



DECISION
REGULATORY POLICY AND PROCEDURE
LICENSING PROCEDURES

Document Ref: 2009/001/D

INDEPENDENT REGULATORY COMMISSION

Decision

Electricity Supply Act 2006

This document sets out the Decision of the Independent Regulatory Commission **2009/001/D - "Regulatory Policy and Procedure - Licensing Procedures"** - taken by the Commission at its meeting on October 29, 2009.

The Commission now **ORDERS** that the relevant content be incorporated into its Rules of Practice and Procedure and will become effective on the effective date given below.

Effective date: October 29, 2009

By Order

.....
Lancelot McCaskey
Executive Director
On Behalf of the Commission

October 29, 2009

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1.0 Introduction

The Commission issued Consultation Document 2009/001/CD, “Regulatory Policy and Procedure - Licensing Procedures”. The document was circulated to critical stake holders and posted on the Commission’s website - www.ircdominica.org inviting comments and participation in the consultation process. No responses were received.

The Electricity Supply Act 2006 (ESA) provides a general function of the Commission at Section 21 (1) (b) where “the Commission shall issue monitor and amend licences”. Section 28 requires the Commission to establish specified objective criteria to ensure that all prospective licensees fit and proper persons to be issued with a licence and that these criteria must be publicly available.

Section 30.1 requires that the Commission shall, “on application for a licence made in such form and by such process as the Commission may prescribe make a determination as to granting a licence authorizing such person to operate facilities to (a) generate electricity; (b) transmit electricity; (c) distribute and supply electricity or (d) undertake such functions identified at (a) to (c) as the Commission deems appropriate for the most efficient operation of the sector.”

Section 30.2 requires applicants for licences to submit applications in the manner and with particulars prescribed by the Commission and it establishes the procedure for review of the application. It also provides for the Minister to eventually make a determination on the application should the Commission not act within the time frame provided for in this section. While Section 30 addresses the general requirements and procedures for licensing, sections 31, 32 and 33 addresses issues specific to generation, transmission and distribution and supply respectively.

The powers of the Commission to issue (S. 30), amend (S. 35) and revoke (S. 34) are critical powers which must be discharged transparently and in keeping with due process.

The licensing procedures, as far as generation is concerned, complement the Commission’s Decision Document Ref: 2008/002/D, “Regulatory Policy and Procedure - Adding Capacity to the Public Electricity Supply System”

This document sets out the Commission’s Decision to give effect to the licensing regime pursuant to the provisions of the Act.

2.0 Decision

2.1 General Policy

The emerging potential for Dominica to export energy derived from the development of its geothermal resources is of such national importance that the Commission has formed the view that the regulatory and industry arrangements must facilitate the exploitation of this potential to secure the maximum benefits for the country as reflected in the supply of electricity to the citizens of Dominica at the least economic cost. To this end the Commission's general policy objectives are:

- (1) DOMLEC¹ will retain its exclusive right to develop the transmission network for the "on island" public electricity supply system.
- (2) Developers of generating facilities that will interconnect with the public electricity supply on the basis of power purchase agreement (PPA) with DOMLEC, will as a general rule be required to provide interconnection to the DOMLEC system at the high voltage (hv) side of the generator step up transformer. If, however, circumstances dictate that it would be prudent for the developer to construct and own the transmission interconnector to the DOMLEC system, a transmission licence will be issued to the developer. In these circumstances, the Commission's approval will follow from analysis of the options to achieve the interconnection, including any proposals submitted by DOMLEC, which will provide the most advantageous long term benefit to the consumer.
- (3) Developers of energy resources that are primarily intended for cross border sale of electricity will be allowed to develop the associated transmission system infrastructure and will be granted the required transmission licences. Any interconnection of these facilities to the Dominica public supply system operated by DOMLEC will be at the appropriate transmission voltage for the DOMLEC system. If circumstances require, the developer will be eligible for a transmission licence to build and operate the transmission system to interconnect with the DOMLEC system.
- (4) The Act, in various places, makes reference to "transmission system operator" and "system operator". As the expression is not explicitly defined, the Commission now assigns that function as well as the functions of "distribution system operator" to the entity that has responsibility for "system operation". For the avoidance of doubt those functions reside with DOMLEC.

