



**Filing Instructions & Application Form for Service Providers in the  
Electricity Supply Industry**

## **Filing Instructions:**

**I. Where to File:** Applications should be sent to:

*Energy Commission,  
Plot 40, Frema House, Spintex Road, Accra*

**II. What to File:** Applicant must submit one original application signed by a principal officer and ten copies including all exhibits, affidavits, and other attachments. All attachments, affidavits, and exhibits should be clearly identified. All pages should be numbered and attached in a sequential order.

**III. Application Form:** The application form is available on the Commission's web site, [www.energycom.gov.gh](http://www.energycom.gov.gh) or directly from the Commission at:

*Energy Commission,  
Plot 40, Frema House, Spintex Road, Accra*

**IV. Commission Process for Approval:** An application for a licence shall be made on forms approved and supplied by the Commission. The applicant shall complete the appropriate application form in its entirety and supply all required attachments, affidavits, and evidence of capability specified by the form at the time an application is filed. An incomplete application may be suspended or rejected. Fulfillment of all the requirements under Part A which must be submitted together with the formal application shall be considered for the issue of a licence to undertake the prescribed activities in the electricity supply industry in Ghana. Part B requirements shall be integrated as licence conditions to be fulfilled at various stages of project implementation prior to commencement of operations. The Commission shall issue an *authorization to operate* under the regime of the licence provided all the requirements under Part B are satisfactorily fulfilled. .

# APPLICATION FORM

## PART A

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

- Wholesale Supply
- Transmission
- Distribution or Sale

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

Legal Name \_\_\_\_\_  
Postal Address \_\_\_\_\_  
Telephone # \_\_\_\_\_ Fax # \_\_\_\_\_  
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 # \_\_\_\_\_ Fax # \_\_\_\_\_  
E-mail address (if any) \_\_\_\_\_

### 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 \_\_\_\_\_

**PROVIDE THE FOLLOWING AS SEPARATE ATTACHMENTS AND LABEL AS INDICATED:**

**Exhibit A1 - "Principal Officers, Directors and Partners"** provide the names, titles, nationality, addresses and telephone numbers of the applicant's principal officers, directors, partners, or other similar officials.

**Exhibit A2 - "Disclosure of Liabilities and Investigations,"** provide a 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.

**Exhibit A3 "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)

**Exhibit A4 - "Ownership & Corporate Structure,"** provide a description of the applicant's corporate and ownership structures, including a graphical depiction of such structure, and a list of all affiliate and subsidiary companies.

**Exhibit A5 – "Service Coverage Areas,"** provide list of cities, towns and rural areas (supported with maps) in which the applicant intends to establish and provide the service.

**Exhibit A6 – "Statement of Assets,"** provide a list of major plant and machinery to be installed and proposed layout plan. In the case of **embedded generation** it is important that the site plan describing the generation location should also clearly indicate the nearest or intended point of connection to the public distribution network.

**Exhibit A7 – "Scope of Operation,"** provide a written description of the operational nature of the applicant's business including whether the applicant's operations will include the generation of power for retail sales, the scheduling of power for transmission and delivery, as well as other services used to arrange for the purchase and delivery of electricity.

**Exhibit A8 – "Land Conveyance Agreement,"** provide appropriately approved documentation of proof of title to land, site plan, and relevant municipal permits for construction (i.e. Town & Country Planning Permit) etc.

**Exhibit A9 – "Feasibility Report,"** provide a Feasibility Study Report on the new facility or installations to be used by the applicant. The report should include, among other things, drawings of generator's and/or substation's installations and equipment specifications together with proposed interconnections to the relevant distribution or transmission network.

**Exhibit A10 – "Business Plan,"** provide a written explanation of the company's [business model](#) for the venture.

**Exhibit A11 – “Fire Prevention and Fighting Plan,”** provide a fire report signed by the Chief Fire Service Officer or Regional Fire Service Officer evidencing that arrangements proposed for the prevention and fighting of fire coupled with good housekeeping at the site are satisfactory.

