. COMMUNICATION	33
66. TRANSITIONAL PROVISIONS	33
67. JUDICIAL REVIEW	33
68. AMENDMENT OR REPEAL OF REGULATION	34
SCHEDULE 1: FEES AND LEVIES	35
SCHEDULE 2 – DURATION OR TERM OF LICENSES/PERMITS	35
SCHEDULE 3 – GENERAL INFORMATION REQUIREMENTS FOR ALL LICENSE APPLICATIONS	36
SCHEDULE 4 – SUPPLEMENTARY INFORMATION & DOCUMENTS REQUIRED FOR SPECIFIC TYPES OF LICENSES	38
Generation	38
Transmission	38
Distribution	39
Import, Export & Trade	40
Appendix A: Registration Form	42
Appendix B: Application for License	46
Appendix C: Application for Self- Supply Permit or Authorization	53
Appendix D: Application for Amendment of License, Permit or Au thorization.....	59

WDS

REPUBLIC OF LIBERIA

STATUTORY RULES AND ORDERS

Published on 17th September 2020

Liberia Electricity Regulatory Commission

IN EXERCISE of the powers conferred by chapters 3,4,5,6,9 and 13 of the 2015 Electricity Law of Liberia, the Liberia Electricity Regulatory Commission (the Commission) makes the following Regulations this 17th day of September 2020.

ELECTRICITY LICENSING REGULATIONS

LERC - REG. – 001
2020

PART I - PRELIMINARY PROVISIONS

1. CITATION

- (1) These Regulations may be cited as the Electricity Licensing Regulations, 2020.
- (2) These Regulations shall come into force on the 17th day of September 2020.

2. PURPOSE, APPLICABILITY AND SEVERABILITY

- (1) These Regulations provide a framework for the registration and licensing of persons engaged in or intending to engage in activities within the electricity supply industry involving the interconnected transmission and distribution system or Grid under the Law.
- (2) These Regulations shall apply to any person carrying out or intending to carry out the generation, transmission, distribution, electricity trade, import or export, transmission system operation, and supply of electricity in Liberia.
- (3) If any provision in these Regulations shall for any reason be held invalid or unenforceable, the other provisions not affected thereby shall remain in full force and effect.
- (4) Except regulation 4 these Regulations do not apply to:
 - (a) the operation of a micro utility;
 - (b) a self-supply generation facility of a capacity below 10kW; or
 - (c) cross-border transmission of electricity operations through the WAPP network where the transmission charges are determined solely by EREDA.

3. DEFINITIONS

In these Regulations:

“Ancillary Service”	Means a service necessary to support the transmission of energy from supply sources to loads while maintaining reliable operation of the transmission system in accordance with Prudent Utility Practice and these services include voltage control, operating reserves, black start capability and frequency control;
“Applicant”	Means a person who applies for a License under these Regulations;
“Application”	Means an application submitted under these Regulations for a License, Permit or Authorization or for an amendment, renewal or extension of the validity of a License, Permit or Authorization under the Law;
“Application Fee”	Means the money charged by the Commission to process the Application as specified in Schedule 1 – Table of Fees;
“Authorization”	Means an instrument issued by the Commission to an entity that operates below the threshold required for a License or Permit;
“Capacity”	Means the maximum power output or load for which a generating unit, generating station, power transformer or other electrical apparatus or equipment is rated [Common units include kilovolt-ampere(kVA), kilowatt (kW) and Megawatt (MW)];
“Chairman”	Means the Chairman of the Liberia Electricity Regulatory Commission;
“Commission”	Means the Liberia Electricity Regulatory Commission;
“Commissioner”	Means a Commissioner appointed in accordance with the 2015 Electricity Law of Liberia;
“Composite License”	Means a single License that allows the holder to engage in more than one regulated activity under that one instrument, rather than operating the various segments of the industry under separate instruments;
“Compliance Plan”	Means a written plan established by the licensee describing the processes, practices and strategies for managing, auditing and reporting on its compliance with the Law, other regulations issued pursuant to the Law, the Grid Code and the License;

“Condition”	Means, collectively, the Conditions applicable to an Applicant’s development, construction and operation of any facility or transaction authorized by the Commission under any Type of license recognized by these Regulations;
“Cross-subsidy”	Means a subsidy granted to a business or activity out of the profits of another business or activity;
“Days”	Means working days, excluding Saturdays, Sundays, and public holidays declared by the Republic of Liberia;
“Distribution License”	Means a License granted under Section 5.1(1)(a) of the Law which authorizes the Licensee to construct and operate a distribution system at a voltage level of 33KV and below;
“ERERA”	Means the ECOWAS Regional Electricity Regulatory Authority;
“Generation License”	Means a License granted under Section 5.1(1)(a) of the Law which authorizes the Licensee to install and operate a power generation plant;
“Grid”	Means the interconnected electrical transmission and distribution network infrastructure for delivering electricity from generation source to customer load points;
“Grid Code”	Means the various components of the technical code that applies to the Grid within Liberia, which include, a separate governance code; planning code; connection code; operating code; scheduling & dispatch code; metering code; performance code; information and data exchange code as well as others, issued by Commission for regulating the planning, connection, both domestic and international as well as the operational and management activities of the Liberian electricity supply system;
“Initial Issuance”	Means the first time a particular Type of License, Permit or Authorization is issued for the benefit of a specific entity, except in the case of Transfers;
“Interconnected mini-grid”	Means a distribution network which is connected to another distribution network or to a transmission system using an appropriate technology and is operated by a Micro Utility;

“Issue Date”	Means the date on which any License, Permit or Authorization is issued by the Commission, which date shall appear within the header of such License, Permit or Authorization;
“Law”	Means the 2015 Electricity Law of Liberia;
“License”	Means an instrument issued by the Commission to an entity to engage in an electricity activity above a threshold as defined in these regulations;
“Licensee”	Means a person to whom a valid License has been issued by the Commission, including any successor permitted under these Regulations;
“License Fee”	Means the money charged by the Commission, which is paid by the Licensee at the time of receipt of a License, granting the Licensee the right to perform the business authorised by the License;
“Material Change”	Means a change that would reasonably be expected to have a significant effect or impact on the value, cost or quality of service of the business operations;
“Micro Utility”	Means a person that generates, procures, distributes or supplies electricity as an isolated grid or off-grid system up to a capacity of 10MW or serves a customer threshold of up to 20,000 within a single network;
“Modification”	Means a decision made by the Commission in the context of reviewing any Application to amend, vary, suspend, remove, or add any Condition in any License, which decision may be made upon the Commission’s initiative, considering all the relevant circumstances, or upon request of the Applicant;
“Month”	Means a calendar month;
“Officer”	Means a staff or authorized representative of the Commission;
“Permit”	Means an instrument issued by the Commission to an entity to engage in an electricity activity at a threshold as defined in these regulations;
“Permit Holder”	Means a person issued with a Permit under these Regulations;
“Person”	Shall include an individual, a company, partnership or any association of individuals, whether incorporated or not;
“Public Hearing”	Means a formal meeting initiated by the Commission for the purpose of consulting or debating public

	comments or testimony concerning a matter that is before the Commission;
“Prudent Utility Practice”	Means any practice, method and act engaged in or approved by a significant portion of electric utility industry during a relevant time period or any practice, method or act that in the exercise of reasonable judgment in the light of facts known at the time of the decision, could have been expected to accomplish the desired result at a reasonable cost, consistent with good business practices, reliability, safety and expedition;
“Regulated Activity”	Means any of the activities specified in regulation 2;
“Regulations”	Mean these Electricity Licensing Regulations, 2020;
“Regulation”	Means a clause within these Regulations;
“Renewal”	Means a decision made by the Commission in the context of reviewing an Application to extend the Term upon request of the relevant Applicant;
“Regulatory Levy”	Means the money charged by the Commission, which is paid by the Licensee, Permit Holder or Authorised person, throughout the validity period of the instrument, meant to cover the cost of the regulation;
“Schedule”	Means the Schedule appended to these Regulations;
“Self-supply”	Means generating electricity directly for a person’s own needs from a generating source owned by that person;
“Self-supplier”	Means a person that generates electricity solely for their own needs;
“Sub-regulation”	Means a sub-clause within a regulation in these Regulations;
“System Operation License”	Means a License granted under Section 5(1)(d) of the Law;
“Trading License”	Means a License granted under Section 5(1)(c) of the Law;
“Transfer”	Means a decision made by the Commission in the context of reviewing an Application to permit a change in ownership of the applicable License, Permit or Authorization to a new entity, upon request of the Applicant;

“Transmission License”	Means a License granted under Section 5.1(1)(a) of the Law which authorizes the Licensee to construct and operate a transmission network at a voltage level of 66KV and above;
“TSO”	Means the transmission system operator charged with the responsibility to coordinate, control and monitor the flows of electricity over the Grid of Liberia which, under section 9.3 of the Law, is LEC; and
“WAPP”	Means the West African Power Pool.

4. REQUIREMENT FOR REGISTRATION

- (1) A person engaged in or intending to engage in a regulated activity in Liberia shall register with the Commission.
- (2) The registrant shall register using the registration form provided in [Appendix A](#) or download the form at the Commission’s website www.lerc.gov.lr.
- (3) After the registration, those intending to engage in regulated activities above the various thresholds established by the Commission shall apply for License, Permit or Authorization.

5. REQUIREMENT FOR A LICENSE, PERMIT OR AUTHORIZATION

- (1) Except expressly exempted under these Regulations, no person shall engage in a regulated activity unless that person is authorized to do so by a License, Permit or Authorization issued by the Commission.
- (2) A person that requires a License, Permit or Authorization shall apply to the Commission in accordance with Part II of these Regulations in respect of a License and Part IX in respect of a Permit or Authorization.
- (3) The Commission shall upon receipt of an application issue a Permit to a Self-supplier that has registered under these Regulations to produce electricity through a facility with a capacity of above 100kW for the sole use of such Self-supplier.
- (4) A Self-supplier that intends to generate electricity from a facility of a capacity between 10kW and 100 kW for the sole use of the Self-supplier is exempt from holding a Permit but shall do so by an Authorization issued by the Commission.