¹ In this document references to DOMLEC is a reference to DOMLEC as presently organised or to its successor, however organised.

- (5) A Distribution licence will be issued to DOMLEC and DOMLEC (or its successor) will continue to have the exclusive right to supply, for sale, electricity to third parties.
- (6) Special conditions - As licences will be conditioned by the nature of the services being offered; where technology, investor requirements, exclusivity and others issues may affect the provisions made for renewal, amendment and/or revocation, the Commission reserves its authority to provide for any related such special conditions for renewal, amendment and/or revocation into the individual Licences, which would supersede the related conditions in these Rules.

These provisions will be written into the licences issued to any generator who has a significant share of the generation capacity connected to the national public supply system. Any generator that operates under a Power Purchase Agreement with DOMLEC, with a capacity of ten percent 10% or more of the installed generation capacity shall be deemed to have a significant share of the generation capacity.

2.2 General Licensing Requirements and Procedures

Objective Criteria for “fit and proper person”

Pursuant to S 28 the Commission is required to establish and keep under review specified objective criteria to ensure that all prospective licensed operators are fit and proper persons to be issued with a licence or exemption. These criteria are provided at **Schedule 1**.

In keeping with the Act this criteria will be reviewed and updated from time to time. Such updates will not necessarily be the subject of an extended consultation but sufficient notice will be given to enable feedback from interested parties.

2.3 Application Forms and Processing Fees

Application forms will be in two parts; the first part (Part A) will collect information of a general nature reflecting the intent of Section 30 of the Act while the second part (Part B) will collect information specific to the type of licence being sought. **Schedule 2** sets out the General Application **Requirements while Schedules 3, 4 and 5** provide the Application Forms.

Processing fees will recover the costs to the Commission for processing applications and will include but not be limited to legal fees, staff costs, printing costs, publication costs and general administrative costs. The processing fees will be normalized and a schedule of fees published on the Commission’s web site.

There will be particular circumstances where the nature of the licence may involve more effort and costs than normal. In these circumstances the applicant will be so advised and specific arrangements will be made for payment once the assessment of the costs has been finalized.

2.4 Form of Notice to be provided by Applicants with Application for a Licence

Any person that makes an application for a licence must submit to the Commission, for publication, a Notice of such application in the Form prescribed by the Commission. The Prescribed Form of the Notice is provided at **Schedule 5**.

2.5 General Procedure for issuing a licence

Licensing Procedures shall comply with S.30 of the Act. Table 2.5 illustrates the process, consistent with Section 30, towards the issuance of a licence.

**Table 2.5.
General Procedure for Issuing a Licence (S. 30)**

Day	Interval (days) per Act	Event	Process
1	0	Commission receives notice and Application	Receive application process fee and review application for completeness and compliance with prescribed instructions
14	14	Commission publishes notice in print media	Receiving objections and comments from interested parties
74	60	Closing date for receipt of objections or comments from interested parties	Processing and acting on objections and comments received from interested parties - accepting, rejecting or requesting additional information.
104	30	Commission completes review and takes action on all comments or objections received	Analyzing data and information received regarding the application. (The objections/ comments are to be made public or at least shared with the applicant)
194	90	Issue decision regarding application	The decision will be made public and the Licence entered on the public register pursuant to S 25.

2.6 Generation Licences

Generation Licences for facilities connected to the National Grid

The Commission's policy for the addition of capacity to the public electricity supply system is provided in **Document Ref 2008/002/D: "Regulatory Policy and Procedure - Adding Capacity to the Public Electricity Supply System"**. The Licensing procedures, assumes that the procedures and conditions addressed in **Document Ref 2008/002/D: "Regulatory Policy and Procedure - Adding Capacity to the Public Electricity Supply System"** have been completed or are in process. The general process for the issuance of a Generation Licence is illustrated at Table 2.6.1.

