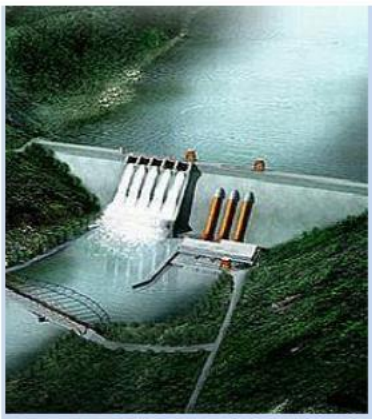

LICENCE AND PERMIT APPLICATION MANUAL

for
service providers
in the

ELECTRICITY SUPPLY INDUSTRY

March 2018

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Table of Contents

PREFACE ..... **V**

DEFINITIONS ..... **VI**

"Manual" ..... *vi*

CHAPTER **1**

1 ..... **1**

BACKGROUND 1

Introduction *1*

Purpose of License Application Manual *1*

Obligation to be licensed *1*

Exemptions *1*

Transmission Connection Agreement and Distribution Network Access Agreements *2*

Purchase of electricity from embedded electricity generation facilities *3*

CHAPTER **4**

2 ..... **4**

ROLE OF THE COMMISSION *4*

Guiding principles *4*

Licensing and Permitting functions of the Commission *4*

Granting of licence *5*

Specifying licence conditions *5*

Varying licence conditions *5*

Granting of Bulk Customer Permits *5*

Register of issued licences and permits *5*

Compliance monitoring and enforcement *5*

Suspension and cancellation of licence *6*

3 ..... **7**

TYPES AND DURATION OF LICENCES 7

Types of licence *7*

Purpose for issuance of Wholesale, Embedded, Distribution and Transmission Licence *10*

Duration of Licences and Permits *10*

Renewal of Licence *11*

CHAPTER **12**

4 ..... **12**

APPLICATION FOR AND APPROVAL OF LICENCE 12

Applications *12*

Application Fee *13*

Siting Committee *13*

Consideration and approval of application *13*

Notice of licence decision *14*

Declaration *14*

CHAPTER 15

5..... 15

LICENCE FEES AND CONDITIONS.....15

Licence conditions.....15

Licence fees.....15

CHAPTER 17

6..... 17

REVIEW OF DECISION AND APPEALS.....17

Review of decisions.....17

Appeals 18

CHAPTER 19

7..... 19

WHOLESALE SUPPLY (THERMAL/HYDRO ELECTRICITY GENERATION) LICENCE.....19

8..... 27

ELECTRICITY BROKERAGE LICENCE.....27

CHAPTER 33

9..... 33

ELECTRICITY TRANSMISSION LICENCE 33

CHAPTER 40

10A..... 40

ELECTRICITY DISTRIBUTION LICENCE 40

10B..... 48

ELECTRICITY DISTRIBUTION LICENCE IN THE PRIVATE SECTOR PARTICIPATION (PSP) PROGRAM 48

CHAPTER 54

11..... 54

ELECTRICITY SALE LICENCE.....54

CHAPTER 60

12..... 60

EMBEDDED ELECTRICITY GENERATION LICENCE 60

CHAPTER 13 68

ELECTRICITY EXPORT LICENCE.....68

CHAPTER 14 74

ELECTRICITY IMPORT LICENCE 74

CHAPTER 80

15..... 80
CAPTIVE GENERATION LICENSE 80

CHAPTER 83

16..... 83
BULK CUSTOMER PERMIT 83

SCHEDULE I: APPLICATION FORMS A AND B..... 86
APPLICATION FORM A.....87
APPLICATION FORM B.....88

SCHEDULE II: SCHEDULE OF LICENCE FEES 92

SCHEDULE III: GENERATING PLANT TECHNOLOGY AND DESCRIPTION 94
THERMAL POWER PLANT.....94
HYDRO POWER PLANT 94

SCHEDULE IV: DESCRIPTION OF THE ELECTRICITY DISTRIBUTION SYSTEM 95

SCHEDULE V: DESCRIPTION OF THE NATIONAL INTERCONNECTED TRANSMISSION SYSTEM 96
1-A. LINE PARAMETERS: POSITIVE SEQUENCE IMPEDANCE.....96
1-B. LINE PARAMETERS: NEGATIVE SEQUENCE IMPEDANCE 96
1-C. LINE PARAMETERS: ZERO SEQUENCE IMPEDANCE.....97
1-D. SHUNT CAPACITOR DATABASE 97
1-E: SUBSTATIONS-CIRCUIT BREAKER DATABASE.....98
1-F: SUBSTATIONS-POWER TRANSFORMER DATABASE 98

SCHEDULE VI – CATEGORIES OF ELECTRICITY BROKERAGE LICENCE..... 99

SCHEDULE VII – CATEGORIES OF ELECTRICITY EXPORT LICENCE..... 100

SCHEDULE VIII – CATEGORIES OF ELECTRICITY IMPORT LICENCE 101

SCHEDULE IX – OWNERSHIP STRUCTURE AND SHAREHOLDING DECLARATION..... 102

SCHEDULE IX – SHAREHOLDING AND CROSS OWNERSHIP DECLARATION..... 103

APPENDIX I: GUIDELINES FOR SITE ANALYSIS REPORT PRESENTATION..... 104

APPENDIX II: SITING ANALYSIS FOR ELECTRIC POWER TRANSMISSION AND DISTRIBUTION FACILITIES 106

APPENDIX III: MEMBERSHIP OF THE SITING COMMITTEE..... 112

APPENDIX IV: MODEL PROJECT BRIEF FOR ELECTRIC POWER GENERATING FACILITIES..... 113

APPENDIX V: PUBLIC NOTICE..... 114

APPENDIX VI: GUIDELINES FOR PROJECT PRESENTATION TO EC BOARD..... 116

PREFACE

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

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

The 2018 Version is the third edition of the Manual issued by the Commission, in accordance with the mandate of the Commission to subject the Manual to periodic review in order to improve its quality and to make it more amenable to its objects and functions as and when it deems it necessary. The first and second editions were published in 2006 and 2012 respectively.

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

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

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

Definitions

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

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

CHAPTER

1

BACKGROUND

Introduction

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

Purpose of License Application Manual

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

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

Obligation to be licensed

1.4 Section 11 of the Act provides that, a person shall not undertake any operations in Ghana's electricity supply industry for which a licence is required unless the person either:

(a) holds a licence granted under the Act authorising the relevant operations; or

(b) is exempted from holding a licence.

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

Exemptions

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

1.6 A request for an exemption under clause1.5 should be made to the Commission in a form similar to an application for a licence.

1.7 An application for an exemption will be considered on its merits in the light of the relevant legislation. Exemptions would be granted by the Commission only under exceptional circumstances.

Transmission Connection Agreement and Distribution Network Access Agreements

1.8 The acquisition of an Electricity Distribution or Wholesale Supply Licence does not authorise the prospective electricity service provider to have access to the National Interconnected Transmission System in Ghana. A *Connection Agreement* or *Network Access Agreement* with the relevant network service provider is required for that purpose.

1.9 Pursuant to Section 24 of the Act, all prospective participants in the deregulated segment of Ghana's electricity supply industry shall negotiate and conclude a Connection Agreement with the Electricity Transmission Utility (ETU).

1.10 To ensure transparency and non-discriminatory access to the relevant information, the Electricity Transmission Utility shall make available to the public at its offices, the procedures for obtaining and terminating Transmission Connection Agreements with a licensee.

1.11 A Participant seeking to engage in embedded electricity generation or distributed generation services, must negotiate and conclude a Distribution Network Access Agreement with the relevant licensed distribution entity at the second stage of the licence application procedures while seeking a licence from the Energy Commission.

1.12 The conditions for connection agreements shall at all times be in full compliance with the National Electricity Grid Code and/or all relevant codes. The Commission will be available to facilitate these negotiations as and when required.

1.13 Without prejudice to clause 1.9, the scope of a Connection or Access Agreement, shall among other things, seek to secure a network user's agreement to:

a) Pay for services provided by the network operator according to negotiated prices up to the maximum prices approved by the Public Utilities Regulatory Commission (PURC);

b) Use all reasonable endeavours to ensure that:

   i) The user's actual demand at a connection point does not exceed the contract maximum demand for that connection;

   ii) The quantity of electricity transferred to the electricity network by the supplier or on behalf of the user at a connection point does not exceed the declared sent-out capacity from the user in respect of that connection and

   iii) The user's use of the network is in 'balance' such that, after allowing for network energy losses, the quantity of electrical energy transferred into the network in respect of each of its access agreements for each energy usage period is equal to the quantity of electrical energy transferred out (to its customers) of the network for that period;

c) Arrange the supply and transportation of standby power to satisfy this 'balancing' obligation, and to keep the power system operator informed of such arrangements and any material changes;

d) Arrange payment for any balancing amount of electricity;

e) Comply with good electricity industry practice in operating, maintaining, constructing and commissioning of the plant or equipment connected to the electricity network to facilitate the transfer of electricity to or from the network;

f) Comply with all technical rules and codes of practices issued by the Commission and any other relevant agency regarding connection to and the use of the electricity network; and
g) Make a capital contribution (after negotiating with the relevant asset owner) in respect of the capital investment associated with the designing, constructing, installing and commissioning of the connection equipment or network system assets where the granting of access necessitates the augmentation of connection equipment or network system assets that would otherwise not be 'commercially viable'.

Purchase of electricity from embedded electricity generation facilities

1.14 Licensed distribution service providers may connect embedded electricity installations (especially, renewable energy sources and cogeneration facilities) to their distribution network and, purchase electricity from and compensate same for the supplies.

1.15 The capacity of embedded generation shall not exceed 20MW.

1.16 This obligation shall apply to the licensed distribution service provider, whose franchise or operational area is closest to the location of the embedded electricity generation facility, providing that the network is technically suitable to receive generation from the facility.

1.17 A distribution network shall be considered to be technically suitable or feasible even if the network operator (or licensee) needs to upgrade its network at reasonable economic expense in order to accept the electricity in-feed. In such a case, the licensee shall be obliged to upgrade its network without delay, if this is requested by a party interested in feeding in electricity. Relevant data on both the network and the embedded electricity generation facility shall be disclosed for both parties to do their respective planning and to determine the technical suitability of the connection arrangement.

CHAPTER

2

ROLE OF THE COMMISSION

Guiding principles

2.1 In its decision making with respect to licensing and other functions, the Commission must have regard to the general factors specified in the Act.

2.2 The Commission, in performing its functions, will:

a) promote competitive and fair market conduct;
b) prevent misuse of monopoly or market power;
c) facilitate entry into and exit from the relevant markets;
d) ensure consumers benefit from competition and efficiency;
e) collaborate with the PURC to protect the interests of consumers with respect to reliability and quality of electricity supply services;
f) collaborate with the PURC to promote economic efficiency, fair, transparent and competitive operations in the electricity supply industry and
g) Collaborate with the PURC in facilitating the maintenance of a financially viable electricity supply industry.

2.3 The Commission further will ensure the safe and efficient generation, transmission, distribution and sale of electricity in the power system by establishing and enforcing:

a) proper standards of safety, reliability and quality in the electricity supply;
b) proper safety and technical standards for electrical installations;
c) standards to ensure efficient electricity end-use practices and promote productive uses of electricity.

Licensing and Permitting functions of the Commission

2.4 The Commission has responsibility for a number of licensing functions under the Act, notably:

a) granting licence;
b) specifying licence conditions;
c) varying licensing terms and conditions;
d) maintaining a register of issued licences;
e) granting of Bulk Customer Permit;
f) compliance monitoring and enforcement of licence conditions; and

g) Suspension or cancellation of Licences and Permits.

Granting of licence

2.5 The Commission may issue a licence if satisfied that:

a) the applicant is a suitable person to hold the licence; and

b) Specified requirements are met for each licence type.

Specifying licence conditions

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

Varying licence conditions

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

Granting of Bulk Customer Permits

2.8 The Commission may issue a Bulk Customer with a Permit if satisfied that:

a) the applicant is a suitable person to hold the permit; and

b) Specified requirements are met for each permit type.

Register of issued licences and permits

2.9 The Commission shall keep a register of the licences and permits granted to electricity service providers under the Act. A copy of the register will be available at the Commission's website ***(www.energycom.gov.gh)*** to facilitate access by the public.

Compliance monitoring and enforcement

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

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

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

2.13 Authorised officers of the Commission shall have the right of free access to the premises and/or operational area of the licensee for the purpose of inspecting and ensuring compliance with the licence conditions. In the course of such inspections, the Licensee is required to co-operate with and render assistance to such authorised officers.

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

Suspension and cancellation of licence

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

a) an act of default; meaning that the licensee is not complying or has not complied with any of the conditions stipulated in its licence; or

b) a change in circumstances under which the licence was granted such that the electricity service provider would no longer be entitled to a licence.

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

a) the cause of dissatisfaction;

b) the directives for rectification of the breach; and

c) the Commission's proposed line of action in the event that the licensee does not comply within the period specified in the written notice.

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

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

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

CHAPTER

3

TYPES AND DURATION OF LICENCES

Types of licence

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

a) wholesale electricity supply operations and services;

b) electricity brokerage operations and services;

c) captive generation licence

d) electricity transmission operations and services;

e) electricity distribution operations and services;

f) electricity sale operations and services;

g) embedded electricity generation operations and services;

h) electricity export operations and services;

i) electricity import operations and services; and

j) bulk customer permits.

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

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

a) for wholesale electricity supply activity – separate licences are required for each generation facility;

b) for electricity brokerage activity - a licence grants a person the permission to operate in the NITS;

c) for electricity transmission activity – only one (1) licence shall be issued;

d) for electricity distribution activity – separate licences are required for each concession area;

e) for electricity sale activity – separate licences are required for each concession area;

f) for embedded electricity generation activity– separate licences are required for each facility;

g) for electricity export activity – a licence grants a person the permission to export to any country;

h) for electricity import activity – a licence grants a person the permission to import into the country; and

i) for negotiation for bulk purchase of electricity- a Bulk Customer Permit authorises a person to negotiate with an electricity wholesale supply or brokerage licence holder.

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

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

a) Thermal Electricity Generation Licence; and

b) Hydro Electricity Generation Licence.

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

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

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

3.9 An **electricity transmission licence** will authorise the licensee:

a) to monitor and control the operation of the national interconnected network for the transmission of electricity in areas within Ghana, and to ensure the safe, reliable and economic dispatch of all electricity generation facilities connected to the national interconnected transmission system as stated in the licence;

b) to provide open access transmission and interconnection services without discrimination to other licensees in the Ghanaian electricity supply industry; and

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

3.10 An **electricity distribution licenc**e will authorise the licensee to operate a distribution network and distribute electricity without discrimination to consumers within a designated area or zone as stated in their licence.

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

3.12 An **embedded electricity generation** licence will authorise the licensee to;

a) generate electricity at agreed points of injection in a distribution network and utilizing a specified embedded electricity generation facility with clearly specified technical details; or

b) sell electricity:

i. to any electricity bulk customer; or

ii. to electricity entities holding a distribution licence; or

c) provision may be made for specific sales;

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

3.13 A **Captive power generation** licence will authorise the licensee to

provide captive generation of 1MW or more for own use; and/ or sale to an off-taker,

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

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

3.16 A **bulk customer permit** will permit any consumer of electricity with a Maximum Demand of a minimum stipulated amount established by the Commission consistently for a consecutive period of three (3) months OR a minimum annual energy consumption of a stipulated amount established by the Commission to operate in the deregulated market.

Purpose for issuance of Wholesale, Embedded, Distribution and Transmission Licence

Project Registration

3.17 Project Registration will allow a prospective participant in the industry to undertake the following:

a) engage with potential off-takers for sale of power;

b) engage with financiers for funding of the project;

c) engage sponsors for support in the initial stage of the project; and

d) engage with a Grid operator.

3.18 Project Registration does not:

a) guarantee the issuance of Power Purchase and Sale Agreement;

b) permit the commencement of site preparation works; and

c) allow commencement of construction of the project.

Siting Permit

3.19 The Siting Permit is relevant to ensure that the site selected for the construction undergoes due diligence for environmental, power evacuation and safety concerns.

Construction Permit

3.20 The Construction Permit is relevant to permit the commencement and construction of the power plant and Balance of Plant (BOP).

Duration of Licences and Permits

3.21 A licence shall be granted for a definite period.

3.22 The duration of licences and permits shall be as indicated in Table 1 and Table 2 and shall be renewed upon compliance with the conditions of the licence.

3.23 Notwithstanding 3.17, the duration of a license for generation of power shall take into consideration the useful life of the plant after commissioning.

Table 1: Duration of Licences

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

Electricity Sale	Up to 20 years
Embedded Electricity Generation	Up to 20 years
Electricity Export	Up to 5 years
Electricity Import	Up to 5 years
Captive Power Generation	Up to 5 years

Table 2: Duration of Permits

Type of Permits	Duration
Siting Clearance (Siting Permit)	Up to 6 months
Construction Permit	Up to 24 months
Bulk Customer Permit	Up to 24 months

Renewal of Licence

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

CHAPTER

4

APPLICATION FOR AND APPROVAL OF LICENCE

Applications

4.1 A formal application for a licence shall be submitted to the Office of the Executive Secretary of the Commission with all relevant information as specified in the respective chapter for each licence type.

4.2 An application for a licence shall be made on forms approved and supplied by the Commission. The application forms can also be accessed from the Commission's website www.energycom.gov.gh. Samples of the forms are provided in **Schedule 1***: Application Forms A and B*.

4.3 The applicant shall complete the appropriate application form in its entirety and submit all required attachments, affidavits, and evidence of capability specified by the form at the time an application is filed.

4.4 An incomplete application will not be processed or may be rejected. All specified exhibits required shall be submitted together with the formal duly signed application form for consideration for the issue of a licence to undertake the prescribed operations in the electricity supply industry in Ghana.

