

NSERC

NIGER STATE ELECTRICITY REGULATORY COMMISSION

Regulations On License Application for Electricity Generation, Transmission, System Operations, Distribution, Integrated Utility and Retail.

March 2025

REGULATION NO: NSERC/R/002
NIGER STATE ELECTRICITY REGULATORY COMMISSION

In exercise of the powers to make regulations conferred by Section 11 of the Niger State Power Sector Law 2024, the Niger State Electricity Regulatory Commission makes the following **Regulations on License Application for Electricity Generation, Transmission, System Operations, Distribution, Integrated Utility and Retail, 2025.**

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NIGER STATE ELECTRICITY REGULATORY COMMISSION

License Application for Electricity Generation, Transmission, System Operations,
Distribution, Integrated Utility and Retail Regulations, 2025

CHAPTER I – GENERAL

1. Short title and commencement

- I. These Regulations may be cited as the Niger State Electricity Regulatory Commission's License Application for Electricity Generation, Transmission, System Operations, Distribution, Integrated Utility and Retail Regulations, 2025.
- II. These Regulations shall come into force on the date on which it is approved by a resolution of the Commission.
- III. These Regulations shall be signed by the Chairman.

2. Interpretation

- I. In these Regulations, unless the context otherwise requires:

"Application" means an application for a license, or for an amendment, or renewal, transfer, assignment, withdrawal of a license under the Law.

"Business Rules" means the Niger State Electricity Regulatory Commission (Business Rules of the Commission) Regulations, 2024 and as may be amended from time to time.

"Chairman" means the Chairman of the Niger State Electricity Regulatory Commission.

"Commission" means the Niger State Electricity Regulatory Commission.

"Commissioner" means a Commissioner appointed in accordance with the Law.

"Competent Authority" means Chairman, Commissioner or such other Officer of the Commission designated from time to time for the purpose by the Commission in accordance with these Regulations.

"Days" means working days, excluding Saturdays, Sundays, and public holidays declared by the Federal Government of Nigeria or Niger State Government.

"Defence Purposes" includes properties used as military installations, military divisions, military brigades, military barracks, army depots, military bases, naval shipyards, naval dockyards, etc.

"Distribution/Medium Voltage Distribution License" means a license that authorises the holder to construct, own, operate, and maintain facilities and equipment for the distribution of electricity, including the installation, maintenance, and utilisation of metering, billing, and revenue collection systems, as well as the delivery of electricity

distribution and customer care services to customers located entirely within the State, in accordance with the terms and conditions specified in the license.

“Generation License” means a license that authorizes the holder to construct, own, operate, and maintain a facility for the generation and supply of electricity to offtakers, provided that such facility is located and operates solely within the State, in accordance with the terms and conditions specified in the license.

“Integrated Utility License” means a license that authorizes an applicant to construct, own, operate, and maintain interconnected facilities for the integrated generation and distribution of electricity to customers within the State or a designated area, subject to the terms and conditions of the license, but does not confer any transmission or system operation rights.

“Law” means the Niger State Power Sector Law, 2024.

License” shall include all licenses which the Commission is empowered to issue under the Law.

“Licensee” means any person who holds a license issued by the Commission.

“Month” means a calendar month.

“Officer” means a staff or authorized representative of the Commission.

“Person” includes an individual, a company, partnership or any association of individuals, whether incorporated or not.

“Regulations” means the Niger State Electricity Regulatory Commission Application for Licenses (Generation, Transmission, System Operations, Distribution and Retail) Regulations, 2025.

“Resolution” means the decision of the Commission concerning the grant, or acknowledgement of the filing of an application for a license.

“Trading License” means a license granted to an entity permitting it to engage in the purchase, sale, and trading of electricity.

“Schedules” means the schedules appended to these Regulations.

“System Operation License” means a license that authorizes an applicant to coordinate, manage, and oversee the real-time operation of the electricity system within the State, ensuring the secure, reliable, and efficient dispatch of electricity, grid stability, and the enforcement of market rules, in accordance with the terms and conditions of its license.

"Transmission License" means a license authorizing an applicant to construct, own, operate, and maintain transmission infrastructure at a voltage level of 132kV within the State for the conveyance of electricity from a licensed generation facility, whether located within or outside the State, to a licensed offtake operating solely within the State, in accordance with the terms and conditions of its license.

- II. Words importing any one gender include the other gender and the singular includes the plural and vice versa.
- III. Words or expressions used in these Regulations but not defined, unless the context otherwise requires, shall have the same meanings respectively assigned to them in the Law.

CHAPTER II: APPLICATION FOR LICENSE

3. Manner of Application.

- a) An application for a license shall be made in writing, addressed to the Chairman of the Commission, and delivered by hand, sent by regular mail or courier to the Commission at its office, or submitted via the official email provided on the Commission's website.
- b) An Application shall be signed and dated by the authorized representative of the Applicant.
- c) An application shall be submitted in two (2) paper copies along with an electronic version in Microsoft Word or PDF format, submitted via the official email provided on the Commission's website.
- d) No person shall construct, own, or operate an electricity generation, transmission or distribution undertaking without obtaining a license from the Niger State Electricity Regulatory Commission (the "Commission"), except as provided under this Regulation.

4. License Exemptions

Unless otherwise expressly provided by any law or regulation, a person may, without a license or permit:

- a) Construct, own, or operate an electricity generation undertaking with an aggregate capacity between 0 and 100 kW at a site; or
- b) Construct, own, or operate an electricity distribution undertaking with an aggregate capacity between 0 and 50 kW at a site; or
- c) Operate any such other capacity as the Commission may determine from time to time.

5. Captive Power Generation

- a) Any person or entity intending to generate electricity above 100kW for exclusive use shall apply for and obtain a Captive Power Generation Permit from the Commission before the commencement of such project.
- b) The applicant shall submit details of the generation facility, including:
 - i. Installed capacity and technical specifications;
 - ii. Energy source (renewable or non-renewable);
 - iii. Location of the facility; and
 - iv. Compliance with applicable environmental and safety standards.
- c) The electricity generated shall not be supplied to third parties or exported to the distribution network without prior approval from the Commission.

6. Form of Application

An application shall be submitted in the format prescribed in Schedule 2 of these Regulations and shall include the required information as specified therein. The application form shall be obtained at the Commission's office or may be downloaded from the Commission's official website.

7. Information and Documents to Accompany Application

All Applications for licenses shall be accompanied by all the information specified in the Application form relating to the specific license being applied for.

8. Processing Fee for Application

The Applicant shall, upon submission of the Application Form, pay a non-refundable fee as may be fixed by the Commission for the processing of the Application as provided in Schedule 6 of these regulations.

9. Additional Information

- a) The Commission may upon review of the Application require the Applicant to furnish, within a specified period, any additional information; provided however that the time between the receipt of the Application and the accompanying documents and date on which the Commission notifies the Applicant of the inadequacy of the documents and information shall not exceed one month.
- b) An application shall lapse if the applicant does not submit all required documents within thirty days (30) from the date which the Commission requests for the additional information.
- c) An application which has lapsed cannot be reactivated. However, such an Application may be resubmitted as a new Application upon payment of the prescribed processing fee.

10. Notification of Due Filing of the Application

If the Commission finds the Application to be complete, it shall pass a Resolution that the Application has been duly made. Within 21 days of the passing of the Resolution, the Commission shall notify the Applicant in writing that the Application has been duly made and request that the applicant publish a public notice.

11. Publication of Notice of Application

- a) Within thirty (30) days after receiving the Commission's acknowledgement that an Application has been duly made, the Applicant shall at his own expense, cause a notice of the Application, in the form and manner prescribed by the Commission, to be published.
- b) The notice shall be published in one daily newspaper, which must have a wide circulation in Niger State, and shall state the period within which any objection or representation in connection with the Application may be made to the Commission. The Applicant shall forthwith send a copy of the newspaper publication to the Commission.
- c) The Commission shall not issue any license until all objections or representations regarding the Application received by the Commission have been considered.

