

Approved for tabling.

REPUBLIC OF KENYA

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THE NATIONAL ASSEMBLY

TWELFTH PARLIAMENT – SECOND SESSION – 2018

PARLIAMENT
OF KENYA
LIBRARY

DEPARTMENTAL COMMITTEE ON ENERGY

REPORT ON THE PETITION BY HON. QALICHA GUFU WARIO, MP (MOYALE
CONSTITUENCY) REGARDING MASSIVE POWER OUTAGES IN MOYALE
CONSTITUENCY

	
THE NATIONAL ASSEMBLY PAPERS LAID	
DATE: 06 DEC 2018	DAY: THURSDAY
TABLED BY:	Hon. Robert Pokosa For chair, Energy Committee
CLERK-AT THE-TABLE:	Lemuna Moses

DIRECTORATE OF COMMITTEE SERVICES
CLERK'S CHAMBERS
PARLIAMENT BUILDINGS
NAIROBI

DECEMBER, 2018

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FOREWORD

In accordance to provisions of Standing Order No. 225 (2) (a) a Public Petition on behalf of residents of Moyale Constituency regarding massive power outages in the Constituency was tabled before the House by Hon Qalicha Gufu Wario, MP on 9th October, 2018.

The Petition was referred to the Departmental Committee on Energy for consideration and report within sixty days as per the requirements of S.O. 227.

In considering the Petition, the Committee held meetings with the Hon Qalicha Gufu Wario, MP who appeared on behalf of the Petitioners and received written responses from the Ministry of Energy. The meetings were aimed at inquiring into the issues raised in the petition.

The Committee appreciates the assistance provided by the Office of the Speaker and the Clerk of the National Assembly that enabled it to discharge its functions in considering the petition.

On behalf of the Committee, and pursuant to Standing Order, 227 it is my duty and pleasure to table on the Floor of the House the Report of the Committee on the Petition.

HON. DR. ROBERT PUKOSE, MP

EXECUTIVE SUMMARY

In accordance to provisions of Standing Order No. 225 (2) (a) a Public Petition on behalf of residents of Moyale Constituency regarding massive power outages in the Constituency was tabled before the House by Hon Qalicha Gufu Wario, MP on 9th October, 2018.

The Petition was referred to the Departmental Committee on Energy for consideration and report within sixty days as per the requirements of S.O. 227.

The Petitioner points out that, Moyale Constituency has had perennial power outages since January 2018. The Constituency has been solely depending on the power from Ethiopia. It was also pointed out that due to skirmishes in Southern Ethiopia, the power supply from Ethiopia was totally cut off leaving Moyale Constituency in the dark.

The Petitioners prayed that the National Assembly causes the Ministry of Energy to provide power generators immediately to the Constituency as a stop gap measure; recommend the National government to ensure the Constituency is connected to the National grid to guarantee stable power to the region.

This report has considered and responded to the prayers sought by Hon Qalicha Gufu Wario, MP on behalf of residents of Moyale Constituency on massive power outages.

1.0 MANDATE OF THE COMMITTEE

The Departmental Committee on Energy derives its mandate from the provisions of Standing Order No. 216(5) which grants the Committee amongst other functions:-

- a) To investigate, inquire into, and report on all matters relating to the mandate, management, activities, administration, operations and estimates of the assigned ministries and departments;
- b) To study the programme and policy objectives of ministries and departments and the effectiveness of their implementation;
- c) To study and review all legislation referred to it;
- d) To study, assess and analyze the relative success of the ministries and departments measured by the results obtained as compared with their stated objectives;
- e) To investigate and enquire into all matters relating to the assigned ministries and departments as may be deemed necessary, and as may be referred to it by the House; and
- f) To make reports and recommendations to the House as often as possible, including recommendations of proposed legislation.

2.2 Further, the Second Schedule to the Standing Orders mandates the Committee consider matters relating to the following subjects Fossils fuel exploration, Development, production, maintenance and regulation of energy

2.3 In executing this mandate, the Committee oversees various State Departments, namely:

- i. The State Department of Energy ; and
- ii. The State Department of Petroleum.

2.0 MEMBERS OF THE COMMITTEE

The Committee comprises the following Members-

1. The Hon. David Gikaria, M.P. - **Chairperson**
2. The Hon. (Dr.) Robert Pukose, M.P. - **Vice Chairperson**
3. The Hon. Cecily Mbarire, M.P.
4. The Hon. Ekomwa Lomenen James, M.P.
5. The Hon. Joseph Wathigo Manje, M.P.
6. The Hon. Lemanken Aramat, M.P.
7. The Hon. Oscar Sudi, Kipchumba, M.P.
8. The Hon. (Eng.) Vincent Musyoka Musau, M.P.
9. The Hon. Amina Gedow Hassan, M.P
10. The Hon. Abdikhaim Osman Mohamed, M.P
11. The Hon. Clement Muturi Kigano, M.P.
12. The Hon. Elisha Odhiambo, MP
13. The Hon. Elsie Muhanda, MP
14. The Hon. Gitau Faith Wairimu, M.P.
15. The Hon. Julius Musili Mawathe, MP
16. The Hon. Ken Chonga, MP
17. The Hon. Tindi Nicholas Mwale, MP
18. The Hon. Walter Owino, MP
19. The Hon. Mohammed Ali Lokiro, MP

2.1 COMMITTEE SECRETARIAT

1. Mr Benjamin Magut - First Clerk Assistant–Lead Clerk
2. Mr Douglas Katho - Third Clerk Assistant
3. Ms Brigita Mati - Legal Counsel
4. Mr David Ngeno - Research Officer
5. Mr Salim Gorod - Fiscal Analyst
6. Mr Joseph Okong’o - Media Relations Officer
7. Mr John Ng’ang’a - Audio Recording Officer
8. Ms Sheila Chebotibin - Sergeant at Arms

3.0 LIST OF RECOMMENDATIONS

In response to the prayers by the petitioners, the Committee recommends that:-

- 1) The Ministry of Energy through the Intergovernmental Authority on Development (IGAAD) should fastrack the negotiation with government of Ethiopia to ensure resumption of power supply to Moyale Constituency.