(5) The exemption from holding a Permit under sub-regulation (3) does not apply to a Self-supplier that intends to interconnect and inject electricity into a Distribution or Micro Utility Licensee's system.

(6) A person shall require a separate instrument to engage in the activities under each type of License or a separate Permit or Authorization to install and operate a Self-supply facility at each location or site.

6. TYPES OF LICENSE

(1) The activities requiring a license and types of license, specified in the Law and under these Regulations are:

- (a) Generation
- (b) Transmission
- (c) Distribution
- (d) Import and Export
- (e) Trade
- (f) Transmission System Operator ("TSO")

7. DURATION OF LICENSE, PERMIT OR AUTHORIZATION

(1) The duration and validity of each type of License, Permit or Authorization is specified in [Schedule 2](#) – Duration or Term of Licenses, Permits or Authorizations.

(2) The number of years specified in the Schedule is the maximum indicative duration for each type of License, Permit or Authorization and the actual duration for each of them is as specified in the instrument that will be issued.

(3) In determining the actual duration of a License, Permit or Authorization the Commission shall be guided by the technology and the scale of operations involved

8. GRANT OF MULTIPLE LICENSES

(1) As permitted by the Law, a person shall apply and the Commission shall, subject to these Regulations and such other condition as it may impose in the License, grant that entity more than one type of License, thereby allowing the entity to undertake more than one type of regulated activity.

(2) Despite the provision in sub-regulation (1) the Commission shall not grant a Composite License under these Regulations.

9. PROCUREMENT OF SERVICE PROVIDER

(1) The Commission may request a procuring entity, consistent with existing policies and laws, to select a service provider through a competitive procurement process under these Regulations.

10. FEES AND LEVIES

(1) The fees applicable during the term of a License, Permit or Authorization under these Regulations are:

- (a) Registration fee shall be paid upon registration by persons operating below the threshold of 100kW;
- (b) Application fee which shall be paid upon submission of Application for the License or Permit;
- (c) License or Permit fee which is payable upon the granting of the License or Permit by the Commission; and
- (d) Regulatory Levy which is assessed annually and payable in quarterly installments.

(2) If the Regulatory Levy is owed in part or in full by the Licensee or Permit Holder after a period of 30 days of the due date, the License or Permit is considered invalid.

(3) The table of fees and levies is provided in [Schedule 1](#).

11. PAYMENT OF FEES AND LEVIES

(1) The Licensee or Permit Holder shall pay promptly fines or penalties for breach of License Conditions, Regulations or Directives of the Commission.

(2) The Commission may suspend the License or Permit by not less than 30 (thirty) days' notice in writing to the Licensee or Permit Holder if:

- (a) the Regulatory Levy is not paid on or before the due dates;
- (b) penalty and fines are not paid on the due dates;
- (c) any other fees assessed are not paid on their due dates.

12. PENALTIES AND FINES

(1) The Commission may impose fines and penalties for violation and breach of License or Permit conditions or other directives. The Commission shall, at its discretion, determine the level of fine or penalty on a case by case basis.

PART II – LICENSE APPLICATION PROCEDURE

13. SUBMISSION OF APPLICATION AND INFORMATION REQUIRED

(1) Each Application hereunder shall be –

- (a) made in the form of, and shall include the information and documents set forth in, [Schedule 3](#) – General Information Requirements for all licenses hereto and shall, in addition, be accompanied by information and documents required in [Schedule 4](#) – Supplementary Information Requirements specific to each type of license;

- (b) addressed to the Commission, signed and dated by or on behalf of the Applicant, indicating the capacities of all signatories; and
 - (c) submitted in electronic format, together with three hard copies, delivered at the Applicant's expense to the Commission's principal office, as publicly announced.
- (2) An applicant may obtain application forms in person at the Commission's office or may be downloaded at the Commission's website (www.lerc.gov.lr).
- (3) The Applicant shall submit the Application along with the non-refundable fee in the form of a cashier's check, bank draft or wire transfer.
- (4) Applications shall be considered incomplete unless the required fee has been paid. An Application whose fee has not been received within 30 days shall be discarded.

14. REQUEST FOR ADDITIONAL INFORMATION

- (1) Upon initial review of the Application and required documents, the Commission may within fifteen 15 days after the submission date request that the Applicant provides such additional information, as may be necessary to complete the review process.
- (2) Notification of an incomplete application, or the need for additional information shall include –
- (a) description of the additional information required; and
 - (b) the period within which the additional information must be submitted.
- (3) An Application shall lapse if the Applicant does not submit all required documents within the period prescribed by the Commission in the request for additional information.
- (4) An Application which lapses cannot be reactivated but may be resubmitted as a new Application, upon payment of the prescribed application fee.

15. DATE OF APPLICATION AND ACKNOWLEDGEMENT OF RECEIPT

- (1) The date of receipt of the Application by the Commission shall be acknowledged for purposes of the Commission's docketing system which shall be evidenced by submission date and docket number.
- (2) The Commission shall within ten (10) days of receiving the Application send the Applicant a written notice of acknowledgement.
- (3) The Commission shall issue a public notice of pendency of the Application along with the acknowledgement on its website.

16. PUBLICATION OF NOTICE OF APPLICATION BY APPLICANT

- (1) Within five (5) days after receiving the Commission's acknowledgement that an Application has been duly made, the Applicant shall publish a notice stating its intention to submit such Application on its website, and in at least one newspaper of general

circulation within Monrovia, Liberia as well as a radio station operating within the area of the proposed activity. Where possible such notice shall also be published in a community newspaper. The Applicant shall forthwith send a copy of each of the newspaper publications to the Commission.

(2) The notice shall include the information required under Section 5.4.2 of the Law and at a minimum the following:

- (a) date on which the Applicant submitted the Application;
- (b) description of the planned facility, including its nature and location;
- (c) dates on which the Application will be available for review during normal business hours at the offices of the Commission or the Applicant's facilities, subject however to usual limitations that may be imposed due to commercial confidentiality; and
- (d) invitation to all affected parties to file with the Commission and copy the Applicant within 15 days of the date of the Publication, any written comments on the Application or the facility, which may include objections to the implementation of the facility to be licensed.

17. SCHEDULE FOR DECIDING THE APPLICATION

(1) Within 40 days after issuing the notice of pendency of the Application as required in Regulation 15, the Commission shall publish a Schedule for deciding the Application in the Liberia Official Gazette, on its website and in a local newspaper of mass circulation.

(2) The Schedule shall include –

- (a) dates for formal intervention by interested parties;
- (b) date and location of public hearings; and
- (c) such other information as may be required to afford concerned parties fair and meaningful opportunity for participation.

(3) The Commission shall make the decision to grant, or refuse to grant the license within 90 days of the date of application, unless it indicates a contrary date in the Schedule published under this regulation.

18. OBJECTIONS TO THE APPLICATION

(1) Any person desiring to object to the granting of a license shall file a written statement of objection, within fifteen days (15) days from the date of the Public Notice. The objection shall be filed in the form of a petition and supported by an affidavit or a solemn declaration to the Commission in two (2) paper copies and an electronic copy in Microsoft Office suite.

(2) The petition shall be forwarded to the Applicant by the Commission within five (5) days and the Applicant shall respond within ten (10) days.

(3) Following the publication of the Public Notice and lapse of the time specified for filing objections, the Commission may proceed to place the Application for hearing upon its evaluation and consideration of any objection filed.

(4) Notice of the inquiry or hearing shall be given to the Applicant or person that filed objections and such other authority, individual or body as the Commission deems appropriate. The notice shall contain the hearing date, time and place, as well as, the matter to be considered.

(5) The hearing shall be in the form and manner prescribed by the Commission and shall take place not less than 40 days from the date of the publication of the Application, unless the Commission decides otherwise.

(6) The Commission may refuse such an inquiry if in its opinion the objection is baseless and frivolous.

(7) Findings of the Commission following the inquiry or hearing shall be recorded in writing and form part of the Commission's official records.

19. WITHDRAWAL OF APPLICATION

(1) An applicant may at any time withdraw the application for a License or renewal of a License by notifying the Commission in writing.

(2) The Applicant can only resubmit a withdrawn application upon the payment of the prescribed fees.

PART III - PUBLIC HEARING ON APPLICATION

20. PUBLIC HEARING

(1) The Commission shall conduct Public Hearings in relation to matters before it in accordance with the Law, these Regulations and provisions of the Administrative Procedure Regulations of the Commission.

(2) The transcript of any such hearing(s) shall be produced, held, and constitute a part of, the public file established by the Commission for such Application.

21. NOTICE OF PUBLIC HEARING

(1) The Commission shall give notice of a public hearing –

- (a) in at least one newspaper of wide circulation in Liberia; or
- (b) in a newspaper (where available) having general circulation in the area of the proposed project or subject of the Application is to be located; or
- (c) through any other form of mass media.

(2) The notice of public hearing shall be –

- (a) in the form set out in [Appendix D](#): Notice of Public Hearing; and
- (b) published at least seven days before the hearing.

(3) The Commission shall post the notice of public hearing at the district or county headquarters in which the subject or project of the application is to be located and may –

- (a) serve an invitation for presentation at the hearing, upon any person, body, institution or organization; and
- (b) conduct multiple hearings on a matter or continue any hearing to a future date to accelerate the process.

22. DECISION AFTER HEARING

(1) After holding a hearing provided for in Regulation 20, the Commission may accept or reject any objection brought before it in written submissions or at the hearing and, or may request:

- (a) the Applicant or any objecting party to provide it with additional information; and
- (b) in the case of the Applicant, to amend the Application as may be necessary to take into account any additional information the Commission may deem material to its deliberations, whether or not raised by an objecting party.

(2) The Applicant shall submit the information requested to the Commission within 10 days after the hearing date.

(3) The Commission shall specifically address in its written decision on the Application how it ultimately decided to evaluate the objection in question or any requested additional information under sub-regulation (1).

(4) The Commission shall take the decision to issue, or refuse to grant a License within the time specified in the Schedule set out in the Electricity Licensing Handbook for making decisions and if no date is indicated, within 90 days from the date of the confirmation of an Application.