12. Objection and Hearing

- a) Any person wishing to object to the grant of a license shall submit a written objection within twenty-one (21) days from the date of the public notice. The objection shall be filed in the form of a petition to the Commission in two (2) paper copies, along with an electronic copy in Microsoft Word or PDF format, sent via the official email address provided on the Commission's website.
- b) The petition shall be made available to the Applicant by the Commission for a reply.
- c) Following the publication of the public notice and lapse of the time specified for filing objections, the Commission may proceed to place the Application for hearing upon its evaluation and consideration of any objection filed.
- d) The Commission shall give the notice of inquiry or hearing to the Applicant, the persons who had filed objections, and such other authority, person or body as the Commission considers appropriate. The conduct of the hearing shall be in the form and manner prescribed by the Commission and shall be concluded within a period of twenty-one (21) days.
- e) The Commission may refuse such an inquiry if in its opinion the objection is frivolous or vexatious.
- f) The findings of the Commission following the inquiry/hearing shall be recorded in writing.

13. Approval or Refusal of License

- a) After due consideration of the Application and inquiry if any, the Commission shall grant or refuse to grant the license.
- b) The period between the acknowledgement of receipt of the Application as specified in Clause 9 and the date on which the Commission notifies the Applicant of its decision or proposed decision to approve or refuse the license as the case may be, shall not exceed 4 (four) months.
- c) Where the Commission has approved a license, the Commission shall inform the Applicant in writing or via email of such approval and the conditions to be satisfied, including the fees to be paid before the grant of the license.
- d) A license shall be granted for a term of Fifteen (15) years and may be renewed at the expiration of the period.
- e) If the Commission intends to refuse the grant of a license, it shall notify the Applicant in writing or via email of its intention stating the reasons for the decision.
- f) The Applicant shall have the opportunity to make adequate representations to the Commission within twenty-one (21) days of the Applicant's receipt of the notification from the Commission of the refusal of a license.
- g) The Commission shall consider the representation made by the Applicant and shall, if the representation is unsuccessful, or no representation was made, duly notify the Applicant in writing that the Application for a license has been refused.

- h) The reasons for refusing the license shall be clearly stated in writing by the Commission to the Applicant.

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CHAPTER III- AMMENDMENT AND RENEWAL OF LICENSE

14. Amendment of License Granted

- a) The terms and conditions of a license granted by the Commission may be amended:
 - i. on application by the licensee in the form specified in Schedule 3 of these Regulations.
 - ii. upon the Commission receiving a complaint from any consumer, eligible customer, consumer association, association of eligible customers or other licensee.
 - iii. on the Commission's own initiative
- b) An application for amendment may be made any time after the issuance of the license, but at least nine months before the expiration of the license.
- c) For all amendments not initiated by the licensee, the Commission may amend the License Terms and Conditions if satisfied that:
 - i. any circumstance exists which renders it necessary in the public interest to amend the license;
 - ii. the licensee is unable to meet certain requirements set by the Commission in the Terms and Conditions;
 - iii. the licensee has defaulted in complying with certain provisions of the Law, Regulations of the Commission, Market Rules, and network codes;
 - iv. or there is a material change in circumstance of the licensee.
- d) Unless otherwise specified in writing by the Commission, the applicant shall pay a non-refundable fee, as may from time to time be fixed by the Commission for the processing of the application as provided in Schedule 6.
- e) Where a licensee makes an application for the amendment of a license, the licensee shall publish a notice of the proposed amendments to the license in the form and manner specified by the Commission.
- f) The procedure prescribed in Chapter II for an application for license, in so far as it can be applied by the Commission, shall be followed while dealing with an application for amendment of a license; provided however that where the proposed amendment is as a result of the Commission's initiative, the Commission shall be responsible for the publication of the public notice stating the proposed amendments, if required.
- g) Where the proposed amendment is in respect of a licensee providing service to an area covering a building or place occupied for defence purposes, the Commission shall obtain the consent of the Federal Ministry of Defence before making the amendment to the license.
- h) Where the proposed amendment concerns a licensee providing service to critical life-saving facilities, including Intensive Care Units (ICUs) and Centers for Disease Control, or other public health and emergency response infrastructure, the Commission shall obtain the consent of the relevant regulatory authority overseeing such facilities before making the amendment to the license.

15. Renewal of License

- a) An Application for the renewal of a license granted by the Commission shall be made at least twelve (12) months before the expiration of the license and shall be in the form specified in Schedule 4 of this Regulation.
- b) Unless otherwise specified in writing by the Commission, the applicant shall pay a non-refundable fee as may from time to time be fixed by the Commission for the processing of the Application as provided in Schedule 6 in these Regulations.
- c) The procedure prescribed in Chapter II for grant of license, in so far as it can be applied by the Commission, shall be followed while dealing with an application for renewal of license.
- d) Renewal of License shall be for a tenor not more than ten (10) years.

CHAPTER IV - TRANSFER

16. Transfer and Assignment of License

- a) No license issued by the Commission shall be transferred, assigned or otherwise without the prior approval of the Commission.
- b) An Applicant for the transfer or assignment of a license shall submit an application with the required information specified in Schedule 5 of these Regulations.
- c) The procedure prescribed in Chapter II for grant of license, in so far as it can be applied by the Commission, shall be followed while dealing with an application for transfer or assignment of license.
- d) The Commission shall, before approving a transfer or assignment of a license, be satisfied that:
 - i. the Transferee or Assignee has fulfilled the requirements for licensing under the Law;
 - ii. the Transferee or Assignee has accepted and is willing to undertake the obligations under the license;
 - iii. and the Transferee or Assignee has paid the transfer fee.
- e) The Commission shall consider the application and reach a decision to grant or refuse to grant a transfer or assignment within four (4) months of the submission of a complete application to the Commission.
- f) Where the Commission refuses a transfer or assignment of a license, it shall state the reasons for its decision in writing.

CHAPTER V- SUSPENSION AND CANCELLATION OF LICENSE

17. Suspension of License

- a) The Commission may on its own initiative or upon receiving a complaint or information from any consumer, eligible customer, consumer association, association of eligible customers or other licensees, initiate an inquiry into the conduct or activities of any licensee.
- b) The Commission, may if satisfied that one or more grounds listed hereunder exist, suspend the license in the manner specified.
- c) The Commission may suspend a license granted if:
 - i. a licensee is unable to fully discharge the functions or perform the duties imposed on it by the Terms and Conditions of the license, the Law, applicable legislation, regulations of the Commission, Market Rules, rules and regulations, and network codes; or
 - ii. a licensee has defaulted in complying with the Terms and Conditions of their License, any decisions or orders of the Commission; or
 - iii. a licensee is carrying out its licensed business in a form and manner which constitutes an immediate threat to public health and safety or the health or safety of any person; or
 - iv. a licensee refuses to submit itself to investigation or inquiry by the Commission or obstructs any officer assigned to do so or fails to produce documents for inspection as directed by the Commission; or
 - v. a licensee fails to meet prescribed service quality benchmark; or
 - vi. any circumstance exists which renders it necessary in the public interest to suspend the license.
- d) The Commission shall inform the licensee in writing of the grounds upon which the Commission proposes to suspend the license and give the licensee an opportunity to make representations against the proposed suspension or undertake to rectify/remedy the situation that gave rise to the proposed suspension.
- e) Where the licensee chooses to make a representation and/or rectification of the grounds that gave rise to the proposed suspension of the license, it shall make its representation and/or rectification within thirty (30) days from the date of its receipt of the Commission's letter informing it of the grounds upon which the Commission proposes to suspend its license.
- f) The Commission shall take into cognizance the representation made by the licensee in reaching a final decision. The decision of the Commission shall be communicated to the licensee in writing.
- g) If the Commission decides to suspend a license, it shall notify the licensee of the date on which the suspension shall take effect, and the Commission may make orders regarding the undertaking of the licensee including an order empowering another person or licensee to take over the operations of the undertaking in order to maintain continuity in the provision of electricity services.

- h) The Commission may after the imposition of the suspension order, review the order and either cancel the license in accordance with provisions of Clause 16 or lift the suspension of the license and restore the undertaking to the licensee.
- i) The Commission shall not impose a suspension order in excess of six (6) months and may review the order before the expiration of the suspension term imposed.

