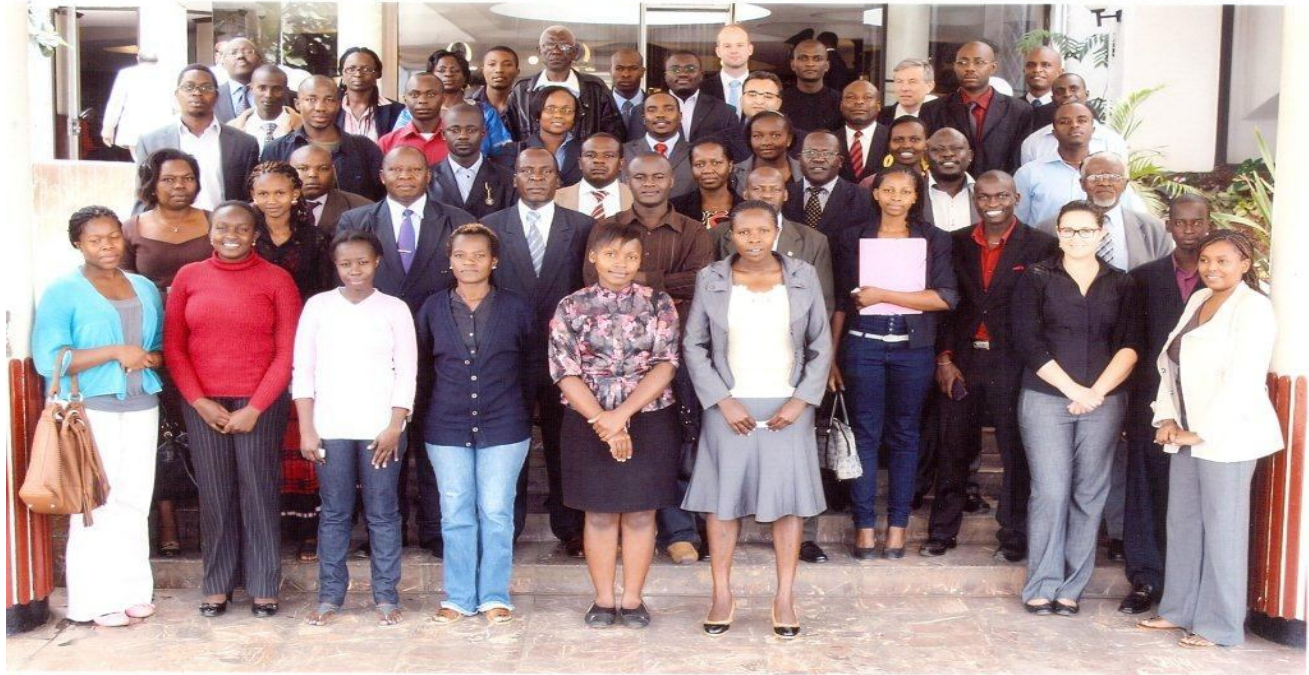


**THE REPORT FOR THE NATIONAL LAUNCH AND REFERENCE GROUP MEETING IN KENYA  
UNDER THE PROJECT TITLED  
"ENHANCING PARTICIPATION OF CONSUMERS IN REGULATORY REFORMS IN THE ELECTRICITY  
SUB-SECTOR THROUGH CAPACITY BUILDING: THE CASE OF KENYA AND TANZANIA" (REKETA)**

**CUTS NATIONAL LAUNCH AND REFERENCE GROUP MEETING IN KENYA  
" ENHANCING PARTICIPATION OF CONSUMERS IN REGULATORY REFORMS IN THE ELECTRICITY  
SUB - SECTOR THROUGH CAPACITY BUILDING : THE CASE OF KENYA AND TANZANIA"**



**25TH APRIL 2013 AT NAIROBI SAFARI / LILLIAN TOWERS**

### **Opening Remarks**

The launch meeting was brought to order by Professor Jasper Okelo, the Board Chairman for CUTS Nairobi who guided the introduction of participants representing various groups and sectors. He emphasized on the importance of the project in enhancing consumer welfare through building their capacity to be able to effectively participate in the regulatory process. He categorically stated that consumers are currently challenged by the knowledge deficiency in understanding their role in the regulatory process and the project present an opportunity for consumers to effectively participate in the processes of electricity regulations and reforms in the country.

Similar remarks were echoed by Mr.Krayan O'Sullivan of World Bank in his subsequent presentation. He informed of the World Bank's commitment in the power sector. Among the commitments include the provision of investment loans to Kenya Power Company (KPLC),

Kenya Electricity Generation Company (KenGen) and Kenya Electricity Transmission Company (KETRACO). The support for Ken Gen is aimed at enhancing the generation capacity in Olkaria while KETRACO is supported to enhance transmission line. He mentioned that World Bank has a focus on governance and social accountability under its current project on 'Kenya Electricity and Expansion' and the project is expected to increase the capacity, efficiency, and quality of electricity supply and expand access to electricity in urban, peri-urban, and rural areas in Kenya where as the social accountability component of the project aim at improving communication to the public and to strengthen public voice in the regulatory process. He noted that World Bank would be glad to partner with likeminded institutions interested in improving social accountability in the electricity subsector.

### ***Presentation by Daniel Asher on the Project Overview***

In his presentation on the project overview, Mr. Daniel Asher of CUTS Nairobi highlighted on the Goal of the project in creating long term capacity of CSOs to contribute to the regulations in electricity sector. He mentioned that the project is geared towards facilitating effective consumer representation in electricity policy formulation and regulation process in both Kenya and Tanzania and that the project was conceived to benefit household consumers, SMEs, CSOs, grass root consumer groups, the media, policy makers, electricity sector regulators and the distribution companies in better understanding of the issues involved and challenges of consumers regarding their participation in electricity sector reforms and regulation.

He mentioned that the project intends to train CSOs to participate in policy formulation and regulatory processes, develop a mechanism to take the views from grassroots to the policy level and vice-versa, promote consumers' interventions on tariff, quality of service and complaint handling procedure and to initiate a regional network on electricity sector players within the two countries. He was however categorical that the project will not be able to address all issues on electricity under the sun.

He spelt out the various activities lined up under the project with their respective objectives, dates, locations and target beneficiaries. He detailed out the activities of the project including the research component of the project involving literature review and field research in Nairobi, Mombasa, Kisumu and Nakuru for Kenya and Dar es Salaam, Mwanza, Musoma and Tanga for The United Republic of Tanzania. He highlighted on the objectives of the capacity building/advocacy meetings scheduled under the project including territorial training meetings (TTM), Grass-root interface training meetings and the National Policy Forum for both Kenya and Tanzania.