- 2) The Ministry of Energy through KenGen to expedite the process of procuring additional Gensets to supplement the existing one to allow residents of Moyale Constituency to enjoy uninterrupted power.

4.0 ACKNOWLEDGMENT

The Committee appreciates the assistance provided by the Office of the Speaker and the Clerk of the National Assembly that enabled it to discharge its functions in considering the petition

The Committee is also grateful to the various stakeholders and residents of the affected areas for appearing before the Committee on various occasions and for the oral and written submission required by the Committee.

On behalf of the Committee, and pursuant to Standing Order, 227 it is my duty to table on the Floor of the House the Report of the Committee on the Petition.

Sign..........Date.....

THE HON. DR. ROBERT PUKOSE, MP
VICE CHAIRPERSON, DEPARTMENTAL COMMITTEE ON ENERGY

ADOPTION LIST FOR COMMITTEE REPORT ON THE PUBLIC PETITION

	NAMES	SIGNATURE
1.	Hon. David Gikaria , MP Chairperson	
2.	Hon. (Dr) Robert Pukose , MP (Vice Chair)	
3.	Hon. Cecily Mbarire , MP	
4.	Hon. Ekwoma Lomenen James , MP	
5.	Hon. Joseph Waithigo Manje ,MP	
6.	Hon. Lemanken Aramat, MP	
7.	Hon. Oscar Sudi Kipchumba , MP	
8.	Hon. Vincent Musyoka Musau ,MP	
9.	Hon. Amina Gedow Hassan ,MP	
10.	Hon. Abdikahim Osman Mohamed ,MP	
11.	Hon. Clement Muturi Kigano, MP	
12.	Hon. Elisha Odhiambo, MP	
13.	Hon. Elsie Muhanda, MP	
14.	Hon. Gitau Faith Wairimu , MP	
15.	Hon. Julius Musili Mawathe , MP	
16.	Hon. Kern Chonga , MP	
17.	Hon. Mohamed Ali Lokiro , MP	
18.	Hon. Tindi Nicholas Mwale , MP	
19.	Hon. Walter Owino ,MP	

5.0 INTRODUCTION

5.1 In accordance to provisions of Standing Order No. 225 (2) (a) a Public Petition on behalf of residents of Moyale Constituency regarding massive power outages in the constituency was tabled before the House by Hon Qalicha Gufu Wario, MP on 9th October, 2018.

5.2 Pursuant to the House rules, the Petition was referred to the Committee on 3rd October, 2018 for consideration and preparation of a report within 60 days. The Committee considered the Petition pursuant to the provisions of Standing Order 227.

5.3 In considering the Petition, the Committee held meetings with the Hon Qalicha Gufu Wario, MP who appeared on behalf of the petitioners and received written submissions from the Ministry of Energy. The meetings were aimed at inquiring into the issues raised in the Petition.

5.4 The Petitioners wished to draw to the attention of the House on the following, that:

1. Moyale Constituency has had a perennial power shortage since January 2018 and had been solely depending on the power from Ethiopia as the generator that served the area before had limited capacity
2. Moyale lies on the border between Kenya and Ethiopia and cross border business are their live hoods and a boost to the economies of the two countries
3. Due to skirmishes in Southern Ethiopia, the power supply from Ethiopia was totally cut off leaving Moyale Constituency without power

4. Power outages in the area has negatively impacted on education ,health, security and the economy at large
5. Lack of power in health facilities has occasioned high mortality rates in the area for instances born premature infants who require to be put in incubators in order to sustain their survival
6. Students in area depend on natural lights for studying thus this is sufficient for them when preparing for National Examination due to the lack of night preps
7. Traders are incurring huge business losses, water shortages and majority of residents are also cut off from communications for instance mobile phones, Mpesa transaction and other mobile money transfers outlets in the town are recording reduced business
8. Insecurity concerns and a case in point is when one person was killed on 22nd August 2018 due to lack of sufficient lighting in most areas in the Constituency
9. Efforts to resolve the matter with the relevant Ministry have been futile

5.5 Petitioners in their prayers, sought that the National Assembly

1. Causes the Ministry of Energy to provide power generators immediately to the Constituency as a stopgap measure
2. Recommends that the Government supplies power to the town in order to save residents from further suffering
3. Makes direction that it may deem fit in the circumstances

6.0 SUBMISSIONS AND EVIDENCE

6.1 Presentation by the Petitioners

The Hon. Qalicha Gufu Wario, MP representing the residents of Moyale Constituency appeared before the Committee on 8th November, 2018 made the following presentation.