18. Cancellation of License

- a) The Commission may on its own initiative or upon receiving a complaint or information from any consumer, eligible customer, consumer association, association of eligible customers or other licensees, initiate an inquiry into the conduct or functioning of any licensee.
- b) The Commission may cancel a license if:
 - i. the license was issued through fraud or the misrepresentation or non disclosure of a material fact; or
 - ii. the licensee has willfully or unreasonably contravened any provisions of the Law, applicable legislation, regulations of the Commission, Market Rules, network codes, rules and regulations; or
 - iii. the licensee has failed to comply with any term or condition of the license the breach of which is expressly declared to render it liable to cancellation; or
 - iv. the licensee becomes insolvent or is adjudged bankrupt; or
 - v. the financial position of the licensee is such that the licensee is unable to fully and efficiently discharge the duties and obligations imposed by the license.
- c) The Commission, if satisfied that enough grounds exist for the cancellation of the license, shall give notice of proceedings for the cancellation of the license to the licensee and to such other persons, group of persons or body as it may consider necessary.
- d) The proceedings by the Commission on the cancellation of the license, in so far as it is applicable, shall be in the manner prescribed by the Commission provided that:
 - i. The Commission shall notify the licensee in writing of its intention to cancel the license and the reasons for doing so and
 - ii. The licensee shall be given the opportunity to demonstrate, within three(3) months of the delivery of such notification, that the circumstances have changed such that the cancellation may no longer be warranted.
- e) If the Commission decides to cancel the license after complying with the laid down procedure, the Commission shall serve notice to the licensee specifying the effective date from which such cancellation shall take effect.
- f) The Commission may instead of canceling the license, pass any other order imposing further terms and conditions subject to which the licensee is permitted to operate thereafter.

- g) The Commission may upon the cancellation of a license, make Orders in regard to the undertaking of the licensee, including an Order for the sale of the undertaking of the licensee, as are in the opinion of the Commission, necessary for maintaining continuity in the provision of electricity service.

19. Withdrawal of License

- a) The Commission may withdraw a license for a generating station not yet operational if the licensee:
- i. obtained the license through fraud or the misrepresentation or non disclosure of a material fact; or
 - ii. willfully or unreasonably contravenes any provisions of the Law, applicable legislation, regulations of the Commission, Market Rules, network codes, rules and regulations;
 - iii. fails to comply with the milestones upon which the license was issued;
 - iv. contravenes any term or condition of the license;
 - v. becomes insolvent or is adjudged bankrupt; or
 - vi. fails to commission the licensed generating station listed in the Schedule within three (3) years from date of grant of license.
- b) The Commission shall inform the licensee in writing of the grounds upon which the Commission proposes to withdraw the license and give the licensee a reasonable opportunity to make representations against the proposed withdrawal.
- c) Where the licensee chooses to make a representation, it shall make its representation within thirty (30) days from the date of its receipt of the Commission's letter informing it of the grounds upon which the Commission proposes to withdraw its license.
- d) The Commission shall take into cognizance the representation made by the licensee in reaching a final decision. The decision of the Commission shall be communicated to the licensee in writing.
- e) If the Commission decides to withdraw a license, it shall notify the licensee of its decision in writing and may make orders to that effect.
- f) A license which has been withdrawn cannot be reactivated, amended or renewed. However, another application may be submitted for the same generating station, upon payment of the prescribed fee.

CHAPTER VI- FEES

20. Processing fee for Applications

- a) Every application for a license submitted to the Commission shall be accompanied by the non-refundable Application Processing Fee as specified in Schedule 6 or as may be determined by the Commission from time to time.
- b) The fees payable under these Regulations shall be made via bank draft or cheque issued in favour of the "Niger State Electricity Regulatory Commission", or through any official government-approved online payment platform.
- c) All payments received by the Commission under these Regulations shall be duly acknowledged with the issuance of the Commission's official receipt.

21. License Fees

- a) Upon approval by the Commission of an application for a license, the Commission shall inform the applicant, in writing, of such approval and be informed of the license fee required to be paid by the applicant for the grant of a license.
- b) The license fee to be paid shall be as specified in Schedule 6, or as may be prescribed by the Commission from time to time.
- c) The applicant shall pay the license fee within fourteen (14) days from the date of notification. Where payment is not made within this period, a surcharge will be paid on the amount due at the rate of 1% per day for a maximum period of four (4) weeks, after which the grant of the license shall lapse.

22. Processing Fees for Amendment Renewal, transfer and assignment

- a) Any application for the amendment, renewal, transfer, or assignment of an existing license shall be accompanied by the applicable processing fee as specified in Schedule 6 or as may be prescribed by the Commission from time to time.
- b) The processing fee for the amendment, renewal, transfer, or assignment of a license shall be non-refundable.

23. Annual Operating Fees

- a) Licensees shall pay Annual Operating Fees, due every month-end.
- b) The Annual Operating Fee payable shall be charged in accordance with the rates specified in Schedule 6, or as may be prescribed by the Commission from time to time.
- c) Where the Operating Fee is not paid within the time specified in the terms and conditions of the license, surcharge shall be payable on the amount due at the rate of 1% per week up to a maximum period of 14 (fourteen) weeks after which period the Commission shall apply appropriate penalties in accordance with the terms and conditions of the license.

CHAPTER VII- MISCELLANEOUS

24. Rehearing and Hearing of Appeals

- a) Any person who is aggrieved by a decision of the Commission pursuant to this Regulations may, within twenty-one (21) days after the decision is made, apply to the Commission for a review of the following:
 - i. an order of the Commission;
 - ii. a decision of the Commission not to grant a license;
 - iii. a decision of the Commission to refuse to renew, amend or extend the tenure of a license; or
 - iv. a decision of the Commission to withdraw, suspend or cancel a license.
- b) The Commission shall in accordance with its rules of proceedings reaffirm, reconsider, vary or rescind its decision before issuing a final order.
- c) Such review or reconsideration shall be completed within sixty (60) days of the date it is requested.

25. Withdrawal of Applications

- a) An application for a license, an amendment or a renewal may be withdrawn in writing by an Applicant at any stage.
- b) An application which has been withdrawn cannot be reactivated. However, such an Application may be resubmitted as a new application, upon payment of the prescribed processing fee.

26. Interim License

- a) Notwithstanding any other provision of these Regulations, the Commission may grant an interim license to an existing operator permitting the holder of such a license to operate until the issuance of a normal license by the Commission, or until a date determined by the Commission, provided that the duration of such interim license shall not exceed six (6) months.

27. Accelerated Licensing

- a) The Commission may apply special considerations under an accelerated licensing process for operators involved in rural electrification projects and mini-grid systems, particularly where:
 - i. The project aligns with recognized rural electrification initiatives; and
 - ii. The operator has secured funding under donor programmes and requires regulatory recognition to proceed.

28. Amendment or Repeal of Regulation

The Commission may amend or repeal the provisions of these Regulations.

SCHEDULES TO NSERC LICENSING REGULATIONS 2025

SCHEDULE 1A

MANDATORY SUBMISSIONS FOR APPLICATIONS FOR GENERATION AND INTERGATED UTILITY LICENSES

1. Completed Application Form.
2. Certificate of Incorporation and Memorandum and Articles of Association, or deed of partnership, or deed of trust.
3. Registered title deed to site, or sale agreement, or deed of assignment/gift, or evidence of submission of a title deed to a relevant land processing agency (as applicable).
4. Tax clearance certificate for immediate past three (3) years.
5. Ten-year business plan.
6. Off-take agreement or arrangement.
7. Environmental Impact Assessment (EIA) approval certificate, or proof of submission and acceptance for processing of the report on EIA to the Ministry of Environment, or details on how solid waste, effluents and discharges will be managed (if proposed capacity is less than 10MW).
8. Fuel supply agreement, or a letter from a fuel supplier and transporter indicating the inclusion of the fuel needs of the applicant in the supply plans of the fuel supplier and transporter.
9. MoU with or letter of intent from Engineering Procurement Construction (EPC) contract (if applicable).
10. MoU with or Letter of Intent from the technical partner (if applicable).
11. Financing agreements or letter to fund the project from financial institution(s).
12. Timelines for commissioning of the power plant and on the date when different capacities of the plant will come into operation
13. Safety Arrangements:
 - Emergency Response Plan
 - Fire Fighting Facilities
 - First Aid
 - Safety Awareness and Staff Training Plans
 - Personal Protective Equipment (PPE)
 - Health & Safety Policy