23. FACTORS TO BE CONSIDERED IN REVIEWING APPLICATIONS

(1) In granting or denying an Application, the Commission shall consider and take into account the following factors and as far as possible address each of them in its written decision, as may be applicable:

- (a) Economic and financial benefits to the affected parties and communities, and to the country as a whole;
- (b) Energy, economic and other policies in effect;
- (c) The country energy sector strategy and targets for electricity supply;
- (d) Land use and location;
- (e) Cost of the facility and adequacy of financing arrangements made by the Applicant;
- (f) Technical and financial capacity of the Applicant as they may relate to its ability to deliver the services related to the facility;
- (g) Health and safety requirements as they may affect end-users of the facility and affected communities and the capabilities of the Applicant to operate in accordance with any such requirements;
- (h) Tariff proposed by Applicant;
- (i) Impact of the facility on the economic, social, and cultural life of the affected parties and communities;
- (j) Requirements to protect the environment and conserve natural resources;
- (k) Any objections raised concerning the facility; and

- (l) Any other matters that in the opinion of the Commission would have a bearing on the facility and its successful implementation.
- (2) The Commission may waive some or all of the requirements in sub-regulation (1) in the case of an Application for a Self-Supply Permit or Authorization.

24. FINAL DECISION

- (1) The Commission shall in accordance with section 13.7(1)(k) of the Law, render its final decision on an Application in writing and promptly publish it in the Liberia Official Gazette, on its website and in a newspaper with mass circulation.
- (2) The decision of the Commission shall be contained in a full report and shall include-
 - (a) all the relevant views presented;
 - (b) factual findings; and
 - (c) a list of all persons, institutions and organizations that made contributions and presentations and all persons that attended the public hearing shall be attached to the report.
- (3) The report of the public hearing shall be made available at the Commission's website (www.lerc.gov.lr).
- (4) A public hearing shall not be re-opened after a report has been issued by the Commission.

PART IV – ISSUANCE OR REFUSAL OF LICENSE

25. ISSUANCE OF LICENSE

- (1) Subject to the Law and these Regulations, after due consideration, the Commission shall grant an Application made under Regulation 13.
- (2) If the Commission issues the License, it shall inform the Applicant in writing within ten (10) days of the grant and the terms and conditions of the License and simultaneously publish the decision in the Liberia Official Gazette.
- (3) Any decision which is not the subject of reconsideration by the Commission, shall become final thirty (30) days after publication.

26. REJECTION OF APPLICATION FOR LICENSE

- (1) The Commission may reject an Application for a License if –
 - (a) the application or the information provided fails to meet the requirements set out in [Schedules 3](#) and [4](#);
 - (b) the information submitted is false, invalid or misleading; or
 - (c) the Applicant fails to produce, when requested, additional information, within the specified time.
- (2) If none of the conditions under sub-regulation (1) exists, the Commission shall refuse to grant a License based on reasons relating to the financial, technical and

managerial capability of the Applicant and the likely negative impact on the Applicant's ability to render the service for which the License is sought.

(3) An Applicant aggrieved by the decision of the Commission may apply for reconsideration of the matter within thirty (30) days of receipt of the notification of the decision.

(4) The Commission shall consider any representations made and shall duly make a decision on the reconsideration within thirty (30) days of the date it was filed and inform the party accordingly.

(5) If the Commission refuses to grant a License after its reconsideration, it shall within thirty (30) days of the decision give the Applicant a statement detailing its reasons for the refusal.

PART V - AMENDMENT AND RENEWAL OF LICENSE

27. AMENDMENT OF LICENSE

(1) The conditions of a license may be amended:

- (a) on application by the licensee in the form specified in [Appendix D: Application for Amendment of License](#), of these Regulations; or
- (b) by the Commission on its own motion.

(2) When the Licensee applies for amendment, the Commission shall within 30 days review the application and communicate its response by:

- (a) approving the application;
- (b) requesting for additional information; or
- (c) rejecting the application.

(3) The Commission shall initiate an amendment when:

- (a) it is in the public interest as provided in Section 6.2.1 of the Electricity Law of Liberia and where it does not negatively impact the service provider's investment; or
- (b) the licensee fails to report significant changes to its license conditions.

(4) A written decision of the amendment by the Commission shall be submitted on the Licensee and shall be made public.

(5) The Commission may amend the License Terms and Conditions if satisfied that:

- (a) a circumstance exists which renders it necessary in the public interest to amend the license and where it does not negatively impact the service provider's investment;

- (b) the Licensee is unable to meet certain requirements set by the Commission in the Terms and Conditions;
- (c) the Licensee has defaulted in complying with certain provisions of the Law, Regulations, Rules and Codes; and
- (d) there is a material change in circumstance of the License.

(6) Unless otherwise specified in writing by the Commission, the Applicant shall pay a non-refundable fee for the processing of the Application as provided in these Regulations.

(7) Where a Licensee makes an Application for the amendment of a license, the Licensee shall publish a notice of the proposed amendment(s) to the License in the form and manner specified by the Commission.

(8) In considering the Application for amendment of a License, the Commission shall follow the same procedure prescribed for License Applications under these Regulations except that when the proposed amendment is as a result of the Commission's initiative, the Commission shall be responsible for the publication of the public notice stating the proposed amendments, if required.

28. RENEWAL OF LICENSE

(1) The Commission may renew a License subject to the inspection, test and certification of an independent expert that the plant and equipment or facility is in good technical and economic operating condition.

(2) An application for the renewal of a License granted by the Commission, shall be made no later than three (3) months before the expiration of the License and the procedure for renewal of the License shall be similar to the procedure applicable to the grant of the original License.

(3) Unless otherwise specified in writing by the Commission, the Applicant shall pay a non-refundable fee for the processing of the Application as provided in the Regulations.

(4) Where a Licensee fails to renew its License or the Application for renewal is rejected by the Commission, the Licensee shall cease operations.

29. TRANSFER OF LICENSE

(1) A License granted under these Regulations shall not be transferred except with the written approval of the Commission.

(2) A Licensee that intends to transfer or assign a License shall submit an Application in a form specified by the Commission.

(3) The Commission shall, before approving a transfer or assignment of a license, be satisfied that-

- (a) the transferee or assignee has fulfilled the requirements for licensing under the Law;
- (b) the transferee or assignee has accepted and is willing to assume obligations under the License; and
- (c) the transferee or assignee has paid the transfer fee to the Commission.

(4) The Commission shall, within 30 days following review and acknowledgement of an application to transfer or assign a license:

- (a) instruct transferee or assignee to publish the application in the Liberia Official Gazette as well as newspapers and or other appropriate media outlets within the area of the activity for a period of not less than 10 days; and
- (b) ensure that the transferee or assignee shall forthwith send a copy of each of the newspaper publications to the Commission.

(5) The Commission may invite comments and representations regarding the transfer within 10 days after the publication period and take into account the related comments and representations made by the public.

(6) The Commission shall, in considering the application, take into account the same matters it considered during process for the grant of a new license.

(7) The amount paid by the transferee or the assignee to the asset owner shall take the residue or unrecovered capital cost of the facility into account, and in the case of the transfer of a License, the amount shall be subject to the approval of the Commission.

(8) The Commission shall render its decision regarding the Application for transfer within 30 days after the time allotted for receiving comments.

PART VI - SUSPENSION AND REVOCATION OF LICENSE

30. PROCEDURE FOR SUSPENSION OF LICENSE

(1) The Commission may suspend a license granted if the Licensee –

- (a) is unable to fully discharge the functions or perform the duties imposed on it by the Terms and Conditions of the license, the Law, Rules and Regulations, and Codes;
- (b) has defaulted in complying with the Terms and Conditions of the License, any Decisions or Orders of the Commission;
- (c) is carrying out its licensed business in a form and manner which constitutes an immediate threat to public health and safety or the health or safety of any person; or
- (d) refuses to submit itself to investigations or inquiry by the Commission or obstructs any officer assigned to do so or fails to produce documents for inspection as directed by the Commission.

(2) The Commission shall notify the licensee in writing of its intent to suspend the license and give adequate opportunity to make representations and rectification of the situation in a timely manner.

(3) If the Licensee is willing to make a representation and/or rectification of conditions that gave rise to the suspension notification, it shall make representation and/or rectification within 30 days from the date of the Commission's notice.

(4) The Commission shall take into cognizance the representation made by the licensee in reaching a final decision and the decision of the Commission shall be communicated to the Licensee in writing.

(5) If the Commission decides to suspend a License, it shall notify the Licensee of the date on which the suspension shall take effect, and the Commission may make orders regarding the operations of the Licensee including an order empowering another Licensee to take over the operations in order to maintain continuity in the provision of electricity services.

(6) The Commission may after the imposition of the suspension order, review the order and either cancel the license in accordance with the provisions of Regulation 31 or lift the suspension.

(7) The Commission shall not impose a suspension order in excess of six (6) months and may review the order before the expiration of the suspension term imposed.

31. PROCEDURE FOR REVOCATION OF LICENSE

(1) The Commission may revoke a license if:

- (a) the License has not been utilized within two years from the date of its issuance after notice of not less than 30 days has been served on the Licensee, except if the Licensee can demonstrate that reasonable efforts are being made to meet the milestones within its approved development plan;
- (b) the License was issued through fraud or the misrepresentation or non-disclosure of a material fact;
- (c) the Licensee has willfully or unreasonably contravened any provisions of the Law, Rules and Regulations and Codes;
- (d) the Licensee has failed to comply with any term or condition of the License the breach of which is expressly declared to render it liable to revocation or cancellation;
- (e) the Licensee becomes insolvent or is adjudged bankrupt; or
- (f) the financial position of the Licensee is such that the Licensee is unable to fully and efficiently discharge the duties and obligations imposed by the License.

- (2) If the Commission determines that enough grounds exist for the revocation of the license, it shall give notice of proceedings for the revocation of the license to the licensee and to such other persons, group of persons or body as it may consider necessary.
- (3) The Commission shall proceed as follows in revoking a License:
- (a) notify the licensee in writing of its intention to revoke the license and the reasons for doing so; and
 - (b) allow the Licensee opportunity to demonstrate, within 60 days of the delivery of such notification, that the circumstances have changed such that the revocation may no longer be warranted.
- (4) If the Commission decides to cancel the License after complying with the procedure, it shall serve notice to the Licensee specifying the date on which such revocation shall take effect.
- (5) Rather than revoke the License, the Commission may issue an Order imposing further terms and conditions subject to which the licensee is permitted to operate thereafter.
- (6) The Commission may upon the revocation of a License, issue an Order for the sale of the Licensee's operation to maintain continuity in the provision of electricity service.