Table 2.6.1
Procedure for issuing a Generation Licence – connected to the public supply system

Step	Action
1	Generator submits proposal to DOMLEC and IRC simultaneously
2	DOMLEC reviews for technical compatibility with the system
3	DOMLEC responds to prospective generator with copy to IRC – setting out terms for acceptance or reasons for non acceptance; with copy to IRC
4	Generator applies to IRC for licence or files protest depending on DOMLEC response.
5	IRC evaluates carries out due diligence, including public notices; fixes tariff and issues licence or "arbitrates" the protest.

The Application Form (Part B) for the generation licence in this category is provided at Schedule 3.

Generation Licences for sets greater than 20 kW that are self generators and not connected to the national grid.

For the avoidance of doubt the Commission interprets this to mean (i) generation sets that are utilised for self supply on a 24/7 basis and whose facilities are totally independent of the public electricity supply system or (ii) utilized as standby generators where the primary electricity supply is from the public electricity supply system.

The Licence will be a simple "type" licence or permit which is to be renewed every five (5) years by repeating the process, starting with an application to the Government Electrical Inspector for recertification.

The simple procedure for issuing this "type" licence is outlined at Table 4.3.1.

Table 2.6.2

Simple process for Self Generation Licences

Step	Action
1	Generator installs plant and requests inspection by the Government Electrical Inspector - providing all the details and information required.
2	Government Electrical inspector certifies installation and issues original of certificate to Generator and sends copy to the Commission.
3	Generator applies to Commission for licence - on the prescribed form, and pays requisite fee
4	Commission issues licence and updates register.

The Application Form for this licence is provided as Schedule 4.

Transitional arrangements - for those persons who, at the effective date of these rules, have Generation sets installed that are 20kW or greater and are not connected to the public electricity supply system.

Owners of these generation facilities will have 90 days from the effective date of this Rule to collect, complete and submit the application form to the IRC along with the requisite fee and the inspection certificate issued by the Government Electrical Inspector. In these instances, the first issue of the licence will expire on the fifth anniversary of the date of issue of the Government Electrical Inspector's certificate.

Safety

While the Commission has no statutory duty to issue generation licences for generation facilities that are utilized for domestic self generation or for sets that are rated less than 20kW and are not connected to the public electricity supply system (S. 31. (4)), it is mindful of its duty (S.20.(1) (d) and (f)) *"to encourage the operation and development of a safe, efficient and economic electricity sector in Dominica"* and *"to ensure the availability of health and safety guidance in relation to electricity supply to the public"*. In this regard and in the interest of public safety the Commission hereby:

Authorizes DOMLEC to disconnect or not connect any customer that has domestic or local generation facilities installed if the customer cannot provide the Government Electrical Inspector's certification for the installation.

2.7 Transmission Licences

Eligibility for and procedure for issuing Transmission Licences

As a matter of policy, the Commission will issue DOMLEC with a Transmission Licence that will be exclusive for operation of the national public electricity supply system. The Act provides DOMLEC with a right to operate a transmission system until December 31, 2015. The Commission may however issue a new licence to DOMLEC, linked to its approved investment plan, after due process is completed. For the purposes of S.32, the Commission **deems** DOMLEC's service area to be the entire island of Dominica and therefore the duties prescribed in that section shall reside with DOMLEC.

The Commission will await a formal application from DOMLEC to trigger the process for consideration of a new transmission licence for DOMLEC.

Under certain circumstances where it obviously prudent to do so, developers of generation facilities may be allowed to construct, own and operate the transmission tie from the generation facility to the interconnection point with the DOMLEC system.

Developers of generation facilities that are primarily intended for cross border sale of electricity will be eligible for the associated transmission licences. The Commission will consider issuing any associated transmission licence to these developers if circumstances dictate that it would be prudent for these developers to own and operate a transmission interconnection to the DOMLEC system.