SCHEDULE 1B REQUIREMENTS FOR APPLICATIONS FOR GENERATION LICENSES

A. GENERAL REQUIREMENTS

- 1) Site Map: Showing fuel delivery and storage locations, transmission evacuation site, water pipelines, gaseous, liquid and solid waste disposal areas, etc.
- 2) Location Map: Showing roads, rail lines, transmission lines, rivers, reservoirs, etc.
- 3) A principal single-line diagram of the project site.
- 4) Fuel sourcing, transportation and supply arrangements.
- 5) Water supply and availability analysis for plant and staff use.
- 6) Plant Design.
- 7) Power Station Information:
 - a) Total capacity (MW)
 - b) Number of Generating Units Size of Generating Units (MW)
 - c) Expected Annual Generation (MWh)
 - d) Proposed Running Regime
 - e) Station Load/Load Factor
- 8) Generator Unit Information:
 - a) Generator Type
 - b) Rating (MVA, MW)
 - c) Terminal Voltage (KV)
 - d) Rated Frequency
 - e) Rated speed (RPM)
 - f) Automatic Frequency Control Facility
 - g) Rated Power Factor
 - h) Unit Efficiency
 - i) Short Circuit Ratio
 - j) Direct Axis Transient Reactance
 - k) Direct Axis Sub-transient Reactance
 - l) Quadrature Axis transient reactance
 - m) Generator Cooling (Air-cooled, Hydrogen, etc)
 - n) Auxiliary Power Requirements
 - o) Type of Exciter (Static or Rotating, Self or Separately Excited)
 - p) AVR type
 - q) Generator Protection (Relays)
 - r) Type and Characteristics of Governor Control System
 - s) Generator Unit Transformer Data
 - t) Manufacturer's name / Year of Manufacture / Warranty
- 9) Engineering, Procurement and Construction (EPC) Contract.

- 10) Details of Phasing of Project, if applicable.
- 11) Auxiliary Systems
- 12) Ancillary Services:
- Black Start facilities
 - Reactive Power Generation capabilities
 - Frequency Response Capability
 - Maximum Generation (MAXGEN) capability
 - Fast Start capability
- 13) Report of evacuation studies (For Grid Connection, where applicable):
- Load Flow Studies
 - Stability Studies
 - Short Circuit Studies
- 14) Station Safety Arrangements:
- Emergency Response Plan
 - Fire Fighting Facilities
 - First Aid
 - Safety Awareness and Staff Training Plans
 - Personal Protective Equipment (PPE)
 - Health & Safety Policy
- 15) Environmental Impact Assessment (EIA) and Waste Management Plan.
- 16) Expected date of Commissioning.

B. SPECIFIC REQUIREMENTS

1. FOR HYDRO PLANTS:

- Agreement/Approval with Ministry of Water Resources (where applicable)
- Map showing proposed Dam Reservoir Area, Water conductor system, fore bay, power house, etc.
- Information on area of village, forestland, agricultural land, etc submerged (where applicable).

Turbine Unit Information (Hydro Turbines):

- Turbine Type (Francis, Kaplan, Pelton, etc)
- Nominal Head (Metres)
- Nominal Water Flow (M³/S)
- Turbine Capacity (MW)
- Turbine Efficiency
- Hydro Governor Type
- Block diagram for the speed governor
- Noise Level

2. FOR THERMAL PLANTS:

(i) GAS-STEAM PLANTS:

Turbine Unit Information:

- Steam Turbine Type
- Boiler Pressure and Temperature
- Minimum and Maximum Rated Capacity
- Steam Pressure and Temperature (Super Heat and Reheat)
- Heat Rates
- Efficiency at rated capacity
- Fuel quality specifications requirements
- Noise Level
- Run-up and Run-down Rates
- Minimum Synchronizing Generation

(ii) COAL-STEAM PLANTS:

- Steam Turbine Type
- Boiler Pressure and Temperature
- Turbine Efficiency
- Heat Rate
- Noise Level
- Run-up and Run-down Rates
- Coal Type and source
- Burner Type
- Description of Coal Handling System (e.g., Mill type, Conveyor)
- Coal Ash Management and Disposal Arrangement
- Emissions Levels (Nox, Sox etc.)
- Flue Gas De-sulphurization System (if available)

(iii) GAS PLANTS (OCGT):

- Gas Turbine Type
- Minimum & Maximum Turbine Capacity
- Efficiency
- Fuel Quality Specifications
- Gas turbine pressure ratio
- Noise Level
- Heat Rate
- Run-up and Run-down Rates
- Ignition system
- Major Gas Turbine Accessories

- Type of Air Intake System
- Emission Levels

(iv) OIL PLANTS

- Turbine Type
- Turbine Efficiency
- Heat Rate
- Noise Level
- Run-up and Run-down Rates
- Oil Type and source
- Burner and Ignition System Type
- Description of Oil Handling System (Storage and Heating facilities)
- Emission Levels

3. FOR SOLAR PLANTS

(i) SOLAR THERMAL POWER GENERATION

- Type of Solar Thermal Power Generation technology employed
- Terminal Voltage
- Station load and Station Load factor
- Ancillary Services provided.
- Annual Generation
- Rated Power factor
- Heat Rate
- Phases of project
- Total capacity of Plant
- Detailed Diagram of plant arrangements on site
- Turbine type and its accessories
- Boiler type and its accessories
- Collectors type and its accessories
- Cooling system for the steam condensers
- Collector isolation

(ii) SOLAR PHOTOVOLTAIC CELLS TECHNOLOGY:

- Maximum Cell Voltage
- Type of Solar Cell employed
- Maximum generation from PV Cells
- Type of Solar Panels and Inverters
- Capacity of Solar Panels and Inverters
- Building Penetrations/Water Damages
- Batteries Capacity

- Detailed implementation plan for the installation of a Remote Monitoring System which must comply with the following conditions:
 - It must be a NEMSA-certified product (NEMSA – National Electricity Management Services Agency).
 - Should incorporate real-time remote monitoring of:
 - Solar PV generating performance data,
 - Energy storage charge and discharge data,
 - Inverter output, voltage and current;
 - Load consumption profile
 - Provide Application Programming Interface (API) access to enable NSERC to develop a reporting dashboard.

4. FOR WIND FARM:

(i) Wind Speed:

- High-speed wind site or low-speed wind site

(ii) Wind Farm Information

- Total capacity (MW)
- Number of Blades
- Rated Capacity (MW)
- Rotor Diameter (m)
- Rotor Speed (rpm)
- Power Factor
- Rated Wind (m/s)
- Station Load
- Frequency
- Cut-in Wind Speed (m/s) and Cut-out Wind Speed (m/s)
- Swept Area (m²)

(iii) Design Data (Wind Turbine):

- Generator Type
- Gearbox Type
- Converter Type
- Braking System Type
- Yaw System Type
- Control System
- Offshore Container Type
- Onshore version (optional)
- Light Protection System
- Integrated Hoisting System
- Hoisting System

(iv) Noise Reduction:

- Sound reduced gearbox
- Noise Emissions (in decibel)
- Noise reduced nacelle
- Noise insulation of generator
- Impact noise insulation of the Gearbox
- Rotor Blade with minimal noise
- Noise reduced operation (optional)

(v) Tower Design Data:

- Tower Type
- Hub height of the Tower (site dependent)
- Power Control

SCHEDULE 1C
REQUIREMENTS FOR APPLICATIONS FOR TRANSMISSION LICENSES

1. Completed Application Form.
2. Certificate of Incorporation and Memorandum and Articles of Association, or Deed of Partnership, or Deed of Trust.
3. Registered Title Deed to Site, or Sale Agreement, or Deed of Assignment/Gift, or evidence of submission of a title deed to a relevant land processing agency (as applicable).
4. Tax Clearance Certificate for immediate past three (3) years.
5. Ten-year Business Plan.
6. Off-take Agreement or Arrangement.
7. MoU with or Letter of intent from Engineering Procurement Construction (EPC) Contractor (if applicable).
8. MoU with or Letter of Intent from the technical partner (if applicable).
9. Financing Agreements or Letter to fund the project from financial institution(s).
10. Network Agreements with Distribution Licensee
11. Single line diagram of the entire Transmission Networks (132 and above)
12. Single line diagram of the transmission networks showing points of connections to major loads/power stations.
13. Number, Names and Capacities of Transmission Sub-stations
14. Number and Lengths of Transmission Lines
15. Interconnecting Transformers (Number, types, capacities)
16. Reactive compensation equipment (details of compensators installed)
17. Sub-stations layouts diagrams showing:
 - a) Bus layouts.
 - b) Electrical Circuitry, lines, cables, transformers, switchgears, etc
 - c) Earthing arrangements
 - d) Switching facilities and interlocking arrangements
 - e) Numbering nomenclature of transformers, circuits, circuit breakers and isolating switches.
18. Transmission Lines Parameters:
 - a) Designation of transmission lines
 - b) Route Length of transmission lines
 - c) Number of Circuits
 - d) Per Circuit Values:
 - i. Operating Voltage(s)
 - ii. Positive phase sequence reactance – ohms/KM
 - iii. Positive phase sequence resistance – ohms/KM
 - iv. Positive phase sequence susceptance – ohms/KM
 - v. Negative phase sequence reactance – ohms/KM