PART VII – GENERAL CONDITIONS OF A LICENSE

32. APPLICATION OF GENERAL CONDITIONS OF LICENSE

- (1) The general Conditions of Licenses in this Part shall, unless otherwise provided in respect of any particular License in the Law or these Regulations, apply to all Licenses that are issued under these Regulations.

33. COMPLIANCE WITH LAW

- (1) A Licensee shall comply with the relevant provisions of the Law and the sector policy as well as the Regulations, Rules, Codes, Guidelines, Protocols and Conditions relating to its License.
- (2) Without limiting the effect of sub-regulation (1) if applicable, a Licensee shall –
- (a) provide a service that is safe, adequate, efficient, reasonable and nondiscriminatory;
 - (b) carry out works relating to the licensed activity including engineering, construction, commissioning, repairs, rehabilitation, operation and maintenance in accordance with the Law, applicable standards and Prudent Utility Practice; and
 - (c) ensure that the charges, and rates or tariffs obtained in respect of the licensed activity are as approved by the Commission.

34. COMPLIANCE WITH NON-TECHNICAL BENCHMARKS

(1) A Licensee shall ensure annual improvements in the socio-economic and commercial benchmarks prescribed by the Commission, including those considered during tariff review.

35. COMPLAINTS AND DISPUTE RESOLUTION

(1) A Licensee shall submit its Complaints and Dispute Resolution Procedures to the Commission for approval and shall conform to the Procedures prescribed by the Commission.

36. SUBMISSION OF ESSENTIAL PLANS

(1) A Licensee with existing facilities and equipment or a Licensee that proposes to install facilities and equipment, shall submit the following essential plans for the approval of the Commission:

- (a) Technical and Safety Management Plan in accordance with the outline provided in Exhibit 5 of Schedule 3 – *General Information Requirements*;
- (b) Operations and Maintenance Plan for the safe, efficient and effective operation of the Licensed Facility; and
- (c) Decommissioning Plan which must also comply with the requirements of EPA.

(2) A Licensee with a License of up to 25 years, shall, once every five years, submit the Technical and Safety Management Plan and the Decommissioning Plan to the Commission for approval.

(3) Two years before the expiry of the term of the License, the Licensee shall provide a decommissioning plan to the Commission and may be required to provide a guarantee to undertake the required obligations.

37. FORCE MAJEURE

(1) If a Licensee is prevented from performing any of its obligations hereunder due to unforeseeable circumstances, the Licensee shall promptly inform the Commission of the suspension of its operations and estimated duration.

(2) The Licensee is also required to duly inform the Commission when operations resume.

38. CHANGE OF NAME AND SHAREHOLDING STRUCTURE

(1) During the Term of this License, the Licensee shall give the Commission not less than 60 days' prior written notice of Licensee's intention to consummate one or more of the following transactions, and shall have received the written approval of the Commission for any such transaction prior to consummation thereof:

- (a) Any transaction or other action that may lead to a decrease in Licensee's authorized shares or paid-in capital (or where Licensee is not a stock corporation, any similar ownership interests in Licensee) as existing on the issued date;

- (b) Sale to a non-affiliated third party of at least 10% of the ownership interests of Licensee;
 - (c) Changes in controlling interests; and
 - (d) Transfer.
- (2) For the purposes of this Regulation, each of the following shall constitute a “Change in Control”:
- (a) any change in the right to (i) vote or control the voting of a majority of Licensee’s voting shares (or where Licensee is not a stock corporation, any similar ownership interests in Licensee); or (ii) appoint, elect or remove a majority of the directors (or where Licensee is not a stock corporation, votes in any similar governing body of Licensee) of Licensee;
 - (b) any change in a joint venture or other consortium owning or controlling the Facility or the Licensee; or
 - (c) any transaction or series of transactions in which Licensee sells or otherwise disposes of (including by lease) any substantial portion of its assets to an unaffiliated third party, unless the proceeds of such disposition are used primarily to replace the assets disposed of; and
 - (d) “Transfer” - an act intended to shift under any circumstance, benefits or obligations of the License to an unaffiliated third party.
- (3) The Commission shall establish threshold amounts of assets that a Licensee may dispose of without the approval of the Commission.
- (4) A Licensee shall request in writing the Commission’s permission for a change of name. Upon receipt of the request, the Commission shall review the justifications and grant approval to proceed.
- (5) The Licensee shall, as proof of change of name or shareholding structure, submit appropriate documentations from the Liberia Business Registry, Liberia Revenue Authority and other government agencies.
- (6) The Commission shall, within 15 days of receipt of the documentation, record the Licensee’s new name into the Commission’s Register of Licenses and notify the Licensee.

39. FINANCIAL REPORTING

- (1) A licensee’s books and records shall at all times be kept in the manner and form as prescribed by the Commission.
- (2) A Licensee shall ensure that revenues and their related expenses and costs resulting from activities that are separately licensed under the Law and these Regulations are shown separately on its books and records.
- (3) A Licensee shall retain a certified public accounting firm, authorized to do business in Liberia, to audit its books and records annually, provided that the Commission shall have the right at the Licensee’s expense to address any of the Commission’s inquiries.

(4) Audit reports pertaining to a Licensee and its Facility shall be submitted to the Commission no later than six months from close of financial year.

40. ENVIRONMENTAL AND SOCIAL MATTERS

- (1) A Licensee shall comply with:
- (a) the environmental, social, cultural and economic requirements prescribed by the Environmental Protection Agency Act of Liberia, the Environmental Policy and Guidelines of Liberia; and
 - (b) the Liberia National Gender Policy.

41. HEALTH AND SAFETY

- (1) A Licensee shall comply with safety standards and the Public Health Law of Liberia and shall take reasonable steps in protecting persons and property from injury and damage.
- (2) A Licensee shall apply safety standards as prescribed in the Grid Code for the design, construction, commissioning, operation and maintenance of the facility's assets.
- (3) In addition to the Grid Code, the Licensee shall deploy technical & operational design criteria, equipment, components and configurations for safe, reliable, and cost-effective energy service that meets the needs of consumers.

42. ASSURANCE

- (1) A Licensee shall develop, implement and file with the Commission reasonable and prudent policies relating to the management of risks associated with the Facility and its operations.
- (2) A Licensee shall provide to the Commission evidence of adequate insurance coverage against risks associated with the Facility and its operations.

43. PROHIBITION OF ANTI-COMPETITIVE PRACTICES

- (1) A Licensee is prohibited from conduct, practices, decisions, and agreements which have as their object or effect the prevention, distortion or limitation of competition in the Electricity Supply Industry.

PART VIII - SPECIFIC CONDITIONS RELATING TO A LICENSE

GENERATION

44. CONDITIONS OF A GENERATION LICENSE

- (1) A generation Licensee shall:
 - (a) provide electricity of a quality suitable for the interconnected transmission and distribution network or the Grid as stated in the License;
 - (b) comply with the technical conditions of connection to the Grid stated in the License or prescribed under the Law, Regulations, Rules as well as the Conditions stated in the License;
 - (c) properly address the environmental effects of its activities under the License;
 - (d) generate electricity for the interconnected system in accordance with instructions from the TSO if its facilities are connected to the Grid;
 - (e) maintain and operate the generation plant or units in order to ensure efficiency, reliability, public and workers' safety;
 - (f) provide ancillary services requested by the transmission or distribution Licensee that are necessary for the reliable and secure operation of the interconnected system;
 - (g) comply with the relevant provisions of the Grid Code and performance codes established by the Commission;
 - (h) propose tariffs and charges for the approval of the Commission for the supply of wholesale electricity and ancillary services supplied to the transmission or distribution system, respectively in accordance with the Tariff Guidelines or Regulations issued by the Commission; and
 - (i) achieve the targets contained in the standards of performance code.

TRANSMISSION

45. CONDITIONS OF A TRANSMISSION LICENSE

- (1) The transmission Licensee shall allow other Licensees to connect and supply electricity to the Grid as stated in the License, or to take electricity from the Grid, on fair and reasonable terms, provided the conditions stated in sub-regulation (2) are satisfied, by the relevant licensee, if technically and economically practicable.
- (2) The conditions to be satisfied pursuant to sub-regulation (1) are that
 - (a) the Licensee seeking to connect to the facilities of the transmission Licensee's network has -
 - (i) been authorized under the Regulations to connect generation supply or off-takers of electricity to the Grid;
 - (ii) complied with all the provisions of these Regulations as well as operational procedures relevant to connecting supply to, or taking electricity from, the Grid; and

- (iii) paid the reasonable costs associated with the connection to the Grid.
 - (b) the transmission Licensee's facility is capable of being used to safely connect supply or offtake electricity from the Grid.
- (3) In deciding whether the conditions stated under sub-regulation (2)(b) have been satisfied, all relevant matters shall be considered including the following:
- (a) the transmission Licensee's current obligations;
 - (b) the current obligations of the persons connected directly or indirectly to the Grid; and
 - (c) the Grid's capacity.
- (4) The transmission Licensee shall –
- (a) operate, maintain, repair and protect its transmission system to ensure the adequate, economic, reliable and safe transmission of electricity;
 - (b) ensure, as far as technically and economically practicable, that the Grid is operated with enough capacity to provide network services to persons authorized to connect to the Grid or take electricity from the Grid;
 - (c) provide, if technically and economically practicable, network services on fair and reasonable terms, for licensees authorized to connect supply of electricity to the Grid or take electricity from the Grid;
 - (d) forecast demand in a prudent manner so as to establish the national and system requirements and ensure the current and future demand requirements relating to generation and transmission capacity are met through, short, medium- and long-term forecasts and plans;
 - (e) in complying with sub regulation 4(d), ensure a high level of coordination with the TSO and all licensees connected to the Grid, taking into account all reliability standards, additional capacity requirements, system constraints and congestion, in the preparation of a least cost transmission system development master plan for the consideration and approval of the Commission; and
 - (f) be responsible for national and regional system control of the Grid under the WAPP rules and ERERA Protocols.