**Exhibit A12 – “Geological Survey,”** provide a report from the Geological Survey Department of Ghana attesting to either the absence of or acceptable levels of seismic activity on and around the proposed site.

**Exhibit A13 – “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.

**Exhibit A14 – “Environmental Disclosure”** provide an Environmental Impact Assessment (EIA) Report certified by the Environmental Protection Agency (EPA) of Ghana and an Environmental Permit or Permanent Environmental Certificate issued by the Environmental Protection Agency.

**Exhibit A15 – “Site Layout & Right of way,”** provide detailed Site-Layout and “Right-of-Way” drawings. Provide a programme for compensation payments (where relevant).

**Exhibit A16 – “Water Resources Commission Permit,”** provide a permit from the Water Resources Commission (**applicable ONLY to hydro power generation activities - either conventional hydro or small hydro embedded generation.**)

**Exhibit A17 – “Corporate Social Responsibility Plan,”** provide documentation of an infrastructural support strategy (community support plan/programme).

**Exhibit A18 – “Implementation Agreements,”** Provide copies of licences, Memorandum of understanding (MOUs), etc with agencies relevant to the implementation. In the case of **embedded or distributed generation**, this should include evidence of preliminary discussions with the licensed distribution service provider in whose zone or area the embedded or distribution generation facility is intended to be sited.

**Exhibit A19 – “Financial Capability and Proposed Financial Plan,”** provide the two most recent Annual Reports to Shareholders and copies of the applicant’s three most recent years of audited financial statements (balance sheet, income statement, and cash flow statement). If audited financial statements are not available, provide officer certified financial statements. If the applicant has not been in business long enough to satisfy this requirement, it shall file audited or officer certified financial statements covering the life of the business. Provide copies of the applicant's financial arrangements to conduct electricity business as a business activity (e.g., guarantees, bank commitments, contractual arrangements, credit agreements, etc.). Provide two years of forecasted financial statements (balance sheet, income statement, and cash flow statement) for the applicant’s operation, along with a list of assumptions. Should outline the following:

- (a) 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;
- (b) 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

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

**Exhibit A20 – “Implementation Schedule,”** provide timelines for the specific activities that must be performed to produce the various project deliverables, establishing interdependences and sequencing.

**Exhibit A21 – “Company’s History & Existing Activities,”** provide a concise description of the applicant’s company history and principal business interests. It should include all jurisdictions in which the applicant or any affiliated interest of the applicant is, at the date of filing the application with respect to licensing or otherwise authorization to provide retail or wholesale electric services.

**Exhibit A22 – “Industry Participation,”** provide general information about its existing activities, both within and outside the electricity supply industry. The application should summarize 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.

**Exhibit A23 – “Operational Experience & Expertise,”** provide names, titles, e-mail addresses, telephone numbers, and the background of key personnel involved in the operational aspects of the applicant’s business. Provide the following information:

- (a) details of their experience in and knowledge of the electricity supply industry;
- (b) a summary of the skills and experience of the directors and senior managers, and their relevance to meeting the requirements of the licence;
- (c) evidence that the applicant has the capacity to comply with the licence conditions, codes and guidelines relevant to its application; and
- (d) if the applicant is to rely on another entity to provide staff and resources, a summary of the relationship between the applicant and this entity, including any formal agreements to provide services, and a summary of this other entity's experience in and knowledge of the electricity supply industry, and technical capacity to meet the relevant requirements of the licence should be provided.

**Exhibit A24 – “Specific Licence Conditions,”** Where the applicant is seeking particular licence conditions, the nature and reasons for seeking those conditions should be explained. In such circumstances, the applicant should also provide a draft outline of the proposed licence condition(s).