1. Moyale Constituency has had a perennial power shortage since January 2018 and had been solely depending on the power from Ethiopia as the generator that served the area before had limited capacity
2. Due to skirmishes in Southern Ethiopia, the power supply from Ethiopia was totally cut off leaving Moyale Constituency
3. On 3rd March, 2018, he visited the Kenya Power head office and had meeting with Management where they assured him for sustainable power supply
4. On 10th April 2018 the Managing Directors and Chief Executive Officer wrote a letter addressing to him on improvement of power supply in Moyale town.
5. He went to Nyeri regional office to complain on the same and requested for amicable solution to power problem in Moyale. In mid-july 2018 he again visited the Kenya Power head office where he held a meeting with the new Managing Director but nothing was forthcoming.
6. On 16th August 2018 we had a meeting with Principal Secretary Energy but my effort was fruitless.

6.2 Presentation by officials of Ministry of Energy

In a written response the Ministry of Energy submitted that:

1. Moyale town was connected with Ethiopian grid in September, 2011. The cross border Interconnection with Ethiopian grid resulted in Kenya Power downscaling of thermal generation capacity by about 75% and only one 400KW Diesel generator was left at the station. This generator was used as a standby generator supply essential government establishments during outages.
2. Over the few years that there has been cross border clashes, the power availability and reliability has become very poor and the town has often experienced prolonged periods of power outages, sometimes lasting for several days.
3. This prolonged periods of power outages has worsened leading to cross border Interconnection being halted in April, 2018.
4. The current peak demand in Moyale Town has gone up from the previous 750KW to 1,050KW with connection of Bute and adjacent centres. The average off-peak daily load has also gone up from 600KW to the current value of 750KW.
5. Three generators were moved to Moyale in August 2018 that has resulted in combined generation output of 750KW resulting in load-shedding of 400KW during peak.

Ministry of Energy (MoE) has availed funds for procurement of 2x400KW generators to upgrade the existing capacity to meet power demand to end load-shedding.

7.0 FINDINGS

The Committee made the following observations from evidence adduced in the meetings, that:-

- i. Indeed Moyale Constituency has had a perennial power shortage since January 2018 and had been solely depending on the power from Ethiopia as the generator that served the area before had limited capacity
- ii. Prior January 2018 Moyale Constituency and its environs have had power supply from Ethiopia power grid through cross border connections.
- iii. The skirmishes in Southern Ethiopia resulted to the power supply from Ethiopia being totally cut off leaving Moyale Constituency in the dark.
- iv. Power outages in the area has negatively impacted on education as students in area depend on natural lights for studying
- v. This reported power outages also affects several parts of the neighboring Wajir County for instance Bute trading centre.
- vi. Without power high mortality rates are reported resulting from premature infants who require to be put in incubators in order to sustain their survival lack the facilities.
- vii. Traders are incurring huge business losses, water shortages and majority of residents are also cut off from communications for instance mobile phones, Mpesa transaction and other mobile money transfers outlets in the town are recording reduced business

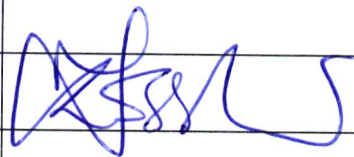

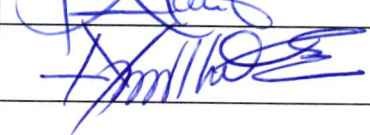
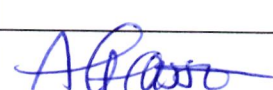
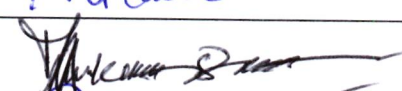
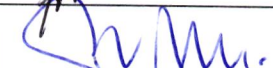
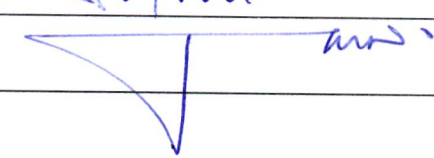
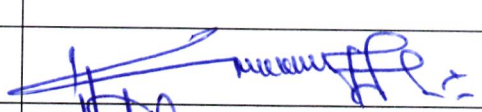
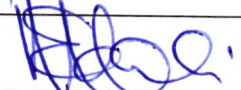
- viii. The Ministry of Energy has put in place interim interventions to ensure residents of Moyale constituency have consistent power, this includes procuring two additional Gensets.

8.0 RECOMMENDATIONS

In response to the prayers by the petitioners, the Committee recommends that:-

- 3) The Ministry of Energy through the Intergovernmental Authority on Development (IGAAD) should fasttrack the negotiation with government of Ethiopia to ensure resumption of power supply to Moyale Constituency.
- 4) The Ministry of Energy through KenGen to expedite the process of procuring additional Gensets to supplement the existing one to allow residents of Moyale Constituency to enjoy uninterrupted power.

5.1 In accordance to provisions of Standing Order No. 225 (2) (a) a public

	NAMES	SIGNATURE
1.	Hon. David Gikaria , MP Chairperson	
2.	Hon. (Dr) Robert Pukose , MP (Vice Chair)	
3.	Hon. Cecily Mbarire , MP	
4.	Hon. Ekwoma Lomenen James , MP	
5.	Hon. Joseph Waithigo Manje ,MP	
6.	Hon. Lemanken Aramat, MP	
7.	Hon. Oscar Sudi Kipchumba , MP	
8.	Hon. Vincent Musyoka Musau ,MP	
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10.	Hon. Abdikahim Osman Mohamed ,MP	
11.	Hon. Clement Muturi Kigano, MP	
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14.	Hon. Gitau Faith Wairimu , MP	
15.	Hon. Julius Musili Mawathe , MP	
16.	Hon. Kern Chonga , MP	
17.	Hon. Mohamed Ali Lokiro , MP	
18.	Hon. Tindi Nicholas Mwale , MP	
19.	Hon. Walter Owino ,MP	

petition on behalf of residents of Moyale Constituency regarding massive

THE NATIONAL ASSEMBLY
RECEIVED
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DIRECTOR COMMITTEE SERVICES
Time:.....