4.5 Separate applications are required from an applicant to engage in different market activities that fall within different segments of the industry. The Commission will accept a single application from an applicant in respect of multiple activities in the same segment of the industry. While the Commission will accept applications in this form, separate licences will be issued for each market activity and for each facility where the activity is carried out and the appropriate fees charged.

4.6 An applicant will be required to furnish the Commission with further information where necessary.

4.7 An application shall be deemed to have been successfully lodged only if all relevant supporting documentation required as indicated in the respective chapter for each licence type are attached in addition to full payment of the required application fee as in 4.9

4.8 The Commission shall acknowledge receipt of an application for a licence **within ten (10) working days** of submission of an application and indicate whether the applicant's submissions fully satisfy the requirements expected of the relevant type of licence or otherwise.

Application Fee

4.9 The applicant must pay to the Commission, an application fee determined by the Commission.

4.10 The application fee is stated in **Schedule 2:** *Schedule of Licence Fees*. The application fees as stated in the Schedule shall be valid for the period from January 1 through to December 31 of each year.

4.11 Application fees may be revised by the Commission and announced by Public Notice.

4.12 The stipulated application fee will be payable in respect of each type of licence sought, regardless of whether or not applications are made separately or are aggregated into a single application document. .

4.13 A licence application shall not be assessed unless the appropriate *Application Fee* is paid by the applicant.

4.14 Application fee paid at the time of submitting an application as referred to in 4.9 shall cover the specific stage in the licensing process.

4.15 An amendment application filing fee shall be charged for a request to amend an approved licence, siting clearance, construction work permit or authorization to operate.

4.16 The amendment application filing fee shall be determined by the Commission based on the amount of work involved with the amended portion of the application.

Siting Committee

4.17 All applications for generation, transmission and distribution facilities shall be subject to the approval of the Siting Committee of the Commission. (refer to appendix III- Membership of the Siting Committee.)

4.18 The Commission shall review an application taking into consideration the recommendations of the Siting Committee.

Consideration and approval of application

4.19 The Commission shall issue a licence if it is satisfied that:

(a) The applicant is suitable to hold the licence;

(b) In the case of a wholesale supply licence or embedded electricity generation licence - the generating plant supporting the supplier will have the necessary and relevant characteristics to generate electricity of the appropriate quality for the relevant electricity network in a safe manner;

(c) For a transmission licence - the network must have the necessary characteristics to guarantee a safe, reliable and economic transmission of electricity and the applicant

has capacity to adequately exercise system control functions and operations in an efficient, transparent and fair manner;

(d) For a distribution licence – the network must have the necessary characteristics and integrity to distribute electricity to consumers efficiently;

(e) For an electricity sale licence - the applicant must be able to reasonably meet obligations for the sale of electricity as specified by the Commission;

(f) For an electricity export licence – the applicant shall be a Wholesale Supplier or Brokerage licensed by the Energy Commission with stipulated capital adequacy and liquidity requirement; and

(g) for an electricity import licence- the applicant shall be a Wholesale Supplier, Distribution Company, Bulk Customer or Brokerage licensed by the Energy Commission with stipulated capital adequacy and liquidity requirement.

4.20 In deciding whether an applicant is suitable to hold a licence, the Commission will consider:

a) The applicant's previous commercial and other dealings, within and outside Ghana, as may be deemed appropriate by the Commission (including that of its major officers, principals and shareholders) in order to determine and/or assess the applicant's standard of credibility and integrity and to ascertain, among other things, possible past breaches of statutory and other legal obligations in previous dealings;

b) The financial and technical capability of the applicant and the human resources available for the operations under the licence; and

c) Other matters as prescribed by the Act or any other relevant laws and Regulations.

Notice of licence decision

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

Declaration

4.22 The applicant is obliged to sign a declaration indicating that all data presented to the Energy Commission in the application for licence are true and correct to the best of the Applicant's knowledge.

CHAPTER

5

LICENCE FEES AND CONDITIONS

Licence conditions

5.1 Licences granted shall be subject to conditions. These conditions may include limitations and/or constraints that are determined and imposed by the Commission or statutory requirements stipulated by the Act or any other relevant legislation.

5.2 A licensee shall not contravene a condition of its licence. A licensee that contravenes a condition of its licence may be subject to:

a) an order for compensation payment;

b) the recovery of any profits realized by the licensee from the contravention of a licence condition; and/or

c) the suspension or cancellation of the licence for a material contravention of a licence condition.

Licence fees

Initial Licence Fee (ILF)

5.3 A new licence shall not be granted unless the appropriate *Initial Licence Fee (ILF)* is fully paid by the licensee.

5.4 The Initial Licence Fee for a particular type of licence shall be the fee determined by the Commission to be paid by the licensee prior to the issue of a licence.

Annual Licence Fee (Annual Operating Fee)

5.5 All licences shall be subject to payment of an annual fee called *Annual Licence Fee* payable annually during the commercial operations period of the licence.

5.6 A licensed facility under construction shall be exempted from payment of the annual licence fee during the construction period. A licensee shall commence payment of the annual licence fee on the issue of an authorization by the Commission to start commercial operations.

5.7 The Annual Licence Fee for a particular type of licence shall be determined by the Commission.

5.8 The Commission may consider a request for payment of an Annual Licence Fee in feasible instalments.

5.9 Annual Licence Fees shall be demanded by the Commission by **November 15** of each calendar year and shall be considered due on **January 1** of the following year.

5.10 The Commission shall base its assessment of the Annual Licence Fee invoiced for the forthcoming Licence Year on actual returns submitted by the licensee for the 1st, 2nd and 3rd quarters and an estimate for the last quarter of the current Licence Year.

5.11 A reconciliation of the Annual Licence Fee amount due shall be effected and differences settled by April 15 following the submission of Annual Performance Statistics which is required to be lodged with the Commission by March 15 each year.

5.12 Payment of outstanding Annual Licence Fees shall be made not later than **April 15 of each calendar year (i.e. Fifteen (15) clear days after the deadline for lodgement of the annual returns with the Commission**) after which the Commission may sanction the licensee as deemed necessary in line with Section 19 of the Act.

5.13 The annual licence fee to apply is stated in **Schedule II:** *Schedule of Licence Fees.* The annual licence fees as stated in the schedule shall be revised by the Commission and announced by Public Notice.

5.14 The Annual Fees of all licences granted after commencement of a licence year will be apportioned on the basis of the formula:

Fee Payable = Full Year Fee x **Z/12**

where **Z** = the number of months remaining in the licence year for which the licence fee is payable.

5.15 Any fee payable for a part of a licence year will be calculated in accordance with the formula above.

5.16 The Licence Year for all licences shall be the period from **January 1** up to **December 31** of each calendar year.

5.17 There will be no refund of fees, whether in whole or in part upon the cancellation of a licence.

5.18 Market share will be calculated on the basis of energy sales data provided by licencees to the Commission as a percentage of total kWh in both the contestable or non-contestable market that the licencee's sales represent.

5.19 All energy sales, installed capacity and circuit kilometer data used to calculate an annual fee payable will be based on the latest available actual values prior to the commencement of the licence year.

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

CHAPTER

6

REVIEW OF DECISION AND APPEALS

Review of decisions

6.1 The Act provides for:

(a) persons who are dissatisfied with a decision of the Commission in relation to a licence application to have the decision reviewed by the Commission; and

(b) persons who have had a decision reviewed by the Commission but are dissatisfied with the results of the review, to appeal the decision to the responsible Ministry which shall within thirty (30) days of receipt of the complaint make a decision. If dissatisfied with the Decision of the Minister, or where the 30 days expire without a decision, the person may pursue the matter in the Courts (Refer to Sections 20 & 21 of the Act).

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

(a) An applicant for the grant or variation of the conditions of a licence, or for agreement to transfer a licence or for review of the decision of the Commission to refuse an application; or

(b) A licensee regarding the decision to suspend or cancel its licence or to vary the conditions of its licence.

6.3 An application for the review of a Decision shall:

(a) be made in writing;

(b) set out the decision to which the application relates;

(c) set out in detail, the grounds on which the applicant seeks a review of the Decision in question;

(d) be accompanied by any information or evidence that the applicant considers should be taken into account by the Commission; and

(e) be lodged with the Commission within fourteen (14) days after the notification of the decision.

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

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

(b) will take a decision on the review within thirty (30) days of the application being lodged, or otherwise the Commission shall be deemed to have confirmed the decision (on expiration of the 30 days); or

(c) may confirm, amend or substitute the decision; and

(d) will give the applicant written notice of the Commission's decision, and the reasons for the Decision on the review.

Appeals

6.5 An applicant who is dissatisfied with a decision of a review by the Commission has a right to appeal to the responsible Ministry, and subsequently to the Courts, as set out in Section 20 of the Act.

6.6 The appeal must be made within fourteen (14) days after receipt of the written notice of the decision of the review.

CHAPTER

7

WHOLESALE SUPPLY (THERMAL/HYDRO ELECTRICITY GENERATION) LICENCE

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

Business Registration, and Initial due diligence

STAGE 1: ACQUISITION OF PROJECT REGISTRATION CERTIFICATE

Required Submissions:

Exhibit A1 - Completed Application form with signed Disclosure Statement
Exhibit A2 - Document Registration
Exhibit A3 - Ownership and Corporate Structure
Exhibit A4 - Cross-ownership and ring- fencing
Exhibit A5 - Project Brief
Exhibit A6 - Commercially Sensitive Information (optional)
Exhibit A7 - Local Participation
Exhibit A8 - Proof of Fee Payment – Non refundable

Identification, selection of site for project and engagement with GRIDCo

STAGE 2: ACQUISITION OF SITING PERMIT

Required Submissions:

Exhibit A9 - Site Analysis Report (reference Appendix I)
Exhibit A10 - Initial search report from Lands Commission/Land Conveyance Agreement (Or Memorandum of Understanding with Land Owner)
Exhibit A11 - Load flow study from GRIDCo
Exhibit A12 - Environmental Scoping Report
Exhibit A13 - Attestation from Geological survey / Bathymetric study (applicable to ONLY barges and powerships)
Exhibit A14 - Proof of Siting Permit Fee Payment

Prior to Commercial Operations

STAGE 3: ACQUISITION OF WHOLESALE SUPPLY LICENCE (AUTHORIZATION TO CONSTRUCT)

Required Submissions:

Exhibit A15 - Land Conveyance Agreement (if not presented for Siting Permit)
Exhibit A16 - Environmental Protection Agency (EPA) Permit
Exhibit A17 - Detailed Implementation Schedule
Exhibit A18 - Plant and Machinery Specifications
Exhibit A19 - Building Permit
Exhibit A20 - Signed Power Sale and Purchase Agreements (Not Mandatory)
Exhibit A21 Signed Engineering, Procurement and Construction Contract
Exhibit A22 - Local Content Plan for construction
Exhibit A23 - Health, Safety & Environmental Plan
Exhibit A24 - Safety and Technical Management Procedures
Exhibit A25 - Supply Agreements(equipment,parts,fuel etc) (not mandatory)
Exhibit A26 - Third Party Insurance for workers and other related personnel for construction period
Exhibit A27 - Proof of Construction Permit /Initial Licence Fee Payment
***See not below

For commercial operation

STAGE 5: OPERATIONS APPROVAL

Required Submissions:

Exhibit A28 - Local Content Plan for operations and maintenance
Exhibit A29 - Connection Agreement
Exhibit A30 - Commissioning Report
Exhibit A31 - Fire Certificate
Exhibit A32 - Third Party Insurance for Operation od Maintenance personnel
Exhibit A31 - Operational Experience and Expertise or Operation & Maintenance (O&M) Agreement

***NB 10 Inability to show proof of Financial Close within 18months of issaunace of the Wholesale supply licence shall result in the withdrawal of the Licence

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

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

7.3 Applicants shall provide two (2) hard copies and one (1) soft copy of the following exhibits as separate attachments, clearly labelled and all pages sequentially numbered and initialled.

1. **Exhibit A1 "Completed Application Form"** Applicants shall fill and submit one original application form signed by a Principal Officer (reference Schedule I -Application form A), Including a signed declaration/disclosure statement by each Director/Principal Shareholder of the company relating to any liabilities or investigations affecting their suitability as a Director/Shareholder of a licensed company.
2. **Exhibit A2 "Documentation Registration,"** provide evidence that the applicant has registered with the Registrar General's Department. Exhibits required include

    a. Limited Liability Company
        i. Certificate of Registration
        ii. Certificate to Commence Business
        iii. Regulations 8 to 82; Second schedule to the Companies Code, 1963 (Act 179)

    b. Names, titles, nationality, addresses and telephone numbers of the Company's registered Directors and Company Secretary, with at least one (1) Director being a citizen of Ghana, and also one (1) Director being resident in Ghana.

3. **Exhibit A3- Ownership and Corporate structure (Equity ownership)**

The licensee or Affiliate thereof or any stockholder, director or officer or any of their relatives within the fourth (4th) civil degree of consanguinity or affinity, legitimate or common law, shall not own any equity interest, directly or indirectly, in a wholesale supplier or the Electricity Transmission Utility (ETU)

Except for ex-officio government appointed representatives, no person who is an officer or director of a wholesale supplier or the Electricity Transmission Utility shall be an officer or director of the licensee.

The licensee, or its stockholders, directors or officers thereof, or any of their relatives within the fourth civil degree of consanguinity and their respective spouses, shall not be allowed to hold any shares of stock in a wholesale Supplier or the Electricity Transmission Utility:

Provided that the cross-ownership prohibition under this provision shall not apply:

a. To a relative by blood or marriage, if such relative of any stockholder, director or officer of a wholesale supplier or the Electricity Transmission Utility has no employment, consultancy, fiduciary, contractual, commercial or other economic relationship or interest in a wholesale supplier Transmission Utility; or
b. Conversely, if such relative of any stockholder, director, or officer of the licensee has no employment, consultancy, fiduciary, contractual, commercial or other economic relationship or interest in the licensee.

Provided further that, this provision on cross-ownership shall not apply to;

a. Ownership of shares of stock in a company listed in the Ghana Stock Exchange (GSE) even if such listed company is the licensee and if such share ownership is not more than one per centum (1%) of the local outstanding shares of the listed licensee; or
b. Ownership of share of stock which is not more than one per centum (1%) in a company listed in the Ghana Stock Exchange (GSE) which owns or controls shares of stock in a wholesale Supplier or the Transmission Utility.

NB: Applicant shall submit details of ownership as in Schedule IX

4. **Exhibit A4 Cross-ownership and ring-fencing**

Information on cross-ownership and ring-fencing. This should outline the following:

i. The basis on which services and resources will be transacted between relevant operating areas of the applicants, or the applicant and its other related entities;
ii. In the case of applicants that are wholly owned subsidiaries, information on proposed audit arrangements should be provided and also stated whether separate reports for the licensee and its parent company (if applicable) are to be prepared and made publicly available;
iii. Other guidelines or standards relating to financial separation, ring-fencing and separate audit arrangements which the applicant intends to follow.
iv. A list and description of all existing, pending or past rulings, judgments, contingent liabilities, revocation of authority, regulatory investigations, or any other matter that could adversely impact the applicant's financial or operational status or ability to provide the services it is seeking to be certified to provide. Also include a statement whether the applicant or any of his associates, or partners, or promoters, or Directors was ever refused licence or had licence cancelled, and if so, the particulars of such application, indicating the date of making the application, date of order refusing or cancelling licence and reasons for such refusal or cancellation.

Note:

i. Each partner, director or major shareholder (with any share ownership) is required to provide a declaration/disclosure statement (Ref: Exhibit A1) relating to any existing, pending or past rulings, judgments, contingent

liabilities, revocation of authority, regulatory investigations, or any other matter that could adversely impact the applicant's financial or operational status or ability to provide the services it is seeking to be certified to provide.

ii. The applicant must also include a statement indicating whether any of his associates, partners, promoters, or Directors was ever refused a licence or had a licence cancelled, and if so, the particulars of such application, date of making the application, date of order refusing or cancelling licence and reasons for such refusal or cancellation.

iii. Applicant shall submit details of cross-ownership in other businesses by shareholding as in Schedule X

5. **Exhibit A5" Project Brief"** provide a summary of the proposed project including the proposed operational nature of applicants business, location plant type and capacity (as per Schedule IV and Schedule III – Generating Plant Technology and Description.), and background of the entity(ies) to own and operate the facility.

6. Exhibit A6 – "Commercially Sensitive Information" The Commission may make public the information included in an application for a licence. Where the applicant considers information contained in an application to be commercially sensitive, the applicant should clearly identify such information and state the reasons why they are to be regarded as commercially sensitive, to enable the Commission determine its consideration of the confidentiality request.

7. Exhibit A7 – "Local Participation" provide a plan detailing

(a) the role and responsibilities of the indigenous Ghanaian;

(b) the equity participation of the indigenous Ghanaian; and all other shareholders and

(c) the strategy for the transfer of technology and know-how to the indigenous Ghanaian company.

8. Exhibit A8 – "Proof of payment of Registration fee" Applicants shall attach receipt confirming the payment of the prescribed licence application fee (reference Schedule II – Schedule of Licence Fees)

Stage 2:- Procedure for Acquisition of Siting Clearance

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

7.5 Applicants shall provide two (2) vcopies and a soft copy of the following exhibits as separate attachments, clearly labelled and all pages sequentially numbered and initialled.

9. Exhibit A9 – "Site Analysis Report" Provide details as per Appendix I-Site analysis for the siting of Electric Power Generation Facility. Applicants shall be required to give a power point presentation as per Appendix I of their proposed site to the Siting Committee prior to the site visit to appraise the site, and printed copy of the presentation submitted as an Exhibit.