- vi. Negative phase sequence resistance – ohms/KM
- vii. Negative phase sequence susceptance – mhos/KM
- viii. Zero phase sequence reactance – ohms/KM
- ix. Zero phase sequence resistance – ohms/KM
- x. Zero phase sequence susceptance – mhos/KM
- xi. Thermal Rating

19. Transformer Parameters (for all transformers)

- a. Rated MVA
- b. Voltage Ratio
- c. Vector Group
- d. Positive sequence reactance on rated MVA base (Max., Min., & Normal)
- e. Positive sequence resistance on rated MVA base (Max., Min., & Normal)
- f. Zero sequence reactance on rated MVA base
- g. Tap change range (+% to - %) and steps
- h. Details of tap changer
- i. Neutral grounding transformer/Resistor values
- j. Type of Cooling

20. Equipment details:

- a. Circuit Breakers
- b. Isolating switches
- c. Current transformers
- d. Potential transformers
- e. Lightning arresters

21. Relaying and Metering:

- a. Relay protection installed for transformers and feeders along with their settings and level of coordination with others
- b. Transmission Metering details

22. Transmission Lines Right of Way (RoW) and Trace Clearance

23. Details of Communication and SCADA Facilities available.

24. Total System Peak Load to be connected

25. Maximum Capacity of Network (MW, MVar)

26. Health & Safety Policy

27. Environmental Impact Assessment (EIA) for new transmission Lines

SCHEDULE 1D
REQUIREMENTS FOR APPLICATIONS FOR DISTRIBUTION AND MEDIUM VOLTAGE
DISTRIBUTION (MVD) LICENSES

1. Completed Application Form.
2. Certificate of Incorporation and Memorandum and Articles of Association, or Deed of Partnership, or Deed of Trust.
3. Registered Title Deed to Site, or Sale Agreement, or Deed of Assignment/Gift, or evidence of submission of a title deed to a relevant land processing agency (as applicable).
4. Tax Clearance Certificate for immediate past three (3) years.
5. Ten-year Business Plan.
6. Power Purchase Agreement with Generating Licensee or Resale Agreement with a trading licensee
7. Network Agreement with Transmission Licensee
8. Retail Agreement with Electricity Retail Company (ERC) or other end-users for supply of power
9. MoU with or Letter of intent from Engineering Procurement and Construction (EPC) Contractor (if applicable).
10. MoU with or Letter of Intent from the technical partner (if applicable)
11. Financing Agreements or Letter to fund the project from financial institution(s).
12. A detailed forecast of the demand for electricity in the area of supply.
13. Project location.
14. Line Voltage Level (33KV)
15. Connection Point(s)
16. Pole type (wood, Concrete, Steel, etc)
17. Installation method (overhead, underground, etc)
18. Detailed project design:
 - Site map
 - Single line Diagram
 - Control Rooms
 - Substations
19. Line Length
20. Transformer(s) type & data (attach nameplate data of all transformers)
21. Connection agreement with TCN
22. Impact of connecting the distribution system to TCN networks
23. Projected Peak Load to be connected.
24. Maximum Capacity of Network (MW, MVar)
25. Bill of Engineering Measurement and Evaluation (BEME) of the project
26. Details of protection Equipment

27. Health and Safety Policy

28. Plan for Implementation of Monitoring System:

- a. Applicants for a Distribution License shall submit a detailed plan for the installation and implementation of a **remote monitoring system** for its distribution network.
- b. The remote monitoring system shall comply with the following requirements:
 - i. It must be a NEMSA-certified product (NEMSA – National Electricity Management Services Agency).
 - ii. Should incorporate real-time remote monitoring at:
 - Boundary meters;
 - Feeders; and
 - Transformers.
 - iii. Provide Application Programming Interface (API) access to enable NSERC to develop a reporting dashboard.
 - iv. Support multiple communication protocols to ensure reliability and redundancy.
 - v. Transmit operational data at intervals not exceeding five (5) minutes.
 - vi. The system shall, at a minimum, perform the following:
 - Aggregate Technical and Commercial (AT&C) losses;
 - Fault detection and reporting;
 - Distribution and load monitoring; and
 - Detection and control of energy theft.
 - vii. Provide real-time access to:
 - Measurement of power delivered to the state distribution network;
 - Fault detection across the distribution network;
 - Computation of Aggregate Technical and Commercial (AT&C) losses; and
 - Energy theft notification/alerts within the network.
- c) Where a License is granted, the Licensee shall implement the monitoring system as outlined in the approved plan within twenty-four (24) months from the date of license issuance.
- d) Failure to comply with the implementation timeline shall attract regulatory sanctions as may be determined by the Commission.

SCHEDULE 1E

REQUIREMENTS FOR APPLICATIONS FOR SYSTEM OPERATION (SO) LICENSES

1. Completed Application Form.
2. Certificate of Incorporation and Memorandum and Articles of Association, or Deed of Partnership, or Deed of Trust.
3. Registered Title Deed to Site, or Sale Agreement, or Deed of Assignment/Gift, or evidence of submission of a title deed to a relevant land processing agency (as applicable).
4. Tax Clearance Certificate for immediate past three (3) years.
5. Ten-year Business Plan.
6. Network configuration.
7. Line Voltage Level.
8. Interconnection points.
9. Ownership of main and supplementary Control Centers
10. Major Control facilities / equipment available at the control centers
11. Communication facilities (PLC, Radio links, VoIP, Fibre Optic, etc.)
12. System Planning (including operation) capability.
13. System Operators training and certification facility or alternative.
14. Ability to procure and pay for ancillary
15. Functional Energy Management System Equipment / Facilities.
16. Operational Procedure for Dispatch Operators (if available).
17. Health & Safety Policy

SCHEDULE 1F

REQUIREMENTS FOR APPLICATIONS FOR ELECTRICITY RETAIL (ER) LICENSE

1. Completed Application Form.
2. Certificate of Incorporation and Memorandum and Articles of Association, or Deed of Partnership, or Deed of Trust.
3. Registered Title Deed to Site, or Sale Agreement, or Deed of Assignment/Gift, or evidence of submission of a title deed to a relevant land processing agency (as applicable).
4. Tax Clearance Certificate for immediate past three (3) years.
5. Ten-year Business Plan.
6. Financing Agreements or Letter from financial institution(s).
7. Power purchase Agreement (PPA) with Generation Licensee Network
8. Agreement with Transmission Licensee (where necessary) Retail
9. Agreement with end-user for supply of power or Resale Agreement with Distribution Licensee
10. Project location or coverage area.
11. Line Voltage Level (11kV, 400V, 220V)
12. Connection Point(s)
13. Pole type (Wood, Concrete, Steel, etc)
14. Installation method (overhead, underground, etc)
15. Detailed Project Design
 - Site map
 - Single line Diagram
 - Sub-stations
16. Line Length
17. Transformer(s) type & data (attach nameplate data of all transformers).
18. Maximum Capacity of Network (MW, MVar). Bill of Engineering
19. Measurement and Evaluation (BEME) of the project.
20. Details of protection Equipment.
21. Expected energy import for retail
22. Projected customer number and categories to be connected.
23. Comprehensive plan for Metering and Billing.
24. Customer service plan and credit management Plan or policy.