Directorate of L&P (NA)
The Table Office

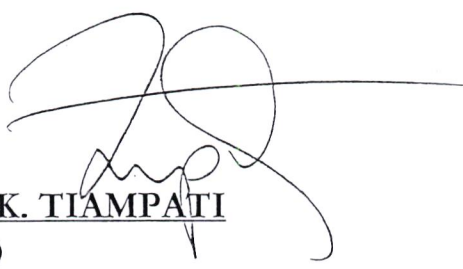
MEMO

TO: DIRECTOR, COMMITTEE SERVICES
FROM: HEAD OF TABLE OFFICE DEPARTMENT
DATE: October 09, 2018
SUBJECT: PUBLIC PETITION

The following Petitions were presented to the House, on Tuesday, October 09, 2018:-

- Public Petition regarding power outages in Moyale Constituency by the Hon. Qalicha Gufu Wario, MP (Moyale Constituency) (*referred to the Departmental Committee on Energy*).

Enclosed, please find attached the Petition for your necessary action.



RANA K. TIAMPATI
(Encls.)

Copy to: -

1. Clerk, National Assembly
2. Director, Legislative & Procedural Services
3. Chairperson, Departmental Committee on Energy
4. Chairperson, Committee on Implementation

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Special
Law approval
09/10/18



Approved.
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REPUBLIC OF KENYA
TWELFTH PARLIAMENT (SECOND SESSION)
THE NATIONAL ASSEMBLY
PUBLIC PETITION
(No. 112 of 2018)

**REGARDING POWER OUTAGES IN MOYALE CONSTITUENCY SINCE
JANUARY 2018.**

I, the **undersigned**, on behalf of residents of Moyale Constituency;

DRAW the attention of the House to the following: -

1. **THAT**, Moyale Constituency has had perennial power shortages since January 2018 and had been solely depending on the power from Ethiopia as the generator that served the area before had limited capacity;
2. **THAT**, Moyale lies on the border between Kenya and Ethiopia and cross border businesses are their livelihoods and a boost to the economies of the two countries;
3. **THAT**, due to skirmishes in Southern Ethiopia, the power supply from Ethiopia was totally cut off leaving Moyale Constituency;
4. **THAT**, power outages in the area has negatively impacted on education, health, security and the economy at large;
5. **THAT**, lack of power in health facilities has occasioned high mortality rates in the area for instance born premature infants who require to be put in incubators in order to sustain their survival;
6. **THAT**, students in the area depend on natural lights for studying thus this is not sufficient for them when preparing for National Examinations due to lack of night preps;
7. **THAT**, traders are incurring huge business losses, water shortages and majority of residents are also cut off from communications for instance mobile phones, M-pesa transactions and other mobile money transfer outlets in the town are recording reduced business;

**REGARDING POWER OUTAGES IN MOYALE CONSTITUENCY SINCE
JANUARY 2018.**

8. **THAT**, there are also insecurity concerns and a case in point is when one person was killed on 22nd August, 2018 due to lack of sufficient lighting in most areas in the Constituency;
9. **THAT**, the people of Moyale are not enjoying the benefits that come with electricity and this has led to economic, political and social underdevelopment in the area;
10. **THAT**, efforts to resolve the matter with the relevant Ministry have been futile; and
11. **THAT**, the issues in respect of which this Petition is made are not pending before any Court of Law, Constitutional or Statutory body.

THEREFORE, your humble Petitioners pray that the National Assembly, through the Departmental Committee on Energy;

- (i) Causes the Ministry of Energy to provide power generators immediately to the Constituency as a stopgap measure;
- (ii) Recommends that the Government supplies power to the town in order to save residents from further suffering; and
- (iii) makes any other order or direction that it deems fit in the circumstances of the matter.

And your **PETITIONERS** will ever pray.

PRESENTED BY,

 9/10/2018

THE HON. QALICHA WARIO, MP
MEMBER FOR MOYALE CONSTITUENCY

DATE: 9/10/2018

MM Drafted

A PETITION TO KENYA POWER FOR TOTAL POWER OUTAGES IN MOYALE CONSTITUENCY SINCE JANUARY 2018

That Moyale constituency had perennial power shortages and depends on the power from Ethiopia since the Generator that serves before was not enough

That due to the skirmishes in southern Ethiopia the power supply was totally cut off from Moyale constituency

That on 3rd March i visited the Kenya power head office and had meeting with board of Managers where they assured me for sustainable power supply.

That on 10th April 2018 the managing Directors and chief executive's office wrote a letter addressing to me on improvement of power supply in Moyale town and environs (see the attached copy)

That in mid-April 2018 a Generator was dispatched from Lodwar to Moyale and on installation its was established to be faulty

I further went to Nyeri regional office to complain on the same and requested for amicable solution to power problem in Moyale

That in mid-July 2018 I revisited KPLC head office where we had where we had a meeting with the new managing director but nothing was forthcoming

That on 16th August 2018 we had a meeting with PS Energy but my effort was fruitless

That Moyale lies on the border of Kenya and Ethiopia and there are cross border business manifested as ways of livelihood and a boost to economy.

That there are great dangers of high mortality rate in hospital for mothers and infants with complication in delivery in cases caesarian section and for babies to be put in incubators

That there are dangers of insufficient preparedness for the candidates of forthcoming exams as their studies are limited to natural lights

That due to lack power of there is insecurity in the area a good example is someone killed on 22nd August 2018 due to black out in the area.