10. **Exhibit A10- "Search Report/Land conveyance Agreement"** provide a search report from the Lands Commission confirming ownership and availability of the land for the project.
11. **Exhibit A11 – "Load flow Study from GRIDCo"** provide relevant load flow studies and contingency analyses for proposed plant location.
12. **Exhibit A12 – "Environmental Scoping Report"** provide a copy of your Environmental Scoping Report for the site under consideration.
13. **Exhibit A13 – "Attestation from Geological Survey/Bathymetric Studies"** provide a report attesting to either the absence of or acceptable levels of seismic activity on and around the proposed site. **For Bathymetric Studies** provide a report on hydrography, bathymetric map, Bottom /seabed scanning and topographic surveys.
14. **Exhibit A14 – "Proof of Siting Permit Fee Payment"** Applicants shall attach receipt confirming the payment of the prescribed permit application fee (reference Schedule II – Schedule of Licence Fees)

Stage 3:- Procedure for Acquisition of Wholesale Supply Licence (Authorisation to Construct)

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

7.7 Prior to commencement of construction applicants may be required to show proof of conduct of a Factory Acceptance Test including pre shipment inspection by GRIDCO, a Technology expert, Energy Commission and the Off-taker prior to shipment at the cost of the applicant.

7.8 Applicants shall provide two (2) copies and a soft copy of the following exhibits as separate attachment, clearly labelled and all pages sequentially numbered and initialled.

7.9 Applicants may be required to give a power point presentation of their overall project and licence application to the Board of the Energy Commission as per **Appendix VI.**

15. **Exhibit A15 – "Land Conveyance Agreement"** provide appropriately approved documentation of proof of title to land and site plan.
16. **Exhibit A16 – "Environmental Protection Agency (EPA) Permit"** provide an Environmental Protection Agency (EPA) Permit from Environmental Protection Agency.
17. **Exhibit A17 – "Detailed Implementation Schedule,"** provide detailed timelines for the specific activities that must be performed to produce the various project deliverables, establishing interdependences and sequencing.
18. **Exhibit A18– "Plant and Machinery Specifications**" Detailed engineering design and equipment specifications.

19. **Exhibit A19 – "Building Permit**" provide Building Permit from District on Municipal Assembly or Town and Country Planning.

20. **Exhibit A20 – "Signed Power Sale and Purchase Agreements**," Signed Power Sale and Purchase Agreement between the wholesale supplier, a Brokerage, distribution utility and/or a bulk customer.

21. **Exhibit A21 – "Signed Engineering, Procurement and Construction Contract (EPC)"** provide a copy of the signed EPC contract with evidence of selection process.

22. **Exhibit A22 "Local Content Plan - Construction**," provide plans in accordance with the Local Content Policy of Ghana to the extent of recruiting personnel and procurement of equipment/services for construction.

23. **Exhibit A23 – "Health, Safety & Environmental Plan"** provide plans to comply with all legislation and standards relevant to the firm's activities and implement systems and structures that prevent the recurrence of injuries, ill health and hazardous conditions.

24. **Exhibit A24 – "Safety and Technical Procedures"** provide operational and maintenance safety rules, procedure and instructions including, Company Safety Policy Statement, Deployment of disaster management measures and Specific commitment and arrangements to operate facilities/installations to ensure safe and reliable electricity supply.

25. **Exhibit A25 –"Supply Agreements (equipment, parts and fuel)"** Provide Equipment and Parts Agreements for major spare parts and frequently changed parts and equipment; Provide Supply Agreements for fuel, water, network access etc.

26. **Exhibit A26 – Third Party Insurance:"** provide third party insurance for workers and related personnel for construction period

27. **Exhibit A27** – "**Proof of Licence Fee Payment**," Applicants shall attach receipt confirming the payment of the prescribed Licence fee (reference schedule II – Schedule of Licence Fees)

Stage 4:- Procedure for acquisition of an Operations Approval

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

7.11 Applicants shall provide two (2) copies and a softcopy of the following exhibits as separate attachments, clearly labelled and all pages sequentially numbered and initialled.

9. **Exhibit A28 "Local Content Plan – Operation and maintenace**," provide plans in accordance with the Local Content Policy requirement of the electricity supply industry of Ghana to the extent of recruiting personnel and procurement of equipment/services for operating the equipment.

10. **Exhibit A29** - "**Connection Agreement**" provide a signed Connection Agreement with the Electricity Transmission Utility.
11. **Exhibit A30 – "Commissioning Report,"** provide satisfactory commissioning test report including as-built drawings and layout of plant and/or facilities.
12. **Exhibit A31– "Fire Certificate,"** provide a fire certificate from Ghana National Fire Service**.**
13. **Exhibit A32- Third Party Insurance:** provide third party insurance for O&M personnel
14. **Exhibit A33 – "Operational Experience & Expertise or Operation & Maintenance (O&M) Agreement,"** provide CVs of key personnel involved in the operational aspects of the applicant's business.

CHAPTER

8

ELECTRICITY BROKERAGE LICENCE

8.1 Stages in Acquisition of an Electricity Brokerage Licence

STAGE 1: ACQUISITION OF PROJECT REGISTRATION CERTIFICATE		
Required Submissions:		
Exhibit B1	-	Completed Application form with signed Disclosure Statement
Exhibit B2	-	Document Registration
Exhibit B3	-	Ownership and Corporate Structure
Exhibit B4	-	Cross-ownership and ring- fencing
Exhibit B5	-	Project Brief
Exhibit B6	-	Commercially Sensitive Information (optional)
Exhibit B7	-	Local Participation
Exhibit B8	-	Proof of Fee Payment – Non refundable

STAGE 2: ACQUISITION OF OPERATIONAL LICENCE (AUTHORIZATION TO OPERATE)		
Required Submissions:		
Exhibit B9	-	Operational Experience and Expertise
Exhibit B10	-	Local Content Plan
Exhibit B11	-	Public Notice
Exhibit B12	-	Signed Power Sale and Purchase Agreements
Exhibit B13	-	Receipt of Initial License Fee Payment

Stage 1:- Procedure for the Acquisition of Registration Certificate

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

8.3 Applicants shall provide two (2) copies and a soft copy of the following exhibits as separate attachments, clearly labelled and all pages sequentially numbered and initialled.

1. Exhibit B1 "Completed Application Form" Applicants shall fill and submit one original application form signed by a Principal Officer (reference schedule 1-Application form A), Including a signed declaration/disclosure statement by each Director/Principal Shareholder of the company relating to any liabilities or investigations affecting their suitability as a Director/Shareholder of a licensed company.

2. Exhibit B2 "Documentation Registration," provide evidence that the applicant has registered with the Registrar General's Department. Exhibits required include

a. Limited Liability Company

iv. Certificate of Registration

v. Certificate to Commence Business

vi. Regulations 8 to 82; Second schedule to the Companies Code, 1963 (Act 179)

b. Names, titles, nationality, addresses and telephone numbers of the Company's registered Directors and Company Secretary, with at least one (1) Director being a citizen of Ghana, and also one (1) Director being resident in Ghana.

3. Exhibit B3- Ownership and Corporate structure (Equity ownership)

The licensee or Affiliate thereof or any stockholder, director or officer or any of their relatives within the fourth (4^{th}) civil degree of consanguinity or affinity, legitimate or common law, shall not own any equity interest, directly or indirectly, in a Wholesale Supplier or the Electricity Transmission Utility (ETU)

Except for ex-officio government appointed representatives, no person who is an officer or director of a wholesale supplier or the Electricity Transmission Utility shall be an officer or director of the licensee.

The licensee, or its stockholders, directors or officers thereof, or any of their relatives within the fourth civil degree of consanguinity and their respective spouses, shall not be allowed to hold any shares of stock in a wholesale Supplier or the Electricity Transmission Utility:

Provided that the cross-ownership prohibition under this provision shall not apply:

a. To a relative by blood or marriage, if such relative of any stockholder, director or officer of a wholesale supplier or the Electricity Transmission Utility has no

mployment, consultancy, fiduciary, contractual, commercial or other economic relationship or interest in a wholesale supplier Transmission Utility; or

b. Conversely, if such relative of any stockholder, director, or officer of the licensee has no employment, consultancy, fiduciary, contractual, commercial or other economic relationship or interest in the licensee.

Provided further that, this provision on cross-ownership shall not apply to;

a. Ownership of shares of stock in a company listed in the Ghana Stock Exchange (GSE) even if such listed company is the licensee and if such share ownership is not more than one per centum (1%) of the local outstanding shares of the listed licencsee; or
b. Ownership of share of stock which is not more tha one per centum (1%) in a company listed in the GSE which owns or controls shares of stock in a wholesale Supplier or the Transmission Utility.

NB: Applicant shall submit details of ownership as in Schedule IX

4. Exhibit B4 Cross-ownership and ring-fencing

Information on cross-ownership and ring-fencing. This should outline the following:

i. The basis on which services and resources will be transacted between relevant operating areas of the applicants, or the applicant and its other related entities;
ii. In the case of applicants that are wholly owned subsidiaries, information on proposed audit arrangements should be provided and also stated whether separate reports for the licensee and its parent company (if applicable) are to be prepared and made publicly available;
iii. Other guidelines or standards relating to financial separation, ring-fencing and separate audit arrangements which the applicant intends to follow.
iv. A list and description of all existing, pending or past rulings, judgments, contingent liabilities, revocation of authority, regulatory investigations, or any other matter that could adversely impact the applicant's financial or operational status or ability to provide the services it is seeking to be certified to provide. Also include a statement whether the applicant or any of his associates, or partners, or promoters, or Directors was ever refused licence or had licence cancelled, and if so, the particulars of such application, date of making the application, date of order refusing or cancelling licence and reasons for such refusal or cancellation.

Note:

i. Each partner, director or major shareholder (with any share ownership) is required to provide a declaration/disclosure statement (Ref: Exhibit A1) relating to any existing, pending or past rulings, judgments, contingent liabilities, revocation of authority, regulatory investigations, or any other matter that could adversely impact the applicant's financial or operational status or ability to provide the services it is seeking to be certified to provide.
ii. The applicant must also include a statement indicating whether any of his associates, partners, promoters, or Directors was ever refused a licence or had

a licence cancelled, and if so, the particulars of such application, date of making the application, date of order refusing or cancelling licence and reasons for such refusal or cancellation.

iii. Applicant shall submit details of cross-ownership in other businesses by shareholding as in Schedule X

5. **Exhibit B5" Project Brief"** provide a summary of the proposed project including the proposed operational nature of applicants business, location plant type and capacity (as per Schedule IV and Schedule III – Generating Plant Technology and Description, and background of the entity(ies) to own and operate the facility.

6. **Exhibit B6 – "Commercially Sensitive Information"** The Commission may make public the Information included in an application for a licence. Where the applicant considers information contained in an application to be commercially sensitive, the applicant should clearly identify such information and state the reasons why they are to be regarded as commercially sensitive, to enable the Commission determine its consideration of the confidentiality request.

7. **Exhibit B7 – "Local Participation"** provide a plan detailing:

(a) the role and responsibilities of the indigenous Ghanaian;

(b) the equity participation of the indigenous Ghanaian; and all other shareholders and

(c) the strategy for the transfer of technology and know-how to the indigenous Ghanaian company.

8. **Exhibit B8 – "Proof of Payment of Registration fee"** Applicants shall attach receipt confirming the payment of the prescribed licence application fee (reference schedule II – Schedule of Licence Fees)

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

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

8.5 Applicants shall provide two (2) copies and a soft copy of the following exhibits as separate attachment, clearly labelled and all pages sequentially numbered and initialled.

9. **Exhibit B9 – "Operational Experience & Expertise,"** provide CV of key personnel involved in the operational aspects of the applicant's business.

10. **Exhibit B10 – "Local Content Plan"** provide plans in accordance with the Local Content Policy requirements of Electricity Supply Industry of Ghana to the extent of recruiting personnel and procurement of equipment/services your operations.

11. Exhibit B11 – "**Public Notice**" The applicant shall submit to the Commission an affidavit of the details of the notice published and shall also file the original complete page of the newspaper in which the notice has been published as per **Appendix V**.

12. Exhibit B12– "Signed Power Sales and Purchase Agreement" Power Purchase Agreement (where relevant especially with generators) and Power Sales Agreement (where relevant especially with DISCOs or Bulk Customers).

13. Exhibit B13-"Receipt of Initial License Fee Payment" Applicants shall attach receipt confirming the payment of the prescribed licence application fee (reference schedule II – Schedule of Licence Fees)

CHAPTER

9

ELECTRICITY TRANSMISSION LICENCE

9.1 Stages in acquiring Electricity Transmission Licence

Business Registration and Initial due diligence

STAGE 1: ACQUISITION OF PROJECT REGISTRATION CERTIFICATE

Required Submissions:

Exhibit C1	-	Completed Application form with signed Disclosure Statement
Exhibit C2	-	Document Registration
Exhibit C3	-	Ownership and Corporate Structure
Exhibit C4	-	Cross-ownership and ring- fencing
Exhibit C5	-	Project Brief
Exhibit C6	-	Commercially Sensitive Information (optional)
Exhibit C7	-	Local Participation
Exhibit C8	-	Proof of Fee Payment – Non refundable

Identification, selection of site/route and construction

Stage 2: ACQISITION OF SITING PERMIT

Exhibit C9	-	Site Analysis Report
Exhibit C10	-	Search Report/Land conveyance Agreement
Exhibit C11	-	Attestation from Geological Survey or Bathymetric study (applicable to ONLY offshore Network)
Exhibit C12	-	Proof of Siting Fee Payment

STAGE 3: ACQUISITION OF CONSTRUCTION PERMIT (AUTHORIZATION TO CONSTRUCT)

Required Submissions:

Exhibit C13	-	Land Conveyance Agreement
Exhibit C14	-	Environmental Protection Agency (EPA) Permit
Exhibit C15	-	Detailed Implementation Schedule
Exhibit C16	-	Technical Specifications
Exhibit C17	-	Building Permit
Exhibit C18	-	Local Content Plan
ExhibitC19	-	Signed Engineering, Procurement and Construction Contract
Exhibit C20	-	Supply Agreements (equipment, parts, fuel etc) (not mandatory)
Exhibit C21	-	Receipt of Initial License Fee

Prior to Commercial Operations

STAGE 4: OPERATIONS APPROVAL

Required Submissions:

Exhibit C22	-	Commissioning Report
Exhibit C23	-	Fire Certificate
Exhibit C24	-	Operational Experience and expertise or Operation and Maintenance (O & M) Agreement

Stage 1: Procedure for the acquisition of Registration Certificate for Electricity Transmission

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

9.3 Applicants shall provide two (2) copies and a softcopy of the following exhibits as separate attachments, clearly labelled and all pages sequentially numbered and initialled,

1. Exhibit C1 "Completed Application Form" Applicants shall fill and submit one (1) original application form signed by a Principal Officer (reference schedule 1-Application Form A), Including a signed declaration/disclosure statement by each Director/Principal Shareholder of the company relating to any liabilities or investigations affecting their suitability as a Director/Shareholder of a licensed company.

2. Exhibit C2 "Documentation Registration," provide evidence that the applicant has registered with the Registrar General's Department. Exhibits required include

a. Limited Liability Company

vii. Certificate of Registration

viii. Certificate to Commence Business

ix. Regulations 8 to 82; Second schedule to the Companies Code, 1963 (Act 179)

b. Names, titles, nationality, addresses and telephone numbers of the Company's registered Directors and Company Secretary, with at least one (1) Director being a citizen of Ghana, and also one (1) Director being resident in Ghana.

3. Exhibit C3- Ownership and Corporate structure (Equity ownership)

The licensee or Affiliate thereof or any stockholder, director or officer or any of their relatives within the fourth (4th) civil degree of consanguinity or affinity, legitimate or common law, shall not own any equity interest, directly or indirectly, in a wholesale supplier or the Electricity Transmission Utility (ETU)

Except for ex-officio government appointed representatives, no person who is an officer or director of a wholesale supplier or the Electricity Transmission Utility shall be an officer or director of the licensee.

The licensee, or its stockholders, directors or officers thereof, or any of their relatives within the fourth civil degree of consanguinity and their respective spouses, shall not be allowed to hold any shares of stock in a wholesale Supplier or the Electricity Transmission Utility:

Provided that the cross-ownership prohibition under this provision shall not apply

a. To a relative by blood or marriage, if such relative of any stockholder, director or officer of a Wholesale Supplier or the Electricity Transmission Utility has no

employment, consultancy, fiduciary, contractual, commercial or other economic relationship or interest in a wholesale supplier Transmission Utility; or

b. Conversely, if such relative of any stockholder, director, or officer of the licensee has no employment, consultancy, fiduciary, contractual, commercial or other economic relationship or interest in the licensee.

Provided further that, this provision on cross-ownership shall not apply to;

a. Ownership of shares of stock in a company listed in the Ghana Stock Exchange (GSE) even if such listed company is the licensee and if such share ownership is not more than one per centum (1%) of the local outstanding shares of the listed licencsee; or
b. Ownership of share of stock which is not more tha one per centum (1%) in a company listed in the GSE which owns or controls shares of stock in a wholesale Supplier or the Transmission Utility.

NB: Applicant shall submit details of ownership as in Schedule IX

4. Exhibit C4 Cross-ownership and ring-fencing

Information on cross-ownership and ring-fencing. This should outline the following:

i. The basis on which services and resources will be transacted between relevant operating areas of the applicants, or the applicant and its other related entities;
ii. In the case of applicants that are wholly owned subsidiaries, information on proposed audit arrangements should be provided and also stated whether separate reports for the licensee and its parent company (if applicable) are to be prepared and made publicly available;
iii. Other guidelines or standards relating to financial separation, ring-fencing and separate audit arrangements which the applicant intends to follow.
iv. A list and description of all existing, pending or past rulings, judgments, contingent liabilities, revocation of authority, regulatory investigations, or any other matter that could adversely impact the applicant's financial or operational status or ability to provide the services it is seeking to be certified to provide. Also include a statement on whether the applicant or any of his associates, or partners, or promoters, or Directors was ever refused licence or had a licence cancelled, and if so, the particulars of such application, date of making the application, date of order refusing or cancelling licence and reasons for such refusal or cancellation.