From the presentation, it was clear that effective implementation of project activities would bring about some desired outcome including enhanced awareness and understanding on

electricity regulation processes & reforms in Kenya and Tanzania, better comprehension by CSOs on policy issues on electricity reforms, enhanced understanding by policymakers & regulators on consumer's needs and demands and the establishment of a mechanism of communication between consumers, policy makers, regulator and distribution companies to discuss electricity reforms.



Stakeholders following the Presentation on the Project Overview

He categorically pointed out some expected challenges in the implementation process of the project including overlap on timelines for the activities implementation, having in place the right composition of sound and active project advisory committee/ reference group members, monitoring the project activities and government and regulatory bodies providing the much needed support.

***Emerging issues from Consumers on the project overview presentation.***

In spite of their great compliment on timeliness of the project and the expected benefits by helping highlight their challenges in the electricity sector and building their capacity to be able to participate in the process of development of electricity regulations, consumers expressed their feeling that the project should have included more regions of the country for greater impact in respect to capacity building component.

Some consumers suggested that the project should have also focused on addressing some of their grievances as it relate to poor services by Kenya Power including addressing the issue of frequent black out or power cuts, high tariffs, wrong billings et al. A section of consumers expressed that the project should have also addressed the issue of rural electrification and power availability in most parts of the country that for a long time have not had electricity.

There were suggestions that the project could have included subsidies component to address the issue of high electricity cost to consumers.

In his response, Daniel mentioned that based on the limitation of resources it was not possible to include extra regions in the project coverage but that it may be considered in another phase based on availability of funds hence the project will presently focus on achieving its objectives of training consumers to participate in electricity policy formulation and regulatory processes, developing a mechanism to take the views from grassroots to the policy level and vice-versa and promoting consumers' interventions on tariff, quality of service and complaint handling procedures.

Stakeholders were reminded that it was not possible to have all issues on electricity under the sun resolved within the project. Daniel challenged consumers to take advantage of the project activities to share their experiences during the research component and get involved in the trainings to build their capacity for effective engagement in the reforms and regulations within electricity sub sector in Kenya.

From the emanating discussion on the project overview, it was evident that there was need to understand the reason behind the limited consumer participation. Such understanding should investigate whether there are regulations to enhance sustainable consumer participation in the regulatory process. Even though there are platforms to engage consumers, there is need to enhance quality of engagement /consumer participation in the electricity regulatory process. There were concerns that the Kenya Power Company mainly attends to their customers who owns an account with them which implied discrimination and exclusion of other concerned parties without accounts with the company to present complains to the company. The project will therefore seek to enhance sustainability by engaging the local institutions and influencing the government to support the project activities.

***Presentation by Mr. Udai Mehta on Experience of CUTS International:***

In his presentation on the experience of CUTS international in similar projects, Mr. Udai Mehta first pointed out that Consumer protection is a primary mandate of all economic regulators universally and in fulfilling this mandate, regulators must ensure effective consumer participation in the regulatory process. He noted that depending on how effectively regulators fulfil their mandate vis-à-vis consumers, the regulatory process benefits from a higher degree of consumer involvement.

He highlighted on *three* steps in consumer engagement i.e. *Information - Consultation - Partnership*.



He mentioned that *Information* is the first step toward legitimate consumer involvement in the regulatory process at that emphasis is placed on one-way flows of communication (from regulators to consumers) with no channel provided for feedback. Hence, when consumer participation is limited to information, consumers have little opportunity to influence the outcome of the decision-making process.



Participants following the presentation on the Learning from intervention in South Asia

On *consultation*, he mentioned that regulators rely on consultation with consumers as a source of non-binding advice to inform the regulatory process and that it can either be conducted on an ad hoc basis or throughout the regulatory process. In absence of formal mechanism, consultation may not be sufficient to ensure effective consumer participation, as it offers no assurance that consumer input will be taken into account in the decision-making process.

On *Partnership*, he mentioned on the opportunity for “redistribution” of decision making power as consumers are granted the right to negotiate with the regulator. He cited that effective partnership with consumers hinges on the appointment of consumer spokespersons representing the consumer constituency. This may entail appointment of Consumer Advocates and the inclusion of consumer representatives on the Board of the regulatory institution.

Mr. Udai then gave an account of some of the strategic projects implemented by CUTS International in South Asia in the power sector which included CUTS–FES (Friedrich-Ebert-Stiftung) Project on Involvement of Consumers in Power Sector Reforms in Rajasthan, India during (2001 -2007), A Pilot Project on Capacity Building on Electricity Sector in Bangladesh, Nepal and India (2008- 2010) (RESA Project). Of interest was the interlink on the initiative's objectives as it relate to the project on subject launch which included the advocacy at policy level for enhancing the consumer voice, establishing a network down to grassroots level for

empowering Consumers, Creating an effective communication system between consumers, regulators and distribution companies.

### ***Leanings from South Asia:***

There were a lot of learning on the impact and outcome from these projects and in particular RESA project in which Grassroots Interface Meetings (GIMs) were a phenomenal success where one hundred and eleven (111) GIMs reached out and sensitised close to 5100 consumers across project territories who later recorded & registered their problems, their needs and challenges and subsequently came up with possible solutions.



To the civil society Organizations, strong network of capacitated grassroots civil society organizations were developed, extended and strengthened from local to regional level. Eighty (80) grassroots trainers were created and equipped to undertake advocacy on Electricity. The project helped to initiate constructive dialogue on partnering consumer groups towards better consumer services, transparency and awareness building.

To the Utilities, GIMs provided an effective platform for two-way communication between the utilities and consumers - helped authorities understand the ground realities and problems faced by consumers and helped consumers to understand various limitations/problems of the utilities.

The project helped regulators, policymakers & decision makers to get in touch with grassroots realities & issues. It facilitated the development of a network amongst policy community, regulators, civil society representatives and media to tackle the challenges jointly. By involving media in all key activities, it resulted in media enthusiasm about power sector reforms and its importance.

Mr. Udai made a number of suggestions on Strengthening Consumer Participation in the sector for Kenya and Tanzania including the need for Consumers of electricity to have the option of choosing their service providers from many; need to promote competition; open access; private investment in this sector. Need to have Regular Capacity building and Awareness programmes of CSOs and Consumers to be undertaken proactively by Electricity Regulatory Commissions. Need for energy regulatory commission to develop effective and innovative communication channels for communication with Consumers and Community and improving on the existing formats of Public Consultations within the sector regulatory institutions in the respective countries.