That due to these perennial power outages the dream of making Moyale a 24hours
economy hub is unattainable unless an amicable solution is provided

That the people of Moyale are not enjoying the benefits of the tarmac road due to
ecline in businesses

That the Moyale people's dream of enjoy the benefits of technology is cut off
because one cannot charge even his small gudges for communications

That Electricity provides lighting in households and powers appliances hence
extending the day and providing additional hours for reading and work.



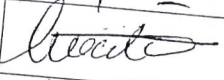






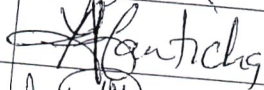




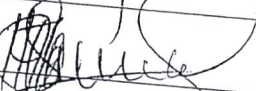
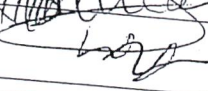






That the power outages constitute major negative impacts on education, health,
economy and security at large.

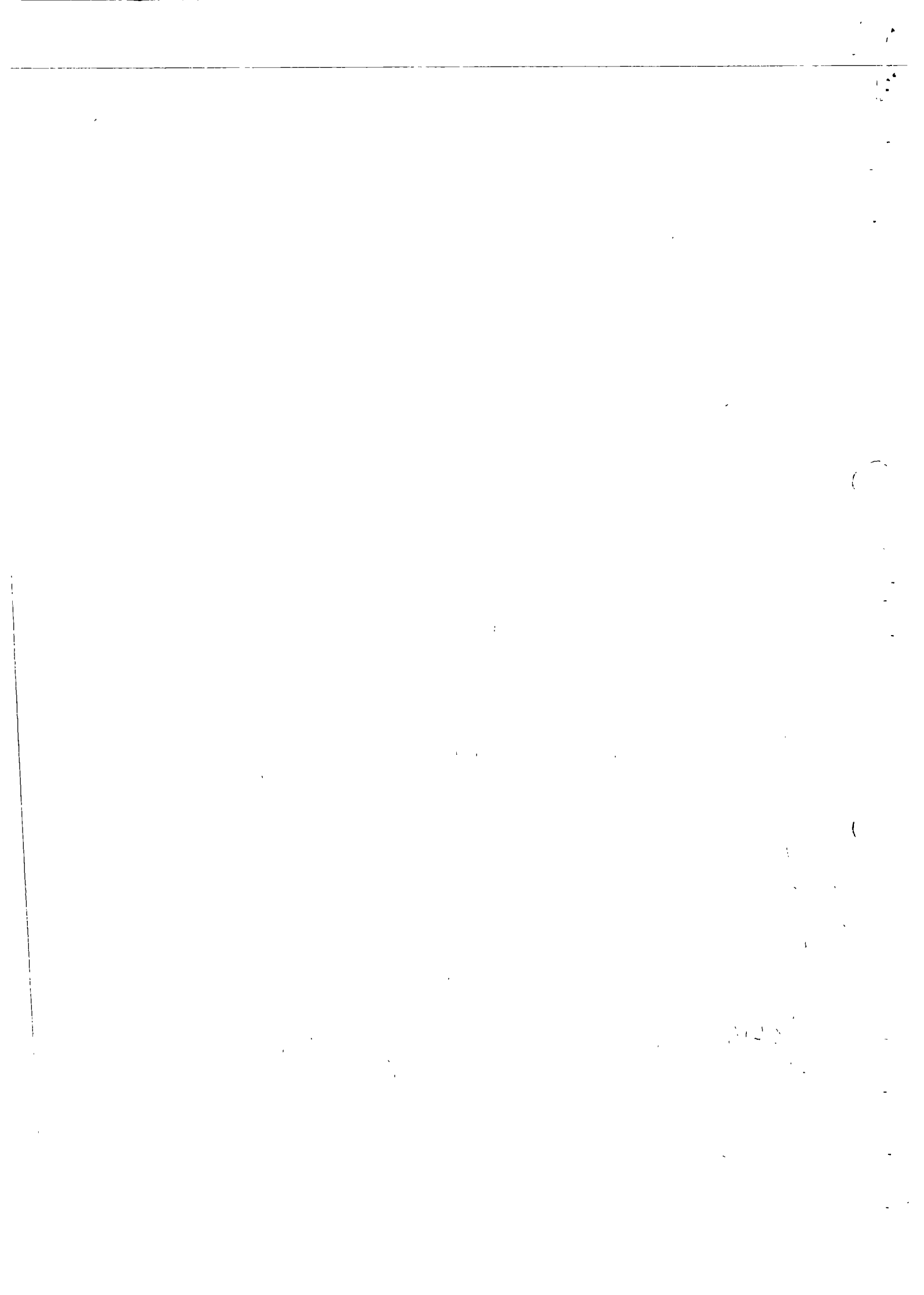
HON QALICHA G. WARIO

MP MOYALE

0714488325 - PA

LIST OF PETITIONERS

No.	NAMES	ID NUMBERS.	SIGNATURE
1	HON: PALICHA G. WARIO	12755504	
2	ABDINOR MOHAMMED	12430222	
3	HABIBAH KILAKO	00256345	
4	MUNA HARO WAKO	32596284	
5	ABDUSA GUYO	12429578	
6	BALHAMBAL GODANA	20798159	
7	BOYO PALHA	34767021	
8	SULBIMAN ISSACK ALI	35575767	
9	NURIA DIDA HUKA	23371530	
10	YUSSUF AZDI BANTICHA	8735229	
11	LATORA BROWN	26029832	
12	GUYO U. GODANA	25038166	
13	AUSSEI GALGAR	18729117	
14	JARSO HARO	0626716	
15	HALAKHE SOGA	0011149	
16	BRAHIM BORY	2456808	
17	SARA BORN	5100679	
18	DINA ARZO	20171627	
19	MAUSE DUBE BOKU	795946	
20	ABDUR DJINA	8924490	
21	AJILI ANNA DJINA	0073679	
22	ADLABO IBRAHIM	240787128	