Note:

i. Each partner, director or major shareholder (with any share ownership) is required to provide a declaration/disclosure statement (Ref: Exhibit A1) relating to any existing, pending or past rulings, judgments, contingent liabilities, revocation of authority, regulatory investigations, or any other matter that could adversely impact the applicant's financial or operational status or ability to provide the services it is seeking to be certified to provide.
ii. The applicant must also include a statement indicating whether any of his associates, partners, promoters, or Directors was ever refused a licence or had a licence cancelled, and if so, the particulars of such application, date of making the

application, date of order refusing or cancelling licence and reasons for such refusal or cancellation.

iii. Applicant shall submit details of cross-ownership in other businesses by shareholding as in Schedule X

5. **Exhibit C5" Project Brief"** provide a summary of the proposed project including the proposed operational nature of applicant's business, location plant type and capacity (as per schedule IV and Schedule III – Generating Plant Technology and Description.), and background of the entity(ies) to own and operate the facility.

6. Exhibit C6 – "Commercially Sensitive Information" The Commission may make public the information included in an application for a licence. Where the applicant considers information contained in an application to be commercially sensitive, the applicant should clearly identify such information and state the reasons why they are to be regarded as commercially sensitive, to enable the Commission determine its consideration of the confidentiality request.

7. **Exhibit C7 – "Local Participation"** provide a plan detailing (a) the role and responsibilities of the indigenous Ghanaian; (b) the equity participation of the indigenous Ghanaian; and all other shareholders and (c) the strategy for the transfer of technology and know-how to the indigenous Ghanaian company.

8. **Exhibit C8 – "Proof of Payment of Registration fee "** Applicants shall attach receipt confirming the payment of the prescribed licence application fee (reference schedule II – Schedule of Licence Fees)

Stage 2: Procedure for Acquisition of Siting Clearance

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

9.5 Applicants shall provide two (2) copies and a softcopy of the following exhibits as separate attachment, clearly labelled and all pages sequentially numbered

9. **Exhibit C9 – "Site Analysis Report"** Provide details as per Appendix II-Site analysis for the siting of Electric Power Transmission Facilities. Provide also detailed Site-Layout and Right-of-Way drawings for the transmission lines and substations. Provide a programme for compensation payments (where relevant). Applicants shall be required to give a power point presentation of their proposed site to the Siting Committee prior to the site visit to appraise the site, and printed copy of the presentation submitted as Exhibit.

10. **Exhibit C10- Search Report/Land conveyance Agreement"** provide a search report from the Lands Commission confirming ownership and availability of the land for the project.

11. **Exhibit A11 – "Attestation from Geological Survey/Bathymetric Studies"** provide a report attesting to either the absence of or acceptable levels of seismic activity on and around the proposed site. **For Bathymetric Studies** provide a report on hydrography, bathymetric map, Bottom /seabed scanning and topographic surveys.

12. Exhibit C12 – "Proof of Siting Permit Fee Payment" Applicants shall attach receipt confirming the payment of the prescribed licence application fee (reference schedule II – Schedule of Licence Fees)

Stage 3: Procedure for Acquisition of Construction Permit

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

9.7 Applicants shall provide two (2) copies and a softcopy of the following exhibits as separate attachment, clearly labelled and all pages sequentially numbered and initialled.

9.8 Applicants shall show proof of conduct of Factory Acceptance Test including pre shipment inspection by GRIDCO, a Technology expert, Energy Commission and the Off-taker prior to shipment at the cost of the applicant.

9.9 Applicants may be required to give a power point presentation of their overall project and licence application to the Board of the Energy Commission as per **Appendix VI**.

13. Exhibit C13 – "Land Conveyance Agreement," provide appropriately approved documentation of proof of title to land or Right of way, site plan, and relevant municipal permits for construction (i.e. Town & Country Planning Permit) etc.

14. **Exhibit C14 – "Environmental Protection Agency (EPA) Permit"** provide an Environmental Protection Agency (EPA) Permit.

15. **Exhibit C15– "Detailed Implementation Schedule,"** provide detailed timelines for the specific activities that must be performed to produce the various project deliverables, establishing interdependences and sequencing.

16. **Exhibit C16 – "Technical Specifications**," Detailed engineering design and equipment specifications.

17. **Exhibit C17 - "Building Permit"** provide Building Permit from District or Municipal Assembly or Town and Country Planning.

18. **Exhibit C18 "Local Content Plan**," provide plans in accordance with the Local Content Policy of Ghana to the extent of recruiting personnel and procurement of equipment/services.

19. **Exhibit C19 – "Signed Engineering, Procurement and Construction Contract"** provide a copy of the signed EPC contract

20. **Exhibit C20 –"Supply Agreements (equipment, parts)"** Provide Equipment and Parts Agreements for major spare parts and frequently changed parts and equipment. Provide Agreements for network access etc.

21. **Exhibit C21 "Receipt of Initial License Fee,"** Applicants shall attach receipt confirming the payment of the prescribed permit application fee (reference schedule II – Schedule of Licence Fees)

Stage 4:- Procedure for Operations Approval

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

9.11 Applicants shall provide two (2) copies and a softcopy of the following exhibits as separate attachment, clearly labelled and all pages sequentially numbered and initialled.

22. **Exhibit C22 – "Commissioning Report",** provide satisfactory Commissioning Test Report including as-built drawings and layout of plant and/or facilities.

23. **Exhibit C23– "Fire Certificate"** provide a fire certificate from Ghana National Fire Service**.**

24. **Exhibit C24 – "Operational Experience & Expertise or Operation & Maintenance (O&M) Agreement,"** provide CVs of key personnel involved in the operational aspects of the applicant's business.

CHAPTER

10a

ELECTRICITY DISTRIBUTION LICENCE

10.1a Stages in acquiring an Electricity Distribution Licence

STAGE 1: ACQUISITION OF PROJECT REGISTRATION CERTIFICATE

Required Submissions:

Exhibit D1 - Completed Application form with signed Disclosure Statement
Exhibit D2 - Documentation Registration
Exhibit D3 Ownership and Corporate structure
Exhibit D4 - Cross-ownership and ring- fencing
Exhibit D5 - Project Brief
Exhibit D6 - Commercially Sensitive Information
Exhibit D7 - Local Participation
Exhibit D8 - Proof of Application Fee Payment
Exhibit D9 - Description of the Distribution Network

Identification, selection of site/route for project

STAGE 2: ACQUISITION OF SITING PERMIT

Required Submissions:

Exhibit D10 - Site Analysis Report
Exhibit D11 - Initial search report from Lands Commission/Land Conveyance Agreement
Exhibit D12 - Proof of Siting Permit Fee Payment
Exhibit D13 - Attestation from Geological survey / Bathymetric study (applicable to ONLY barges and powerships)

STAGE 3: ACQUISITION OF CONSTRUCTION PERMIT (AUTHORIZATION TO CONSTRUCT)

Required Submissions:

Exhibit D14 - Land Conveyance Agreement (if not presented for Siting Permit)
Exhibit D15 - Environmental Protection Agency (EPA) Permit
Exhibit D16 - Detailed Implementation Schedule
Exhibit D17 - Plant and Machinery Specifications
Exhibit D18 - Building Permit
Exhibit D19 - Signed Power Sale and Purchase Agreements (Not Mandatory)
Exhibit D20 Signed Engineering, Procurement and Construction Contract
Exhibit D21 - Local Content Plan for construction
Exhibit D22 - Health, Safety & Environmental Plan
Exhibit D23 - Safety and Technical Management Procedures
Exhibit D24 - Supply Agreements(equipment,parts, etc) (not mandatory)
Exhibit D25 Local Content Plan for operations and maintenance
Exhibit D26 - Proof of Licence Fee Payment

Prior to commercial operation

STAGE 4: OPERATIONS APPROVAL

Required Submissions:

Exhibit D28 - Commissioning Report
Exhibit D29 - Fire Certificate
Exhibit D30 - Operational Experience and Expertise or Operation & Maintenance (O&M) Agreement

Stage 1: Procedure for the acquisition of Project Registration Certificate

10.2a an applicant shall submit a signed application letter addressed to the Executive Secretary of the Commission.

10.3a applicants shall provide two (2) copies and a softcopy of the following exhibits as separate attachment, clearly labelled and all pages sequentially numbered and initialled.

1. **Exhibit D1 "Completed Application Form"** Applicants shall fill and submit one (1) original application form signed by a Principal Officer (reference schedule 1-Application Form A), Including a signed declaration/disclosure statement by each Director/Principal Shareholder of the company relating to any liabilities or investigations affecting their suitability as a Director/Shareholder of a licensed company.

2. **Exhibit D2 "Documentation Registration,"** provide evidence that the applicant has registered with the Registrar General's Department. Exhibits required include

    a. Limited Liability Company
        i. Certificate of Registration
        ii. Certificate to Commence Business
        iii. Regulations 8 to 82; Second Schedule to the Companies Code, 1963 (Act 179)

    b. Names, titles, nationality, addresses and telephone numbers of the Company's registered Directors and Company Secretary, with at least one (1) Director being a citizen of Ghana, and also one (1) Director being resident in Ghana.

3. **Exhibit D3** "**Ownership and Corporate Structure"** The licensee or Affiliate thereof or any stockholder, director or officer or any of their relatives within the fourth (4^{th}) civil degree of consanguinity or affinity, legitimate or common law, shall not own any equity interest, directly or indirectly, in a wholesale supplier or the Electricity Transmission Utility (ETU) Except for ex-officio government appointed representatives, no person who is an officer or director of a Wholesale Supplier or the Electricity Transmission Utility shall be an officer or director of the licensee.

    The licensee, or its stockholders, directors or officers thereof, or any of their relatives within the fourth civil degree of consanguinity and their respective spouses, shall not be allowed to hold any shares of stock in a wholesale Supplier or the Electricity Transmission Utility:

    Provided that the cross-ownership prohibition under this provision shall not apply

    a. To a relative by blood or marriage, if such relative of any stockholder, director or officer of a wholesale supplier or the Electricity Transmission Utility has no mployment, consultancy, fiduciary, contractual, commercial or other economic relationship or interest in a wholesale supplier Transmission Utility; or

b. Conversely, if such relative of any stockholder, director, or officer of the licensee has no employment, consultancy, fiduciary, contractual, commercial or other economic relationship or interest in the licensee.

Provided further that, this provision on cross-ownership shall not apply to;

a. Ownership of shares of stock in a company listed on the Ghana Stock Exchange (GSE) even if such listed company is the licensee and if such share ownership is not more than one per centum (1%) of the local outstanding shares of the listed licensee; or
b. Ownership of share of stock which is not more than one per centum (1%) in a company listed on the GSE which owns or controls shares of stock in a wholesale Supplier or the Transmission Utility.

NB: Applicant shall submit details of ownership as in Schedule IX

4. **Exhibit D4** "**Cross-ownership and Ring-Rencing"**. This should outline the following:
   i. The basis on which services and resources will be transacted between relevant operating areas of the applicants, or the applicant and its other related entities;
   ii. In the case of applicants that are wholly owned subsidiaries, information on proposed audit arrangements should be provided and also stated whether separate reports for the licensee and its parent company (if applicable) are to be prepared and made publicly available; and
   iii. Other guidelines or standards relating to financial separation, ring-fencing and separate audit arrangements which the applicant intends to follow.
   iv. A list and description of all existing, pending or past rulings, judgments, contingent liabilities, revocation of authority, regulatory investigations, or any other matter that could adversely impact the applicant's financial or operational status or ability to provide the services it is seeking to be certified to provide. Also include a statement whether the applicant or any of his associates, or partners, or promoters, or Directors was ever refused licence or had licence cancelled, and if so, the particulars of such application, date of making the application, date of order refusing or cancelling licence and reasons for such refusal or cancellation.

Note:

i. Each partner, director or major shareholder (with any share ownership) is required to provide a declaration/disclosure statement (Ref: Exhibit A1) relating to any existing, pending or past rulings, judgments, contingent liabilities, revocation of authority, regulatory investigations, or any other matter that could adversely impact the applicant's financial or operational status or ability to provide the services it is seeking to be certified to provide.
ii. The applicant must also include a statement indicating whether any of his associates, partners, promoters, or Directors was ever refused any similar licence or had any such licence cancelled, and if so, the particulars of such application, date of making the application, date of order refusing or cancelling licence and reasons for such refusal or cancellation.
iii. Applicant shall submit details of cross-ownership in other businesses by shareholding as in Schedule X

5. **Exhibit D5 – "Project Brief"** provide a written explanation of the company's business model for the venture as per schedule IV also provide details as per Schedule IV- Description of the Electricity Distribution System.
6. **Exhibit D6 – "Commercially Sensitive Information"** The Commission may make public the information included in an application for a licence. Where the applicant considers information contained in an application to be commercially sensitive, the applicant should clearly identify such information and state the reasons why they are to be regarded as commercially sensitive, to enable the Commission determine its consideration of the confidentiality request.
7. **Exhibit D7 – "Local Participation"** provide a plan detailing

   (a) the role and responsibilities of the indigenous Ghanaian;

   (b) the equity participation of the indigenous Ghanaian; and all other shareholders and

   (c) the strategy for the transfer of technology and know-how to the indigenous Ghanaian company.
8. **Exhibit D8 – "Proof of payment of Registration fee "** Applicants shall attach receipt confirming the payment of the prescribed licence application fee (reference schedule II – Schedule of Licence Fees)
9. **Exhibit D9 – "Description of Distribution Network"** Provide details as per Schedule IV- Description of the Electricity Distribution System.

Stage 3: Procedure for Acquisition of Siting Clearance

10.4a An Applicant shall submit a signed application letter addressed to the Executive Secretary of the Commission

10.5a Applicants shall provide two (2) copies and a softcopy of the following exhibits as separate attachment, clearly labelled and all pages sequentially numbered and initialled.

10.6a Applicants shall give a power point presentation as per Appendix I of their proposed site to the Siting Committee prior to the site visit to appraise the site

10. **Exhibit D10 – "Site Analysis Report"** Provide details as per Appendix II-Site analysis for the siting of Electric Power Distribution Facilities provide also detailed Site-Layout and Right-of-Way drawings for the transmission lines and substations. Provide a programme for compensation payments (where relevant) Applicants shall be required to give a power point presentation of their proposed site to the Siting Committee prior to the site visit to appraise the site, and printed copy of the presentation submitted as Exhibit..
11. **Exhibit D11 - Search Report/Land conveyance Agreement"** provide a search report from the Lands Commission confirming ownership and availability of the land for the project.

12. **Exhibit D12 – "Proof of Fee Payment"** Applicants shall attach receipt confirming the payment of the prescribed licence application fee (reference schedule II – Schedule of Licence Fees)

13. **Exhibit D13 – "Attestation from Geological Survey/Bathymetric Studies"** provide a report attesting to either the absence of or acceptable levels of seismic activity on and around the proposed site. **For Bathymetric Studies** provide a report on hydrography, bathymetric map, Bottom/seabed scanning and topographic surveys.

Stage 3. Procedure for Acquisition of Construction Permit

10.7a An Applicant shall submit a signed application letter addressed to the Executive Secretary of the Commission.

10.8a Prior to construction, applicants may be required to show proof of conduct of factory acceptance including pre shipment inspection by GRIDCO, a Technology Expert, Energy Commission and the Off-taker prior to shipment at the cost of the applicant.

10.9a Applicants shall provide two (2) copies and a softcopy of the following exhibits as separate attachment, clearly labelled and all pages sequentially numbered and initialled.

10.10a Applicants may be required to give a power point presentation of their overall project and licence application to the Board of the Energy Commission as per Appendix VI.

14. **Exhibit D14 – "Land Conveyance Agreement,"** provide appropriately approved documentation of proof of title to land and site plan.
15. **Exhibit D15 – "Environmental Protection Agency (EPA) Permit"** provide a Permit from Environmental Protection Agency(EPA).
16. **Exhibit D16 – "Detailed Implementation Schedule,"** provide detailed timelines for the specific activities that must be performed to produce the various project deliverables, establishing interdependences and sequencing.
17. **Exhibit D17– "Plant and Machinery Specifications**," Detailed engineering design and equipment specifications.
18. **Exhibit D18 – "Building Permit**" provide Building Permit from District or Municipal Assembly or Town and Country Planning.
19. **Exhibit A19 – "Signed Power Sale and Purchase Agreements**," Signed Power Sale and Purchase Agreement between the wholesale supplier, a Brokerage, distribution utility and/or a bulk customer.

20. **Exhibit D20 – "Signed Engineering, Procurement and Construction Contract,"** provide a copy of the signed EPC contract with evidence of selection process.

21. **Exhibit D21 "Local Content Plan - Construction**," provide plans in accordance with the Local Content Policy of Ghana to the extent of recruiting personnel and procurement of equipment/services for construction.

22. **Exhibit D22 – "Health, Safety & Environmental Plan"** provide plans to comply with all legislation and standards relevant to the firm's activities and implement systems and structures that prevent the recurrence of injuries, ill health and hazardous conditions.

23. **Exhibit D23 – "Safety and Technical Procedures"** provide operational and maintenance safety rules, procedure and instructions including, Company Safety Policy Statement, Deployment of disaster management measures and Specific commitment and arrangements to operate facilities/installations to ensure safe and reliable electricity supply.

24. **Exhibit D24 –"Supply Agreements (equipment, parts, etc)"** Provide Equipment and Parts Agreements for major spare parts and frequently changed parts and equipment; Provide network access etc.