DISTRIBUTION

46. CONDITIONS OF A DISTRIBUTION LICENSE

- (1) A distribution licensee shall
- (a) operate, maintain, including repair and replace as necessary, and protect its distribution network to ensure economic, efficient, reliable and safe electricity supply connection points for its customers;
 - (b) ensure adequate supplies of electricity are made available at its supply points for delivery to consumers;
 - (c) consider both demand side and supply side options to provide, as far as technically and economically practicable, efficient supply of electrical energy;

- (d) allow, if technically and economically practicable, for other Licensees to connect supply to its distribution network, on fair and reasonable terms, if the conditions provided under sub-regulation (2) are satisfied.
- (2) The conditions to be satisfied before interconnection are that:
- (a) the person seeking the connection is a Generation Licensee, a Transmission Licensee, or a Distribution Licensee;
 - (b) the distribution network is capable of being safely used to connect supply or off-take electricity as provided by the licensee seeking to connect;
 - (c) the person undertakes to -
 - (i) comply with all provisions of the Rules relevant to connecting supply to, or taking electricity from, the network; and
 - (ii) pay the reasonable costs for connection to the network.
- (3) In deciding whether the condition stated under sub-regulation (2)(b) has been satisfied, all relevant matters shall be considered, including –
- (a) the distribution Licensee's current obligations and its expected future obligations;
 - (b) the current obligations of other persons connected directly or indirectly to the distribution network; and
 - (c) the distribution network's capacity.
- (4) The distribution Licensee shall -
- (a) provide, if technically and economically practicable, network services, on fair and reasonable terms for persons authorized to connect supply of electricity to or use the network to offtake electricity;
 - (b) ensure the fair, transparent and non-discriminatory operation, dispatch and control of its network;
 - (c) shall connect consumers to the network for the supply of electricity to premises without undue discrimination among customers or categories thereof;
 - (d) undertake demand forecasting in a prudent manner so as to establish the system requirements and ensure that the current and future demand requirements relating to supply capacity in its distribution area are met through short, medium and long term forecasts and plans;
 - (e) establish and abide by -
 - (i) consumer complaints procedures for handling consumer disputes; and
 - (ii) a consumer charter which contains the level of service consumers are to expect from the Licensee;
 - (f) ensure that consumer complaints procedure and consumer charter developed as provided in sub regulation 4(e) are approved by the Commission before they are implemented.

CONDITIONS OF IMPORT & EXPORT LICENSE

47. FINANCIAL CAPACITY

- (1) An electricity Import or Export Licensee shall at all times during the Term of its License demonstrate a financial condition adequate to engage in large-scale power and energy purchase and sale transactions with other electricity market participants.

(2) The financial adequacy in sub regulation (1) shall be demonstrated by the Licensee having at all times the minimum capital and financial security requirements as specified in its License based on the criteria specified by the Commission.

(3) The Commission shall approve the charges of the services of an Import Licensee's services offered to a licensee under these Regulations.

48. TECHNICAL CAPACITY

(1) An electricity Import or Export Licensee shall demonstrate its technical capacity through documentation of proof provided to the Commission testifying to the past experiences of the entity and the relevant professional expertise to be engaged for its operations.

TRANSMISSION SYSTEM OPERATOR (TSO)

49. RESPONSIBILITIES OF TSO

(1) The TSO shall be responsible at all times to serve as the transmission system operator, coordinating, controlling, and monitoring the flows of electricity over the national grid of Liberia. As set forth in Section 9.3 of the Law, LEC shall serve as the transmission system operator and the national grid company for all purposes under the Law and the Regulations, until such time as LEC, at its election, shall determine that it will no longer engage in such activity as authorized under its enabling act.

50. CONDITIONS OF THE TSO LICENSE

(1) The Transmission System Operation (TSO) Licensee shall ensure that it undertakes, fairly, transparently, efficiently, economically and in a non-discriminatory manner the operation of and control of the transmission system.

(2) Without limiting the effect of sub-regulation (1) the Licensee shall undertake the following:

- (a) generation and transmission system planning;
- (b) generation scheduling and dispatch of electricity;
- (c) procurement and administration of ancillary services;
- (d) international transmission coordination activities;
- (e) administration of the wholesale electricity market, including market settlement.

(3) The TSO Licensee shall further perform the market operation function of the electricity supply industry and in that regard it shall establish and implement System Operation Rules as well as Market Operation Rules.

(4) The TSO Licensee shall accept the charges for the system operation and market operation approved by the Commission for its services.

51. OVERSIGHT OF THE SYSTEM & MARKET OPERATION BY TSO

- (1) With regard to system and market operations, the Commission shall –
 - (a) approve the Rules established by the TSO Licensee; and
 - (b) establish a committee to oversee the system and market operations of the TSO Licensee.
- (3) The Commission shall specify the qualification and criteria for the members of the Committee as well as their responsibilities and publish them in the Gazette.

52. CONDITIONS OF ELECTRICITY RETAIL TRADING LICENSE

- (1) An electricity trading Licensee shall –
 - (a) enter into an agreement with its supplier or distributor for energy purchases and use of the distribution network to sell to its consumers;
 - (b) have the capacity both technical and financial required for electricity trading;
 - (c) publish and implement the guidelines, rules and procedures in a customer charter that defines its principles for retail trading;
 - (d) submit for approval of the Commission, the rules of trading of the retail trading Licensee.

PART IX – PROVISIONS RELATING TO SELF-SUPPLY

53. SELF-SUPPLY

- (1) A Self-supplier or a person that intends to self-generate electricity for their sole use shall after registering apply to the Commission for an Authorization or a Permit as specified in Regulation 5 and in accordance with provisions of this Part.
- (2) The application shall be on the form provided in [Appendix C](#): Application for Self-Supply Permit and shall be accompanied by the prescribed fee.
- (3) The applicant shall state, among other things the following:
 - (a) the source and quantity of supply;
 - (b) the source of back-up power, if applicable;
 - (c) what it intends doing with surplus supply from its facility; and
 - (d) other information requirement stated on the application form.
- (4) Unless otherwise stated, the Commission shall issue a Permit or Authorization within 60 days of the Application.
- (5) Subject to regulation 56, the Commission shall renew a Self-Supply Permit or Authorization on application when it expires and the application shall follow the process similar to the initial application to Self-supply.
- (6) The Self-Supply Permit or Authorization is not transferable and a transferee or assignee must apply for the Permit or Authorization in their name.

(7) The Commission shall apply the Amendment, Suspension and Revocation of License provisions of regulations 27, 30 and 31 respectively, with such waivers as the Commission may determine, to a Self-Supply Permit.

54. FEE PAYABLE BY SELF-SUPPLIER

(1) A Self-supplier shall pay the Application Fee upon applying for a Permit or Authorization and the Permit or Authorization Fee as specified in [Schedule 1](#) – Table of Fees and Levies.

55. CONDITIONS OF A SELF-SUPPLY PERMIT

- (1) Each Self-supply Permit Holder shall –
- (a) properly address the environmental effects of its activities under the Permit; and
 - (b) record and report to the Commission each major incident that occurs at its facilities.
- (2) A Self-supplier that intends to supply electricity to the distribution network shall apply to the distribution Licensee responsible for service in its location for a connection and undergo the processes necessary for obtaining a connection which shall include –
- (a) related system impact study;
 - (b) design of connection;
 - (c) construction and commissioning of facilities.
- (3) The Self-supplier shall thereafter –
- (a) execute the connection agreement with the distribution Licensee and pay the related charges;
 - (b) generate and feed power to the connection point in accordance with the instructions of the distribution Licensee, the terms of the connection agreement as well as the Distribution Code;
 - (c) accept to be paid a tariff that is approved by the Commission in accordance with the Electricity Tariff Guidelines or Regulations.

56. INSPECTION OF SELF-SUPPLIER FACILITY

(1) The Self-supplier shall provide the Commission's staff unlimited access to inspect the relevant generation facilities in accordance with the Commission's schedules for Inspection.

57. SPECIAL PROVISIONS RELATING TO LARGE SELF-SUPPLY FACILITIES

(1) Despite the provisions of this Part, if a Self-supplier intends to self-generate electricity through a facility with an installed capacity of more than 2MW, the Commission shall apply the procedure prescribed in Part II and Part III of these Regulations with such amendments as the Commission shall determine, unless the requirements under those Parts are waived in part or in full by the Commission.

- (2) The Commission shall develop guidelines for waiving the requirements of sub-regulation (1).

PART X - MISCELLANEOUS PROVISIONS

58. PROCUREMENT

- (1) A Licensee or Permit Holder shall ensure that all services, materials or equipment are procured through a competitive procurement process which ensures value for money.

59. CONFIDENTIALITY

- (1) A Licensee or Permit Holder may mark as “**CONFIDENTIAL**”, any of its proprietary or commercially sensitive information submitted to the Commission in connection with an Application.

- (2) The Commission shall not disclose such information to the public or to any other person, nor use such information for any other purpose, other than the purpose for which a Licensee or Permit Holder disclosed it to the Commission.

- (3) For purposes of this Regulation, the foregoing restrictions shall not apply to any information that:

- (a) is in the public domain;
- (b) is or becomes publicly known other than through the action of the Commission; or
- (c) relates to the performance and compliance levels of a Licensee or Permit Holder with any of the Standards.

60. PROHIBITION OF CROSS-SUBSIDIES

- (1) The holder of multiple Licenses or Permits issued by the Commission or a Licensee or Permit Holder that engages in another business is prohibited from cross-subsidizing activities undertaken under the other License or Permit or other business activity.

61. INCIDENT REPORTING

- (1) The Licensee or Permit Holder shall notify the Commission as soon as is possible, and at most within three (3) days, of any major incident affecting any part of the licensee or Permit Holder's activity in accordance with the Performance Standard Regulation, Technical and Operational Codes and other rules and procedures specified by the Commission.

62. TIMEFRAME FOR DECISIONS

- (1) Where no specific timeframe is provided for making a decision or taking some action under these Regulations, the Commission shall do so within 30 days of lodging the request unless the existence of extenuating circumstances make it impracticable to render the decision or take the action within this time frame.

63. REGISTER OF LICENSES AND PERMITS

- (1) The Commission shall maintain a register of Licenses and Permits issued at its offices and shall provide the public an extract of the License or Permit on request.