MINUTES OF THE 103RD SITTING OF THE DEPARTMENTAL COMMITTEE ON ENERGY HELD DURING THE REPORT-WRITING RETREAT IN GRAND ROYAL HOTEL IN KISUMU ON FRIDAY 30TH NOVEMBER, 2018 AT 10.00 AM

MEMBERS PRESENT

1. The Hon. David Gikaria, M.P. - Chairperson
2. The Hon. (Dr.) Robert Pukose, M.P. - Vice Chairperson
3. The Hon. Elisha Odhiambo, MP
4. The Hon. Ken Chonga, MP
5. The Hon. Amina Gedow Hassan, M.P
6. The Hon. Abdikhaim Osman Mohamed, M.P
7. The Hon. Clement Muturi Kigano, M.P.
8. The Hon. Tindi Nicholas Mwale, MP
9. The Hon. Joseph Wathigo Manje, M.P.
10. The Hon. Oscar Sudi, Kipchumba, M.P.
11. The Hon. Walter Owino, MP

ABSENT WITH APOLOGY

1. The Hon. Cecily Mbarire, M.P.
2. The Hon. Lemanken Aramat, M.P.
3. The Hon. Elsie Muhanda, MP
4. The Hon. Julius Musili Mawathe, MP
5. The Hon. Gitau Faith Wairimu, M.P.
6. The Hon. Ekomwa Lomenen James, M.P.
7. The Hon. Vincent Musyoka Musau, M.P.
8. The Hon. Mohammed Ali Lokiro, MP

IN ATTENDANCE: NATIONAL ASSEMBLY

1. Mr. Benjamin Magut - Clerk assistant I (Lead Clerk)
2. Mr. Douglas Katho - Clerk Assistant III
3. Mr. Abdirahman Gorod- Fiscal Analyst
4. Mr. John Ng'ang'a - Audio Officer

MIN. NO. NA/ENERGY/2018/377: PRELIMINARIES AND INTRODUCTORY REMARKS

The meeting was called to order at 10am and prayers were said by the session Chairperson. The Chairman informed the meeting that the Committee had retreated to consider a number of reports pending before the Committee.

MIN. NO. NA/ENERGY/2018/378: CONSIDERATION AND ADOPTION OF THE DRAFT REPORT ON THE PETITION BY MR. VINCENT MATHUKU OKOTI REGARDING MASSIVE POWER DISCONNECTION BY KENYA POWER IN

SHIRAKALU VILLAGE, WEST BUTSOSO WARD
NAVAKHOLO CONSTITUENCY

The Members were taken through the draft report of the Committee on a the petition by Mr. Vincent Mathuku Okoti regarding massive power disconnection by Kenya Power in Shirakalu village, west butsoso ward, Navakholo constituency.

The Committee thereafter unanimously adopted the Report and agreed that the Report be tabled before the House does on recess on the 6th December, 2018.

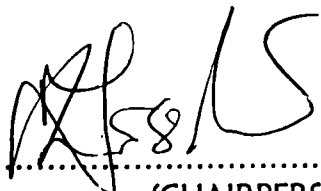
MIN. NO. NA/ENERGY/2018/378: CONSIDERATION AND ADOPTION OF THE DRAFT REPORT ON THE PETITION BY HON. QALICHA GUFU WARIO, MP (MOYALE CONSTITUENCY) REGARDING POWER OUTAGES IN MOYALE CONSTITUENCY.

The members were taken through the draft report of the committee on the petition by hon. Qalicha Gufu Wario, MP (Moyale Constituency) regarding power outages in Moyale Constituency.

The Committee thereafter unanimously adopted the Report and agreed that the Report be tabled before the House does on recess on the 6th December, 2018.

MIN. NO. NA/ENERGY/2018/379: ANY OTHER BUSINESS AND ADJOURNMENT

There being no Other Business, the meeting was adjourned.

SIGNED.....
(CHAIRPERSON)

DATE.....5/12/2018.....

MINUTES OF THE 103RD SITTING OF THE DEPARTMENTAL COMMITTEE ON ENERGY HELD DURING THE REPORT-WRITING RETREAT IN GRAND ROYAL HOTEL IN KISUMU ON FRIDAY 30TH NOVEMBER, 2018 AT 10.00 AM

MEMBERS PRESENT

1. The Hon. David Gikaria, M.P. - Chairperson
2. The Hon. (Dr.) Robert Pukose, M.P. - Vice Chairperson
3. The Hon. Elisha Odhiambo, MP
4. The Hon. Ken Chonga, MP
5. The Hon. Amina Gedow Hassan, M.P
6. The Hon. Abdikhaim Osman Mohamed, M.P
7. The Hon. Clement Muturi Kigano, M.P.
8. The Hon. Tindi Nicholas Mwale, MP
9. The Hon. Joseph Wathigo Manje, M.P.
10. The Hon. Oscar Sudi, Kipchumba, M.P.
11. The Hon. Walter Owino, MP