The presentation was wrapped up with a video documentary “Powered to Grow” [http://www.cuts-ccier.org/RESA/RESA\\_Documentary.htm](http://www.cuts-ccier.org/RESA/RESA_Documentary.htm) which was then followed by questions and answer session. From the presentation and discussions, it was clear that the project focus was to empower consumers to intervene in the electricity regulatory process by raising their concerns. Change in mindset among the various target groups was the main challenge experienced during the implementation of the project in South Asia and hence the need to sensitize various groups like the distribution companies to appreciate the importance of enhancing consumer participation in the regulatory process. This will help them in getting support among the target groups working at the local level. It also emerged that the use of the existing legislations to engage the relevant authorities in providing platforms to facilitate consumer participation in the regulatory process will go a long way in bringing all the stakeholders on board. It emerged that in many cases the Service providers do not provide the required information to the consumers. Comparison with India confirms that there is also information asymmetry. However; India has a strong consumer organization which advocates for consumer interests. There is need for sufficient information to the consumers in Kenya and Tanzania.

The project will therefore employ the use of the social networks like the consumer empowerment forum to enhance consumer participation and also to disseminate project outputs. The key challenge in engaging the regulators on consumer issues is lack of an umbrella body to advocate and lobby on behalf of the consumers. There is need for strong consumer organisation to push for consumer interest through the boards of the regulatory bodies. Despite competition in generation of electricity in Kenya, there challenge remain on the requirement that all independent Power Producers can only sell their power to the state owned Kenya Electricity Generation Company (KenGen) while the distribution is solely a monopoly of Kenya Power company (KPLC).

### ***Presentation by the Energy Regulatory Commission***

In her presentation Mrs. Agnes Wachie of Energy Regulatory Commission (ERC) highlighted on the establishment of ERC under the Energy Act, in 2006 which later changed from the Electricity Regulatory Board to Electricity Regulatory Commission following the operationalization of the Energy Act, 2006, with effect from July 7 2007. She highlighted on the mandate of the institution as provided for under Energy Act 2006 including the Regulation of the electrical energy, petroleum and related products, renewable energy and other forms of energy; Protection of the interests of consumer, investor and other stakeholder interests; maintaining of a list of accredited energy auditors as may be prescribed; monitor, ensure implementation of, and the observance of the principles of fair competition in the energy sector in coordination with other statutory authorities; provision of such information and statistics to the minister as he may from time to time require; and Collecting and maintaining energy data; preparing indicative national energy plan; performing any other function that is incidental or consequential to its functions under the Energy Act or any other written law.

On Electricity Consumer Protection in Kenya, she reiterated that one of the functions of ERC is to protect the interests of consumer, investor and other stakeholder interests. It does consumer protection in a number of interventions including Tariff Setting under the guiding principle in tariff setting requiring that the tariffs must be just and reasonable. Through Resolution of Complaints:- It is a requirement by law that any person carrying out any undertaking under the Energy Act must establish Procedures to be approved by the Commission for handling complaints related to the undertaking. ERC assists in the resolution of complaints arising from power bills, new connections, way leaves infringement, among others. The Energy (Complaints and Disputes Resolution) Regulations, 2012 are posted to the institution's website [www.erc.go.ke](http://www.erc.go.ke). ERC assists in the resolution of complaints filed by parties to protect consumers and operators.

Regarding Consumer Participation in the Regulatory Process, Consumers were informed that ERC is involved in developing of Regulations for various functions as mandated by the Energy Act. Among the Regulations developed are; Energy (Complaints and Dispute Resolution) Regulations, 2012, Energy (Electricity Licensing) Regulations, 2012, Energy (Electrical Installation Work) Rules 2011 in which all these regulation, stakeholders are being invited to participate. Invitation is normally through the print or electronic media. The same are also published in the Kenya Gazette. During publication and advertisement in the local media, a 40 days window is allowed for response from the public. The views are collected, analyzed before a final draft is developed and posted to the website for final presentation.

### ***Brief Presentation on Electricity Tariff Setting by Energy Regulatory Commission***



On electricity tariff setting, she mentioned Section 6 (i) of Energy Act 2006 which gives ERC the powers to set, review and adjust electric power tariffs and tariff structures, and investigate tariff charges, whether or not a specific application has been made for a tariff adjustment; and Section 45 which outlines how the tariffs shall be set i.e. (1) The tariff structure and terms for the supply of electrical energy shall be in accordance with principles prescribed by the Commission. The Principles are set out in the Retail Electricity Review Policy of 2005, (2) all tariffs charged for electrical energy supplied shall be just and reasonable. (3) Any application for the review of tariffs shall be filed with the Commission for approval not later than forty-five days before the proposed effective date: provided that the commission may, at its discretion, suspend a schedule of tariffs increase for up to five months. (4) An application under subsection (3) shall be in the form prescribed by the Commission. (5) A licensee may require a consumer to make such account deposit, commensurate with the consumer's estimated electrical energy consumption, before electrical energy is supplied to him, which deposit may, from time to time, be revised by the licensee in order to take account of both the level of consumption and of any changes in electrical energy tariffs. (6) The charges for electrical energy to be supplied may, subject to agreement between the parties, be paid in advance.

### ***Challenges Experienced by Energy Regulatory Commission***

Mrs. Agness Wachie noted that consumers would always want to pay minimal charges even when the production and transmission cost of electricity has actually gone up. She mentioned that electricity policy development is the responsibility of the line ministry which is guided by the agenda of the government in place at any particular time hence prone to political interference. She also noted that electricity cost has a component of fuel cost which is only determined by international prices of crude oil hence out of control of ERC. She also noted that operators are always asking for exorbitant increments in the reviews but ERC has always been in the forefront in ensuring fairness to both distributor and consumers.

### ***Emerging issues from Consumers***

A number of issues emanated from Consumers after the presentation by ERC. Consumers felt that they have always been left out in the whole process of regulation and that most of the time their concerns in the electricity services provision were not being addressed by the Kenya Power. There were concerns on the formula used to determine electricity tariffs as consumers felt that the formulae is very old and need revision taking into account the realities of the current situation as it was obviously in favor of the distribution and generation company all of which enjoyed a monopolistic nature of market share in the generation and transmission of electricity. This was reinforced by the ever increasing huge profits posted by Kenya power which to consumers was an indication of exploitation by the distribution company. Consumer argument was that if electricity service provision is an investment, then it is only logic that at

some time they make loss or profit and not a full time incremental profits even over dry periods when the cost of production is expected to be on the higher side as a result of usage of diesel engine to engage in the generation.