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Signature of Applicant and Title

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Date

## **PART B**

### **PROVIDE THE FOLLOWING AS SEPARATE ATTACHMENTS AND LABEL AS INDICATED:**

The following requirements shall be specified as conditions of the licence and shall be fulfilled prior to the issue by the Commission of an *authorization to operate* the facility under the regime of the licence.

**Exhibit B1 – “Plant and Machinery Specifications,”** Detailed engineering design and equipment specifications.

**Exhibit B2 – “Construction Contract,”** provide basic terms between the owner and the contractor. This details the contractor's basic duties and responsibilities, including bonds and insurance; progress and final payments; and substantial completion.

(Note: Commission to issue “Construction Permit,” at this stage authorizing licensee to construct new facilities).

**Exhibit B3 – “Purchase Agreements,”** Power Purchase Agreement (where relevant especially for generators).

**Exhibit B4 – “Supply Agreements,”** Supply Agreements for fuel, water, network access etc.

**Exhibit B5 – “Operations & Maintenance Plans,”** Operations and maintenance agreement and plan.

**Exhibit B6 – “Safety & Technical Management Plan,”** Safety & Technical Management Plan (STMP) approved by the Energy Commission (*NB: STMP is required prior to commencement of commercial operations*).

**Exhibit B7 – “Commissioning Report,”** Satisfactory commissioning test report.

**Exhibit B8 – “Plant Drawing,”** As-built drawings and layout of plant and/or facilities.

**Exhibit B9 – “Receipt of Licence Fee,”** Evidence of payment of the appropriate prevailing licence fee to the Energy Commission.

**Schedule of Licence Fees**

Type of Licence	Application Fee	Initial Licence Fee	Annual Fees	
			Fixed**	Variable
<b>1. Wholesale Supply</b>	€10,000,000	€100,000,000	€100,000,000	€500,000 per megawatt equivalent available capacity
<b>2. Transmission</b>	€10,000,000	€100,000,000	€100,000,000	€50,000 per ckm
<b>3. Distribution &amp; Sale</b>	€10,000,000	€50,000,000	€50,000,000	€30 per MWh Energy Sales
<b>4. Embedded Generation with Installed Capacity of:</b>				
<b>a) Less than 1MVA</b>	€5,000,000	€10,000,000	€10,000,000	NIL
<b>b) 1 MVA to less than 3MVA</b>	€5,000,000	€20,000,000	€20,000,000	NIL
<b>c) 3 MVA up to 5 MVA</b>	€5,000,000	€30,000,000	€30,000,000	NIL

**Notes:**

**Transmission**                      ckm = circuit kilometers of transmission line

**Distribution**

**Variable Charge:**                MWh Energy Sales planned or sold during the previous year.

**\*\* A licence issued without a condition for construction authorization is exempted from payment of the fixed component of annual licence fee for the initial year of commercial operation.**

## **Safety and Technical Management Plan Outline**

- (a)** Company Safety Policy Statement
- (b)** Company's Safety Codes and practices
- (c)** Demarcation, protection and prevention of unauthorized entry of site
- (d)** Employee health and safety requirements in accordance with Ghana's labour regulations
- (e)** Waste Management policy and plan in line with EPA or WHO regulations & standards (effluents, cooling water, drainage of runoff water etc.)
- (f)** Compliance Plan
- (g)** Environmental hazards impact mitigation measure, actions and plans (sampling, monitoring analyzing of air, aquatic toxicity, noise etc.)
- (h)** Emergency preparedness
- (i)** Deployment of disaster management measures
- (j)** Fire safety (prevention and fighting measures)
- (k)** Precautions for prevention of environmental hazards (oil spills, pollutants etc)
- (l)** Operational and maintenance safety rules, procedure and instructions
- (m)** Company's operation and maintenance culture
- (n)** Adherence to equipment manufacturer's recommended maintenance schedules  
Specific commitment and arrangements to operate facilities/installations to ensure safe and reliable electricity supply.