ABSENT WITH APOLOGY

1. The Hon. Cecily Mbarire, M.P.
2. The Hon. Lemanken Aramat, M.P.
3. The Hon. Elsie Muhanda, MP
4. The Hon. Julius Musili Mawathe, MP
5. The Hon. Gitau Faith Wairimu, M.P.
6. The Hon. Ekomwa Lomenen James, M.P.
7. The Hon. Vincent Musyoka Musau, M.P.
8. The Hon. Mohammed Ali Lokiro, MP

IN ATTENDANCE: NATIONAL ASSEMBLY

1. Mr. Benjamin Magut - Clerk assistant I (Lead Clerk)
2. Mr. Douglas Katho - Clerk Assistant III
3. Mr. Abdirahman Gorod- Fiscal Analyst
4. Mr. John Ng'ang'a - Audio Officer

MIN. NO. NA/ENERGY/2018/377: PRELIMINARIES AND INTRODUCTORY REMARKS

The meeting was called to order at 10am and prayers were said by the session Chairperson. The Chairman informed the meeting that the Committee had retreated to consider a number of reports pending before the Committee.

MIN. NO. NA/ENERGY/2018/378: CONSIDERATION AND ADOPTION OF THE DRAFT REPORT ON THE PETITION BY MR. VINCENT MATHUKU OKOTI REGARDING MASSIVE POWER DISCONNECTION BY KENYA POWER IN

SHIRAKALU VILLAGE, WEST BUTSOSO WARD
NAVAKHOLO CONSTITUENCY

The Members were taken through the draft report of the Committee on a the petition by Mr. Vincent Mathuku Okoti regarding massive power disconnection by Kenya Power in Shirakalu village, west butsoso ward, Navakholo constituency.

The Committee thereafter unanimously adopted the Report and agreed that the Report be tabled before the House does on recess on the 6th December, 2018.


MIN. NO. NA/ENERGY/2018/378: CONSIDERATION AND ADOPTION OF THE DRAFT REPORT ON THE PETITION BY HON. QALICHA GUFU WARIO, MP (MOYALE CONSTITUENCY) REGARDING POWER OUTAGES IN MOYALE CONSTITUENCY.

The members were taken through the draft report of the committee on the petition by hon. Qalicha Gufu Wario, MP (Moyale Constituency) regarding power outages in Moyale Constituency.

The Committee thereafter unanimously adopted the Report and agreed that the Report be tabled before the House does on recess on the 6th December, 2018.

MIN. NO. NA/ENERGY/2018/379: ANY OTHER BUSINESS AND ADJOURNMENT

There being no Other Business, the meeting was adjourned.

SIGNED..........
(CHAIRPERSON)

DATE.....5/12/2018.....

MINUTES OF THE 95TH SITTING OF THE DEPARTMENTAL COMMITTEE ON ENERGY HELD IN COMMITTEE ROOM ON 9TH FLOOR HARAMBEE SACCO PLAZA ON THURSDAY 9TH NOVEMBER, 2018 AT 10.00AM

MEMBERS PRESENT

1. The Hon. David Gikaria, M.P. - Chairperson
2. The Hon. (Dr.) Robert Pukose, M.P. - Vice Chairperson
3. The Hon. Cecily Mbarire, M.P.
4. The Hon. Oscar Sudi, Kipchumba, M.P.
5. The Hon. Abdikhaim Osman Mohamed, M.P
6. The Hon. Elisha Odhiambo, MP
7. The Hon. Elsie Muhanda, MP
8. The Hon. Julius Musili Mawathe, MP
9. The Hon. Ken Chonga, MP
10. The Hon. Walter Owino, MP

ABSENT WITH APOLOGY

1. The Hon. Joseph Wathigo Manje, M.P.
2. The Hon. Gitau Faith Wairimu, M.P.
3. The Hon. Lemanken Aramat, M.P.
4. The Hon. Amina Gedow Hassan, M.P
5. The Hon. Ekomwa Lomenen James, M.P.
6. The Hon. Vincent Musyoka Musau, M.P.
7. The Hon. Clement Muturi Kigano, M.P.
8. The Hon. Mohammed Ali Lokiro, MP
9. The Hon. Tindi Nicholas Mwale, MP

IN ATTENDANCE: NATIONAL ASSEMBLY

1. Mr. Benjamin Magut - Lead Clerk
2. Mr. Douglas Katho - Clerk Assistant III
3. Ms. Brigitta Mati - Legal Counsel
4. Mr. John Ng'ang'a - Audio Officer
5. Mr. David Ngeno - Research Officer

MIN. NO. NA/ENERGY/2018/351: PRELIMINARIES AND INTRODUCTIONS

The sitting's proceedings commenced with a word of prayer.

MIN. NO. NA/ENERGY/2018/352: MEETING WITH THE HON. GEDION MULYUNGI, MP ON BEHALF OF THE PETITIONERS REGARDING COA MINING ACTIVITIES IN MUI BASIN, MWINGI CENTRAL CONSTITUENCY

The Petitioners are residents of Mui, Mwingi East Sub- County of Kitui where coal was discovered in the year 2008. The Petitioners aver that on 27th April, 2018 vide gazette Notice No.3891, the Cabinet Secretary for Mining gave a public notice on the application for mineral rights without following due process of law in particular not conducting civic education, public participation and involving the people in the process.

The Petitioners fault the Government on the following-

- (a) Not conducting public participation;
- (b) No environmental impact assessment or environmental management plan;
and
- (c) A haphazard demarcation process of land which left entitled beneficiaries without land.

The Petitioner therefore prays that the Committee look into the activities surrounding of the grant of the prospecting licence.