25. **Exhibit A25 "Local Content Plan – Operation and maintenance**," provide plans in accordance with the Local Content Policy of Ghana to the extent of recruiting personnel and procurement of equipment/services for operating the equipment.

26. **Exhibit A26** – "**Proof of Licence Fee Payment**," Applicants shall attach receipt confirming the payment of the prescribed Licence fee (reference schedule II – Schedule of Licence Fees)

Stage 4:- Procedure for Operations Approval

10.11a An Applicant shall submit a signed application letter addressed to the Executive Secretary of the Commission

10.12a Applicants shall provide two (2) copies and a softcopy of the following exhibits as separate attachment, clearly labelled and all pages sequentially numbered and initialled.

27. **Exhibit D27 – "Commissioning Report,"** provide satisfactory Commissioning Test Report including as-built drawings and layout of substation/route.

28. **Exhibit D28– "Fire Certificate,"** provide a fire certificate from the Ghana National Fire Service**.**

29. **Exhibit D29 – "Operational Experience & Expertise or Operation and Maintenance Agreement,"** provide CVs of key personnel involved in the operational aspects of the applicant's business.

10b

ELECTRICITY DISTRIBUTION LICENCE IN THE PRIVATE SECTOR PARTICIPATION (PSP) PROGRAM

10.1b Stages in acquiring an Electricity Distribution Licence (PSP)

ACQUISITION OF LICENCE

Required Submissions:

Exhibit d1 - Completed Application form with signed Disclosure Statement
Exhibit d2 - Documentation Registration
Exhibit d3 - Ownership and Corporate structure
Exhibit d4 - Cross-ownership and ring- fencing
Exhibit d5 - Project Brief
Exhibit d6 - Commercially Sensitive Information
Exhibit d7 - Local Participation
Exhibit d8 - Proof of License Application Fee Payment
Exhibit d9 - Description of the Distribution Network
Exhibit d10 - Supply Agreements (equipment and parts)(Not Mandatory)
Exhibit d11 - Receipt of Initial License Fee
Exhibit d12 - Fire Certificate
Exhibit d13 - Operational Experience and Expertise or Operation & Maintenance (O&M) Agreement

Procedure for the acquisition of an Electricity Distribution Licence (PSP)

10.2b an applicant shall submit a signed application letter addressed to the Executive Secretary of the Commission.

10.3b applicants shall provide two (2) copies and a softcopy of the following exhibits as separate attachment, clearly labelled and all pages sequentially numbered and initialled.

2. **Exhibit d1 "Completed Application Form"** Applicants shall fill and submit one original application form signed by a Principal Officer (reference schedule 1-Application Form A), Including a signed declaration/disclosure statement by each Director/Principal Shareholder of the company relating to any liabilities or investigations affecting their suitability as a Director/Shareholder of a licensed company.

2. Exhibit d2 "Documentation Registration," provide evidence that the applicant has registered with the Registrar General's Department. Exhibits required include

a. Limited Liability Company

i. Certificate of Registration

ii. Certificate to Commence Business

iii. Regulations 8 to 82; Second schedule to the Companies Code, 1963 (Act 179)

b. Names, titles, nationality, addresses and telephone numbers of the Company's registered Directors and Company Secretary, with at least one (1) Director being a citizen of Ghana, and also one (1) Director being resident in Ghana.

3. **Exhibit d3 "Ownership and Corporate Structure(Equity Ownership)"** The licensee or Affiliate thereof or any stockholder, director or officer or any of their relatives within the fourth (4^{th}) civil degree of consanguinity or affinity, legitimate or common law, shall not own any equity interest, directly or indirectly, in a wholesale supplier or the Electricity Transmission Utility (ETU)

Except for ex-officio government appointed representatives, no person who is an officer or director of a wholesale supplier or the Electricity Transmission Utility shall be an officer or director of the licensee.

The licensee, or its stockholders, directors or officers thereof, or any of their relatives within the fourth civil degree of consanguinity and their respective spouses, shall not be allowed to hold any shares of stock in a wholesale Supplier or the Electricity Transmission Utility.

Provided that the cross-ownership prohibition under this provision shall not apply

a. To a relative by blood or marriage, if such relative of any stockholder, director or officer of a wholesale supplier or the Electricity Transmission Utility has no employment, consultancy, fiduciary, contractual, commercial or other economic relationship or interest in a wholesale supplier Transmission Utility; or

b. Conversely, if such relative of any stockholder, director, or officer of the licensee has no employment, consultancy, fiduciary, contractual, commercial or other economic relationship or interest in the licensee.
Provided further that, this provision on cross-ownership shall not apply to;

c. Ownership of shares of stock in a company listed in the Ghana Stock Exchange (GSE) even if such listed company is the licensee and if such share ownership is not more than one per centum (1%) of the local outstanding shares of the listed licencsee; or

d. Ownership of share of stock which is not more than one per centum (1%) in a company listed in the GSE which owns or controls shares of stock in a wholesale Supplier or the Transmission Utility.

NB: Applicant shall submit details of ownership by shareholding as in Schedule IX

4. **Exhibit d4** "**cross-ownership and ring-fencing"**. This should outline the following:

i. The basis on which services and resources will be transacted between relevant operating areas of the applicants, or the applicant and its other related entities;

ii. In the case of applicants that are wholly owned subsidiaries, information on proposed audit arrangements should be provided and also stated whether separate reports for the licensee and its parent company (if applicable) are to be prepared and made publicly available;

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

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

Note:

i. Each partner, director or major shareholder (with any share ownership) is required to provide a declaration/disclosure statement (Ref: Exhibit A1) relating to any existing, pending or past rulings, judgments, contingent liabilities, revocation of authority, regulatory investigations, or any other matter that could adversely impact the applicant's financial or operational status or ability to provide the services it is seeking to be certified to provide.

ii. The applicant must also include a statement indicating whether any of his associates, partners, promoters, or Directors was ever refused any similar licence or had any such licence cancelled, and if so, the particulars of such application, date of making the application, date of order refusing or cancelling licence and reasons for such refusal or cancellation.

iii. Applicant shall submit details of cross-ownership in other businesses by shareholding as in Schedule X

5. **Exhibit d5 – "Project Brief"** provide a written explanation of the company's business model for the venture as per schedule IV also provide details as per Schedule IV- Description of the Electricity Distribution System.
6. **Exhibit d6 – "Commercially Sensitive Information"** The Commission may make public the information included in an application for a licence. Where the applicant considers information contained in an application to be commercially sensitive, the applicant should clearly identify such information and state the reasons why they are to be regarded as commercially sensitive, to enable the Commission determine its consideration of the confidentiality request.
7. **Exhibit d7 – "Local Participation"** provide a plan detailing,

   (a) the role and responsibilities of the indigenous Ghanaian;

   (b) the equity participation of the indigenous Ghanaian; and all other shareholders and

   (c) the strategy for the transfer of technology and know-how to the indigenous Ghanaian company.
8. **Exhibit d8 – "Proof of payment of Registration fee"** Applicants shall attach receipt confirming the payment of the prescribed licence application fee (reference schedule II – Schedule of Licence Fees)
9. **Exhibit d9 – "Description of Distribution Network"** Provide details as per Schedule IV- Description of the Electricity Distribution System.
10. **Exhibit d10 –"Supply Agreements (equipment, parts, etc)"** Provide Equipment and Parts Agreements for major spare parts and frequently changed parts and equipment; Provide network access etc
11. **Exhibit d11** – "**Proof of Licence Fee Payment**," Applicants shall attach receipt confirming the payment of the prescribed Licence fee (reference schedule II – Schedule of Licence Fees)
12. **Exhibit d12– "Fire Certificate,"** provide a fire certificate from the Ghana National Fire Service**.**
13. **Exhibit d13 – "Operational Experience & Expertise or Operation and Maintenance Agreement,"** provide CVs of key personnel involved in the operational aspects of the applicant's business.

CHAPTER

11

ELECTRICITY SALE LICENCE

11.1 Stages in the acquisition of Electricity Sale Licence

STAGE 1:	**ACQUISITION OF PROJECT REGISTRATION CERTIFICATE**
Required Submissions:	

Exhibit E1	-	Completed Application form with signed Disclosure Statement
Exhibit E2	-	Document Registration
Exhibit E3	-	Ownership and Corporate Structure
Exhibit E4	-	Cross-ownership and ring- fencing
Exhibit E5	-	Project Brief
Exhibit E6	-	Commercially Sensitive Information (optional)
Exhibit E7	-	Local Participation
Exhibit E8	-	Proof of Fee Payment – Non refundable

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

Exhibit E9	-	Operational Experience and Expertise
Exhibit E10	-	Public Notice
Exhibit E11	-	Revenue Management Strategy
Exhibit E12	-	Signed Power Purchase and Sales Agreement
Exhibit E13	-	Sales Agreement with any offtaker (not mandatory)
Exhibit E14	-	Receipt of Initial License Fee Payment

Stage 1:- Procedure for the Acquisition of Registration Certificate

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

11.3 Applicants shall provide two (2) copies and a softcopy of the following exhibits as separate attachment, clearly labelled and all pages sequentially numbered and initialled**.**

1. Exhibit E1 "Completed Application Form" Applicants shall fill and submit one (1) original application form signed by a Principal Officer (reference schedule 1-Application Form A), Including a signed declaration/disclosure statement by each Director/Principal Shareholder of the company relating to any liabilities or investigations affecting their suitability as a Director/Shareholder of a licensed company.

2. Exhibit E2 "Documentation Registration," provide evidence that the applicant has registered with the Registrar General's Department. Exhibits required include

a. Limited Liability Company

i.Certificate of Registration

ii.Certificate to Commence Business

iii.Regulations 8 to 82; Second schedule to the Companies Code, 1963 (Act 179)

b. Names, titles, nationality, addresses and telephone numbers of the Company's registered Directors and Company Secretary, with at least one (1) Director being a citizen of Ghana, and also one (1) Director being resident in Ghana.

3. Exhibit E3- Ownership and Corporate structure (Equity ownership)

The licensee or Affiliate thereof or any stockholder, director or officer or any of their relatives within the fourth (4^{th}) civil degree of consanguinity or affinity, legitimate or common law, shall not own any equity interest, directly or indirectly, in a wholesale supplier or the Electricity Transmission Utility (ETU).

Except for ex-officio government appointed representatives, no person who is an officer or director of a wholesale supplier or the Electricity Transmission Utility shall be an officer or director of the licensee.

The licensee, or its stockholders, directors or officers thereof, or any of their relatives within the fourth civil degree of consanguinity and their respective spouses, shall not be allowed to hold any shares of stock in a wholesale Supplier or the Electricity Transmission Utility:

Provided that the cross-ownership prohibition under this provision shall not apply

a. To a relative by blood or marriage, if such relative of any stockholder, director or officer of a wholesale supplier or the Electricity Transmission Utility has no employment, consultancy, fiduciary, contractual, commercial or other economic relationship or interest in a wholesale supplier Transmission Utility; or
b. Conversely, if such relative of any stockholder, director, or officer of the licensee has no employment, consultancy, fiduciary, contractual, commercial or other economic relationship or interest in the licensee.

Provided further that, this provision on cross-ownership shall not apply to;
Ownership of shares of stock in a company listed on the Ghana Stock Exchange (GSE) even if such listed company is the licensee and if such share ownership is not more than one per centum (1%) of the local outstanding shares of the listed licensee; or
Ownership of share of stock which is not more than one per centum (1%) in a company listed on the GSE which owns or controls shares of stock in a wholesale Supplier or the Transmission Utility.

NB: Applicant shall submit details of ownership as in Schedule IX

4. Exhibit E4 Cross-ownership and ring-fencing

Information on cross-ownership and ring-fencing. This should outline the following:

i. The basis on which services and resources will be transacted between relevant operating areas of the applicants, or the applicant and its other related entities.In the case of applicants that are wholly owned subsidiaries, information on proposed audit arrangements should be provided and also stated whether separate reports for the licensee and its parent company (if applicable) are to be prepared and made publicly available; Other guidelines or standards relating to financial separation, ring-fencing and separate audit arrangements which the applicant intends to follow.
ii. A list and description of all existing, pending or past rulings, judgments, contingent liabilities, revocation of authority, regulatory investigations, or any other matter that could adversely impact the applicant's financial or operational status or ability to provide the services it is seeking to be certified to provide. Also include a statement whether the applicant or any of his associates, or partners, or promoters, or Directors was ever refused licence or had licence cancelled, and if so, the particulars of such application, date of making the application, date of order refusing or cancelling licence and reasons for such refusal or cancellation.

Note:

i. Each partner, director or major shareholder (with any share ownership) is required to provide a declaration/disclosure statement (Ref: Exhibit A1) relating to any existing, pending or past rulings, judgments, contingent liabilities, revocation of authority, regulatory investigations, or any other matter that could adversely impact the applicant's financial or operational status or ability to provide the services it is seeking to be certified to provide.

ii. The applicant must also include a statement indicating whether any of his associates, partners, promoters, or Directors was ever refused a licence or had a licence cancelled, and if so, the particulars of such application, date of making the application, date of order refusing or cancelling licence and reasons for such refusal or cancellation.

iii. Applicant shall submit details of cross-ownership in other businesses by shareholding as in Schedule X

5. Exhibit E5" Project Brief" provide a summary of the proposed project including the proposed operational nature of applicants business, location plant type and capacity (as per schedule IV and Schedule III – Generating Plant Technology and Description.), and background of the entity(ies) to own and operate the facility.

6. **Exhibit E6 – "Commercially Sensitive Information"** The Commission may make public the Information included in an application for a licence. Where the applicant considers information contained in an application to be commercially sensitive, the applicant should clearly identify such information and state the reasons why they are to be regarded as commercially sensitive, to enable the Commission determine its consideration of the confidentiality request.

7. Exhibit E7 – "Local Participation" provide a plan detailing:

(a) the role and responsibilities of the indigenous Ghanaian;

(b) the equity participation of the indigenous Ghanaian; and all other shareholders and

(c) the strategy for the transfer of technology and know-how to the indigenous Ghanaian company.

8. Exhibit E8 – "Proof of Payment of Registration fee" Applicants shall attach receipt confirming the payment of the prescribed licence application fee (reference schedule II – Schedule of Licence Fees).

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

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

11.5 Applicants shall provide two (2) copies and a softcopy of the following exhibits as separate attachment, clearly labelled and all pages sequentially numbered and initialled,

9. Exhibit E9 – "Operational Experience & Expertise" provide CVs of key personnel involved in the operational aspects of the applicant's business.

10. **Exhibit E10 – "Public Notice"** The applicant shall submit to the Commission an affidavit of the details of the notice published and shall also file the original complete page of the newspaper in which the notice has been published as per **Appendix VI**.
11. **Exhibit E11– "Revenue Management Strategy**" provide an outline of how revenue would be collected from prospective customers. The strategy should also include the metering and any other technologies to be employed.
12. **Exhibit E12– "Signed Power Purchase & Sale Agreement**" provide Power Purchase Agreement with a distribution company.
13. **Exhibit E14-"Sales Agreement"** provide Agreement(s) with potential customers.
14. **Exhibit E15- "Receipt of Initial Licence Fee Payment,"** Applicants shall attach receipt confirming the payment of the prescribed permit application fee (reference schedule II – Schedule of Licence Fees)

CHAPTER

12

EMBEDDED ELECTRICITY GENERATION LICENCE

12.1 Stages in acquiring Embedded Electricity Generation Licence

Business Registration and Initial due diligence

STAGE 1: ACQUISITION OF PROJECT REGISTRATION CERTIFICATE

Required Submissions:

Exhibit F1 - Completed Application form with signed Disclosure Statement
Exhibit F2 - Document Registration
Exhibit F3 - Ownership and Corporate Structure
Exhibit F4 - Cross-ownership and ring- fencing
Exhibit F5 - Project Brief
Exhibit F6 - Commercially Sensitive Information (optional)
Exhibit F7 - Local Participation
Exhibit F8 - Proof of Fee Payment – Non refundable

Identification, selection of site for project

STAGE 2: ACQUISITION OF SITING PERMIT

Required Submissions:

Exhibit F9 - Site Analysis Report (reference Appendix I)
Exhibit F10 - Initial search report from Lands Commission/Land Conveyance Agreement
Exhibit F11 - Load flow study
Exhibit F12 - Environmental and Social Impact Study
Exhibit F13 - Attestation from Geological survey / Bathymetric study (applicable to ONLY barges and powerships)
Exhibit F14 - Proof of Siting Permit Fee Payment

Securing of Environmental Permit, Purchase of Land and securing title, Finalisation of design

STAGE 3: ACQUISITION OF WHOLESALE SUPPLY LICENCE (AUTHORIZATION TO CONSTRUCT)

Required Submissions:

Exhibit F15 - Land Conveyance Agreement (if not presented for Siting Permit)
Exhibit F16 - Environmental Protection Agency (EPA) Permit
Exhibit F17 - Detailed Implementation Schedule
Exhibit F18 - Plant and Machinery Specifications
Exhibit F19 - Building Permit
Exhibit F20 - Signed Power Sale and Purchase Agreements (Not Mandatory)
Exhibit F21 Signed Engineering, Procurement and Construction Contract
Exhibit F22 - Local Content Plan for construction
Exhibit F23 - Health, Safety & Environmental Plan
Exhibit F24 - Safety and Technical Management Procedures
Exhibit F25 - Supply Agreements(equipment,parts,fuel etc) (not mandatory)
Exhibit F26 Local Content Plan for operations and maintenance
Exhibit F27 - Proof of Licence Fee Payment

Prior to commercial operation

STAGE 5: OPERATIONS APPROVAL

Required Submissions:

Exhibit F28 - Connection Agreement
Exhibit F29 - Commissioning Report
Exhibit F30 - Fire Certificate
Exhibit F31 - Operational Experience and Expertise or Operation & Maintenance (O&M) Agreement

Stage 1:- Procedure for the acquisition of Registration Certificate for Embedded Electricity Generation.

