



energy

Department:  
Energy  
REPUBLIC OF SOUTH AFRICA

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Mr Senkhu Maimane  
FOIP Project Officer  
South African History Archive  
P.O. Box 31719  
Braamfontein  
2017

Email: [foip@saha.org.za](mailto:foip@saha.org.za)

Dear Sir

## REQUEST FOR ACCESS TO RECORDS RELATING TO RENEWABLE ENERGY PROGRAMME

We refer to your request for access to records relating to "the development of 28 projects in wind, solar and small hydro technologies, to be developed in the Eastern Cape, Western Cape, Northern Cape and in the Free State".

We note that you have requested records in three categories, as follows:

1. Progress reports for all 28 projects;
2. Budget allocated for all 28 projects;
3. Budget spent for all 28 projects.

The Department's response to your request is as set out below.

### Progress Reports for all 28 Projects

The Department does not hold any records of the type that would constitute "progress reports", and therefore cannot grant this request. Each of the 28 projects is the subject of contractual agreements between Eskom Holdings SOC Limited and the Seller of the energy to be produced (namely a power purchase agreement), and between the Department and the Seller (namely an Implementation Agreement). All of the agreements were executed on 05 November 2012, and from that date the relationship between the Department and each Seller is regulated by contract.

Budget allocated for all 28 Projects

The Department cannot grant this request as it is not a party to the contractual agreement on pricing of energy to be delivered by each Seller. The tariff to be paid by Eskom Holdings SOC Limited to each Seller in terms of the power purchase agreements, for energy delivered to Eskom, is specified in the applicable power purchase agreements.

The tariffs are approved by the National Energy Regulator of South Africa through the electricity licensing process (in accordance with which each Seller obtained a generation licence), and through the Multi-Year Price Determination (MYPD) process (approval by NERSA of Eskom electricity pricing).

Budget spent for all 28 Projects

The Department is unable to grant this request. As far as we are aware, none of the 28 projects have commenced delivery of energy as at today's date, as the generation facilities are still under construction. Therefore, the budget allocated to acquisition of energy by Eskom from the Sellers has not yet been expended.

You are entitled to lodge an internal appeal against the Department's decision not to grant your requests for access to records as contemplated in section 74 of the Promotion of Access to Information Act, 2000. Any such internal appeal must be lodged in the prescribed form within 60 days. Please lodge any such appeal with the Department's information officer, whose contact details you have.

Yours faithfully



**Ompi Aphane**

**Deputy Information Officer**

**Date:** 5/4/2013