



**NOTICE OF INTENDED MODIFICATION OF LICENCE NO. ERA/LIC/GEN/016/140
ISSUED TO TIMEX BUKINDA HYDRO (U) LIMITED
(Under Section 44 (5) of the Electricity Act, 1999)**

In pursuance of its powers under Section 44 (4) of the Electricity Act, 1999 the Electricity Regulatory Authority (hereafter referred to as the “Authority”), hereby gives notice under Section 44 (5) as follows:

1. The Authority has approved the modification of the electricity generation and sale Licence Number ERA/LIC/GEN/016/140 (the “Licence”) issued to Timex Bukinda Hydro (U) Limited (the “Licensee”), for the development of the proposed 6.5 MW Hydro Power Project in Kibale and Hoima Districts.
2. The modification is being proposed following a written request from the Licensee.
3. The proposed modification of the Licence is to:
 - (a) Amend the period within which the Licensee is required to achieve Financial Close in Conditions 3, 4.1.1 (a) and 4.2 of the Licence. The Licensee is currently required to achieve Financial Close within three hundred sixty (360) days from 24th June 2016 (Effective Date of the Licence). The proposed modification will allow the Licensee to achieve Financial Close within Seven Hundred Twenty (720) days from the Effective Date;
 - (b) Amend the period within which the Licensee is required to achieve Commercial Operations Date in Conditions 4.1.1 (c) and 4.3.1 (b) of the Licence, from twenty four (24) months after 24th June 2016, to thirty six (36) months thereof; and,
 - (c) Extend the Licence Term from 22 years and two months to 23 years and 8 months from the Effective Date.

4. The proposed modification is set out below:-

4.1. Paragraph 1 of the Licence certificate is hereby deleted and replaced with the following statement:

'1. The Licence shall come into force from the Effective Date for a period of ~~twenty two (22) years and two (2) months~~ twenty three (23) years and eight (8) months ('the Licence Term') unless and until such time as it may be renewed or revoked in accordance with the applicable provisions of this Licence, the Act and Regulations made thereunder and directives issued by the Authority.'

4.2. Condition 3, 'Definitions Clause', be modified by substituting the words 'three hundred sixty (360) days' with the words 'Seven Hundred Twenty (720) days', as follows:-

'Financial Close' the date not later than ~~three hundred sixty (360) days~~ Seven Hundred Twenty (720) days from the Effective Date, on which the Licensee would have concluded financial arrangements and disbursements by the lenders and by which the lenders confirm that all conditions precedent to the first drawdown have been satisfied or waived.'

4.3. Condition 3, 'Definitions Clause', be modified by substituting the definition of the words 'Licence Term' with the following words:

'Licence Term, the Stated term of ~~twenty two (22)~~ twenty three (23) years and eight (8) months in accordance with the Licence.'

4.4. Condition 4.1.1. (a) and (c) are respectively substituted as follows:

'4.1.1. The Licensee shall in all respects, develop the project in accordance with the following timelines:

(a) Achieve Financial Close before or on the date, not later than ~~three hundred sixty (360) days~~ Seven Hundred Twenty (720) days from the Effective Date;

(c) Achieve Commercial Operations Date before or on the date, not later than ~~twenty four (24)~~ thirty six (36) months from the Effective Date.'

4.5. Condition 4.2 of the licence is substituted as follows:

'The Licensee shall provide proof of Financial Close to the Authority within ~~three hundred sixty (360) days~~ Seven Hundred Twenty (720) days of the Effective Date, or within such period to be agreed between the Authority and the Licensee. In the event that the Licensee does not provide proof of the said Financial Close, the Licence may be revoked in accordance with Clause 12 of the Licence.'

4.6. Condition 4.3.1 be modified and substituted as follows:

'4.3.1. Not Later than thirty (30) days from the Effective Date, the Licensee shall submit to the Authority a Performance bond in a form and substance satisfactory to and in favour of the Authority in accordance with the requirements of Section 33 (4) of the Act to secure the performance of the Licensee's obligations to achieve:

(b) Commercial Operations Date, within a period not exceeding ~~twenty four (24)~~ thirty six (36) months from the Effective Date, in respect of which, the value of the Performance Bond shall be equivalent to USD 2,500 per MW.'

5. The purpose of this notice is to bring the proposed modification to the attention of the Public and invite representations or objections in connection thereto.

6. In line with Clause 44 (5) of the Act, any representations or objections with respect to the proposed modification may be made on or before thirty (30) days from the date of this Notice to:

**The Secretary
Electricity Regulatory Authority
ERA House, Plot 15, Shimoni Road, Nakasero
P. O. Box 10332
Kampala, Uganda
Email: info@era.or.ug**

Dated this 4th day of January 2018

MANAGEMENT

BY GAZETTE



**NOTICE OF INTENDED MODIFICATION OF LICENCE NUMBER ERA/LIC/GEN/016/140
ISSUED TO TIMEX BUKINDA HYDRO (U) LIMITED
UNDER SECTION 44 (5) OF THE ELECTRICITY ACT, 1999**

In pursuance of its powers under Section 44 (4) of the Electricity Act, 1999, the Electricity Regulatory Authority hereby gives notice under Section 44 (5) of its intention to modify the electricity generation and sale Licence Number ERA/LIC/GEN/016/140 (the “Licence”) held by Timex Bukinda Hydro (U) Limited (the “Licensee”), for the proposed development of the 6.5 MW Hydro Power Project in Kibale and Hoima Districts.

The detailed Modification can be accessed at www.era.or.ug.

In line with Section 44 (5) of the Electricity Act, 1999, any representations or objections with respect to the proposed modification may be made on or before thirty (30) days from the date of this Notice, to:

**The Secretary
Electricity Regulatory Authority
ERA House, Plot 15, Shimoni Road, Nakasero
P. O. Box 10332
Kampala, Uganda
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Dated this 4th day of January 2018

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