SCHEDULE 1G

REQUIREMENTS FOR APPLICATION FOR INTEGRATED UTILITY LICENSE

1. General Requirements for the Generation of Intergraded Utility

- i. Site Map: Showing fuel delivery and storage locations, transmission evacuation site, water pipelines, gaseous, liquid and solid waste disposal areas, etc.
- ii. Location Map: Showing roads, rail lines, transmission lines, rivers, reservoirs, etc.
- iii. A principal single-line diagram of the project site.
- iv. Fuel sourcing, transportation and supply arrangements.
- v. Water supply and availability analysis for plant and staff use.
- vi. Plant Design.
- vii. Power Station Information:
 - a) Total capacity (MW)
 - b) Number of Generating Units Size of Generating Units (MW)
 - c) Expected Annual Generation (MWh)
 - d) Proposed Running Regime
 - e) Station Load/Load Factor
- viii. Generation Unit Information
 - a. Generator Type
 - b. Rating (MVA, MW)
 - c. Terminal Voltage (KV)
 - d. Rated Frequency
 - e. Rated speed (RPM)
 - f. Automatic Frequency Control Facility
 - g. Rated Power Factor
 - h. Unit Efficiency
 - i. Short Circuit Ratio
 - j. Direct Axis Transient Reactance
 - k. Direct Axis Sub-transient Reactance
 - l. Quadrature Axis transient reactance
 - m. Generator Cooling (Air-cooled, Hydrogen, etc)
 - n. Auxiliary Power Requirements
 - o. Type of Exciter (Static or Rotating, Self or Separately Excited)
 - p. AVR type
 - q. Generator Protection (Relays)
 - r. Type and Characteristics of Governor Control System

- s. Generator Unit Transformer Data
- t. Manufacturer's name / Year of Manufacture / Warranty
- ix. Engineering, Procurement and Construction (EPC) Contract.
- x. Details of Phasing of Project, if applicable.
- xi. Auxiliary Systems.
- xii. Ancillary Services:
 - Black Start facilities.
 - Reactive Power Generation capabilities
 - Frequency Response Capability
 - Maximum Generation (MAXGEN) capability
 - Fast Start capability
- xiii. Environmental Impact Assessment (EIA) and Waste Management Plan.
- xiv. Expected date of Commissioning
- xv. Provide Specific Requirements for the generator types, as provided in SCHEDULE 1B above.

2. General Requirements for the Distribution and MVD Intergraded Utility

- (1) A detailed forecast of the demand for electricity in the area of supply.
- (2) Project location.
- (3) Line Voltage Level (33KV)
- (4) Connection Point
- (5) Pole type (wood, Concrete, Steel, etc)
- (6) Installation method (overhead, underground, etc)
- (7) Detailed project design:
 - Site map
 - Single line Diagram
 - Control Rooms
 - Sub-stations
- (8) Line Length
- (9) Transformer(s) type & data (attach nameplate data of all transformers)
- (10) Projected Peak Load to be connected.
- (11) Maximum Capacity of Network (MW, MVar)
- (12) Bill of Engineering Measurement and Evaluation (BEME) of the project
- (13) Details of protection Equipment

3. General Requirements for Electricity Retail of Integrated Utility

- (1) Project location or coverage area
- (2) Line Voltage Level (11Kv, 400V, 220V)
- (3) Connection Point(s)
- (4) Pole type (wood, Concrete, Steel, etc)

- (5) Installation method (overhead, underground, etc)
- (6) Detailed project design:
- Site map
 - Single line Diagram
 - Sub-stations
- (7) Line Length
- (8) Transformer(s) type & data (attach nameplate data of all transformers)
- (9) Maximum Capacity of Network (MW, MVar)
- (10) Bill of Engineering Measurement and Evaluation (BEME) of the project
- (11) Details of protection Equipment
- (12) Expected energy import for retail
- (13) Projected customer number and categories to be connected
- (14) Comprehensive plan for Metering and Billing
- (15) Customer service plan and credit management Plan or policy

SCHEDULE 1H

MANDATORY CONTENTS OF THE BUSINESS PLAN FOR APPLICATION FOR A LICENSE

The Business Plan submitted by the applicant pursuant to Schedule A should include the following:

1. The Business Name

- Main Object of the business
- Incorporation date
- Authorized and Paid Up Share Capital
- Name of shareholders and their respective holdings
- Information on related or commonly owned business.

2. Nature of the Proposed Business.

- Proposed electricity business for which the license is being sought.
- Company/promoters experience in the line of business.
- Historical Financials (Audited Accounts) for at least the past three years. If the company is new and has no historical financials, the Historical financials of the major corporate sponsor if any should be provided.

3. Financial Projection (for the duration of the license or a minimum of 5 years)

- Profit and Loss Account (P&L).
- Balance Sheet.
- Cash flow.
- Break even analysis.
- Net Present Value (NPV).
- Internal Rate of Return (IRR).
- Payback Period

4. Funding Needs and Sources:

- The Project cost.
- The Financing method.
- The cost implication of each financing source.
- Proof of debt source (offer letter from the lenders or a letter of undertaking from the financial institution.
- Shareholders agreement.
- Proposed term for debt financing or loan agreement (if any).
- Turnover (Plant capacity, Energy sent out, tariff).
- Capital expenditure.
- Operational expenditure (especially salaries and wages, Maintenance, fuel pricing).

- Dividend policy.
- Depreciation.

5. Assumptions/basis for the projected financials

6. Detailed Market study report, covering the following areas:

- Supply analysis with information/data on names, location and installed capacities of existing and known potential competitors, Trend of future supply (local + import).
- Demand analysis comprising factors influencing demand, estimate of domestic demand, export potentials – all based on current and future trend.
- Market prospects with information on existing planned marketing arrangements including agreements reached with potential off-takers /customers, current and proposed tariff vis-à-vis competitors. The basis for pricing strategy as well as the proposed tariff structure intended. The tariff assumptions should indicate whether a single or multiple tier tariff policy is proposed i.e. energy only, or a combination of energy, capacity and ancillary service.

7. Technology Requirements:

- The technology to be adopted.
- The advantages it offers against other competing technologies.
- The source of the technology.
- Quality intentions or targets.
- Technical partners (resume and experience in similar project).
- Operation and maintenance agreements.
- ICT support strategy.

8. Machinery and equipment:

- Comprehensive list of machinery with detailed specifications, source(s) and prices.
- The terms of equipment supply.
- Maintenance contract.

9. A general overview of the proposed power plant (for application for Generation License)

- Location of the station and site plan.
- Decision to site plant in proposed location.
- Initial capacity.
- Forecast future capacity and availability.
- General dispatch /arrangement.
- Evacuation arrangement.

10. Organizational Structure:

- Organogram.

- Experience and expertise of the management team of the company.
- Experience and expertise of the technical staff manning the power plant.
- Job specification/schedule.
- Number of people to be employed (separated into technical and non-technical category).

11. Project Risk and Mitigants:

- Political risk and Mitigants.
- Business risk and Mitigants.
- Financial risk and Mitigants.
- Other identified risks and Mitigant.

SCHEDULE 2

APPLICATION FORM FOR A LICENSE

(Pursuant to S.12 of the Niger State Power Sector Law, 2024)

IMPORTANT NOTE: Your application is **incomplete** unless all required documents are submitted and the application is accompanied by the appropriate processing fee.

1.0 PARTICULARS OF APPLICANT

1.1 Names, Physical and Postal Address of Applicant

Name: _____

Physical address in Niger State:

Postal address in Niger State:

Tel: _____

Fax: _____

Mobile Phone: _____

Email: _____

Website Address _____

1.2 Name of Proposed Business if Different from above

Name: _____

Physical address in Niger State:

Postal address in Niger State:

Tel: _____

Fax: _____

Mobile Phone: _____

Email: _____

Website Address _____

1.3 Name and details of Contact Person

Name: _____

Physical address in Niger State:

Postal address in Niger State:

Tel: _____

Fax: _____

Mobile

Phone: _____

E-mail: _____

Website

Address _____

2.0 LEGAL STATUS OF APPLICANT

2.1 Indicate legal status of Applicant (Tick relevant option)

1. Sole Proprietorship
2. Partnership
3. Public Limited Liability Company
4. Private Limited Liability Company
5. Cooperative Society
6. Other (please specify)

(Attach Certificate of Registration, Certificate of Incorporation, Memorandum and Articles of Association, Deed of Partnership, Deed of Trust, as applicable)

2.2 List and Particulars of Shareholders

Name	Address	Nationality	Country of usual residence

2.3 State if any shareholder has ever been convicted of a criminal offence in Nigeria or in any other country:

If yes, details of conviction:

2.4 List and Particulars of Directors

Name	Address	Nationality	Country of usual residence

2.5 State if any director has ever been convicted of a criminal offence in Nigeria or in any other country:

If yes, details of conviction:

3.0 TYPE OF LICENSE REQUIRED

GENERATION 1. Network – Connected 2. Off-Grid	
DISTRIBUTION / MVD 1. Network- Connected 2. Off-Grid	
TRANSMISSION	
SYSTEM OPERATION	
INTEGRATED UTILITY	
ELECTRICITY RETAIL	

3.1 Existing License

Does the Applicant have an existing license issued by the Commission?