(2) The register shall consist of copies of the entire License or Permit and other information pertaining to the License or Permit including the following:

- (a) the Application for License or Permit;
- (b) documents and enclosures submitted with the application for License or Permit;
- (c) public hearing documents;
- (d) correspondences pertaining to the License or Permit application and decisions of the Board of the Commission on the license; and
- (e) any documents pertaining to an enforcement action by the Commission related to the License or Permit.

64. EXEMPTIONS

(1) Subject to sub-regulation (2), a person that generates electricity by a facility which is rated between 10kW to 100kW is exempted from the licensing requirements of these Regulations but required to register with the Commission.

(2) The exemption does not apply if that person—

- (a) retails electricity to customers in which case the person shall obtain a Micro Utility License or Permit; or
- (b) supplies or intends to supply excess power to a distribution network.

65. COMMUNICATION

(1) Communication between a Licensee or Permit Holder and the Commission in connection with its License or Permit shall be given in writing and executed by a duly authorized officer of the Licensee or Permit Holder and the Commission, respectively.

(2) The Licensee or Permit Holder shall designate a person that will act as a primary contact with the Commission on matters related to the License or Permit and shall notify the Commission accordingly should the contact details change.

(3) The Licensee or Permit Holder shall make a copy of its License or Permit available for inspection by members of the public at its head office and regional offices during normal business hours; and when requested, provide a copy of the License or Permit to relevant government authorities.

66. TRANSITIONAL PROVISIONS

(1) An entity engaged in a regulated activity for which a License or Permit is required shall within 60 days of the coming into force of these Regulations register and apply to the Commission for the appropriate License or Permit.

67. JUDICIAL REVIEW

(1) A person dissatisfied with any decision, Order or other exercise of authority by the Commission pursuant to these Regulations may take an appeal by filing a petition for

judicial review in the Civil Law Court sitting in the City of Monrovia or other courts of competent jurisdiction within the Republic of Liberia.

68. AMENDMENT OR REPEAL OF REGULATION

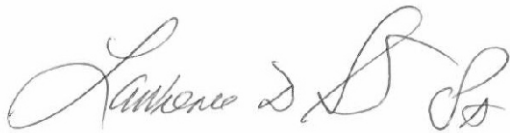
(1) The Commission may amend or repeal the provisions of these Regulations as it deems necessary.

THE COMMON SEAL OF

LIBERIA ELECTRICITY REGULATORY COMMISSION

Was affixed pursuant to the ORDER OF THE COMMISSION

On this 17th day of September 2020.

A handwritten signature in cursive script, appearing to read "Lawrence D. Sekajipo".

Dr. Lawrence D. Sekajipo, CPA, CFE, DBA, JSM
CHAIRMAN
BOARD OF COMMISSIONERS

SCHEDULE 1: FEES AND LEVIES

The applicable Fees and Levies for the various types and categories of Licenses, Permits and Authorization in relation to the scope of operations are provided in the Table of Fees below. This includes Application Fees, Initial License Fees and Regulatory Levies, Amendment Fees and Transfer Fees.

LIBERIA ELECTRICITY REGULATORY COMMISSION							
ELECTRICITY LICENSING REGULATION - FEE SCHEDULE							
CATEGORY	REGISTRATION FEE	APPLICATION FEE	ISSUANCE FEE	AMENDMENT FEE	RENEWAL FEE	TRANSFER FEE	REGULATORY LEVY
LICENSE CATEGORY							
GENERATION LICENSE:							
100kW < Installed Capacity ≤ 500kW	N/A	\$ 100.00	\$ 2,500.00	\$ 1,250.00	\$ 2,500.00	\$ 5,000.00	2.9% Licensee's Charge/kWh
500kW < Installed Capacity ≤ 1MW	N/A	\$ 350.00	\$ 7,000.00	\$ 3,500.00	\$ 7,000.00	\$ 14,000.00	2.9% Licensee's Charge/kWh
1MW < Installed Capacity ≤ 10MW	N/A	\$ 500.00	\$ 12,000.00	\$ 6,000.00	\$ 12,000.00	\$ 24,000.00	2.9% Licensee's Charge/kWh
10MW < Installed Capacity ≤ 25MW	N/A	\$ 450.00	\$ 20,000.00	\$ 10,000.00	\$ 20,000.00	\$ 40,000.00	2.9% Licensee's Charge/kWh
25MW < Installed Capacity ≤ 50MW	N/A	\$ 750.00	\$ 30,000.00	\$ 15,000.00	\$ 30,000.00	\$ 60,000.00	2.9% Licensee's Charge/kWh
50MW < Installed Capacity ≤ 100MW	N/A	\$ 1,000.00	\$ 40,000.00	\$ 20,000.00	\$ 40,000.00	\$ 80,000.00	2.9% Licensee's Charge/kWh
Installed Capacity > 100MW	N/A	\$ 1,500.00	\$ 50,000.00	\$ 25,000.00	\$ 50,000.00	\$ 100,000.00	2.9% Licensee's Charge/kWh
TRANSMISSION NETWORK LICENSE	N/A	\$ 1,500.00	\$ 50,000.00	\$ 25,000.00	\$ 50,000.00	\$ 100,000.00	2.9% Licensee's Charge/kWh (on total kWh @ entry point - BGS)
TRANSMISSION SYSTEM OPERATOR LICENSE	N/A	\$ 1,250.00	\$ 37,500.00	\$ 18,750.00	\$ 37,500.00	\$ 75,000.00	2.9% Licensee's Charge/kWh (on total kWh transacted)
DISTRIBUTION LICENSE	N/A	\$ 500.00	\$ 25,000.00	\$ 12,500.00	\$ 25,000.00	\$ 50,000.00	2.9% Licensee's Charge/kWh (on total kWh @ entry point - BSP)
RETAIL TRADING LICENSE	N/A	\$ 500.00	\$ 20,000.00	\$ 10,000.00	\$ 20,000.00	\$ 40,000.00	2.9% Licensee's Charge/kWh
EXPORT or IMPORT LICENSE	N/A	\$ 1,000.00	\$ 30,000.00	\$ 15,000.00	\$ 30,000.00	\$ 60,000.00	2.9% Licensee's Charge/kWh
PERMIT CATEGORY (SELF-SUPPLY):*							
100kW < Installed Capacity ≤ 500kW	N/A	\$ 100.00	\$ 2,500.00	\$ 1,250.00	\$ 2,500.00	N/A	2.9% Permit Holder's Charge/kWh (on total produced/purchased)
500kW < Installed Capacity ≤ 1MW	N/A	\$ 250.00	\$ 5,000.00	\$ 2,500.00	\$ 5,000.00	N/A	2.9% Permit Holder's Charge/kWh (on total produced/purchased)
1MW < Installed Capacity ≤ 2MW	N/A	\$ 400.00	\$ 10,000.00	\$ 5,000.00	\$ 10,000.00	N/A	2.9% Permit Holder's Charge/kWh (on total produced/purchased)
AUTHORIZATION (SELF-SUPPLY):							
10kW < Installed Capacity ≤ 100kW	\$ 25.00	N/A	N/A	N/A	N/A	N/A	N/A
Footnotes N/A means Not Applicable * means Regulatory levy will apply to Self-Supply Permit only when the Self-Supplier sells to customers. In that case, the levy will be calculated on the price charged by the Self-Supplier. BGS means Bulk Generation Station BSP means Bulk Supply Point							

SCHEDULE 2 – DURATION OR TERM OF LICENSES/PERMITS

TYPE OF LICENSE	DURATION
1. Generation (Thermal) License	Up to 20 years
2. Generation (Hydro) License	Up to 25 years
3. Generation (Renewables) License	Up to 20 years
4. Transmission License	Up to 25 years
5. TSO License	Up to 25 years
6. Distribution License	Up to 20 years
7. Electricity Import License	Up to 5 years
8. Electricity Export License	Up to 5 years
9. Electricity Trading License	Up to 20 years
SELF-SUPPLY PERMIT OR AUTHORIZATION	
10. Self-Supply Permit	Up to 10 years
11. Self-Supply Authorization	Up to 5 years

SCHEDULE 3 – GENERAL INFORMATION REQUIREMENTS FOR ALL LICENSE APPLICATIONS

Exhibit #1 Financial Information

Where Applicant is a legal entity, the documents listed in paragraph (a) below shall be included:

- 1) Copies of:
 - a. Audited financial statements for the most recent three years, together with the respective auditors' reports, which if Applicant's financial information is consolidated with other companies, may be the consolidated financial statements of that larger group; and
 - b. Any available unaudited financial statements covering the interim period since the end of the most recent fiscal year.
- 2) If all of the foregoing are not available, a written explanation as to why.
- 3) Financial projections relating to the proposed project, including the source of any proposed financing, for not less than a five-year period.

Exhibit #2 Proposed Project/Business

- 1) A detailed statement of the proposed business plan for not less than a five-year period, including an explanation of any assumption underlying the models used.
- 2) A schedule of capital expenditures required to meet projections, including any necessary decommissioning costs.
- 3) Annual cash flows for the projected period.
- 4) Engineer's report or comparable evaluation of feasibility.

Exhibit #3 Applicable Experience of Applicant

Detailed statement of Applicant's experience as it relates to the development, construction, and operation of the proposed project.

Exhibit #4 Environmental Approvals Necessary

A list of all required environmental approvals necessary to develop, build and operate the project, and the status of any approvals.

Exhibit #5 Safety and Technical Management Plan Outline

The Safety and Technical Management Plan should address the following issues relating to the development and operation of the facility:

- 1) Company Safety Policy Statement
- 2) Company's Safety Codes and practices

- 3) Demarcation, protection and prevention of unauthorized entry of site
- 4) Employee health and safety requirements in accordance with the Decent Work Act
- 5) Waste Management policy and plan in line with EPA or WHO regulations & standards (effluents, cooling water, drainage of runoff water etc.)
- 6) Compliance Plan
- 7) Environmental hazards impact mitigation measure, actions and plans (sampling, monitoring analyzing of air, aquatic toxicity, noise etc.)
- 8) Emergency preparedness
- 9) Deployment of disaster management measures
- 10) Fire safety (prevention and fighting measures)
- 11) Precautions for prevention of environmental hazards (oil spills, pollutants etc)
- 12) Operational and maintenance safety rules, procedure and instructions
- 13) Company's operation and maintenance culture
- 14) Adherence to equipment manufacturer's recommended maintenance schedules, specific commitment and arrangements to operate facilities/installations to ensure safe and reliable electricity supply

Exhibit #6 Any Government Action Required for Project Feasibility

- a) Any government action required—for example, to acquire any land or other property via purchase or eminent domain.
- b) Any subsidy that will be requested from government to make project feasible.
- c) Any resettlement that will be required for the project, and related costs.