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

12.3 Applicants shall provide two (2) copies and a soft copy of the following exhibits as separate attachment, clearly labelled and all pages sequentially numbered and initialled,

1. Exhibit F1 "Completed Application Form" Applicants shall fill and submit one original application form signed by a Principal Officer (reference schedule 1-Application form A), Including a signed declaration/disclosure statement by each Director/Principal Shareholder of the company relating to any liabilities or investigations affecting their suitability as a Director/Shareholder of a licensed company.

2. **Exhibit F2 "Documentation Registration,"** provide evidence that the applicant has registered with the Registrar General's Department. Exhibits required include

a. Limited Liability Company

iv. Certificate of Registration

v. Certificate to Commence Business

vi. Regulations 8 to 82; Second schedule to the Companies Code, 1963 (Act 179)

b. Names, titles, nationality, addresses and telephone numbers of the Company's registered Directors and Company Secretary, with at least one (1) Director being a citizen of Ghana, and also one (1) Director being resident in Ghana.

3. **Exhibit F3- Ownership and Corporate structure (Equity ownership)**

The licensee or Affiliate thereof or any stockholder, director or officer or any of their relatives within the fourth (4^{th}) civil degree of consanguinity or affinity, legitimate or common law, shall not own any equity interest, directly or indirectly, in a wholesale supplier or the Electricity Transmission Utility (ETU)

Except for ex-officio government appointed representatives, no person who is an officer or director of a wholesale supplier or the Electricity Transmission Utility shall be an officer or director of the licensee.

The licensee, or its stockholders, directors or officers thereof, or any of their relatives within the fourth (4th) civil degree of consanguinity and their respective spouses, shall not be allowed to hold any shares of stock in a wholesale Supplier or the Electricity Transmission Utility:

Provided that the cross-ownership prohibition under this provision shall not apply

a. To a relative by blood or marriage, if such relative of any stockholder, director or officer of a wholesale supplier or the Electricity Transmission Utility has no

mployment, consultancy, fiduciary, contractual, commercial or other economic relationship or interest in a wholesale supplier Transmission Utility; or

b. Conversely, if such relative of any stockholder, director, or officer of the licensee has no employment, consultancy, fiduciary, contractual, commercial or other economic relationship or interest in the licensee.

Provided further that, this provision on cross-ownership shall not apply to;

a. Ownership of shares of stock in a company listed in the Ghana Stock Exchange (GSE) even if such listed company is the licensee and if such share ownership is not more than one per centum (1%) of the local outstanding shares of the listed licensee; or
b. Ownership of share of stock which is not more than one per centum (1%) in a company listed in the GSE which owns or controls shares of stock in a wholesale Supplier or the Transmission Utility.

NB: Applicant shall submit details of ownership as in Schedule IX

4. Exhibit F4 Cross-ownership and ring-fencing

Information on cross-ownership and ring-fencing. This should outline the following:

i. The basis on which services and resources will be transacted between relevant operating areas of the applicants, or the applicant and its other related entities;
ii. In the case of applicants that are wholly owned subsidiaries, information on proposed audit arrangements should be provided and also stated whether separate reports for the licensee and its parent company (if applicable) are to be prepared and made publicly available;
iii. Other guidelines or standards relating to financial separation, ring-fencing and separate audit arrangements which the applicant intends to follow,
iv. A list and description of all existing, pending or past rulings, judgments, contingent liabilities, revocation of authority, regulatory investigations, or any other matter that could adversely impact the applicant's financial or operational status or ability to provide the services it is seeking to be certified to provide. Also include a statement whether the applicant or any of his associates, or partners, or promoters, or Directors was ever refused licence or had licence cancelled, and if so, the particulars of such application, date of making the application, date of order refusing or cancelling licence and reasons for such refusal or cancellation.

Note:

i. Each partner, director or major shareholder (with any share ownership) is required to provide a declaration/disclosure statement (Ref: Exhibit A1) relating to any existing, pending or past rulings, judgments, contingent liabilities, revocation of authority, regulatory investigations, or any other

matter that could adversely impact the applicant's financial or operational status or ability to provide the services it is seeking to be certified to provide.

ii. The applicant must also include a statement indicating whether any of his associates, partners, promoters, or Directors was ever refused a licence or had a licence cancelled, and if so, the particulars of such application, date of making the application, date of order refusing or cancelling licence and reasons for such refusal or cancellation.

iii. Applicant shall submit details of cross-ownership in other businesses by shareholding as in Schedule X

5. **Exhibit F5" Project Brief"** provide a summary of the proposed project including the proposed operational nature of applicants business, location plant type and capacity (as per schedule IV and Schedule III – Generating Plant Technology and Description.), and background of the entity(ies) to own and operate the facility.

6. Exhibit F6 – "Commercially Sensitive Information" The Commission may make public the information included in an application for a licence. Where the applicant considers information contained in an application to be commercially sensitive, the applicant should clearly identify such information and state the reasons why they are to be regarded as commercially sensitive, to enable the Commission determine its consideration of the confidentiality request.

7. **Exhibit F7 – "Local Participation"** provide a plan detailing (a) the role and responsibilities of the indigenous Ghanaian; (b) the equity participation of the indigenous Ghanaian; and all other shareholders and (c) the strategy for the transfer of technology and know-how to the indigenous Ghanaian company.

8. **Exhibit F8 – "Proof of payment of Registration fee"** Applicants shall attach receipt confirming the payment of the prescribed licence application fee (reference schedule II – Schedule of Licence Fees)

Stage 2:- Procedure for Acquisition of Siting Clearance

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

12.5 Applicants shall provide two (2) copies and a soft copy of the following exhibits as separate attachment, clearly labelled and all pages sequentially numbered and initialled.

9. **Exhibit F9 – "Site Analysis Report"** Provide details as per Appendix I-Site analysis for the siting of Electric Power Generation Facility. Applicants shall be required to give a power point presentation as per Appendix I of their proposed site to the Siting Committee prior to the site visit to appraise the site, and printed copy of the presentation submitted as an Exhibit.

10. **Exhibit F10- "Search Report/Land conveyance Agreement"** provide a search report from the Lands Commission confirming ownership and availability of the land for the project.
11. **Exhibit F11 – "Load flow Study."** provide relevant load flow studies and contingency analyses for proposed plant location.
12. **Exhibit FA12 – "Environmental and Social Impact Study"** provide a copy of your Environmental Social Impact Assessment report.
13. **Exhibit F13 – "Attestation from Geological Survey/Bathymetric Studies"** provide a report attesting to either the absence of or acceptable levels of seismic activity on and around the proposed site. **For Bathymetric Studies** provide a report on hydrography, bathymetric map, Bottom /seabed scanning and topographic surveys.
14. **Exhibit F14 – "Proof of Siting Permit Fee Payment"** Applicants shall attach receipt confirming the payment of the prescribed permit application fee (reference schedule II – Schedule of Licence Fees)

Stage 3:- Procedure for Acquisition of Wholesale Supply Licence (Authorisation to Construct

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

12.7 Prior to commencement of construction applicants may be required to show proof of conduct of a Factory acceptance Test including pre shipment inspection by GRIDCO, a Technology expert, Energy Commission and the Off-taker prior to shipment at the cost of the applicant.

12.8 Applicants shall provide two (2) copies and a soft copy of the following exhibits as separate attachment, clearly labelled and all pages sequentially numbered and initialled.

12.9 Applicants may be required to give a power point presentation of their overall project and licence application to the Board of the Energy Commission as per **Appendix VI.**

15. **Exhibit F15 – "Land Conveyance Agreement,"** provide appropriately approved documentation of proof of title to land and site plan.
16. **Exhibit F16 – "Environmental Protection Agency (EPA) Permit"** provide an Environmental Protection Agency (EPA) Permit from Environmental Protection Agency.
17. **Exhibit F17 – "Detailed Implementation Schedule,"** provide detailed timelines for the specific activities that must be performed to produce the various project deliverables, establishing interdependences and sequencing.
18. **Exhibit F18– "Plant and Machinery Specifications**," Detailed engineering design and equipment specifications.
19. **Exhibit F19 – "Building Permit**" provide Building Permit from District or Municipal Assembly or Town and Country Planning.

20. **Exhibit F20 – "Signed Power Sale and Purchase Agreements**," Signed Power Sale and Purchase Agreement between the wholesale supplier, a Brokerage, distribution utility and/or a bulk customer.
21. **Exhibit F21 – "Signed Engineering, Procurement and Construction Contract,"** provide a copy of the signed EPC contract with evidence of selection process.
22. **Exhibit F22 "Local Content Plan - Construction**," provide plans in accordance with the Local Content Policy of Ghana to the extent of recruiting personnel and procurement of equipment/services for construction.
23. **Exhibit F23 – "Health, Safety & Environmental Plan"** provide plans to comply with all legislation and standards relevant to the firm's activities and implement systems and structures that prevent the recurrence of injuries, ill health and hazardous conditions.
24. **Exhibit F24 – "Safety and Technical Procedures"** provide operational and maintenance safety rules, procedure and instructions including, Company Safety Policy Statement, Deployment of disaster management measures and Specific commitment and arrangements to operate facilities/installations to ensure safe and reliable electricity supply.
25. **Exhibit F25 –"Supply Agreements (equipment, parts and fuel)"** Provide Equipment and Parts Agreements for major spare parts and frequently changed parts and equipment Provide Supply Agreements for fuel, water, network access etc.
26. **Exhibit F26 "Local Content Plan – Operation and maintenance**," provide plans in accordance with the Local Content Policy of Ghana to the extent of recruiting personnel and procurement of equipment/services for operating the equipment.
27. **Exhibit F27** – "**Proof of Licence Fee Payment**," Applicants shall attach receipt confirming the payment of the prescribed Licence fee (reference schedule II – Schedule of Licence Fees)

Stage 4:- Procedure for acquisition of an Operations Approval

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

12.11 Applicants shall provide two (2) copies and a softcopy of the following exhibits as separate attachment, clearly labelled and all pages sequentially numbered and initialled.

28. **Exhibit F28** - "**Connection Agreement**" provide a signed Connection Agreement with the Electricity Transmission distribution Utility.
29. **Exhibit F29 – "Commissioning Report,"** provide satisfactory Commissioning Test Report including as-built drawings and layout of plant and/or facilities.

30. **Exhibit F30– "Fire Certificate,"** provide a fire certificate from the Ghana National Fire Service**.**

31. **Exhibit F31 – "Operational Experience & Expertise or Operation & Maintenance (O&M) Agreement,"** provide CVs of key personnel involved in the operational aspects of the applicant's business.

CHAPTER

13

ELECTRICITY EXPORT LICENCE

13.1 Stages in acquisition of an Electricity Export Licence

STAGE 1: ACQUISITION OF REGISTRATION CERTIFICATE

Required Submissions:

Exhibit G1 - Completed Application form with signed Disclosure Statement
Exhibit G2 - Document Registration
Exhibit G3 - Ownership and Corporate Structure
Exhibit G4 - Cross-ownership and ring- fencing
Exhibit G5 - Project Brief
Exhibit G6 - Commercially Sensitive Information (optional)
Exhibit G7 - Local Participation
Exhibit G8 - Proof of Fee Payment – Non refundable

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

Required Submissions:

Exhibit G9 - Operational Experience and Expertise
Exhibit G10 Public Notice
Exhibit G11 - Power Purchase Agreement & Power Sales Agreement
Exhibit G12 - Transmission Service Agreement
Exhibit G13 - Receipt of Initial License Fee Payment

Stage 1: - Procedure for the Acquisition of Registration Certificate

13.2 An applicant for an electricity export licence shall be a wholesale supplier or an electricity Brokerage licenced by the Commission and has the capital adequacy and meets the liquidity requirement based on the category of electricity export licence (reference Schedule VII-Categories of Electricity Export Licence)

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

13.4 Applicants shall provide two (2) copies and a softcopy of the following exhibits as separate attachment, clearly labelled and all pages sequentially numbered and initialled,

1. Exhibit G1 "Completed Application Form" Applicants shall fill and submit one original application form signed by a Principal Officer (reference schedule 1-Application form A), Including a signed declaration/disclosure statement by each Director/Principal Shareholder of the company relating to any liabilities or investigations affecting their suitability as a Director/Shareholder of a licensed company.

2. Exhibit G2 "Documentation Registration," provide evidence that the applicant has registered with the Registrar General's Department. Exhibits required include

a. Limited Liability Company
b. Certificate of Registration
c. Certificate to Commence Business
d. Regulations 8 to 82; Second schedule to the Companies Code, 1963 (Act 179)
e. Names, titles, nationality, addresses and telephone numbers of the Company's registered Directors and Company Secretary, with at least one (1) Director being a citizen of Ghana, and also one (1) Director being resident in Ghana.

3. Exhibit G3- Ownership and Corporate structure (Equity ownership)

The licensee or Affiliate thereof or any stockholder, director or officer or any of their relatives within the fourth (4th) civil degree of consanguinity or affinity, legitimate or common law, shall not own any equity interest, directly or indirectly, in a wholesale supplier or the Electricity Transmission Utility (ETU)

Except for ex-officio government appointed representatives, no person who is an officer or director of a wholesale supplier or the Electricity Transmission Utility shall be an officer or director of the licensee.

The licensee, or its stockholders, directors or officers thereof, or any of their relatives within the fourth civil degree of consanguinity and their respective spouses, shall not be allowed to hold any shares of stock in a wholesale Supplier or the Electricity Transmission Utility:

Provided that the cross-ownership prohibition under this provision shall not apply

a. To a relative by blood or marriage, if such relative of any stockholder, director or officer of a wholesale supplier or the Electricity Transmission Utility has no mployment, consultancy, fiduciary, contractual, commercial or other economic relationship or interest in a wholesale supplier Transmission Utility; or
b. Conversely, if such relative of any stockholder, director, or officer of the licensee has no employment, consultancy, fiduciary, contractual, commercial or other economic relationship or interest in the licensee.

Provided further that, this provision on cross-ownership shall not apply to;

c. Ownership of shares of stock in a company listed in the Ghana Stock Exchange (GSE) even if such listed company is the licensee and if such share ownership is not more than one per centum (1%) of the local outstanding shares of the listed licencsee; or
d. Ownership of share of stock which is not more tha one per centum (1%) in a company listed in the GSE which owns or controls shares of stock in a wholesale Supplier or the Transmission Utility.

NB: Applicant shall submit details of ownership as in Schedule IX

4. Exhibit G4 Cross-ownership and ring-fencing

Information on cross-ownership and ring-fencing. This should outline the following:

i. The basis on which services and resources will be transacted between relevant operating areas of the applicants, or the applicant and its other related entities;
ii. In the case of applicants that are wholly owned subsidiaries, information on proposed audit arrangements should be provided and also stated whether separate reports for the licensee and its parent company (if applicable) are to be prepared and made publicly available;
iii. Other guidelines or standards relating to financial separation, ring-fencing and separate audit arrangements which the applicant intends to follow.
iv. A list and description of all existing, pending or past rulings, judgments, contingent liabilities, revocation of authority, regulatory investigations, or any other matter that could adversely impact the applicant's financial or operational status or ability to provide the services it is seeking to be certified to provide. Also include a statement whether the applicant or any of his associates, or partners, or promoters, or Directors was ever refused licence or had licence cancelled, and if so, the particulars of such application, date of making the application, date of order refusing or cancelling licence and reasons for such refusal or cancellation.

Note:

i. Each partner, director or major shareholder (with any share ownership) is required to provide a declaration/disclosure statement (Ref: Exhibit A1) relating to any existing, pending or past rulings, judgments, contingent liabilities, revocation of authority, regulatory investigations, or any other matter that could adversely impact the applicant's financial or operational status or ability to provide the services it is seeking to be certified to provide.

ii. The applicant must also include a statement indicating whether any of his associates, partners, promoters, or Directors was ever refused a licence or had a licence cancelled, and if so, the particulars of such application, date of making the application, date of order refusing or cancelling licence and reasons for such refusal or cancellation.

iii. Applicant shall submit details of cross-ownership in other businesses by shareholding as in Schedule X

5. **Exhibit G5" Project Brief"** provide a summary of the proposed project including the proposed operational nature of applicants business, location plant type and capacity (as per schedule IV and Schedule III – Generating Plant Technology and Description.), and background of the entity(ies) to own and operate the facility.

6. **Exhibit G6 – "Commercially Sensitive Information"** The Commission may make public the Information included in an application for a licence. Where the applicant considers information contained in an application to be commercially sensitive, the applicant should clearly identify such information and state the reasons why they are to be regarded as commercially sensitive, to enable the Commission determine its consideration of the confidentiality request.

7. **Exhibit G7 – "Local Participation"** provide a plan detailing (a) the role and responsibilities of the indigenous Ghanaian; (b) the equity participation of the indigenous Ghanaian; and all other shareholders and (c) the strategy for the transfer of technology and know-how to the indigenous Ghanaian company.

8. **Exhibit G8 – "Proof of Payment of Registration fee "** Applicants shall attach receipt confirming the payment of the prescribed licence application fee (reference schedule II – Schedule of Licence Fees)

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

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

13.7 Applicants shall provide two (2) copies and a softcopy of the following exhibits as separate attachment, clearly labelled and all pages sequentially numbered and initialled

9. **Exhibit G9 – "Operational Experience & Expertise** provide CVs of key personnel involved in the operational aspects of the applicant's business.

10. **Exhibit G10** – "**Public Notice**" The applicant shall submit to the Commission an affidavit of the details of the notice published and shall also file the original complete page of the newspaper in which the notice has been published as per **APPENDIX VI**.