During the meeting, the Committee noted that from the foregoing, the provisions of the Mining Act, the applicant, the Mining Rights Board and the Cabinet Secretary are mandated to carry out certain prerequisites before an application for a grant of a prospecting right.

The Committee was concerned whether the Petitioners exercised their rights in accordance to section 34 (4) of the Mining Act in objecting the notice within 21 days (for a prospecting license);

The Committee should also sought to know whether the Mineral Rights Board did receive the following from the applicant and the applicant did provide the same information-

- (a) *the approval of the appropriate Cabinet Secretary or other authority, where the area in respect of which a mineral right is sought is dedicated or set apart as a place of burial, religious significance, as a public building, or for any other public purpose;*
- (b) *the Governor of the respective county exercising control where the land is situated within a town, municipality or trading centre;*
- (c) *Information from any other person who in the opinion of the Cabinet Secretary would otherwise be affected by the grant of a mineral right, who*

may include the owner of private land or the community in occupation of the land.

The Committee resolves to undertake a fact-finding visit and also request the Cabinet Secretary to provide information on whether he or she was satisfied that the applicant submitted an environmental rehabilitation and restoration plan.

The Committee noted that the matter at hand is issue concerning the grant of a prospecting licence which prospecting under the mining Act means *operations carried out offshore and on land to search for and define the extent of a mineral deposit and to determine its economic value*. The National Assembly standing order provides in the Second Schedule that energy shall relate to fossil fuel exploration, Development, production, maintenance and regulation of energy. From this it is inferred that coal exploration (it a fossil fuel) relates to fossil fuel exploration and as such the main contention in the petition is the grant of a prospecting license. The matter therefore is before the relevant committee.

MIN. NO. NA/ENERGY/2018/353: MEETING WITH THE HON. QALICHA GUFU REGARDING A PETITION ON PERENNIAL POWER OUTTAGES SINCE JANUARY IN MOYALE.

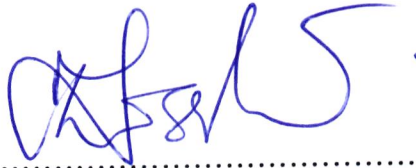
The Petition dated 9th October, 2018 by the Hon. Qalicha Wario MP., on behalf of the residents of Moyale Constituency concerns the perennial power shortages since January 2018. The Petitioner avers that power outages in the area began after tribal clashes in Ethiopia caused damages caused to transmission lines and transformers. It is important to note that Moyale relies heavily on electricity supply from Ethiopia. The Petitioner further avers that due to the power outages, education, health, security and economy has been negatively impacted. He, therefore, humbly prays that Parliament-

- (a) causes the ministry of Energy to provide power generators immediately to the affected area as a stopgap measure;
- (b) recommends that the government supplies power to the area in order to save residents from further suffering; and
- (c) make any other order or direction that it deems fit in the circumstance of the matter.

During the meeting the Committee agreed that, there is need to evaluate the extent to which the town is currently connected to the national grid and if not the effectiveness of the systems of the off- grid solutions.

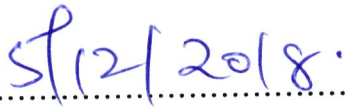
MIN. NO. NA/ENERGY/2018/354: ANY OTHER BUSINESS AND ADJOURNMENT

There being no Other Business, the meeting was adjourned.



SIGNED.....

(CHAIRPERSON)



DATE.....

MANAGING DIRECTOR & CHIEF EXECUTIVE'S OFFICE

TELEPHONE: 3201000
TELEGRAMS
'ELECTRIC' NAIROBI
FAX: 3753836
P.O. BOX 30099-00100
NAIROBI, KENYA



Kenya Power

STIMA PLAZA
KOLOBOT ROAD
PARKLANDS, NAIROBI
KENYA

Our Ref: KP1/7/2/4/HKK/enm

5th December, 2018

Hon. Charles Keter, EGH
Cabinet Secretary
Ministry of Energy & Petroleum
P.O BOX 30582 - 00100
NAIROBI

Thro`

Dr. Eng. Joseph K. Njoroge, CBS
Principal Secretary
Ministry of Energy & Petroleum
P.O BOX 30582 - 00100
NAIROBI

Dear *Waziri,*

RE: PARLIAMENTARY QUESTION ON MOYALE POWER OUTAGE

Moyale town was connected with Ethiopian grid in September, 2011. The cross border Interconnection with Ethiopian grid resulted in Kenya Power downscaling of thermal generation capacity by about 75% and only one 400KW Diesel generator was left at the station. This generator was used as a standby generator supply essential government establishments during outages.

Over the few years that there has been cross border connectivity, the power availability and reliability has become very poor and the town has often experienced prolonged periods of power outages, sometimes lasting for several days.

This prolonged periods of power outages has worsened leading to cross border Interconnection being halted in April, 2018.

The current peak demand in Moyale Town has gone up from the previous 750KW to 1,050KW with connection of Bute and adjacent centres. The average off-peak daily load has also gone up from 600KW to the current value of 750KW.

Three generators were moved to Moyale in August 2018 that has resulted in combined generation output of 750KW resulting in load-shedding of 400KW during peak.

Steps the Ministry is taking to restore power to Moyale town:-

Ministry of Energy (MoE) has availed funds for procurement of 2x400KW generators to upgrade the existing capacity to meet power demand to end load-shedding.

Yours *Sincerely*



ENG. JARED OTHIENO
Ag. MANAGING DIRECTOR & C.E.O