SCHEDULE 4 – SUPPLEMENTARY INFORMATION & DOCUMENTS REQUIRED FOR SPECIFIC TYPES OF LICENSES

Generation

The following information and documents shall be submitted with any Application for a project proposing to generate electricity as part of the project scope:

- 1) Location of each generating plant proposed to be developed and operated as part of the project, via map location or other similarly convenient means.
[Note: Each generation plant (*consisting of a number of units*) will require a separate license, even if located at same site or complex]
- 2) Statement of the following:
 - a. Total number of generating units to be deployed and indicative schedule for deployment at the plant;
 - b. Fuel type for each unit;
 - c. Expected date of commissioning;
 - d. Power (in MW) expected to be generated for each unit and in the aggregate over five years, net of any power estimated for consumption at the applicable plant;
 - e. Efficiency metrics for each mode of generation;
 - f. Expected useful life time of each unit or plant;
 - g. Approximate age of plant technology and, if relatively new, a statement of how Applicant expects to manage unanticipated downtime or equipment failure, and related costs; and
 - h. Information about the buyer of the power that will be produced over the first five years of the project, including any expansion plans that such buyer may have.
 - i. Applicant's plan and strategy for complying with all applicable parts of the Grid Code affecting its operations

Transmission

The following information and documents shall be submitted with any Application for a project proposing to transmit electricity as part of the project scope:

- 1) Location of proposed supply lines (Line Right of Way) and generating plants constituting a part of the proposed transmission system and the areas to be connected over the next five years, via map location or other similarly convenient means and in particular showing any parts of such system that will not be owned or controlled by Applicant, if applicable.
- 2) Any plans for underground supply lines.

- 3) Voltages of the relevant supply lines – both aerial and cables, types of towers used and clearance standards in use.
- 4) Statement of the following:
 - a. Identity of parties supplying electricity to be transmitted, together with relevant quantities and interconnection points;
 - b. List of all generation sources owned or controlled by Applicant, or otherwise contracted for, and a description of each generating plant involved;
 - c. Identity of parties taking electricity from the proposed transmission system, together with relevant quantities and interconnection points;
 - d. Five-year forecast of demand (in MW) for proposed transmission system;
 - e. Description of the transmission process;
 - f. Metering arrangements; and
 - g. Single line diagrams of the system, showing all voltage levels, should be included.
- 5) Applicant's plan and strategy for complying with all applicable parts of the Grid Code affecting its operations.

Distribution

The following information and documents shall be submitted with any Application for a project proposing to distribute electricity as part of the project scope:

- 1) Location of proposed supply lines and generating plants constituting a part of the proposed distribution system and the areas to be supplied, via map location or other similarly convenient means, and in particular showing any parts of such system that will not be owned or controlled by Applicant.
- 2) Statement of the following:
 - a. Identity of parties supplying electricity to be distributed over next five years, together with relevant quantities and interconnection points;
 - b. Details of any embedded generation sources owned or controlled by Applicant, or otherwise contracted for, and a description of each generating plant involved ("embedded" for this purpose means generation capacity that is located within the area of the distribution system, but not connected to it);
 - c. Details of network voltage levels and types (AC or DC);
 - d. Details of estimated connections per voltage; and
 - e. Five-year forecast of demand (in MW) for proposed distribution system.

- f. A map of the distribution system area showing all connected supply lines and generation sources and the related connection points.
 - g. Applicant's plan to operate the distribution system in accordance with all applicable safety standards.
- 3) Applicant's plan and strategy to discourage and eliminate theft of electricity from its distribution system.
 - 4) Applicant's plan and strategy for complying with all applicable parts of the Grid Code affecting its operations.

IN CASE OF RENEWAL OR AMENDMENT:

In the case of Renewal or Amendment of a distribution license, Applicant needs only to provide information or documents in support thereof on the extent to which the existing network/system differ in some material respect from such information or documents as most recently provided to the Commission in the ordinary course of licensee's compliance under an existing license, or as part of an earlier application for such license.

Import, Export & Trade

- 1) Applicants shall submit a full CV of each of its professional staff.
- 2) The applicant shall submit a list showing the following enumerated areas of expertise and indicating by name which of its proposed professional staff has the relevant experience to work in that area of expertise:
 - a) Understanding of wholesale and upstream power markets, including generation and sales of excess energy, which shall have been gained by not less than five years of professional experience with companies engaged in such part of the energy sector. In the case of a license proposal to engage in the import or export of electricity, at least three years of such professional experience shall have been gained within the energy sector of a foreign country.
 - b) Knowledge of the TSO and its operating environment, including Grid Code development and metering requirements, which shall have been gained by not less than five years of professional experience with either LEC (or a similar foreign body serving as s TSO) or with a company that provided generation, transmission or distribution services to LEC. In the case of a license proposal to engage in the import or export of electricity, at least three years of such professional experience shall have been gained within the energy sector of a foreign country.
 - c) Experience in communicating with individuals engaged in purchase and sales of electricity in generation, transmission, and distribution within Liberia, which shall have been gained working with one or more companies engaged in such businesses.

- d) Experience in dealing with the Commission and their development and enforcement of regulations applicable to the electricity sector. In the case of a license proposal to engage in the import or export of electricity, at least three years of such professional experience shall have been gained within the energy sector of a foreign country.
- e) Applicant shall submit its plan to raise necessary regulatory capital, both at its inception, based on the dollar value of its intended maximum monthly purchase and sale transactions, and for emergency purposes, in the event it should exceed its assumed maximum transaction size at any time.

Appendix A: Registration Form

1.0 Details of Contact Person

Name	
Position	
Physical address/location	
Postal address	
Phone number(s)	
Email address	

1.1 PARTICULARS OF REGISTRANT

Name of Business	
Physical address/location	
Postal address	
Phone number(s)	
Email address	
Website	

2. Current and future activities

(a) Engaged in regulated electricity activity?

☐

Yes

☐

No

(b) Intend to engage in a regulated electricity activity?

☐

Yes

☐

No

2.1 Purpose

☐

Personal

☐

Commercial

3.0 Activity(ies) of interest (Check all that apply)

- | | |
|------------------------------------|--------------------------|
| Generation | ☐ |
| Transmission System Operator (TSO) | ☐ |
| Distribution | ☐ |
| Import | ☐ |
| Export | ☐ |
| Trade/retail | ☐ |
| Retail Sale | ☐ |
| Self-Supply Only | ☐ |
| Self-Supply Network | ☐ |
| Micro Utility | ☐ |
| Self-Supply and Retail/Sale | ☐ |
| Others (Please specify) | ☐ |

3.1 If others, specify

4.0 Types of Generation (Fill all that apply)

Description	Size/rating (kW)	Voltage (V)	Fuel Type	GPS Coordinates
Thermal				
Hydro				
Solar				
Biomass				
Wind				

Other (specify)				
-----------------	--	--	--	--

4.1 Transmission System Operator (TSO)

Circuit Length of line (m)	Voltage (V)	Line rating (W)	Line Location (e.g. from A to B)	Bulk Supply Points	
				Location	Capacity (MW)

4.2 Distribution

Circuit Length of line (m)	Voltage (V)	Line rating (W)	Location/map	No. of customers

4.3 Import

Quantity of power	Voltage (V)	Line rating (W)	Entry point (GPS)	Supplier

4.4 Export

Quantity of power	Voltage (V)	Line rating (W)	Exit point (GPS)	Buyer

4.5 Trade/retail

No. of meters	Billing cycle	Estimated monthly sales (kWh)	Location (sale points)	No. of customers

4.6 Retail sale

No. of meters	Billing cycle	Estimated monthly sales (kWh)	No. of Point of Sale (POS)	No. of customers

4.7 Self-Supply Only

Generator size (kVA)	Voltage (V)	Self-Load (W)	Location (GPS)	No. of Units/sets

4.8 Self-Supply Network

Circuit Length of line (m)	Voltage (V)	Line rating (W)	Location (GPS)	No. of customers

4.9 Micro Utility

Circuit Length of line (m)	Voltage (V)	Line rating (W)	Location (GPS)	No. of customers

4.10 Others (Please specify and explain):

I hereby declare that the information provided above are, to the best of my knowledge, true and accurate; and the activity(ies) is not unlawful or contrary to the interest of the Republic of Liberia.

Signature & Title

Date

Appendix B: Application for License

DOCKET NUMBER/ACCESS CODE

License

Permit

A. PARTICULARS OF APPLICANT

Name of applicant	
Name of Business (if applicable)	
Physical address/location	
Postal address	
Phone number(s)	
Email address	
Website (optional)	

B. TYPE OF LICENSE/PERMIT (CHECK ALL THAT APPLY)

Generation	☐
Transmission	☐
Transmission System Operator (TSO)	☐
Distribution	☐
Import	☐
Export	☐
Trading (Wholesale)	☐
Trading (Retail)	☐
Others (Please specify):	☐

C. REQUIRED ACTION

Initial Issuance

☐

Renewal

☐

1.0 LEGAL STATUS OF APPLICANT *(Attached relevant information)*

- 1. Corporation ☐
- 2. Limited Liability Corporation ☐
- 3. Partnership ☐
- 4. Cooperative/Association ☐
- 5. Sole Proprietorship ☐
- 6. Other (please specify) ☐

2.1 Has A Shareholder Been Convicted of a Felony in Liberia or in Any Other Country?

YES ☐ NO ☐

If yes, provide details of conviction:

(Attach additional information if necessary)

2.2 Has a Director Been Convicted of a Felony in Liberia or in Any Other Country?

YES ☐ NO ☐

If yes, provide details of conviction:

(Attach additional information if necessary)

3.0 AFFILIATE OWNERSHIP/RELATIONSHIP

- a) Does the Applicant own more than ten percent (10%) shares in another entity that has applied for a license/permit?