The evaluation of applications for transmission licences will be on a case by case basis and will of necessity be linked to the consideration and development of generating facilities but will follow the general procedure provided at Table 2.5.

2.8 Distribution Licences

Eligibility for and procedure for issuing Distribution and Supply Licences

The Commission is of the view that the size of Dominica's electricity system does not afford the economies of scale or scope for effective competition, particularly at the distribution and supply level, and therefore a single Distribution licence will be issued.

The Act provides DOMLEC with the right to distribute and supply electricity until December 31, 2015. The Commission may however issue a new licence to DOMLEC after due process is completed. For the purposes of S.33, the Commission will **deem** DOMLEC's service area to be the entire island of Dominica and therefore the duties prescribed in that section shall reside with DOMLEC.

The Commission will await a formal application from DOMLEC to trigger the process for consideration of a new distribution and supply licence for DOMLEC.

2.9 Revocation of Licences

General procedure for revocation of a licence

The Commission is obliged to revoke any licence for material failure of the Licensee to comply with the conditions of its licence. It does have some discretion, however, that if it finds that it would not be in the public interest to revoke the licence, to petition the High Court to order the Licensee to pay compensation for the damage that the material failure may have caused. S. 34. (2) sets out the procedures governing the revocation of licensees . These are summarized at Table 2.9.1. The formal process, after notification, is mandated to take 90 days.

Table 2.9.1
General Procedure for Revoking a Licence (S.34)

Day	Interval (days) per Act	Event	Process
1	0	Commission issues written notice to licensee of intention to revoke, providing reasons and indicating that revocation would become effective in not less than 90 days of the issuance of the notice. Licensee is given 30 days to respond and 60 days to comply with the terms of the licence.	Commission has sole discretion to determine that the opportunity given to the licensee to comply with the conditions of the licence is in the public interest. <i>This notice will be made public.</i>
30	30	Commission receives response from Licensee	Evaluation of response and/or proposals by the company to remedy situation
60	30	Licensee completes corrective action	
90	30	Commission issues revocation order or withdraws the notice	<i>This notice will be made public.</i>

The Commission, where appropriate shall, pursuant to S 32. (2), prescribe the detailed procedure for the revocation of specific licences in the licences themselves.

2.10 Amendment of Licences

General procedure for amendment of Licences

S. 35 (1) allows the Commission to make alterations or amendments to the terms and conditions of licence, where the public interest so permits on (i) application by the Licensee or (ii) with the Licensee's written consent, and where the public interest so permits, make such alterations or amendments to the terms and conditions of a licence as the Commission and the Licensee may agree upon.

Table 2.10.1 sets out the process for making alterations to or amending a licence where the Licensee has made an application proposing alterations or amendments to its licence. The Act provides for this process to take 120 days after the first notice of intent is published.

**Table 2.10.1
General Procedure for Amending a Licence when initiated by Licensee**

Day	Interval (days) per Act	Event	Process
1	0	Licensee publishes notice of the application for amendment in the media.	Interested parties have 90 days to file objections or comments with the Commission.
90	90	Notice period ends	Evaluation of response and/or proposals by the company to remedy situation
120	30	Commission makes the amendments	<i>This decision will be made public</i>

Table 2.10.2 sets out the process for making alterations to or amending a licence where the application proposing alterations or amendments to the licence is initiated other than by the Licensee. The Act provides for this process to take 120 days after the first notice of intent is published.