Consumers felt that ERC has not lived to its mandate of protecting the welfare of consumers as it relate to tariff setting and ensuring that the redress is accorded to them not only by ERC itself but also with the distribution companies. The majority of consumer organizations were completely unaware that a particular organization was being engaged by ERC to represent consumer views in the regulations and the tariff setting as was informed by the ERC.

It was evident from the discussion that consumers were not happy with the poor electricity services that they receive from the Kenya Power and they felt that Kenya power should have been present to respond to their issues instead of ERC. Consumers mentioned a number of issues that they have experienced over time as far as electricity services is concerned including inflated bills, frequent power outages, uncalled for disconnection, delayed response to consumer concerns, unbecoming conduct by the Kenya Power staffs when seeking redress et al. Consumer felt that it is time electricity generation and distribution is opened for competition to bring in sanity and to enhance the welfare of consumers.

### ***Response by Energy Regulatory Commission***

In her response to issues raised by consumers, ERC team reiterated on their commitment to their mandate of protecting the interest of consumers through tariff setting and development



Agnes of ERC Responding to Issues on Consumer Representation in the ERC Board Meetings.

of sound and favorable regulation which protect the consumers. They mentioned that they will do their best to engage all the stake holders during the various policy making process as required by the new Consumer protection Act of 2012. ERC informed consumers on their responsibility to arbitrate between consumers and service provider to resolve disputes and that consumers

are required to first explore the redress mechanisms provided by the service providers before proceeding to ERC for redress.

They reiterated on the commission's commitment to ensure that all complaints reported to them are handled to the satisfaction of consumers at no fee. ERC informed participants that the law requires that both the Kenya Power and Kenya Electricity Generation company (Kengen) to establish a redress mechanism to deal with issues from consumers of electricity. ERC noted that they have not been felt in the rural areas where electricity service is limited due to lack of connectivity but affirmed their commitment to have their services decentralized in the rural areas in line with the provision of the new constitution. They urged consumers to take advantage of the ERC organized public hearings to share out their concerns for consideration in the regulation. They however expressed their concerns that consumers have not been proactive in giving their comments on the draft regulations published in Daily News papers. They promised to have all the consumer representatives included in the regulation discussion forums.

### ***Presentation by the Competition Authority of Kenya***

In his presentation, Mr. James M. Mutisya of competition authority informed of the creation of the Competition Authority of Kenya under section 7 of the Competition Act no 12 of 2010 with a mandate to promote and safeguard competition in the national economy and protect consumers from unfair and misleading market conduct. He discussed the interface between competition and consumer protection in which both have a common goal of enhancement of consumer welfare through efficient working of markets.

He highlighted a number of benefits consumers can derive from competition ranging from getting goods and service at the lowest prices possible as firms strive to gain market shares or consolidate their market positions; increased consumer choice; innovation and therefore development as firms compete; optimal resource allocation i.e. combinations of goods and services that consumers require are produced in the right quantities at minimum feasible cost.

On the achievement of competition and consumer protection, he mentioned the prohibition of certain types of conduct that interfere with competition like the restrictive agreements especially cartels, harmful conduct by a monopolist or dominant firm and anti-competitive mergers. He highlighted on the role towards realization of consumer protection by prohibiting false and misleading representation, unconscionable conduct, sub-standard goods and services through prescribing service standards and obligations.

He emphasized on the effects of Natural Monopolies in certain markets /industries including that of electricity transmission where competition has not been feasible. On the role of competition authority in electricity sector reforms in Kenya, he talked about the relationship of the Competition Authority and sector regulators as defined in section 5 and section 9 of the Competition Act. Section 5 gives the Competition Authority oversight function over competition and consumer protection matters in the economy and the authority is supposed to address

jurisdictional conflict through negotiation of a memorandum of understanding with sector regulators to provide for procedures for management of areas of concurrent jurisdiction and cooperation and exchange of information. Under Section 9 (h-k) the Authority is mandated to review government programmes, policies and laws to assess their effect on competition and consumer protection. He informed that the authority is also empowered to participate in deliberations and proceedings of government, government commissions, regulatory authorities and other bodies in relation to competition and consumer protection.

In relation to the authority's Consumer Protection Mandate in the Electricity Sector, he mentioned Part VI, sections 55 to 70 of the Competition Act dealing with consumer welfare/protection. Section 55 prohibits false and misleading representation of goods or services. Examples of this conduct are given in section 55 (a) and (b). This section applies to advertisements and promotion activities of participants in the electricity sector. Section 56 covers unconscionable (beyond what is reasonable) conduct by firms including requirement of consumers to comply with unnecessary conditions, whether a consumer is able to understand contracts, use of undue pressure to sell a product or service, imposition of unilateral charges or fees by firms. Under this section suppliers of electricity are required to use plain language in contract documents. Suppliers are obligated under section 56(3) and (4) of the Competition Act to inform consumers of all charges and fees, whatever name called or described before the provision of a service; supply of unsafe goods i.e. goods that do not meet prescribed safety standards is prohibited ( section 59). This applies to suppliers of power cables and accessories. All suppliers are required to adhere to product information standards including disclosure of information relating to the performance, composition, contents, and methods of manufacture or processing design among others.

The authority under section 61 has powers to require suppliers to recall from the market goods that are likely to cause a) injury to consumers; b) that do not meet prescribed safety standard; and c) goods being investigated by the Authority as specified in section 58. He mentioned that any consumer who suffered loss as a result of consuming defective goods is entitled to compensation through court action and that the authority has powers under section 68 to refer complaints to specialized agencies of the government and that the penalty for violating this section include maximum jail term of five years or a maximum fine of ten million shillings or both.

On the Role of the authority in electricity subsector regulation, he stated the stipulation of section 5 and 9 of the Competition Act that require the Authority to cooperates with the Energy Sector Regulator to address competition issues in the energy sector. He admitted that though the competition Agency is mandated to protect consumers through the competition act, there has been limited, coordination between the agency and other regulators. He concluded that



the authority is currently in consultation with the various sector regulators to facilitate the development of a working relationship through an MOU.