If yes, state the nature of the license, date issued and the license number.

3.2 Affiliate Ownership/Relationship

Does the Applicant own more than ten percent (10%) shareholding in another entity that has applied for a license or has been granted a license by the Commission?

If yes, state the nature of the license, date issued and the license number.

3.3 Refusal, Suspension or Cancellation of License

Has the Applicant ever been refused a license or had its license suspended and/or cancelled by the Commission?

(b) If yes, give details of the refusal, suspension, and/or cancellation.

3.4 FINANCIAL STATUS OF APPLICANT

Share Capital of the Applicant (Authorised)

(Fully Paid)

3.5 Indebtedness

3.6 Please provide Certified Audited Financial Statements and Accounts for the last 3 years (or latest 3 years) prior to Application (if applicable).

3.7 Bankers and Financial References

Name and Address of Bankers inside and outside Nigeria (including telephone and fax)

Name	Address	Contact Person

(NOTE: NSERC may independently verify with your bankers)

3.8 Other Important References on the Applicants Financial Status Name Address Contact Person

Name	Address	Contact Person

3.9 Sources of Funding for the Proposed Project

a) Share Capital contribution (specify foreign or local)

b) Loan capital (specify source and provide evidence)

c) Others (specify)

3.10 MAIN BUSINESS ACTIVITIES OF APPLICANT

Please indicate the main business activities the Applicant is currently engaged in:

3.11 TECHNICAL CAPACITY AND MANAGERIAL EXPERIENCE

Technical Capacity and Managerial Competence of Applicant

Please provide detailed statement of Applicant's technical and managerial competence and experience to undertake the proposed project. (Use additional sheets if necessary)

(a) Technical Capacity

(b) Managerial Competence

Describe technical and industrial support from domestic and foreign sources:

(a) Foreign

(b) Domestic

3.12 DESCRIPTION OF PROPOSED PROJECT

Please provide detailed description of the project: (Please attach the detailed feasibility study)

Project site/utilities

(a) Project site (attach title document to the land, relevant maps and drawings and state whether there are access roads required):

(b) Site map indicating access roads, generation plant, transmission and distribution lines and substations required for the project (Attach map):

(c) Provide technical aspects/design of the project:

State Initial Capacity of the Proposed Project

(a) Amount of power to be initially generated, transmitted, distributed or supplied:

(b) Proposed future capacity:

Implementation Schedule of the Project

Present land use at the Project Site

State if there is need to access public and/or private land:

Specify Consents required from other public authorities to undertake the project and their status (attach relevant documents):

Consent Required and from whom	Description of Activity	Legal Provisions e.g. Land Use Act etc.	Status

3.13 Does the area of business operation or Plant cover a building or place occupied by the Federal Ministry of Defence?

_____ Yes

_____ No

3.14 IMPACTS OF THE PROJECT

Environmental Impact Assessment

Please attach the Environmental Impact Assessment and approval from the Federal or State Ministry of Environment.

Any Other relevant Information (Use additional sheets if appropriate)

3.15 COMMERCIAL ASPECTS OF THE PROJECT

State the geographical area(s) in which the license is required.

Applicants should attach Power Purchase Agreements where available.

Provide detailed 10-year Business Plan including cash flow projections, tariff methodology and calculation, investment plans, etc. (Detailed Business plan should be attached)

**PLEASE REMEMBER TO SUBMIT
2 HARD COPIES AND A SOFT COPY OF ALL SUPPORTING DOCUMENTS**

DECLARATION BY THE APPLICANT [Notary Public Seal and Attestation Required]

The project is not unlawful or contrary to the interest of Niger State and the Federal Republic of Nigeria. I/we hereby declare that the details stated above are, to the best of my/our knowledge, true and correct.

Dated this _____ day of _____, 2_____

THE COMMON SEAL OF THE WITHIN NAMED APPLICANT

Has hereunto been affixed in the presence of:

Sign: _____

Sign: _____

Name: _____

Name: _____

MANAGING DIRECTOR/CEO

SECRETARY

Sworn to this _____ day of _____, 2_____

BEFORE ME

NOTARY PUBLIC/COMMISSIONER OF OATHS

=====

FOR OFFICIAL USE ONLY

1. Date of submission of Application _____
2. Fees Paid and Receipt Number _____
3. Results of Verification for completeness _____

4. Newspaper and Date in which Application is advertised (where applicable):

5. Results of any Public Hearing

6. Recommendation of NSERC Secretariat

7. Decision of NSERC

8. Issuing date

9. Expiration date

10. Other Relevant information:

SCHEDULE 3

APPLICATION FORM FOR AMENDMENT OF LICENSE

IMPORTANT NOTE: Your application is incomplete unless all required documents are submitted and the application is accompanied by the appropriate processing fee

1.0 PARTICULARS OF APPLICANT

1.1 Names, Physical and Postal Address of Applicant

Name: _____

Physical address in Niger State: _____

Postal address in Niger State: _____

Tel: _____

Fax: _____

Mobile Phone: _____

E-mail: _____

Website Address _____

1.2 Name and details of Contact Person

Name:

Physical address in Niger State:

Postal address in Niger State:

—

Tel:

Fax:

Mobile Phone:

E-mail:

2.0 TYPE OF EXISTING LICENSE (tick relevant type)

GENERATION 1. Network – Connected 2. Off-Grid	
DISTRIBUTION / MVD 1. Network-Connected 2. Off-Grid	
TRANSMISSION	
SYSTEM OPERATION	
INTEGRATED UTILITY	
ELECTRICITY RETAIL	

2.1 Current License

(a) License Number

(b) Expiration date of the license

(c) Has the Applicant ever been refused a license or had its license suspended and/or cancelled by the Commission?

If yes, give details of the refusal, suspension, and/or cancellation.

(d) Does the area of business operation or Plant cover a building or place occupied by the Federal Ministry of Defence?

_____ Yes

_____ No

2.2 Previous Application(s)

(a) Have you applied previously for an amendment of the terms and conditions of the license?

(b) Has the Applicant ever been refused an application to amend the terms and conditions of the license?

If yes, give details of the refusal.

2.3 Proposed Amendment(s)

(a) State the Term(s), Condition(s), and/or Part(s) of the License to be affected by the proposed amendment

(b) State reasons for proposed amendment to the terms and conditions of the license (please provide supporting documents)

(c) Any Other relevant Information (use additional sheets if appropriate)

PLEASE REMEMBER TO SUBMIT

2 HARD COPIES AND A SOFT COPY OF ALL SUPPORTING DOCUMENTS

3.0 DECLARATION BY THE APPLICANT [Notary Public Seal and Attestation Required]

I/we hereby declare that the details stated above are, to the best of my/our knowledge, true and correct.