11. **Exhibit G11– "Power Sales and Purchase Agreement**" Power Purchase Agreement (where relevant especially with generators) and Power Sales Agreement (where relevant with a foreign customer or customers).

12. **Exhibit G12-"Transmission Service Agreement"** Agreement with the ETU for network access.

13. **Exhibit G13**- "**Receipt of Initial Licence Fee,"** Applicants shall attach receipt confirming the payment of the prescribed permit application fee (reference schedule II – Schedule of Licence Fees)

CHAPTER

14

ELECTRICITY IMPORT LICENCE

14.1 Stages in acquisition of an Electricity Import Licence

ACQUISITION OF REGISTRATION CERTIFICATE

Required Submissions:

Exhibit H1 - Completed Application form with signed Disclosure Statement
Exhibit H2 - Document Registration
Exhibit H3 - Ownership and Corporate Structure
Exhibit H4 - Cross-ownership and ring- fencing
Exhibit H5 - Project Brief
Exhibit H6 - Commercially Sensitive Information (optional)
Exhibit H7 - Local Participation
Exhibit H8 - Proof of Fee Payment – Non refundable

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

Required Submissions:

Exhibit H9 - Operational Experience and Expertise
Exhibit H10 - Public Notice
Exhibit H11 - Power Purchase Agreement & Power Sales Agreement
Exhibit H12 - Transmission Service Agreement
Exhibit H13 - Receipt of Licence Fee

Stage 1: - Procedure for the Acquisition of Registration Certificate

14.2 An applicant for an electricity import licence shall be an electricity Brokerage or distribution utility licenced by the Commission and has the capital adequacy and meets the liquidity requirement based on the category of electricity import licence (reference Schedule VIII-Categories of Electricity Import Licence)

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

14.4 Applicants shall provide two (2) copies and a soft if available of the following exhibits as separate attachment, clearly labelled and all pages sequentially numbered and initialled,

1. Exhibit H1 "Completed Application Form" Applicants shall fill and submit one original application form signed by a Principal Officer (reference schedule 1-Application form A), Including a signed declaration/disclosure statement by each Director/Principal Shareholder of the company relating to any liabilities or investigations affecting their suitability as a Director/Shareholder of a licensed company.

2. Exhibit H2 "Documentation Registration," provide evidence that the applicant has registered with the Registrar General's Department. Exhibits required include

a. Limited Liability Company

i. Certificate of Registration

ii. Certificate to Commence Business

iii. Regulations 8 to 82; Second schedule to the Companies Code, 1963 (Act 179)

b. Names, titles, nationality, addresses and telephone numbers of the Company's registered Directors and Company Secretary, with at least one (1) Director being a citizen of Ghana, and also one (1) Director being resident in Ghana.

3. Exhibit H3- Ownership and Corporate structure (Equity ownership)

The licensee or Affiliate thereof or any stockholder, director or officer or any of their relatives within the fourth (4th) civil degree of consanguinity or affinity, legitimate or common law, shall not own any equity interest, directly or indirectly, in a wholesale supplier or the Electricity Transmission Utility (ETU)

Except for ex-officio government appointed representatives, no person who is an officer or director of a wholesale supplier or the Electricity Transmission Utility shall be an officer or director of the licensee.

The licensee, or its stockholders, directors or officers thereof, or any of their relatives within the fourth civil degree of consanguinity and their respective spouses, shall not be allowed to hold any shares of stock in a wholesale Supplier or the Electricity Transmission Utility:

Provided that the cross-ownership prohibition under this provision shall not apply

a. To a relative by blood or marriage, if such relative of any stockholder, director or officer of a wholesale supplier or the Electricity Transmission Utility has no mployment, consultancy, fiduciary, contractual, commercial or other economic relationship or interest in a wholesale supplier Transmission Utility; or
b. Conversely, if such relative of any stockholder, director, or officer of the licensee has no employment, consultancy, fiduciary, contractual, commercial or other economic relationship or interest in the licensee.

Provided further that, this provision on cross-ownership shall not apply to;

a. Ownership of shares of stock in a company listed in the Ghana Stock Exchange (GSE) even if such listed company is the licensee and if such share ownership is not more than one per centum (1%) of the local outstanding shares of the listed licensee; or
b. Ownership of share of stock which is not more than one per centum (1%) in a company listed in the GSE which owns or controls shares of stock in a wholesale Supplier or the Transmission Utility.

NB:Applicant shall submit details of ownership as in Schedule IX

4. Exhibit H4 Cross-ownership and ring-fencing

Information on cross-ownership and ring-fencing. This should outline the following:

i. The basis on which services and resources will be transacted between relevant operating areas of the applicants, or the applicant and its other related entities;
ii. In the case of applicants that are wholly owned subsidiaries, information on proposed audit arrangements should be provided and also stated whether separate reports for the licensee and its parent company (if applicable) are to be prepared and made publicly available;
iii. Other guidelines or standards relating to financial separation, ring-fencing and separate audit arrangements which the applicant intends to follow.
iv. A list and description of all existing, pending or past rulings, judgments, contingent liabilities, revocation of authority, regulatory investigations, or any other matter that could adversely impact the applicant's financial or operational status or ability to provide the services it is seeking to be certified to provide. Also include a statement whether the applicant or any of his associates, or partners, or promoters, or Directors was ever refused licence or had licence cancelled, and if so, the particulars of such application, date of making the application, date of order refusing or cancelling licence and reasons for such refusal or cancellation.

Note:

i. Each partner, director or major shareholder (with any share ownership) is required to provide a declaration/disclosure statement (Ref: Exhibit A1) relating to any existing, pending or past rulings, judgments, contingent liabilities, revocation of authority, regulatory investigations, or any other matter that could adversely impact the applicant's financial or operational status or ability to provide the services it is seeking to be certified to provide.
ii. The applicant must also include a statement indicating whether any of his associates, partners, promoters, or Directors was ever refused a licence or had a licence cancelled, and if so, the particulars of such application, date of making the application, date of order refusing or cancelling licence and reasons for such refusal or cancellation.
iii. Applicant shall submit details of cross-ownership in other businesses by shareholding as in Schedule X

5. **Exhibit H5" Project Brief"** provide a summary of the proposed project including the proposed operational nature of applicants business, location plant type and capacity (as per schedule IV and Schedule III – Generating Plant Technology and Description.), and background of the entity(ies) to own and operate the facility.

6. **Exhibit H6 – "Commercially Sensitive Information"** The Commission may make public the Information included in an application for a licence. Where the applicant considers information contained in an application to be commercially sensitive, the applicant should clearly identify such information and state the reasons why they are to be regarded as commercially sensitive, to enable the Commission determine its consideration of the confidentiality request.

7. **Exhibit H7 – "Local Participation"** provide a plan detailing (a) the role and responsibilities of the indigenous Ghanaian; (b) the equity participation of the indigenous Ghanaian; and all other shareholders and (c) the strategy for the transfer of technology and know-how to the indigenous Ghanaian company.

8. **Exhibit H8 – "Proof of Payment of Registration fee "** Applicants shall attach receipt confirming the payment of the prescribed licence application fee (reference schedule II – Schedule of Licence Fees)

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

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

14.6 Applicants shall provide two (2) copies and a soft if available of the following exhibits as separate attachment, clearly labelled and all pages sequentially numbered and initialled

9. **Exhibit H9 – "Operational Experience & Expertise,"** provide CVs of key personnel involved in the operational aspects of the applicant's business.

10. **Exhibit H10 – "Public Notice,"** The applicant shall submit to the Commission an affidavit of the details of the notice published and shall also file the original complete page of the newspaper in which the notice has been published as per **APPENDIX VI**.

11. **Exhibit H11– "Power Sales and Purchase Agreement**" Power Purchase Agreement (with foreign generators) and Power Sales Agreement (where relevant especially with DISCOs or Bulk Customers).

12. **Exhibit H12- "Transmission Service Agreement"** Agreement with the ETU for network access.

13. **Exhibit H13 – "Receipt of Initial Licence Fee,"** Evidence of payment of the appropriate prevailing licence fee to the Energy Commission.

CHAPTER

15

CAPTIVE GENERATION LICENSE

15.1 Acquisition of Captive Generation License

Required Submissions:

Exhibit J1 - Project Brief

Exhibit J2 - Completed Application form with signed Disclosure Statement

Exhibit J3 - Company Registration

Exhibit J4 - Local Content Plan for construction

Exhibit J5 - Health, Safety and Environmental Plan

Exhibit J6 - Operation & Maintenance (O&M) Agreement

Exhibit J7 - Proof of Licence Application Fee Payment

1. **Exhibit J1 – "Project Brief"** provide a summary of the proposed project including the proposed operational nature of applicants business, location, plant type and capacity (as per schedule IV and Schedule III – Generating Plant Technology and Description.), and background of the entity(ies) to own and operate the facility.

2. **Exhibit J2 "Completed Application Form"** Applicants shall fill and submit one original application form signed by a Principal Officer (reference schedule I-Application Form A), Including a signed declaration/disclosure statement by each Director/Principal Shareholder of the company relating to any liabilities or investigations affecting their suitability as a Director/Shareholder of a licensed company.

3. **Exhibit J3 "Company Registration,"** provide evidence that the applicant has registered with the Registrar General's Department. Exhibits required include
    a. Certificate of Registration
    b. Certificate to Commence Business
    c. Regulations 8 to 82; Second schedule to the Companies Code, 1963 (Act 179)

d. Names, titles, nationality, addresses and telephone numbers of the Company's registered Directors.

4. **Exhibit J4 - "Local Content Plan - Construction**," provide plans in accordance with the Local Content Policy of Ghana to the extent of recruiting personnel and procurement of equipment/services for construction.

5. **Exhibit J5 – "Health, Safety & Environmental Plan"** provide plans to comply with all legislation and standards relevant to the firm's activities and implement systems and structures that prevent the recurrence of injuries, ill health and hazardous conditions.

6. **Exhibit J6 - "Operation & Maintenance (O&M) Agreement,"** provide copies of Operation and Maintenance Agreement

7. **Exhibit J7 – "Proof of Fee Payment"** Applicants shall attach receipt confirming the payment of the prescribed licence application fee (reference schedule II – Schedule of Licence Fees)

CHAPTER

16

BULK CUSTOMER PERMIT

16.1 Acquisition of Bulk Customer Permit

Required Submissions:

Exhibit K1 - Project Summary

Exhibit K2 - Completed Application form with signed Disclosure Statement

Exhibit K3 - Company Registration

Exhibit K4 - Proof of Permit Application Fee Payment

Exhibit K5 - Annual Energy Consumption data (electricity bills)

1. **Exhibit K1 – "Project Summary,"** provide a summary of the proposed operational nature of applicants project and background of the entity (ies) to own and operate the Network.

2. **Exhibit K2 "Completed Application Form"** Applicants shall fill and submit one original application form signed by a Principal Officer (reference schedule 1-Application form A), Including a signed declaration/disclosure statement by each Director/Principal Shareholder of the company relating to any liabilities or investigations affecting their suitability as a Director/Shareholder of a licensed company.

3. **Exhibit K3 "Company Registration,"** provide evidence that the applicant has registered with the Registrar General's Department. Exhibits required include
    a. Certificate of Registration
    b. Certificate to Commence Business
    c. Regulations 8 to 82; Second schedule to the Companies Code, 1963 (Act 179)
    d. Names, titles, nationality, addresses and telephone numbers of the Company's registered Directors.

4. **Exhibit K4 – "Proof of Fee Payment"** Applicants shall attach receipt confirming the payment of the prescribed licence application fee (reference schedule II – Schedule of Licence Fees)

5. **Exhibit K5- "Annual Energy Consumption Data"** Applicant shall attach current twelve (12) month electricity consumption bill.

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

SCHEDULE I: APPLICATION FORMS A and B

APPLICATION FORM A

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

□ Wholesale Electricity Supply

□ Electricity Transmission

□ Electricity Distribution

□ Embedded Electricity Generation

□ Captive Electricity Generation

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

Legal Name_____

Postal Address_____

Telephone #_____Email _____

Website address (if any) _____

A-3 Office location address

House/Plot Number _____

Street Name_____

Town/City_____Region_____

A-4 Contact person for regulatory matters

Name_____

Title_____

Business address _____

Telephone #_____Email _____

A-5 Customer Segment (Check all that apply)

□ Generation Company

□ Transmission Utility

□ Distribution Company

□ Bulk Customer

□ Industrial, Commercial & Residential

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

Community_____

Town/City_____

District_____

Region_____

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

_____

A-8 Duration in years of licence _____

SIGNATURE…… **DATE**……..

APPLICATION FORM B

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

□ Electricity Brokerage

□ Electricity Sale

□ Electricity Export

□ Electricity Import

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

Legal name:_____

Postal Address: _____

Telephone #:_____ Email_____

Website Address (if any) _____

B-3 Office location address

House/Plot Number_____

Street Name_____

Town/City_____ Region_____

B-4 Contact person for regulatory matters

Name_____

Title_____

Business Address_____

Telephone #_____ Email_____

B-5 Existing licence held by applicant

☐ Wholesale Electricity Supplier

☐ Electricity Brokerage

☐ Electricity Distributor

☐ Not Applicable

B-6 Incorporation

Place of Incorporation /
Registration_____

Year of Incorporation/ Registration
_____

B-7 Shares

Authorised share capital_____

Issue share capital _____

Subscribed share capital_____

Paid up share capital_____

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

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

Note: Copies of the following documents shall be enclosed

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

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

_____

B-10 Volume of power intended to be traded

_____

B-11 Franchised Area of Trading _____

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

B-13 Net worth:

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

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

ii. On the date of preparation of the special balance sheet accompanying the application_____

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

B-14 Current Ratio

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

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

ii. On the date of preparation of the special balance sheet accompanying the application_____

B-15 Liquidity Ratio

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

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

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

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

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

B-17List of documents enclosed:

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

Place: _____ _____

(Signature of the Applicant)
Or the authorised person

Date: _____

SCHEDULE II: SCHEDULE OF LICENCE FEES

Type of Licence	Application Fee US$	Initial Licence Fee (ILF) US$		Annual Operating Fee (AOF)	
Wholesale Supply (Thermal/Hydro Electricity Generation) and Embedded Electricity Generation Services		**Fixed**	**Variable** Per MW installed	**Fixed (USD)**	**Variable (USD/KWh)**
Combined Cycle Power Plants	10,000			37,500	0.25% of PURC Approved Tariff or PPA
Simple Cycle Power Plants	10,000			62,500	0.25% of PURC Approved Tariff or PPA
		Fixed (USD)	**Variable (USD)**	**Fixed (USD)**	**Variable (GHc)/KWh**
Electricity Transmission Services	10,000	66,000	NIL	100,000	0.25% of Transmission Service Charge
Electricity Distribution Services	10,000	100,000	NIL	50,000	0.25% of Distribution Service Charge
Electricity Retail Sale Services	10,000	100,000	NIL	50,000	0.25% of Retail Service Charge
Electricity Brokerage Services	10,000	10,000	NIL	10,000	GH¢0.00034/kWh
Electricity Export Services	10,000	20,000	NIL	20,000	GH¢0.00034/kWh
Electricity Import Services	10,000	20,000	NIL	20,000	GH¢0.00034/kWh

Siting Fee	10,000	-	-	-	-
Construction Permit Fee/Initial Licence Fee	0.1% of Engineering Procurement and Construction (EPC) Cost	-	-	-	-

****Note:**

1. Energy Commission reserves the right to review licence fees by Public Notice.
2. Construction Permit Fee/ Initial Licence Fee: This is a one-time payment fee for a new licence for construction of a facility
3. Annual Licence Fee: This is an annual payment for the maintenance of valid existing licences
4. Amendment Fee of 50% of the Application fee shall be charge.

SCHEDULE III: GENERATING PLANT TECHNOLOGY AND DESCRIPTION

Thermal Power Plant

Type/Model of Plant	Name of Manufacturer	Installed Capacity per unit (MW)	Available Output per unit (MW)	Plant Configuration	Gross Heat Rate (kJ/kWh)	Cycle Mode (simple or combined)	Plant Efficiency	Generating Voltage	Frequency	Emission Parameters	Age of Plant (maximum of 5 years or 65,000 run hours)	Remarks

Hydro Power Plant

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

SCHEDULE IV: DESCRIPTION OF THE ELECTRICITY DISTRIBUTION SYSTEM

Type of Distribution Line	**Overhead Lines (OHL)-km**		**Underground (UG) Cables -(km)**
High Voltage/Sub-transmission (33KV)			
Medium Voltage (11KV)			
Low Voltage (415/230V) - Bare			
Low Voltage (415/230V)Service Lines - Insulated			
Other Voltage Levels			
Description	**Location**	**Total No.**	**Voltage Levels**
Bulk Supply Points Transformers ➢ Power Transformers ➢ Distribution Transformers Primary Stations Secondary Substations			

SCHEDULE V: DESCRIPTION OF THE NATIONAL INTERCONNECTED TRANSMISSION SYSTEM

1-A. Line Parameters: Positive Sequence Impedance

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

1-B. Line Parameters: Negative Sequence Impedance

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

1-C. Line Parameters: Zero Sequence Impedance

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

1-D. Shunt Capacitor Database

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

1-E: SUBSTATIONS-Circuit Breaker Database

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

1-F: SUBSTATIONS-Power Transformer Database

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

SCHEDULE VI – CATEGORIES OF ELECTRICITY BROKERAGE LICENCE

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

SCHEDULE VII – CATEGORIES OF ELECTRICITY EXPORT LICENCE

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

SCHEDULE VIII – CATEGORIES OF ELECTRICITY IMPORT LICENCE

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

SCHEDULE IX – OWNERSHIP STRUCTURE AND SHAREHOLDING DECLARATION

Item No	Name and Contact Details (Telephone & Email) of Shareholders	Percentage Shareholding
1	Name: Nationality: Tel: Email:	
2 3	Name: Nationality: Tel: Email:	
4	Name: Nationality: Tel: Email:	
	Name: Nationality: Tel: Email:	

Signature of Applicant …… Date of Signature:……

SCHEDULE IX – SHAREHOLDING AND CROSS OWNERSHIP DECLARATION

Item No	Name and Contact Details (Telephone & Email) of Shareholders	Wholesale Supply		Transmission		Distribution		Sale		Signature
		Name of Company	%	Name of Company	%	Name of Company	%	Name of Company	%	
1	Name: Nationality: Tel: Email:									
2	Name: Nationality: Tel: Email:									
3	Name: Nationality: Tel: Email:									

**** Declaration:** Signing this document means information provided in the Cross-Ownership Declaration Form is correct and complete. Any subsequent changes to the information provided above shall be duly communicated to the Energy Commission.