### ***Presentation by Kenya Consumer Organization***

In his presentation, Mr. Francis Orago remarked on the role of Kenya Consumer Organization in addressing consumer concerns over the years from its establishment in the early 1970s. The work done over the period on electricity included representation in the East African Power & Lighting Company (EAPLCo.) and later Kenya Power and Lighting Company (KPLC). They intervened on behalf of consumers at the commission level and Board level which was discontinued without notice.

The Kenya consumer organization in 1970s and 1980s was able to engage the EAPLCo in both dialogue and litigation and among the achievements is the present tariff procedure being used todate. They were able to bring to an end the by then rampant disconnections over the weekends that punished consumers for another week. Through litigation, a court order was issued that only allowed for disconnections on Tuesday and Wednesday in the week.

He mentioned that in the earlier times, the customer service department of the electricity distribution company was required to resolve any consumer complaint as soon as possible unlike the case presently. The connection of new applicants (consumers) was to take not more than one week yet today it can take upto six months before getting electricity supply even after making full payment. He wonders what Kenya Power does with the money collected for connection over such long period. Mr. Orago expressed his dissatisfaction with the Increment of tariff which is being done without taking consumer views into consideration or even without (earlier information) which is their right to be informed. He demanded for full representation of Consumers in both Energy Regulatory Commission and the Board at Kenya Power.

### **The National Reference Group (NRG) meeting**

The second half day was the planned first National Reference Group Meeting in Kenya where the pre-selected members had the opportunity to meet and have an in-depth discussion on the project expectations and methodology.

The discussion were set to order after the introductory Remarks by Mr. Clement Onyango, Director CUTS Nairobi who welcomed the members and appreciated them for having accepted to be part of the project and play the advisory role in all the stages of project implementation. He informed them that the success of the project depends on their valued input and guidance throughout the implementation process and that they will be called upon to make reviews on the project outputs from time to time.

The NRG members were then taken through the study methodology for the research component of the project and then spent their valued time on the revision of the research tools in preparation for the pending training of research team and field work. This was a good start as members pledged their unwavering support towards the realization of the objectives and the desired outcome of the project. The NRG meeting comes to close at 0650pm with a word of appreciation from Mr. Clement Onyango.

**List of National Reference Group Members for Kenya**

<p>Antoinette Kamau, Senior Manager, Communication &amp; Public Affairs, Energy Regulatory Commission P.O Box:42681-00100 Mobile:+254 722 605 629 Email: <a href="mailto:Antoinette.kamau@erc.go.ke">Antoinette.kamau@erc.go.ke</a> Email: <a href="mailto:antainette_bonita@yahoo.com">antainette_bonita@yahoo.com</a></p>	<p>Agnes Wachie, Senior Electrical Inspector, Energy Regulatory Commission P.O Box:42681-00100 Mobile:+254 722 141 678 Email: <a href="mailto:agnes.wachie@erc.go.ke">agnes.wachie@erc.go.ke</a></p>	<p>James Muoka Mutisya Competition Authority of Kenya P.O Box:20655- 00200, Nairobi Mobile:+254 722 259 709</p>	<p>Joseph Stom Musonya Ministry of Trade, Weights and Measures Department P.O Box: 41071-00100, Nairobi Mobile:+254 729 81 36 11 Email: <a href="mailto:stomjoseph@yahoo.com">stomjoseph@yahoo.com</a></p>
<p>Raphael Mwaria Kenya Electricity Transmission Company (KETRACO) P.O Box: 42924-00100, Nairobi Telephone:+254 20 495 6210 Mobile:+254 702 949 951 Email: <a href="mailto:rmwaria@ketraco.co.ke">rmwaria@ketraco.co.ke</a></p>	<p>Nyamu Henry Githaka Kenya Electricity Generation Company (KenGen), P.O Box:53421-00200, Nairobi Mobile:+254 722 736 944 Email:+254 733 230 530 Email: <a href="mailto:ngithaka@kengen.co.ke">ngithaka@kengen.co.ke</a> Email: <a href="mailto:nyamugithaka@gmail.com">nyamugithaka@gmail.com</a></p>	<p>Samuel Ochieng (CEO) Consumer Information Network P.O Box:7569-00300, Nairobi Mobile:+254 722 44 11 91 Email: <a href="mailto:cinfkenya@yahoo.com">cinfkenya@yahoo.com</a> Email: <a href="mailto:admin@consumerupdate.org">admin@consumerupdate.org</a></p>	<p>Akali Francis Kenya Human Rights Commission P.O Box:41070-00100, Nairobi Mobile:+254 716 341 615 Email: <a href="mailto:fakali@khrc.or.ke">fakali@khrc.or.ke</a> <a href="mailto:francisakali@gmail.com">francisakali@gmail.com</a></p>
<p>Mr. Kyran O'Sullivan, Senior Energy Specialist, The World Bank Phone: 254-20-3226374 Mobile:+254 729 360 906 e-mail: <a href="mailto:kusullivan@worldbank.org">kusullivan@worldbank.org</a></p>	<p>Mr. Felix Okatch The Association of Professional Societies in East Africa (APSEA) P.O Box:55156-00200, Nairobi Telephone:+254 20 22 41 230 Mobile:+254 721 73 54 89</p>	<p>Asford K. Kiruga Ministry of Trade – Weight and Measures P.O BoX:41071- 00100, Nairobi Mobile:+254 721 802 373 Email: <a href="mailto:okkiruga@gmail.com">okkiruga@gmail.com</a></p>	<p>Michael Okumu, Programme Officer, Youth Education Network P.O Box:22151-00202 Mobile:+254729 425 198 Email: <a href="mailto:Michael@yenkenya.org">Michael@yenkenya.org</a> Email:</p>

