



**REPORT OF THE PUBLIC HEARING HELD IN RESPECT OF THE
APPLICATION FOR LICENSE BY MSS XSABO LIMITED FOR THE 20
MW SOLAR PV POWER PLANT IN GOMBA DISTRICT**



**Venue: KABULASOKE SUB-COUNTY, GOMBA DISTRICT
18TH AUGUST 2015**

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1. INTRODUCTION

Pursuant to Section 33 of the Electricity Act, 1999, Cap 145, Laws of Uganda, the Electricity Regulatory Authority (ERA) received an application for a license from Mss Xsabo Power Limited for the generation and sale of electricity from a 20 MW Photovoltaic power project in Gomba District. The generated electricity will be sold to Uganda Electricity Transmission Company Limited through the national grid.

In respect of the application for a license, ERA held a Public Hearing in Kabulasoke Sub-County, Gomba District, on 18th August 2015 to receive views, comments and opinion from concerned stakeholders of the proposed project. The Hearing was presided over by the Chief Executive Officer of the Electricity Regulatory Authority.

2. OBJECTIVES OF THE PUBLIC HEARING

The Public Hearing was held to:

- (i) Provide for an opportunity for the Electricity Regulatory Authority to receive information which may be useful in arriving at a fair and just decision in respect of the application by Mss Xsabo Limited for a license.
- (ii) Provide for comments, questions and answers from the project affected persons in respect of the application for a license by Mss Xsabo Limited before the Electricity Regulatory Authority considers the license application.
- (iii) Increase community awareness about the mandate of Electricity Regulatory Authority in the electricity sector.

3. REGISTRATION

The persons who attended the Public Hearing duly registered in the attendance register. The Hearing was notably attended by the following personalities:

- (a) The Chairperson Local Council Five (LCV) - Gomba District;
- (b) The Deputy District Internal Security Officer (DISO) - Gomba District
- (c) Chief Administrative Officer (CAO) - Gomba District;
- (d) Chairperson LC III - Kabulasoke Sub-County;
- (e) The GISO – Kabulasoke Sub-County;
- (f) Staff of the Electricity Regulatory Authority;
- (g) Representatives of Mss Xsabo Limited;
- (h) Members of the media; and,
- (i) Residents of Namulaba Village.

4. OPENING REMARKS BY THE PRESIDING OFFICER

Dr. Benon M. Mutambi, the Chief Executive Officer of the Electricity Regulatory Authority who also presided over the day, opened the Public Hearing at 11:50 am and thanked the local leaders and community for hosting ERA at the Public Hearing.

He noted that Mss Xsabo Power Ltd had applied for a license to generate and sell electricity from a 20 MW solar photo-voltaic power plant to be established in Kabulasoke Sub-county, in Gomba District.

Dr. Mutambi explained that solar power is environmentally friendly, and it had been applied in various countries such as South Africa and Kenya. He elaborated on the advantages of electricity as an engine for economic growth and added that solar panels are attractive features that do not only generate electricity, but built on a large scale as proposed by Mss Xsabo, have the potential of bringing in tourists and more developments to Gomba District.

The members of the public were informed that the company was expected to support the community in terms of Corporate Social Responsibility (CSR) and in that regard, the local leadership was encouraged to agree with the developer on the priority initiatives to be undertaken within the community.

The Presiding Officer stated that prior to issuing a license to the developer; the Authority would ensure that the developer has mechanisms to operate in a manner that did not degrade the environment and that there are no land wrangles in respect of the project.

5. RULES OF PROCEDURE GOVERNING THE PUBLIC HEARING

The Public Hearing rules were highlighted as follows:

- (a) Contributors were required to raise their hands when wishing to speak or make a contribution;
- (b) Stamping, booing and clapping were prohibited;
- (c) All participants were requested to register their attendance; and,
- (d) Contributions were to be provided in a respectful and courteous manner.