Table 2.10.2

General Procedure for Amending a Licence when initiated other than by Licensee

Day	Interval (days) per Act	Event	Process
1	0	The Commission publishes notices of the proposed amendments in the media.	Interested parties have 90 days to file objections or comments with the Commission.
90	90	Notice period ends	Evaluation of response and/or proposals by the company to remedy situation
120	30	Commission makes the amendments	<i>This decision will be made public.</i>

2.11 Procedures on the expiration of the Term of the DOMLEC Licence

Subject to the provisions herein, negotiations for new license(s) shall commence not later than the beginning of the Forty Second Month before the end of the Term. The negotiations shall be initiated and conducted in accordance with the following time table:

Time table for managing negotiations with DOMLEC for renewal or issuance of new Licences

Months before end of Term	Target objective (1)	Target objective (2)
42	Licencee to advise the Commission, in writing, as to its intention to renegotiate the licence or surrender it. This will be acknowledged by the Commission within seven (7) working days of receipt.	
39	If Licencee demonstrates its intention to renegotiate the Licence, the Commission to respond to the Licencee providing broad framework and draft of proposed new Licence and setting out a proposed time table for meeting the objective contained herein	If Licencee demonstrates its intention to surrender the licence, the Commission to respond to the Licencee proposing the broad framework and procedure for managing the Investor's disengagement from the business of the Licencee
39 - 36	Preliminary negotiation of new licence terms	New investors identified and new Licence negotiated concomitantly with sale/disposal of the asset by the investor
36 - 33	Public consultation on proposed new Licence	
33 - 30	Final round of negotiations	
27	Commission issues new Licence	
24	<p>If the Commission and the Licensee fail to reach agreement on a new Licence or if the Investor fails to identify a purchaser satisfactory to the Commission, the Commission will recommend to the Minister that the Government embarks on the process of "acquisition" of the assets of the investor at the Fair Market Value* - payment of which will be effected on the expiration date of the Term or such other date as the parties may mutually agree.</p> <p><u>New Licence to become effective on the date of acquisition of the asset.</u></p>	

*Fair Market Value means the market value of the Licensee when evaluated as an ongoing business concern including this Licence and all lands, buildings, works,

materials, plant and property of all kinds whatsoever suitable to or intended for the purposes of the undertaking and shall be determined in a manner than complies with the term Fair Market Value as defined by the American Society of Appraisers, that is the price, expressed in cash equivalents, at which the assets would change hands between a hypothetical willing and able buyer and a hypothetical willing and able buyer, acting at arm's length in an open unrestricted market when neither is under any compulsion to buy or sell and when both have reasonable knowledge of the relevant facts.

Fair market value shall be the average value as determined by a panel of three (3) independent valuation experts, one to be selected by the Commission, one by the Licensee and one, who shall be Chairman of the panel, to be selected by the two other members. In the event that the nominees cannot agree on the selection, the Chairman shall be appointed in accordance with the provisions of Part II of the Arbitration Act of the Commonwealth of Dominica,

Upon giving notice of acquisition the Commission shall:

- (a) have the right for the valuator to inspect all the Licensee's property and its books of account and records;
- (b) no later than 12 calendar months before the expiration of the Licence or extension thereof the Panel of independent valuation experts shall issue its report and the certification of the average value of the Fair Market Value of the assets, which shall the sum to be paid upon acquisition. The report shall be issued simultaneously to the Commission, the Government and the Company. Arrangements will then be concluded as to amount and the manner of payment by the Government and/or the designee of the Government.
- (c) on the date of acquisition the Government/or the designee of the Government shall pay to the Licensee such sum as may be agreed in accordance with the arrangements concluded under (b) above.

SCHEDULES

Schedule 1 Objective Criteria for “Fit and Proper Person”

Section 28 of the Electricity Supply Act provides:

The Commission shall:-

- a) establish and keep under review specified objective criteria to ensure that all prospective licenced operators are fit and proper persons to be issued with a licence or exemption; and
- b) make a copy of the criteria available to any interested person who may request it on payment of such fees as may be requested by the Commission.

The criteria for fit and proper person are designed to establish that the applicant will satisfy the intent of the Act to:

- a) Secure the economic and cost effective expansion of electricity in Dominica
- b) Supply electricity safely, effectively and economically
- c) Facilitate the development of competition (and by implication a competitive environment) in the electricity sector
- d) Operate with the framework of health and standards to ensure public safety
- e) Demonstrate sustainable financial viability as an electricity undertaking.
- f) Operate in a manner which is sensitive to and compliant with the rules for and principles of environmental protection on a sustainable basis.