	<p>Email: <a href="mailto:okatchfelix@yahoo.com">okatchfelix@yahoo.com</a></p> <p>Email: <a href="mailto:okatchfelix@gmail.com">okatchfelix@gmail.com</a></p>		<a href="mailto:Info@yenkenya.org">Info@yenkenya.org</a>
<p>Kevin Okumu Youth Education Network P.O BoX:2151, Nairobi Mobile:+254 724 739 413 Email: <a href="mailto:okumuka@gmail.com">okumuka@gmail.com</a></p>	<p>Prof Jasper Okelo School of Economics, University of Nairobi P.O Box:3019700100, Nairobi Mobile:+254 722 330 983 Email: <a href="mailto:jaokelo@uonbi.ac.ke">jaokelo@uonbi.ac.ke</a> Email: <a href="mailto:jasperokelo@yahoo.com">jasperokelo@yahoo.com</a></p>	<p>Eng. G. David M. Mwangi Individual Energy Consultant P.O BoX:32661- 00600, Nairobi Telephone:+254 20 8085287 Mobile:+254 714 610026 +254 722 741 601 Email1: <a href="mailto:dmmwangi55@gmail.com">dmmwangi55@gmail.com</a> Email2: <a href="mailto:dmwangi55@yahoo.com">dmwangi55@yahoo.com</a></p>	<p>Frida Mbugua Kenya Association of Manufactures Mobile:+254 723 44 33 63 Email: <a href="mailto:frida.mbugua@kam.co.ke">frida.mbugua@kam.co.ke</a> Email: <a href="mailto:fridambugua@gmail.com">fridambugua@gmail.com</a></p>
<p>Mr. Francis Orago, Chef Executive Officer, Kenya Consumers Organization P.O Box:21593-005005, Nairobi Email: <a href="mailto:keorago@yahoo.com">keorago@yahoo.com</a> Email: <a href="mailto:2kcoorg60@yahoo.com">2kcoorg60@yahoo.com</a></p>	<p>Joseph Kioko Kenya Investment Authority P.O Box:55704-00200, Nairobi Telephone:+254 20 222 1401-4 E-mail: <a href="mailto:jkioko@investmentkenya.com">jkioko@investmentkenya.com</a></p>	<p>Mr. Erick Maranga Kenya News Agency, Mobile:+254 726 88 35 51 Email: <a href="mailto:erickmaranga@gmail.com">erickmaranga@gmail.com</a> Email: <a href="mailto:andymaranga@yahoo.com">andymaranga@yahoo.com</a></p>	<p>David Owiro Institute of Economic Affairs P.O Box:53989- 00200,Nairobi Telephone:+254 20 271 7402 Mobile:+723 771 345 <a href="mailto:david@ieakenya.or.ke">david@ieakenya.or.ke</a> <a href="mailto:David@yahoo.com">David@yahoo.com</a></p>



**PROGRAMME**

**“Enhancing Participation of Consumers in Regulatory Reforms in the Electricity Sub-sector through Capacity Building: The Case of Kenya and Tanzania”**

**National Launch and Reference Group Meeting Kenya**

**NAIROBI SAFARI CLUB HOTEL/Lillian Towers, 25TH APRIL 2013**

**Final Agenda**

***0830 to 0900hrs: Welcome Session and Introduction***

- Remarks by Prof. Jasper Okelo, Chair of CUTS Nairobi Board
- Remarks by Mr. Kyran O’Sullivan, The World Bank

***0900 to 0945hrs: Overview of the project***

- Daniel Okendo Asher, CUTS

Floor Discussions

Chair: Mr. David Owiro (Institute of Economic Affairs)

***0945 to 1015hrs: Tea Break***

***1015 to 1130hrs: Consumer Participation in Regulatory Reforms in the Electricity Sector: Experience of CUTS International***

- Udai S Mehta (CUTS International)
- Video Documentary: “Powered to Grow”

Floor Discussions

Chair: Mr. Marnix Sanderse (Kenya Private Sector Alliance)

***1130 to 1200hrs: Background Paper on Enhancing Participation of Consumers in the Regulatory Reforms in Electricity in Kenya***

- Presentation by Susanne Rabisch, CUTS  
Floor Discussions

Chair: Mr. Marnix Sanderse (Kenya Private Sector Alliance)

***1200 to 1300hrs: Panel Discussion - State of Electricity Reforms in Kenya***

**Panelists (10-12mins):**

- Energy Regulatory Commission, Ms. Agnes Wachie
- Competition Authority of Kenya, Mr. James Mutisya
- Kenya Consumers Organization, Mr. Francis Orago

Floor Discussions

Chair: Mr. Samuel Ochieng (Consumer Information Network)

**1300 to 1400hrs: Lunch**

**FIRST NATIONAL REFERENCE GROUP (NRG) MEETING**

Session Chair: Felix Okatch (Association of Professional Societies in East Africa APSEA)

**1400 to 1430hrs: Definition of the roles of NRG members**

- Clement Onyango, CUTS

**1430 to 1450hrs: Presentation of the draft study methodology**

- Susanne Rabisch, CUTS

**1450 to 1520hrs: Discussions and Feedback**

Floor Discussion

**1520 to 1535hrs: Tea Break**

**1535 – 1600hrs: Presentation of Draft Questionnaires**

- Daniel Asher, CUTS

**1600 -164500hrs: Discussion and Feedback**

Floor Discussion

**1645-1700hrs: Closing and Valedictory**

- Clement Onyango, CUTS

**ANNEX 3**

**PARTICIPANTS LIST FOR THE NATIONAL LAUNCH OF REKETA PROJECT IN KENYA**

1	Antoinette Kamau, Senior Manager, Communication & Public Affairs, Energy Regulatory Commission P.O Box:42681-00100 Mobile:+254 722 605 629 Email: <a href="mailto:Antoinette.kamau@erc.go.ke">Antoinette.kamau@erc .go.ke</a> Email: <a href="mailto:antainette_bonita@yahoo.com">antainette_bonita@ya hoo.com</a>	2	Agnes Wachie, Senior Electrical Inspector, Energy Regulatory Commission P.O Box:42681-00100 Mobile:+254 722 141 678 Email: <a href="mailto:agnes.wachie@erc.go.ke">agnes.wachie@erc.go.ke</a>	3	James Muoka Mutisya Competition Authority of Kenya P.O Box:20655-00200, Nairobi Mobile:+254 722 259 709 Email: <a href="mailto:jmmutisya@cak.go.ke">jmmutisya@cak.go.ke</a> <a href="mailto:augmuoki@yahoo.co.uk">augmuoki@yahoo.co.uk</a>
4	Joseph Stom Musonya Ministry of Trade, Weights and Measures Department P.O Box: 41071-00100, Nairobi Mobile:+254 729 81 36 11 Email: <a href="mailto:stomjoseph@yahoo.com">stomjoseph@yahoo.co m</a>	5	Raphael Mwaria Kenya Electricity Transmission Company (KETRACO) P.O Box: 42924-00100, Nairobi Telephone:+254 20 495 6210 Mobile:+254 702 949 951 Email: <a href="mailto:rmwaria@ketraco.co.ke">rmwaria@ketraco.co.ke</a>	6	Nyamu Henry Githaka Kenya Electricity generation Company (KenGen), P.O Box:53421-00200, Nairobi Mobile:+254 722 736 944 Email:+254 733 230 530 Email: <a href="mailto:ngithaka@kengen.co.ke">ngithaka@kengen.co.ke</a> Email: <a href="mailto:nyamugithaka@gmail.com">nyamugithaka@gmail.com</a>
7	Akali Francis Kenya Human Rights Commission P.O Box:41070-00100, Nairobi Mobile:+254 716 341 615 Email: <a href="mailto:fakali@khrc.or.ke">fakali@khrc.or.ke</a>	8	Mr. Kyran O'Sullivan, Senior Energy Specialist, The World Bank Phone: 254-20-3226374 Mobile:+254 729 360 906 e-mail: <a href="mailto:kusullivan@worldbank.org">kusullivan@worldbank.org</a>	9	Samuel Ochieng (CEO) Consumer Information Network P.O Box:7569-00300, Nairobi Mobile:+254 722 44 11 91 Email: <a href="mailto:cinfkenya@yahoo.com">cinfkenya@yahoo.com</a> Email: <a href="mailto:admin@consumerupdate.org">admin@consumerupdate.org</a>