6. PRESENTATION BY THE ELECTRICITY REGULATORY AUTHORITY

The ERA's public affairs team highlighted the roles of the sector players and an overview of the sector. The local community was enlightened on the solar PV technology and informed about the unbundling of the electricity supply industry and the benefits of having electricity in the area.

7. PRESENTATION BY THE DEVELOPER

Dr. David Alabo, the project developer thanked the local community and district leaders for coming for the Public Hearing and stated that they counted on the support of all members to successfully develop the project.

He stated that;

- a) The power plant will be commissioned within nine (9) months from the date the license instrument is issued to Mss Xsabo Power Ltd;

- b) Construction would start 1st February 2016 and commissioning date would be 30th June 2015; if the license is issued to the developer by September 2015;
- c) The project would be completed in line with a comprehensive feasibility studies, ESIA, transmission line study, technical review, technical investigations, business plan and financial model.

Mss Xsabo Power Ltd also confirmed that the land owner had agreed to sell the land on which the proposed project will be developed.

8. DISCUSSION SESSION

Comment

The issues of concern from the Project Affected Persons at the public hearings included compensation for affected property, commencement of the project, payment of royalties, prioritization of community residents in the job recruitment processes and the impact of the project on the environment.

Response

The developer gave the participants an assurance that the concerns raised would be taken into account by the ERA while considering issuance of the license to the developer. He confirmed that the land owner had agreed to sell the land on which the proposed project will be established; hence, the project is only affecting one person/ family. He also noted that valuation of property would be done by the Chief Government Valuer who would put all aspects into consideration before determining the value of the property.

As regards to Corporate Social Responsibility, the developer assured the local community that once the company gets a license from ERA, they will come back to the community to discuss and establish the specific needs and requirements of the community, and then agree on what aspects can be taken in the Corporate Social Responsibility program in consultation with the leadership of the community.

9. REMARKS BY THE DISTRICT LEADERSHIP

1]. LCV Chairperson

The LCV Chairperson thanked ERA for organizing the Public Hearing. He appealed to ERA to help in enabling access to electricity by the rural communities that were currently unserved. He also requested the developer, to provide electricity connections to the residents when the plant is commissioned.

He further requested ERA to liaise with the Rural Electrification Agency to electrify Gomba District given that there were many areas in the district without electricity.

2]. Chief Administrative Officer

The Chief Administrative Officer thanked the public for attending the Public Hearing. He cautioned Mss Xsabo Ltd about promising a lot and delivering little to the community as this would arouse unnecessary hostility from the local community. He advised the company to honour its pledge to Corporate Social Responsibility.

He advised the local population to commit to sending their children to school as some of them could find employed in the company. He further encouraged the local community to embrace the investors and the investments in the area by maintaining security in the area and not vandalising local investors' installations.

10. CLOSURE OF THE PUBLIC HEARING

The Presiding Officer thanked the Chief Administrative Officer and the local leadership for attending the Public Hearing; for hosting ERA and for freely and ably airing out their views, opinions and comments about the project. He highlighted that the views and concerns raised at the hearing would enable the Authority to make a decision on the licence application. Dr. Mutambi also informed audience that a report of the proceedings of the Public Hearing would

be made public by publishing it on the ERA website and sending copies to the local government leaders of the area.

APPENDIX A: AGENDA OF PUBLIC HEARING



**MSS XSABO POWER LIMITED PUBLIC HEARING
18TH AUGUST 2015
KABULASOKE SUB-COUNTY, GOMBA DISTRICT**

PROGRAM

<u>TIME</u>	<u>ACTIVITY</u>	<u>Role Holder</u>
10:00	Arrival and Registration	ERA
10:20	Opening Remarks and Self Introductions	ERA
10:40	Chairman's Opening Remarks	ERA
11:00	First Presentation (Overview of Uganda's Electricity Sector)	ERA
11:20	Presentation from Developer	Mss Xsabo Limited
11:40	Discussion	ERA
12:30	Remarks	Chairman LCV – Gomba District
12:40	Closing Remarks	ERA
1:00	Departure	