Name of Company/Applicant:……..

Name of Managing Director/ Director/Principal Officer:……

Signature:……

Date:……..

APPENDIXES

APPENDIX I: GUIDELINES FOR SITE ANALYSIS REPORT PRESENTATION

1. Company Background;

(i) Profile of the Company
(ii) Project objective and scope
(iii) Company Registration and other relevant permits or licenses
(iv) Ownership structure
(v) Principal officers, directors and partners
(vi) Industry experience
(vii) a description of the proposed facility

2. Description of proposed generation and associated facility:

(i) type, number of units, and designed ISO rating, block configuration, technology, heat rate, generation voltage, black start capability
(ii) fuel type, source of fuel
(iii) brief description of the need for new transmission line(s) associated with the proposed facility
(iv) the electrical single line diagram and equipment layout design showing how the new system would connect with the existing network

3. Site Selection Criteria

i. land area required
ii. proximity to settlement
iii. fuel supply considerations
iv. power evacuation
v. existing land use of the land

3. Site alternative analyses

(i) a description of the site selection process, including descriptions of the major alternatives considered
(ii) a description of the study area or geographic boundaries selected, including the rationale for the selection
(iii) a google map of suitable scale which includes the study area and which depicts the general sites which were evaluated
(iv) a summary table comparing the sites, utilizing the technical, financial environmental, socioeconomic, and other factors identified in the study
Design and equipment alternatives shall be included where the use of such alternatives influenced the siting decision.
(v) Site layout
(vi) Cost of preparation

4. Geology and seismology:

A geological and structural map of suitable scale of the proposed facility site and also describe:

(i) topographic contours
(ii) land use and classifications
(iii) existing vegetative cover and the vegetative cover that may be removed during construction
(iv) individual structures and installations
(v) surface water bodies and
(vi) water and gas wells.
(vii) the suitability of the site with respect to seismic sensitivity status; and
(viii) the suitability of soil for grading, compaction, and drainage, and describe plans to remedy any identified inadequacies.

5. Environmental

(a) Principal environmental and socioeconomic considerations of the preferred and alternate sites

(b) Environmental impact (cause and effect) of facility: water, air, noise and planned mitigation
(i) all proposed major flue gas emission control equipment, including tabulations of expected efficiency, power consumption, and operating costs for supplies and maintenance;

(ii) the equipment proposed for control of effluents discharged into bodies of water and receiving streams; and

(iv) all proposed major public safety equipment.

(c) any other major equipment constituting the proposed facility that is not discussed in paragraph 3(b).

(d) community engagement

6. Project schedule update:

(i) acquisition of land and land rights;
(ii) PPA, EPC selection and Financial close;
(iii) preparation of the final design;
(iv) construction of the facility; and
(v) commercial operation of the facility.

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

A. Project summary and facility overview.

B. Review of need for proposed project.

C. Site and route alternatives analyses

D. Technical data

E. Environmental Data

A. Project summary and facility overview

1. An applicant for clearance to site an electric power transmission and distribution facility shall provide a project summary and overview of the proposed project. The summary and overview shall include:

(a) a description of the site or route selection process, including descriptions of the major alternatives considered;
(b) a discussion of the principal environmental and socioeconomic considerations of the preferred and alternative sites; and

B. Review of need for proposed project

1. An applicant shall provide a statement explaining the need for the proposed facility, including a listing of the factors upon which it relied to reach that conclusion and references to the most recent long-term forecast report (if applicable).

2. The statement shall also include, but not be limited to, the following:

   (a) a statement of the purpose of the proposed facility;

   (b) specific projections of system conditions or local requirements that impacted the applicant's opinion on the need for the proposed facility;

   (c) relevant load flow studies and contingency analyses, if appropriate, identifying the need for system improvement; and

   (d) one copy of the relevant power flow base case model data with appropriate directions to recover data if compressed.

3.**Expansion plans:**

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

(i) reference to any description of the proposed facility and site/route alternatives in the most recent long-term electricity demand forecast report of the applicant;

(ii) if no description was contained in the most recent long-term electricity demand forecast report, an explanation as to why none was filed in the most recent long-term electricity demand forecast report; and

(iii) reference to sub-regional expansion plans, including the West Africa Power Pool bulk power transmission plans, when applicable (if the transmission project will not affect regional plans, it shall be stated by the applicant).

4. An applicant for electric power transmission and distribution facilities shall provide an analysis of the impact of the proposed facility on the electric power system economy and reliability. The impact of the proposed facility on all interconnected utility systems shall be evaluated, and all conclusions shall be supported by relevant load flow studies.

5. An applicant for electric power transmission and distribution lines shall provide an analysis and evaluation of the options considered which would eliminate the need for construction of

an electric power transmission line, including electric power generation options and options involving changes to existing and planned electric power transmission substations.

6. The applicant shall describe why the proposed facility was selected to meet the projected need.

7. **Facility schedule:**

(a) *Schedule:* The applicant shall provide a proposed schedule in bar chart format covering all applicable major activities and milestones for the project, including:

(i) Preparation and submission of the Siting Clearance application;

(ii) Consideration and grant of Siting Clearance;

(iii) Acquisition of rights-of-way and land rights for the facility;

(v) Preparation of the final design;

(vi) Construction of the facility; and

(vii) Commercial operation of the facility.

(b) *Delays:* The applicant shall describe the impact of critical delays on the eventual commercial operation date.

C. Site and route alternative analyses

1. The applicant shall conduct a site and route selection study prior to submitting an application for an electric power transmission or distribution line, electric power transmission or distribution The study shall be designed to evaluate all practicable sites, routes, and route segments for the proposed facility identified within the project area.

(a) The applicant shall provide the following:

(i) a description of the study area or geographic boundaries selected, including the rationale for the selection;

(ii) a map of suitable scale which includes the study area and which depicts the general routes, route segments, and sites which were evaluated;

(iii) a comprehensive list of all siting criteria utilized by the applicant, including any quantitative or weighting values assigned to each;

(iv) a description of relevant factors or constraints identified by the applicant and utilized in the route and site selection process;

(v) a description of the process by which the applicant utilized the siting criteria to determine the preferred and alternative routes and sites;

(vi) a description of the routes and sites selected for evaluation, their final ranking, and the rationale for selecting the preferred and alternative routes and sites; and

(vii) a description of any qualitative or other factors utilized by the applicant in the selection of the preferred and alternative routes or sites.

(b) The applicant shall provide one copy of any constraint map utilized for the study to the Committee for review.

2. The applicant shall provide a summary table comparing the routes, route segments, and sites, utilizing the technical, financial, environmental, socioeconomic, and other factors identified in the study. Design and equipment alternatives shall be included where the use of such alternatives influenced the siting decision.

3. The applicant may provide a copy of any route and site selection study report produced by or for the applicant for the proposed project as an attachment to the application. The study report may be submitted in response to paragraphs (1) and (2) of this section, provided that the information contained therein is responsive to the requirements of the referenced paragraphs.

D. Technical data

1. *Site/route alternatives*: Information on the location, major features, and the topographic, geologic, and hydrologic suitability of site/route alternatives shall be submitted by the applicant. This information may be derived from the best available reference materials.

(a) **Geography and topography**: The applicant shall provide map(s) of not less than 1:50,000 scale, including the area

- 20 meters on each side of a 330 KV Extra High Voltage (EHV) transmission line alignment,
- 15 meters on each side of a 161 KV High Voltage (HV) transmission line alignment,
- 10 meters on each side of a 33/34.5 KV Medium Voltage (MV) transmission or sub-transmission line alignment,
- 10 meters on each side of 11kv distribution line

(b) ***Map features:*** The map(s) required in paragraph (a) shall include the following features:

(i) the proposed transmission or distribution line including proposed turning points;

(ii) the proposed substation site locations;

(iii) major highway and railroad routes;

(iv) identifiable air transportation facilities, existing or proposed;

(v) utility corridors;

(vi) proposed permanent access roads;

(vii) lakes, ponds, reservoirs, streams, canals, rivers, and swamps;

(viii) topographic contours;

(ix) soil associations or series; and

(x) population centers and legal boundaries of cities, villages and townships.

(c) **Slope and soil mechanics**: The applicant shall:

(i) provide a brief, but specific description of the soils in the areas depicted on the above map(s) where slopes exceed twelve per cent. This information may be extracted from published sources; and

(ii) discuss the rationale as to suitability of the soils for foundation construction.

2. **Layout and construction**: The applicant shall provide information on the proposed layout and preparation of route/site alternatives, and the description of the proposed major structures and their installation as detailed below.

(a) ***Site activities*** - The applicant shall describe the proposed site clearing, construction methods and reclamation operations, including:

(i) surveying and soil testing;

(ii) grading and excavation;

(iii) construction of temporary and permanent access roads and trenches;

(iv) stringing of cable and/or laying of pipe;

(v) removal and disposal of construction debris such as crates, pallets, etc; and

(vi) post-construction reclamation.

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

(i) provide a map of 1:2,500 scale of the site of major transmission line associated facilities such as substations, and other stations, showing the following proposed features:

- Final grades after construction, including the site and access roads,

- Proposed location of major structures and buildings,
- Fenced-in or secured areas, and
- Estimated overall dimensions;

(ii) describe reasons for the proposed layout and any unusual features; and

(iii) describe plans for any future modifications in the proposed layout, including the nature and approximate timing of contemplated changes.

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

(a) The applicant shall provide the following data for electric power transmission and distribution lines:

(i) design voltage;

(ii) tower designs, pole structures, conductor size and number per phase, and insulator arrangement;

(iii) base and foundation design;

(iv) cable type and size, where underground; and

(v) other major equipment or special structures.

(b) The applicant shall provide a description for electric power transmission/distribution substations that includes a single-line diagram and a description of the proposed major equipment, such as:

(i) breakers;

(ii) switchgear;

(iii) bus arrangement and structures;

(iv) transformers;

(v) control buildings; and

(vi) other major equipment.

E. Environmental data

1. The information requested in this section shall be used to assess the environmental effects of the proposed facility.

2. The requirements for environmental disclosure on the facility at the proposed site and all alternatives considered shall be in accordance with Environmental Protection Agency Regulations, LI 1652 and Energy Sector Guidelines for environmental assessment.

Appendix III: Membership of the Siting Committee

1. Representative of Energy Commission (chair)
2. Representative of Environmental Protection Agency
3. Representative of the Ministry of Defence
4. Representative of Town and Country Planning Department
5. Representative of Water Resources Commission
6. Representative of Electricity Transmission Utility (Gridco)
7. Representative of the District Assembly where the facility is to be built
8. Public Stakeholder from the community where the facility is to be built
9. Ghana Maritime Authority (applicable to ONLY Barges and Powerships)
10. Ghana Ports and Habour Authority (applicable to ONLY Barges and Powerships)
11. Marine Police (applicable to ONLY barges and powerships)
12. Representative of Distribution Company (applicable to ONLY Embedded Licence Applications)

APPENDIX IV: MODEL PROJECT BRIEF FOR ELECTRIC POWER GENERATING FACILITIES

A. Executive summary
B. Project Overview
C. Facility Objective
D. Technical data

A. Executive Summary

1. An applicant for a license shall provide an executive summary of which shall include the reasons why the applicant intends to participate in the Ghanaian electricity industry, and the broad nature of that participation. In providing the above explanation, the applicant should address the Commission's objectives as set out in Section 2 of the Act and the objects of the Act, and explain how the granting of a licence would be consistent with those requirements.
2. Information filed by the applicant in response to the requirements of section (A) shall not be deemed responses to any other section [from (B) to (E)] of the application requirements.

B. Project Overview

The application should provide the reason why the applicant intends to participate in the Ghanaian electricity industry, and the broad nature of the participation. This should include

(a) Company's History & Existing Activities, a concise description of the applicant's business profile, company's history and principal business interests, both within and outside the electricity supply industry. It should include all jurisdictions in which the applicant or any affiliated interest of the applicant is, at the date of filing the provides wholesale electric services
(b) a description of the proposed facility;
(c) impact of the project on the national grid.

(d) provide indicative timelines for the specific activities (possibly Gantt chart) that must be performed to produce the various projects deliverables, establishing interdependences and leading to project completion.

E. Technical data

An applicant shall provide description of the technology to be deployed stating the technical specification of major plant and machinery or metering in case of a Sales License to be installed.

The description should also include projected annual generation of electricity for each unit, possibility of black start, possibility of a secondary and tertiary regulation of the frequency, reactive power, and voltage (Refer to Schedule III).

APPENDIX V: PUBLIC NOTICE

A The applicant shall post complete application along with attachments (reference 8.10) on his own website so as to facilitate access to the application by any person through internet and shall keep them on the website till the disposal of his application.

B The applicant shall within 7 days after making such application, publish a notice of his application, in two daily papers having circulation in each of the ten regions with the following particulars, namely:-

Name of the applicant (in bold) at the top clearly bringing out whether the applicant is an individual/sole proprietor, an association or body of individuals, a partnership firm registered under the Incorporated Private Partnership Act 1962 (Act 152), a private limited company or a public limited company, incorporated under the Companies Act 1963 (Act 179) giving full particulars of its registered office address in case of a company incorporated under the Companies Act 1963 (Act 179) and address for correspondence;

1. A statement that the applicant has made an application for grant of licence under Section 13 of the Act and the Category of licence applied for.

2. Volume of electricity intended to be traded per year;
3. A statement whether the applicant or any of his associates, or partners, or promoters, or Directors has been declared insolvent, and if so, the details thereof and whether or not they have been discharged;

4. A statement whether the applicant or any of his associates, or partners, or promoters, or Directors was ever refused licence, and if so, the particulars of such application, date of making the application, date of order refusing licence and reasons for such refusal;
5. A statement whether an order cancelling the licence of the applicant or any of his associates, or partners, or promoters, or Directors has been made by the Commission and if so the details thereof;

6. A statement whether the applicant or any of his associates, or partners, or promoters, or Directors has been found guilty of non-compliance of any of the provisions of the Act or the rules or the regulations made thereunder or an order made by the appropriate legal entity;
7. A statement to the effect that the application and other documents filed before the Commission, are available with the applicant for inspection by a member of the public;
8. Name and address and other relevant details of the person under the control of the applicant with whom the application and other documents can be inspected;
9. Address of the website where the complete application along with attachments has been posted;
10. A statement of objections or suggestions, if any, be filed before the Energy Commission, , with a copy of the objections or suggestions to the applicant, within 30 days of the publication of the notice;

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

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

E The Commission after consideration of the objections or suggestions received in response to the notice published by the applicant and his reply may propose to grant licence.

F When the Commission proposes to grant licence, it shall publish its proposal in two daily newspapers, as the Commission may consider appropriate, stating the name and address of the person to whom it proposes to issue the licence, with such other details as the Commission considers appropriate, to invite further suggestions or objections to its proposals.

G On consideration of further objections or suggestions received and the reply of the applicant thereto, if any, the Commission may grant the licence or reject the applications, for reasons to be recorded in writing if the application does not conform to the provisions of the Act, the rules, or regulations or provisions of any other law for the time being in force, provided that no application shall be rejected, unless the applicant has been given an opportunity of being heard.

APPENDIX VI: GUIDELINES FOR PROJECT PRESENTATION TO EC BOARD

1. Company Background

(i) Profile of the Company
(ii) Project objective and scope
(iii) Ownership structure
(iv) Principal officers, directors and partners
(v) Industry experience

2. Project schedule update

(i) preparation of the final design;
(ii) Timelines for the construction of the facility; and
(iii) Commercial operation of the facility.

3. Technical Description of project

(i) capacity, number of units, and designed ISO rating, block configuration, technology, heat rate, generation voltage, thermal efficiency, black start capability, manufacturer, etc;

(ii) History of use of similar plants in Africa

4. Fuel Supply

(i) fuel type, source of fuel
(ii) fuel supply considerations – dual fuel plants
(iii) major flue gas emission

5. Site Selection Criteria

i. location of site
ii. land area required;

iii. proximity to settlement
iv. existing land use of the land
v. proposed layout and description of the proposed major structures and their installation as detailed below (preferably a map).

6. Construction

(i) Local content plan
(ii) Plan for the transportation of heavy equipment
(iii) Traffic management
(iv) Security
(v) Health and Safety plan
(vi) Insurance for third party on site

7. Environmental

(i) Principal environmental and socioeconomic considerations of the preferred sites;
(ii) Environmental impact (cause and effect) of facility: water, air, noise and planned mitigation;
(iii) the equipment proposed for control of effluents discharged into bodies of water and receiving streams;
(iv) community engagement; and
(v) any other major equipment constituting the proposed facility that is not discussed above.

8. Permits and other agreements

(i) Land Conveyance Agreement
(ii) Environmental Protection Agency (EPA) Permit
(iii) Building Permit
(iv) Power Sale and Purchase Agreements
(v) Engineering, Procurement and Construction Contract

9. Grid Connection

(i) Power evacuation arrangement
(ii) Results from Load flow study from GRIDCo
(iii) Connection Agreement