These criteria will apply, agnostic of technology, in accordance with Table S1-1 below.

**Table S1-1
Applicability of Criteria for fit and proper person**

Size and configuration of Facility	Applicable Criteria
>250 kVA connected to the public supply system	All
< 250 kVA connected to the public supply system	All
>20kVA self supply	(d), (f)
<20 kVA self supply	(d), (f)

In order to test that the applicant satisfies these principles supporting documentation must be provided with the application to demonstrate that the applicant has:

- a) The financial capacity to undertake the development and, once commissioned, to finance the operations
- b) The skills to design, install, commission, operate and maintain the facility
- c) The appropriate permits to demonstrate the applicant's compliance with health and safety regulations
- d) The necessary permits from and approvals of the environmental protection agencies in Dominica
- e) Disaster mitigation plans, including those for incidents that will have a negative impact (e.g. oil spills) on the environment.

Schedule 2 General Application Requirements and Procedures Governing Applications for Electricity Generation Licence

1. A letter of intent outlining purpose, nature and rationale for application should be submitted to the Independent Regulatory Commission (IRC).
2. A completed application form along with supporting documentation should be hand delivered to the IRC or submitted by registered post to or courier: -
Independent Regulatory Commission
42-2 Kennedy Avenue
Roseau
Commonwealth of Dominica
3. An acknowledgement will be issued for each application submitted to the IRC.
4. All applications and supporting material must be submitted in English.
5. Applicants must submit no fewer than one paper copy and in electronic format (Word and pdf) of each application and supporting documentation. The Commission reserves the right to request additional copies of applications and supporting documentation.
6. Additional information may be requested by the IRC.
7. Each applicant must pay a non-refundable application processing fee, in accordance with the prescribed scale of fees (published separately), with the application. A separate fee is payable for each application in the event of multiple locations. This payment shall be made by certified cheque or bank draft made payable to the Independent Regulatory Commission. The fee payable is agnostic of the technology employed.
8. Applicants are required to notify the IRC of any change to the information submitted with the application. Notification should be provided within fifteen (15) working days after the date of the initial submission.
9. Applicants are responsible for all costs arising from:
 - a. the preparation and submission of applications
 - b. providing any additional information requested and
 - c. the processing of each application including responding to public comments and attending at, and making submissions to the IRC concerning these applications.

10. The IRC will not accept responsibility or liability for such costs, regardless of whether or not a licence is granted.
11. All applications and supporting documentation become the property of the IRC upon submission. The IRC will in accordance with the relevant rules, make public the names of corporate entities which have submitted applications as well as such information about the contents of the applications as it deems appropriate. Members of the public and other interested parties will have the right to inspect all applications and supporting documentation and to submit comments to the IRC.
12. All supporting material submitted with individual applications which may contain sensitive/confidential information concerning business or commercial or financial affairs should be submitted along with the application in a sealed envelope marked "**Confidential Information**". Where the IRC proposes to disclose any such information, it will give the Applicant reasonable notice and an opportunity to make representations to the Commission before the Office makes a final decision on disclosure of such information.
13. The IRC reserves the right to conduct discussions with Applicants if necessary.
14. Applicants should be prepared, if requested and with proper notice, to meet at the offices of the IRC to discuss their application.

Schedule 3 Application for Licence - Part A

Section A - 1:

1. Name of Applicant:
() Individual () Company () Partnership

2. Postal Address:
.....
.....

3. Street Address:
.....
.....

4. Telephone No: (m)
Fax No:

5. E Mail:

Section A - 2:

1. Has the Applicant ever applied for a licence or registration under any Act in
Dominica and been refused? () YES () NO
If Yes - provide detail:
.....