YES ☐ NO ☐

Name of entity, percentage of shares etc.

(Attach additional information if necessary)

- b) Does the Applicant own more than ten percent (10%) shares in another entity that has been granted a license or permit?

YES

☐

NO

☐

Name of entity, percentage of shares etc.

(Attach additional information if necessary)

4.0 DENIAL, SUSPENSION OR CANCELLATION

4.1 Has The Applicant's License/Permit Ever Been:

a) Denied

YES

☐

NO

☐

b) Suspended

YES

☐

NO

☐

c) Cancelled

YES

☐

NO

☐

If yes, give details

(Attach additional information if necessary)

5.0 FINANCIAL STATUS

5.1 Attach Audited or Unaudited Financial Statements for The Past 3 Years (Refer to Schedule 3 Exhibit #1 of the ELR)

5.2 Attach Tax Clearance Certificate

5.3 Attach Financial References

(Include name, address, contact person, telephone number and email address)

5.4 Attach Source(s) of Funding

a) Equity contribution (specify foreign or local)

b) Debt contribution (specify foreign or local)

c) Others (specify)

6.0 TECHNICAL CAPACITY AND MANAGERIAL EXPERIENCE

6.1 Attach Detailed Statement of Applicant's Technical Capacity and Managerial Competence as It Relates to The Development and Operation of the Activity

7.0 DESCRIPTION OF THE FACILITY(IES)

7.1 Attach A, B and C Below

- a) Major plant, equipment and machinery to be installed
- b) Proposed layout plan
- c) Operational nature of the applicant's proposed business

7.2 Attach Feasibility Study Report for New Facility(ies)

7.3 Attach Information On the Capacity of Existing Facility (ies)

7.4 Attach Land Documents for Generation Facility(ies)

7.5 Is There a Need to Access Public Land?

YES ☐ NO ☐

If yes, provide details

(Attach additional information if necessary)

8.0 COMMERCIAL ASPECTS OF THE FACILITY

8.1 Attach GPS Coordinates and/or Map of Operational Area

GPS coordinates:

8.2 Attach 5-Year Business Plan. See Schedule 3 Exhibit 2 Of The Electricity Licensing Regulations (ELR) *[Not required for Permit applicants]*

8.3 Applicants should attach all applicable and relevant agreements (e.g. PPA, distribution licenses agreement etc.) *[Not required for Permit applicants]*

9.0 ATTACH CLEARANCES/CERTIFICATES FROM THE FOLLOWING ENTITIES WHERE APPLICABLE

- a. Ministry of Public Works
- b. Liberia Business Registry
- c. Liberia Revenue Authority
- d. Environmental Protection Agency

- e. National Fire Service
- f. Others

10.0 DECLARATION BY THE APPLICANT

I hereby declare that the information provided above are, to the best of my knowledge, true and accurate; and the activity(ies) is not unlawful or contrary to the interest of the Republic of Liberia.

Signed: _____

Position: _____

Date: _____

IMPORTANT: THIS APPLICATION INCLUDING REQUIRED ATTACHMENTS AND ELECTRONIC COPY OF THE SAME (ON CD OR PENDRIVE) MUST BE SUBMITTED TO THE COMMISSION

=====

FOR OFFICIAL USE ONLY

Docket #: _____

NAME OF APPLICANT: _____

1. Date of receipt of Application:

2. Fees Paid and Receipt Number:

3. Newspapers and Dates in which Application is advertised:

4. Results of any Public Hearing:

5. Recommendation of the Head of Legal, Licensing & Public Affairs Unit:

6. Decision of Commission:

7. Date of Decision:

8. License/Permit Number:

9. Issuing date (License/Permit):

10. Expiration date (License/Permit):

11. Other Relevant information:

=====

Checklist

It is mandatory that the following documents be attached to process the application

Section 3.0

- o *Business Registration Certificate*
- o *Articles of Incorporation (where applicable)*
- o *Partnership Agreement (where applicable)*

Section 4.0

- o *Audited or Unaudited Financial Statements for the past 3 years (if applicable – refer to Schedule 3 Exhibit #1 of the ELR)*
- o *Tax Clearance Certificate*
- o *Financial References (Include name, address, contact person, telephone number and email address)*
- o *Sources of Funding*
 - a) *Equity contribution (specify foreign or local)*
 - b) *Debt contribution (specify source and provide evidence)*

Section 5.0

- o *Detailed statement of Applicant's technical capacity and managerial competence*

Section 6.0

- o *6.1 (Detailed description of the facility(ies))*
 - a) *Major plant, equipment and machinery to be installed*
 - b) *Proposed layout plan*
 - c) *Operational nature of the applicant's proposed business*
- o *6.2 Feasibility Study Report*
- o *6.3 Capacity of the proposed facility*
- o *6.4 Implementation Schedule*
- o *6.5 Title documents to the land*

Section 7.0

- o *7.1 GPS coordinates and/or map*
- o *7.2 5-year Business Plan*
- o *7.3 Relevant agreements*

Section 8.0

- o *Ministry of Public Works*
- o *Liberia Business Registry*
- o *Liberia Revenue Authority*
- o *Environmental Protection Agency (EPA)*
- o *National Fire Service*
- o *Others*

APPENDIX C: APPLICATION FOR SELF- SUPPLY PERMIT OR AUTHORIZATION

Self-supply Permit ☐ Self-supply Authorization ☐

A. PARTICULARS OF APPLICANT

Name of applicant	
Name of Business (if applicable)	
Physical address/location	
Postal address	
Phone number(s)	
Email address	
Website (optional)	

B. REQUIRED ACTION

Initial Issuance ☐ Renewal ☐

1.0 LEGAL STATUS

1. Corporation ☐
2. Limited Liability Corporation ☐
3. Partnership ☐
4. Cooperative/Association ☐
5. Sole Proprietorship ☐
6. Other (please specify) ☐

Specify,

2.0 BUSINESS ACTIVITY(IES)

2.1 State The Business Activity(ies) of the Applicant

(Attach additional information if necessary)

2.2 Attach Tax Clearance Certificate

3.0 DESCRIPTION OF SELF-SUPPLY FACILITY

3.1 GPS Coordinates of Plant or Facility

GPS coordinates:

3.2 State The Size (Or Capacity) Of Plant and Years of Operation

4.0 SELF-SUPPLY TECHNICAL DATA (NAME PLATE INFORMATION)

(a) Installed Capacity	
(b) Fuel Type	
(c) Rated Power Factor	
(d) Reactive Power Capability	
(e) Output Voltage	
(f) Unit Frequency	
(g) Unit Efficiency	
(h) Date of Manufacture	
(i) Date of Installation	
(j) Make and Serial Number of Generator(s)	

4.1 Self-Supply Vendor: Provide The Contact Information for The Primary Vendor(s) And Installer(s) Of The System

Primary Vendor(s)

System Installers

5.0 SCOPE OF OPERATION

5.1 State The Extent and Scope of Self-Supply Operation Including Estimated Level of Self-Supply Consumption

5.2 State The Anticipated Daily Operational Hours of the Facility

5.3 Are You Currently Selling Surplus Power?

YES ☐ NO ☐

If yes, number of customers

5.4 Do You Intend to Sell Surplus Power

YES ☐ NO ☐

If yes, provide an estimated number of customers to be supplied

5.5 Provide an Estimated Investment Cost

6.0 TECHNICAL CAPACITY

Attach statement of Applicant's technical capacity and managerial competence

7.0 DECLARATION BY THE APPLICANT

I hereby declare that the information provided above are, to the best of my knowledge, true and accurate; and the activity(ies) is not unlawful or contrary to the interest of the Republic of Liberia.

Signed: _____

Position: _____

Date: _____

=====

FOR OFFICIAL USE ONLY

Docket #: _____

NAME OF APPLICANT: _____

1. Date of receipt of Application:

2. Fees Paid and Receipt Number:

3. Newspapers and Dates in which Application is advertised:

4. Results of any Public Hearing:

5. Recommendation of the Head of Legal, Licensing & Public Affairs Unit:

6. Decision of Commission:

7. Date of Decision:

8. License/Permit Number:

9. Issuing date (License/Permit):

10. Expiration date (License/Permit):

11. Other Relevant information:

=====

Checklist

It is mandatory that the following documents be attached to process the application

2.0

- o *Business Registration Certificate*
- o *Articles of Incorporation (where applicable)*
- o *Partnership Agreement (where applicable)*

4.2

- o *Tax Clearance Certificate*

6.2

- o *Certification of (Installation) Inspection:*

8.0

- o *Technical Capacity and Managerial Competence*

Appendix D: Application for Amendment of License, Permit or Authorization

License ☐ Permit ☐ Authorization ☐

1.0 PARTICULARS OF APPLICANT

Name of applicant	
Name of Business (if applicable)	
Physical address/location	
Postal address	
Phone number(s)	
Email address	
Website (optional)	

2.0 REFERENCE INFORMATION

Docket No.:

Date of issuance:

3.0 TYPE OF ACTIVITY(IES)

Generation ☐	Import ☐
Transmission ☐	Export ☐
Distribution ☐	TSO ☐
Trading ☐	[Not Used] ☐
Self-Supply ☐	

4.0 ATTACH DETAILS OF CONDITION(S) THAT IS THE SUBJECT OF THE AMENDMENT REQUEST

I hereby declare that the information provided above are, to the best of my knowledge, true and accurate; and the activity(ies) is not unlawful or contrary to the interest of the Republic of Liberia.

Signed: _____

Position: _____

Date: _____

=====

FOR OFFICIAL USE ONLY

Docket #: _____

NAME OF APPLICANT: _____

1. Date of receipt of Application:

2. Fees Paid and Receipt Number:

3. Newspapers and Dates in which Application is advertised:

4. Results of any Public Hearing:

5. Recommendation of the Head of Legal, Licensing & Public Affairs Unit:

6. Decision of Commission:

7. Date of Decision:

8. License/Permit Number:

9. Issuing date (License/Permit):

10. Expiration date (License/Permit):

11. Other Relevant information:

=====