

NPRM/DOE/02-16-001

AGENCY: Ministry of Lands, Mines and Energy Department of Energy (the “Regulator”).

ACTION: Notice of proposed rulemaking.

SUMMARY: The Regulator proposes to adopt new regulations for procedures for licensing that shall apply to all activities covered under the 2015 Electricity Law of Liberia.

DATES: Comments are due thirty (30) days after first publication of this notice.

ADDRESSES: Comments may be filed at the following: Ministry of Lands, Mines and Energy, Department of Energy, Capitol Hill, Monrovia, Liberia.

Instructions: For detailed instructions on submitting comments on the rulemaking process, see the Comment Procedures Section of this document.

NOTICE OF PROPOSED RULE MAKING – March 16, 2016

1. **Purpose:** The Regulator proposes to adopt new regulations for procedures for licensing that shall apply to all activities covered under the 2015 Electricity Law of Liberia.
2. **Background:** Section 3.3 of the 2015 Electricity Law of Liberia requires the Regulator to issue regulations for the electricity sector in Liberia.
3. **Discussion:** The Regulator proposes to adopt these regulations as part of its mandate to implement and ensure compliance with the 2015 Electricity Law of Liberia.
4. **Comment Procedures:** The Regulator invites interested persons to submit comments on the matters and issues proposed in this notice to be adopted, including any related matters that commenters may wish to discuss.
 - Comments are due 30 days after first publication of this notice.
 - Comments must refer to NPRM /DOE/02-16-001 and must include the commenter’s name, the organization they represent, if applicable, and their address in their comments.
 - Comments must be in writing and may be mailed or hand delivered in person to: Ministry of Lands, Mines and Energy, Department of Energy, Capitol Hill, Monrovia, Liberia in the Office of the Assistant Director for Energy; and/or via electronic filing through mlmeregulator.mlme@gmail.com. **All comments must be received by 5pm on Monday, 18-April 2016.**
 - Comments may be placed in the Regulator’s public file and the Regulator shall provide all interested persons an opportunity to view the full content of this document on Mondays through Fridays during the hours of 10am to 3pm at Ministry of Lands, Mines and Energy, Department of Energy, Capitol Hill, Monrovia, Liberia in the Office of the Assist Director for Energy.
 - Commenters on this proposal are not required to serve copies of their comments on other commenters.

In consideration of the foregoing, the Regulator proposes to adopt the following regulations as follows:

Part 1: Regulations for procedures for licensing

1. *The authority citation for part 1 is the 2015 Electricity Law Sections 3, 4, 5, 6, 7, 9 and 13.*
2. *These regulations apply to legal persons or entities who are seeking to obtain license(s) under the Electricity Law, hereinafter referred to as the “Applicant”.*
3. *These regulations apply to the following activities requiring licensing:*
 - *To operate any generation, transmission or distribution facility*
 - *To import or export electricity*
 - *To be involved in trading electricity*
 - *To be a transmission system operator**In absence of regulations which defines a threshold, other entities performing such activities must seek advice from the Regulator on whether their activities require licensing or not.*
4. *Adopt Part 1 as follows:*
 - 1.1 *Application for license*

The Applicant must file an application for a license, and the application must include:

 - a. *A description of the Applicant, including documentation of being a legal entity.*
 - b. *The following documentary evidence of the administrative, financial and technical abilities of the Applicant:*
 1. *Annual Report for previous financial year*
 2. *Audited Financial Report for previous financial year*
 3. *Monthly and quarterly reports as received*
 4. *Budget for upcoming financial year*
 - c. *Any other relevant information that the Regulator may require.*
 - d. *The Regulator may require that the Applicant fill out an application form.*
 - e. *The proposed licenses shall be for a period until such time as the Regulator shall require a new license.*

****ALL INFORMATION PROVIDED WILL BE FOR THE EXCLUSIVE USE OF THE REGULATOR****