2. Has the Applicant ever been granted a licence under any Act in Dominica?
() YES () NO
If Yes - provide detail:
.....

3. Has the Applicant ever been granted a licence under any Act in Dominica which has been subsequently revoked? YES NO

If Yes - provide detail:

.....

4. Has any connected person previously been granted a licence under any Act in Dominica which has been subsequently revoked? YES NO

If Yes - provide detail:

.....

5. Is the Applicant the holder of a licence or engaged in any related business in any other country? YES NO

If Yes - provide detail:

.....

6. Has the applicant or any connected person been refused a licence or had a licence revoked in any other country? YES NO

If Yes - provide detail:

.....

7. Has the Applicant ever -

(a) Been the defendant or respondent in any proceedings in any court in any jurisdiction worldwide involving fraud? YES NO

If Yes - provide detail:

.....

(b) At any time declared bankruptcy or made a voluntary assignment in bankruptcy? YES NO

If Yes - provide detail:

.....

8. Has the Applicant, or any director or executive officer of the Applicant, ever pleaded guilty or been found guilty under any law of Dominica or any other country of any offence involving dishonesty, fraud or theft? YES NO

If Yes - provide detail:

.....

9. Has the Applicant, or any director or executive officer of the Applicant, ever been convicted of any criminal offence not specifically mentioned?

YES NO

If Yes - provide detail:

.....

10. Is the Applicant, or any director or executive officer of the applicant, currently the subject of a charge or indictment under any law of Dominica or any other country for contravention of any law or for any conduct mentioned earlier?

YES NO

If Yes - provide detail:

.....

11. Has any claim been made successfully, or is there any claim pending, in any civil matter before a court or other tribunal in Dominica or any other country which is based in whole or in part on fraud, theft, deceit or misrepresentation against the Applicant, a director or executive officer of the Applicant?

YES NO

If Yes - provide detail:

.....

Section A - 3: (To be completed by companies/partnerships)

1. Name of Company:

2. Date of Incorporation:

Registration No.:

Address of Registered Office:

.....

.....

Share Capital

Par value
(EC\$)

Authorized
(number)

Issued
(number)

Provide as attachments the following:

- *Names, addresses and dates of appointment of Directors, Chief Executive Officer and Company Secretary*
- *Names and addresses of major share holders*
- *Certified copy of Memorandum and Articles of Association and Certificate of Incorporation*
- *Audited financial statements for the last three years. (If company is a start up project – submit project feasibility study, pro-forma balance sheet, etc.)*

3. Applicants Bank: *(Provide information on other banks as attachments)*

Name:

Address:

.....

Telephone Nos:

Fax No:

E Mail:

4. Applicants Auditor:

Name:

Address:

.....

Telephone Nos:

Fax No:

E Mail:

Section A - 4

I/We Declare that
(Name of Applicant)

I am/ (We are) not disqualified from being granted a licence by reason of any legal impediment. I/We possess the technical qualifications to fully perform the obligations imposed by the licence. I/We satisfy the financial requirements for the construction and operation of the facility or provision of service to which this application relates.

I am/ (We are) a fit and proper person to be granted a licence.

All information submitted in favour of this application is true and correct. I/ (We) understand that approval for the grant of a Licence by the Independent Regulatory Commission in respect of this application would be based on information as declared herein. I/ (We) understand that, if I/ (we) knowingly make any false statement in this application, any licence granted pursuant to this application may be revoked.

.....
(Signature of Applicant -
If applicant is a company/partnership indicate Position/Title Below)

.....