	<a href="mailto:francisakali@gmail.com">francisakali@gmail.com</a>				
10	Asford K. Kiruga Ministry of Trade – Weight and Measures P.O BoX:41071-00100, Nairobi Mobile:+254 721 802 373 Email: <a href="mailto:okkiruga@gmail.com">okkiruga@gmail.com</a>	1 1	Mrs. Yunivensia Adongo Odiemo Kenya Consumer Organization P.O BoX:21593-005005- Nairobi Mobile:+254 719 76 77 68	12	Mr. Felix Okatch The Association of Professional Societies in East Africa (APSEA) P.O Box:55156-00200, Nairobi Telephone:+254 20 22 41 230 Mobile:+254 721 73 54 89 Email: <a href="mailto:okatchfelix@yahoo.com">okatchfelix@yahoo.com</a> Email: <a href="mailto:okatchfelix@gmail.com">okatchfelix@gmail.com</a>
13	Michael Okumu, Programme Officer, Youth Education Network P.O Box:22151-00202 Mobile:+254729 425 198 Email: <a href="mailto:Michael@yenkenya.org">Michael@yenkenya.org</a> g Email: <a href="mailto:Info@yenkenya.org">Info@yenkenya.org</a>	1 4	Marnix Sanderse, Policy and Research Analyst, Kenya Private Sector Alliance (KEPSA) P. O. Box 3556 -00100 GPO, Nairobi. Mobile:+254 786 31 84 89 Email: <a href="mailto:msanderse@kepsa.or.ke">msanderse@kepsa.or.ke</a>	15	Eng. G. David M. Mwangi Individual Energy Consultant P.O BoX:32661-00600, Nairobi Telephone:+254 20 8085287 Mobile:+254 714 610026 +254 722 741 601 Email1: <a href="mailto:dmmwangi55@gmail.com">dmmwangi55@gmail.com</a> Email2: <a href="mailto:dmwangi55@yahoo.com">dmwangi55@yahoo.com</a>
16	Meshack Omari Onkoba EARS Group P.O Box:59045 Mobile:+254 723 111 521 <a href="mailto:meshackomari@yahoo.com">meshackomari@yahoo.com</a>	1 7	Frida Mbugua Kenya Association of Manufactures Mobile:+254 723 44 33 63 Email: <a href="mailto:frida.mbugua@kam.co.ke">frida.mbugua@kam.co.ke</a> Email: <a href="mailto:fridambugua@gmail.com">fridambugua@gmail.com</a>	18	Mr. Francis Orago, Chef Executive Officer, Kenya Consumers Organization P.O Box:21593-005005, Nairobi Email: <a href="mailto:keoorago@yahoo.com">keoorago@yahoo.com</a> Email: <a href="mailto:2kcoorg60@yahoo.com">2kcoorg60@yahoo.com</a>
19	Samson Odhiambo CUTS ARC, P.O BoX:8188-00200, Nairobi Mobile:+254 721 288 387 Email: <a href="mailto:soa@cuts.org">soa@cuts.org</a>	2 0	Udai Mehta CUTS, India, <a href="mailto:usm@cuts.org">usm@cuts.org</a>	21	Kevin Okumu Youth Education Network P.O BoX:2151, Nairobi Mobile:+254 724 739 413 Email: <a href="mailto:okumuka@gmail.com">okumuka@gmail.com</a>



2 2	Pauline Wanjiku Youth Education Network Mobile:+254 723 986 506 Email: <a href="mailto:p.nderi@yahoo.com">p.nderi@yahoo.com</a>	2 3	Virgina Wambui Pioneer For Change P.O BoX:1726-00502, Karen Nairobi Mobile:+254 728 367 698 Email: <a href="mailto:wambouig@yahoo.com">wambouig@yahoo.com</a>	24	David Ong`olo CUTS ARC, P.O BoX:57312, Nairobi Mobile:+254 722 52 49 58 Email: <a href="mailto:davidongolo@yahoo.com">davidongolo@yahoo.com</a>
2 5	Michael Wauda CUTS ARC, P.O Box:8188- 0200,Nairobi Mobile:+254 721 61 26 64 Email: <a href="mailto:michaelotieno23@yahoo.co.uk">michaelotieno23@yahoo.co.uk</a>	2 6	David Owiro Institute of Economic Affairs P.O Box:53989- 00200,Nairobi Telephone:+254 20 271 7402 Mobile:+723 771 345 <a href="mailto:david@ieakenya.or.ke">david@ieakenya.or.ke</a> David@yahoo.com	27	Peter Njoroge Kamau Inuka –Kenya P.O Box:71020-00100 Mobile:+254 721 663 329 <a href="mailto:pnpeternjoroge@gmail.com">pnpeternjoroge@gmail.com</a> , <a href="mailto:jorotwo@yahoo.com">jorotwo@yahoo.com</a>
2 8	George Makathu Ministry of Industrialization & Enterprise Department P.O Box:30418-00100, Nairobi Telephone:+254 20 31 5001 ext 3008 Mobile:+254 721 540 792 Email: <a href="mailto:gmakatefo@industrialization.co.ke">gmakatefo@industrialization.co.ke</a> Email: <a href="mailto:gmakateto@yahoo.com">gmakateto@yahoo.com</a>	2 9	Charles Oyugi Obulloh Kenya National Chamber of Commerce and Industry, P.O Box:47024-00100, Nairobi Mobile:+254 721 53 47 12 Email: <a href="mailto:charlesobulloh@yahoo.com">charlesobulloh@yahoo.com</a>	30	Prof Jasper Okelo School of Economics, University of Nairobi P.O Box:3019700100, Nairobi Mobile:+254 722 330 983 Email: <a href="mailto:jaokelo@uonbi.ac.ke">jaokelo@uonbi.ac.ke</a> Email: <a href="mailto:jasperokelo@yahoo.com">jasperokelo@yahoo.com</a>
3 1	Vincent Majiwa Action Aid International Kenya Mobile:+254 737 271 998 Email: <a href="mailto:vincentmajiwa@gmail.com">vincentmajiwa@gmail.com</a>	3 2	Ruphina Sakwa Kenya Investment Authority P.O Box:55704-00200, Nairobi Telephone:+254 20 222 1401-4 <a href="mailto:sakwa@investmentkenya.com">sakwa@investmentkenya.com</a>	33	Joseph Kioko Kenya Investment Authority P.O Box:55704-00200, Nairobi Telephone:+254 20 222 1401-4 e-mail: <a href="mailto:jkioko@investmentkenya.com">jkioko@investmentkenya.com</a>
3 4	Emmanuel Nyakiamo New Vision Self Help	3 5	Mr. Martin Etende Kenya School of Law	36	Munu Martin Luther CUTS ARC,