Dated this _____ day of _____, 2_____

THE COMMON SEAL OF THE WITHIN NAMED APPLICANT

Has hereunto been affixed in the presence of:

Sign: _____

Sign: _____

Name:

Name:

MANAGING DIRECTOR/CEO

SECRETARY

Sworn to this _____ day of _____, 2_____

BEFORE ME

NOTARY PUBLIC/COMMISSIONER OF OATHS

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FOR OFFICIAL USE ONLY

1. Date of submission of Application for Amendment of license:

2. Fees Paid and Receipt Number:

3. Newspapers and Dates in which Application for Amendment is advertised:

4. Results of any Public Hearing:

5. Recommendation of NSERC Secretariat:

6. Decision of NSERC

7. Date of Decision:

8. Issuing date

9. Expiration date

10. Other Relevant information:

SCHEDULE 4

APPLICATION FORM FOR RENEWAL OF LICENSE

IMPORTANT NOTE: Your application is incomplete unless all required documents are submitted and the application is accompanied by the appropriate processing fee

PARTICULARS OF APPLICANT

1.1 Names, Physical and Postal Address of Applicant

Name:

Physical address in Niger State:

Postal address in Niger State:

Tel:_____

Fax:_____

Mobile Phone:_____

E-mail: _____

Website Address: _____

1.2 Name and details of Contact Person

Name: _____

Physical address in Niger State: _____

Postal address in Niger State: _____

Tel: _____

Fax: _____

Mobile Phone: _____

E-mail: _____

2.0 TYPE OF EXISTING LICENSE (tick relevant type)

GENERATION 1. Network – Connected 2. Off-Grid	
DISTRIBUTION / MVD 1. NetworkConnected 2. Off-Grid	
TRANSMISSION	
SYSTEM OPERATION	

INTEGRATED UTILITY	
ELECTRICITY RETAIL	

2.1 Current License

(a) License Number

(b) Expiration date of the license

(c) Has the Applicant ever been refused a license or had its license suspended and/or cancelled by the Commission?

If yes, give details of the refusal, suspension, and/or cancellation.

(d) Does the area of business operation or Plant cover a building or place occupied by the Federal Ministry of Defence?

_____ Yes

_____ No

2.2 Previous Application(s)

(a) Have you applied previously for an amendment of the terms and conditions of the license?

(b) Has the Applicant ever been refused an application to amend the terms and conditions of the license?

If yes, give details of the refusal.

2.3 Term of Proposed Renewal

(a) How many years does the applicant want to renew the license for?

(Note: Renewal cannot be for more than 10 years)

(b) Any Other relevant Information (use additional sheets if appropriate)

PLEASE REMEMBER TO SUBMIT

2 HARD COPIES AND A SOFT COPY OF ALL SUPPORTING DOCUMENTS

DECLARATION BY THE APPLICANT [Notary Public Seal and Attestation Required]

I/we hereby declare that the details stated above are, to the best of my/our knowledge, true and correct.

Dated this _____ day of _____, 2_____

THE COMMON SEAL OF THE WITHIN NAMED APPLICANT

Has hereunto been affixed in the presence of:

Sign: _____

Sign: _____

Name:

Name:

MANAGING DIRECTOR/CEO

SECRETARY

Sworn to this _____ day of _____, 2_____

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SCHEDULE 5

APPLICATION FOR TRANSFER OR ASSIGNMENT OF LICENSE

Please note: Application forms and supporting documents shall be submitted in triplicate, together with a soft copy of the application.

1. Type of license to be transferred or assigned:

(Tick as applicable)

- a) Generation of electricity
- b) Transmission of electricity
- c) System Operation
- d) Distribution of electricity
- e) Retail supply/sale of electricity
- f) Integrated electricity utility

2. Particulars of the Applicant (Licensee or Transferor or Assignor):

- a) Name:
- b) License number:.....
- c) Physical address in Niger State:
- d) Postal address in Niger State:
- e) Telephone (fixed line):
- f) Mobile Phone:

- g) Fax:
- h) Email address:
- i) Website Address:.....

3. Reasons for Transfer or Assignment:

(Please indicate in detail the reasons for Transfer or Assignment of the License. Indicate how the obligations, duties, responsibilities, assets and liabilities of the licensee shall be vested.)

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4. Particulars of proposed Transferee or Assignee:

- (a) Name:
- (b) Physical address in Niger State:
- (c) Postal address in Niger State:
- (d) Telephone (fixed line):
- (e) Fax:
- (f) Mobile phone:
- (g) Email address:
- (h) Website Address:.....

5. Indicate and describe the relationship between the Applicant (Assignor or Licensee) and the Transferee or Assignee:

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6. Legal status of proposed Transferee or Assignee:

(Tick relevant option)

- a) Sole proprietorship

- b) Partnership
- c) Public Limited Liability Company
- d) Private Limited Liability Company
- e) Other (please specify)

(Attach, where applicable Certificate of Registration, Certificate of Incorporation, Tax Clearance Certificate, Memorandum and Articles of Association, particulars of Directors and Secretaries, Statement of Nominal Capital, return of allotment, annual returns, resolution of authorisation to transfer or assign license.)

7. Name and details of Transferee's or Assignee's contact person:

- (a) Name:.....
- (b) Nationality:.....
- (c) Physical address in Niger State:.....
- (d) Postal address in Niger State:.....
- (e) Telephone (fixed line):.....
- (f) Mobile Phone:
- (g) Fax:.....
- (h) Email:.....
- (i) Website Address:.....

8. List and Particulars of Directors

Name	Address	Nationality	Country of usual residence

8.1 State if any director has ever been convicted of a criminal offence in Nigeria or in any other country:

If yes, details of conviction:

9. Financial status of proposed Transferee or Assignee. Share capital of the Transferee or Assignee (Fully paid):

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(a) Equity:

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10. Provide certified audited financial statements and accounts for the last three (3) financial years.

Bankers and financial references:

Bankers:

Name and address of bankers (including telephone and fax):

a) Bankers in Nigeria:

b) Bankers outside Nigeria:

c) Loan capital (specify source and provide evidence):

.....

(d) Others (specify):

.....

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.....

11. Main business activity of Transferee or Assignee:

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.....

(Please indicate what business activity the Transferee/Assignee is currently engaged in):

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.....

.....

12. Technical capacity and experience.

(a) Technical and industry competence of Transferee or Assignee.

Please provide a detailed statement of Transferee's or Assignee's technical and industry competence and experience to undertake the proposed project. (Use additional sheets if necessary)

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(b) Describe technical and industry support from external sources:

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13. Indicate the planned investments in the first five (5) years:

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14. Indicate the required rate of return:

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15. Declaration by the Applicant:

I/we declare that proposed transfer or assignment of the license is not unlawful or contrary to the laws of Niger State and Nigeria, and that the details of the information stated above are, to the best of my/our knowledge, true and correct, and we understand that the Commission is at liberty to independently verify this information.

Dated this _____ day of _____, 2_____

THE COMMON SEAL OF THE WITHIN NAMED APPLICANT

Has hereunto been affixed in the presence of:

Sign: _____

Sign: _____

Name:

Name:

MANAGING DIRECTOR/CEO

SECRETARY

Sworn to this _____ day of _____, 2_____

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SCHEDULE 6 – LICENSING AND OPERATING FEES

S/N	License Category	Validity Period (Years)	Processing Fees for Application & Amendment of Licenses (Naira)	License Fees (US Dollars) or Naira equivalent	Processing Fees for Renewal, Transfer & Assignment (Naira)	Annual Operating Fees (Paid Monthly)
1.	Generation: 100–999kW 1 – 10MW 11 – 25 MW 26 - 40 MW 41 – 60 MW 61 – 85 MW 86 - 100 MW 101 – 200 MW 201 – 400 MW 401 – 500 MW Above 501 MW	15	N10,000 N50,000.00 N150,000.00 N175,000.00 N225,000.00 N250,000.00 N275,000.00 N300,000.00 N400,000.00 N500,000.00 N600,000.00	US\$1,600 US\$5,000.00 US\$10,000.00 US\$15,000.00 US\$20,000.00 US\$25,000.00 US\$30,000.00 US\$40,000.00 US\$50,000.00 US\$55,000.00 US\$60,000.00	N5,000 N25,000.00 N75,000.00 N87,500.00 N112,500.00 N125,000.00 N137,500.00 N150,000.00 N200,000.00 N250,000.00 N300,000.00	1.3% of Tariff Charge/kWh
2	Transmission	15	N1,000,000.00	US\$30,000.00	N300,000.00	"
3	System Operations	15	N1,000,000.00	US\$30,000.00	N300,000.00	"
4	Distribution/ Medium Voltage Distribution Company (MVDC)	15	N100,000.00	US\$30,000.00	N50,000.00	1.3% of Licensee's DUOS or Charges /kWh net the cost of generation and transmission

5	Trading	15	N50,000.00	US\$5000	N50,000.00	1.3% of Licensee's Charges/kWh net the cost of Distribution/MVDC, Generation and Transmission
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(These Fees are subject to review by the Commission with due consideration to prevalent Economic realities from time to time.)