.....
(Date)

Schedule 4 Application for Generation Licence (for connection to the public electricity supply system) – Part B

Section B- 1

- (1) Provide detailed description of the Generation System for which the licence application is made: Include:
 - (a) A description of the principal components of the facility including prime movers, generators, boilers, step up transformer, other relevant characteristics.
 - (b) Information on all ratings – MW, MVA, terminal voltages, capacity factor, maximum gross and net electric power production.
 - (c) Description of the primary energy input (e.g., oil, waste, biomass, wind or other
 - (d) Details of proposed site, any associated transmission lines, and substation layout if included as part of the facility; Planned in service dates; Estimated annual energy sales to grid, guaranteed capacity etc
- (2) Attach project profile and feasibility study and provide indicative or proposed pricing for capacity and energy as appropriate.
- (3) Attach environmental impact assessments. Environmental permits or other evidence that these issues are being addressed.
- (4) Provide any another information considered useful top assist the Commission in making its decision.

Mail or hand-deliver this application to:
Executive Director
INDEPENDENT REGULATORY COMMISSION
Top Floor- Lot 42-2 Independence Street
Roseau
Commonwealth of Dominica
Tel: 767 440 6634 Fax: 767 440 6635
Email: admin@ircdominca.org
www.ircdominca.org

Schedule 5 Application for Generation Licence - Self Generators over 20 kW

Section A - 1:

1. Name of Applicant:
() Individual () Company () Partnership

2. Postal Address:
.....
.....

3. Street Address:
.....
.....

4. Telephone No: (m)
Fax No:

5. E Mail:

6. Address/location where Generator is installed:
.....
.....
.....

Section A - 2

1. Is the generation equipment you own and/or operated/used as your main source of electricity or for stand-by purposes only?

() Main Source

() Standby Purposes Only

2. Please provide the following information about your generation equipment (*attach additional pages if spaces provided below are not sufficient*):

a. Prime Mover _____

g. Output Voltage _____

b. Date of Installation _____

h. Fuel Type _____

c. Manufacturer _____

i. Est. Cost/ kWh (EC\$) _____

d. Capacity Rating (KVA) _____

j. kWh Generated/Mth _____

e. Single or Three Phase _____

k. Av. Fuel Cons/Mth (gals) _____

f. Frequency (50 or 60 Hz) _____

l. Av. Oper. Hrs./Mth _____

3. How/where is the generator housed? _____

4. How/where is fuel stored? _____

5. Vol. of Fuel storage? _____

6. How is the lubricating oil used in the generator disposed of?

7. What kind of emission control device does the installation have?

8. What kind of noise control device does the installation have?

9. (For businesses) Do you have an environmental management plan?
_____ (If yes), please attach a copy.

10. Is the installation certified by the Government Electrical Inspector? _____
(Attach copy of certificate)

I hereby represent that the information contained on this application is true and accurate to the best of my knowledge and belief.

Signature:

_____ Date: _____

Name (please print): _____

Company: _____

Mail or hand-deliver this application to:
Executive Director
INDEPENDENT REGULATORY COMMISSION
Top Floor- Lot 42-2 Independence Street
Roseau
Commonwealth of Dominica
Tel: 767 440 6634 Fax: 767 440 6635
Email: admin@ircdominca.org
www.ircdominca.org

PUBLIC NOTICE

INDEPENDENT REGULATORY COMMISSION
For the Electricity Sector in the Commonwealth of Dominica
(IRC)
Electricity Supply Act No 10 of 2006 (ESA)

Application for [Generation/Transmission] Licence

The public is advised that pursuant to S. 30 of the ESA *[insert name of Applicant]* has submitted an application to the Commission for the grant of a **[Generation/Transmission] Licence.**

Interested parties may access the details of the Application on the IRC web site www.ircdominica.org or obtain a copy from the IRC's office at

42-2 Kennedy Avenue
Roseau
Tel. 440 6634

Comments on the Application are to be submitted to the IRC by *[insert date which should be 60 days after date of publication]*

Executive Director
Independent Regulatory Commission.

3.0 Reasons

The Commission is required to give reasons for its decisions. In the case of this proceeding, the Commission set out its arguments and thinking in the Consultative Document Ref: 2009/001/CD. As there were no contributions from stakeholders to the consultation, the Commission has no further comments and therefore leaves on the record its reasoning set in the Consultation Document without further comment.