	Group P.O Box: 401846-00200 Nairobi, Mobile:+254 727 265 217 Email: <a href="mailto:nyakiamoemmanuel@yahoo.com">nyakiamoemmanuel@yahoo.com</a>		Mobile:+254 727 751 348 Email: <a href="mailto:martinwarship@yahoo.com">martinwarship@yahoo.com</a>		P.O Box:8188-0200, Nairobi Telephone:+254 20 386 21 49 Mobile:+254 701 741 693 Email: <a href="mailto:mml@cuts.org">mml@cuts.org</a>
3 7	Moses Omari Manager O.CC P.O Box:4280-00100, Nairobi Mobile:+254 725 28 22 36 E-mail: <a href="mailto:mosesomari@yahoo.com">mosesomari@yahoo.com</a>	3 8	Theresia M Muasia Pioneer For Change Mobile:+254 728 398 456 Email: <a href="mailto:terrymuasya@yahoo.com">terrymuasya@yahoo.com</a>	39	Okiama N Chrisantos Ministry of Planning P.O Box:30005-00100, Nairobi Mobile:+254 725 615 744 Email: <a href="mailto:cokioma@planning.go.ke">cokioma@planning.go.ke</a> <a href="mailto:chrisokioma@yahoo.com">chrisokioma@yahoo.com</a>
4 0	Caroline Wairimu New Vision Self Help Group P.O Box: 401846-00200 Nairobi Telephone:7563 Mobile:+254 707 37 226 Email: <a href="mailto:carolynswairimu@yahoo.com">carolynswairimu@yahoo.com</a>	4 1	Clement Onyango, CUTS ARC, Nairobi P.O Bo 8188-00200 Telephone+254 20 386 21 49 Mobile:+254 722 490 824 Email: <a href="mailto:cuts@cuts.org">cuts@cuts.org</a>	42	Daniel Asher Okendo CUTS ARC, Nairobi P.O Box:8188-00200, Nairobi Mobile:+254 725 9 131 25 Email: <a href="mailto:doa@cuts.org">doa@cuts.org</a>
4 3	Susanne Rabisch CUTS ARC, Nairobi P.O Box:8188-00200, Nairobi Telephone:+254 20 386 21 49 Mobile:+254 708 436 438 Email: <a href="mailto:sur@cuts.org">sur@cuts.org</a>	4 4	Jeremiah Ammbassaah Artist Forum P.O Box:25542-00100 Mobile:+254 735 051 552 Email: <a href="mailto:jerryambasaah@gmail.com">jerryambasaah@gmail.com</a>	45	Joyce Wafula CIANET Mobile:+254 727 35 39 90 Email: <a href="mailto:joyce.wafula09@yahoo.com">joyce.wafula09@yahoo.com</a>
4 6	Grace Njeri Mwihi Matous Networking Solution Limited Mobile:+254 727 674 410 Email: <a href="mailto:mgracenjeri@gmail.com">mgracenjeri@gmail.com</a>	4 7	Murage Kamory Kenya League of Youth Voters Mobile:+254 722 936 246 Email:kenyaleague@gmail.com Email:	48	Rosebella Akinyi Oiro Kenya University P.O Box:12146-00100 Mobile:+254 731 383 622 Email: <a href="mailto:bella.oiro@gmail.com">bella.oiro@gmail.com</a>

	<a href="#">m</a>		<a href="mailto:muragekamory@gmail.com">muragekamory@gmail.com</a>		
4 9	Esther Wanjiku Muiruri KIKAOO Entertainment and PR Services P.O Box:35059-00200 Mobile:+254 700 059 510 Email: <a href="mailto:esthermuiruri90@gmail.com">esthermuiruri90@gmail.com</a>	5 0	Ms.Victoria Jeruto Kigen Kenya School of Law Mobile:+254 726 543 480 Email: <a href="mailto:victoirejeru@gmail.com">victoirejeru@gmail.com</a>	51	Mr. Kennedy Murunga Murege Centre for County Governance & Accountability P.O Box:44804-00100, Nairobi Mobile:+254 729 97 54 65 Email: <a href="mailto:kennedymurunga@gmail.com">kennedymurunga@gmail.com</a>
5 2	Mr. Kimani Kelvin Kuria, Mayous Networking Solution Limited, P.O Box 43844-00100 mobile:+254 712 64 57 94 Email: <a href="mailto:mayousnetworking@gmail.com">mayousnetworking@gmail.com</a> Email: <a href="mailto:info@mayousnetworking.com">info@mayousnetworking.com</a>	5 3	Ms. Milka Anyango New Vision Self Help Group Cell: +254756723613, Email: <a href="mailto:milkaanyango@yahoo.com">milkaanyango@yahoo.com</a>	54	Mr. Erick Maranga Kenya News Agency, Mobile:+254 726 88 35 51 Email: <a href="mailto:erickmaranga@gmail.com">erickmaranga@gmail.com</a> Email: <a href="mailto:andymaranga@yahoo.com">andymaranga@yahoo.com</a>