

## **ANAMBRA STATE ELECTRICITY REGULATORY COMMISSION**

PUBLIC CONSULTATION PAPER ON DRAFT BUSINESS RULES AND ADMINISTRATIVE PROCEDURES FOR INTERNAL OPERATIONS AND REGULATORY PROCEEDINGS OF THE ANAMBRA STATE ELECTRICITY REGULATORY COMMISSION (ASERC).

### **1. INTRODUCTION AND LEGAL BASIS**

- 1.1 The Anambra State Electricity Regulatory Commission (“the Commission”) is established under Section 4(1) of the Anambra State Electricity Law (the Law), and saddled with the responsibility for the implementation of the Law as provided under Section 4(3) of the Law, developing the Anambra State Electricity Market (ASEM) by regulating the generation, transmission, distribution, trading and supply of electricity in an efficient, transparent and consumer-centric manner.
- 1.2 To ensure uniformity, transparency, procedural certainty and adherence to the principles of natural justice in the conduct of its internal administration and regulatory proceedings, the Commission proposes to develop the Business Rules and Administrative Procedures governing its operations in accordance with Section 78(1)(a) of the Law
- 1.3 This consultation paper is issued to invite comments, suggestions and objectives from stakeholders before its finalization and notification of the proposed Rules.

### **2. OBJECTIVES OF THE PROPOSED BUSINESS RULES**

The proposed Business Rules are intended to:

- a. Prescribe binding procedures for the internal functioning of the Commission.
- b. Regulate the filing, processing and disposal of proceedings before the Commission
- c. Establish clear and enforceable hearing procedures
- d. Ensure transparency, accountability and procedural fairness

- e. Facilitate effective stakeholder participation in regulatory decision making.

### **3. APPLICABILITY AND SCOPE**

3.1 The proposed Business Rules shall apply to:

- The Chairman/Chief Executive Officer (CEO). Executive Commissioners (Members), Secretary, officers and staff of the Commission
- All licensees, generating companies, distributing companies, utilities, traders, consumers and other entities regulated by the Commission
- All proceedings instituted before the Commission

3.2 Compliance with these Rules shall be mandatory for all stakeholders appearing before the Commission.

### **4. DEFINITIONS AND INTERPRETATIONS**

4.1 Defined terms used in these Rules shall have the meanings assigned to them under the Law, unless otherwise specified

4.2 In the event of any inconsistency between these Rules and the Law, the Law shall prevail.

### **5. INTERNAL ADMINISTRATIVE GOVERNANCE**

5.1 Chairman/CEO

The Chairman/CEO shall:

- Exercise general vision and administrative control over the Commission
- Allocate subject matter matters and proceedings among Members
- Preside over meetings and hearings unless otherwise decided

**5.2 Executive Commissioners (Members)**

Members

Members shall:

- Participate in hearings and deliberations
- Examine pleadings, evidence and submissions
- Record opinions and contribute to final orders

### **5.3 Secretary**

The Secretary shall:

- Ensure compliance with procedural requirements
- Manage filings, records, notices and schedules
- Authenticate and communicate orders and directions of the Commission

## **6. MEETINGS OF THE COMMISSION**

- 6.1 The Commission shall meet at such intervals as may be necessary for the discharge of its functions.
- 6.2 The quorum for meetings shall be as prescribed under Section 6 of the Law.
- 6.3 All decisions shall be taken by majority of Members present and voting and where there is an equality of votes, the Chairman/CEO shall have a casting vote.

## **7. INSTITUTION OF PROCEEDINGS**

- 7.1 All proceedings shall be instituted by filing a petition or application in the manner prescribed by the Commission
- 7.2 No petition shall be entertained unless it:
  - Is complete in all respects
  - Is supported by affidavits and documents
  - Is accompanied by prescribed fees
- 7.3 The Secretary shall scrutinize the filings and may return defective filings and may return defective filings for rectification within a specified period.

## **8. HEARING PROCEDURES**

### **8.1 Scheduling and Notice**

8.1.1 hearings shall be scheduled by the Secretary under the directions of the Commission.

8.1.2 Notice of hearing shall be served on all parties in the manner prescribed.

### **8.2 Conduct of Hearings**

8.2.1 The Commission shall conduct hearings in accordance with principles of Natural justice.

8.2.2 Parties shall be afforded reasonable opportunity to present their case.

8.2.3 The Commission may regulate its own procedure and shall not be bound by the Code of Civil Procedure, save as provided by Law.

### **8.3 Public Hearings**

8.3.1 The Commission shall conduct public hearings in matters involving tariff determination, regulations or issues of public interest.

8.3.2 Stakeholders may submit written comments and make oral submissions as permitted.

### **8.4 Adjournments**

Adjournments shall be granted only for sufficient cause and shall not be claimed as a matter of right.

## **9. SUBMISSIONS, EVIDENCE AND INFORMATION**

9.1 All submissions shall be filed within timelines specified by the Commission

9.2 The Commission may:

- Call for additional data or information
- Seek expert or technical assistance

- Permit cross-examination where necessary in the interest of justice

9.3 Failure to comply with information request may result in adverse inference

## **10. ORDERS, DIRECTIONS AND PUBLICATIONS**

10.1 The Commission shall issue reasoned orders in writing

10.2 Orders shall be binding on all concerned parties until set aside by a competent authority.

10.3 All final orders shall be published on the Commission's website except where confidentiality is granted.

## **11. CONFIDENTIALITY AND DISCLOSURE**

11.1 Claims of confidentiality shall be supported by reasons.

11.2 The Commission shall determine confidentiality claims, balancing commercial sensitivity with public interest and transparency.

## **12. STAKEHOLDER CONSULTATION AND PARTICIPATION**

12.1 The Commission shall institutionalize stakeholder consultation for:

- Regulations
- Tariff frameworks
- Policy-related determinations

12.2 Consultation papers shall specify timelines and modes for stakeholder participation.

## **13. RECORD MANAGEMENT AND ACCESS**

13.1 The Commission shall maintain complete and accurate records of all proceedings.

13.2 Stakeholders shall be entitled to obtain certified copies of records upon payment of prescribed fees.

## **14. CODE OF CONDUCT AND COMPLIANCE**

14.1 All persons appearing before the Commission shall maintain decorum and dignity.

14.2 Misleading submissions or non-compliance with submissions with directions may attract regulatory action.

## **15. POWER TO RELAX, REMOVE DIFFICULTIES AND INTERPRETE**

15.1 The Commission may relax application of these Rules recorded in writing.

15.2 The interpretation of these Rules shall vest exclusively with the Commission.

## **16. INVITATION FOR COMMENTS**

The Commission has prepared this document to facilitate open consultation, and accordingly, all stake holders and the General Public have **14 Days** from the publication of this notice to submit their written comments, objections, inputs/contributions on the proposed Business Rules for the Commissions consideration.

Respondents may propose either modifications or alternatives to the proposals expressed by ASERC for consideration by the Commission. A Public hearing on the draft Business Rules may be held at the end of the expiration period to consider stakeholder views before finalization.

All such comments on the proposed Business Rules should be submitted by the 17<sup>th</sup> Day of February 2026, and addressed to:

[info@aserc.anambrastate.gov.ng](mailto:info@aserc.anambrastate.gov.ng) OR [commissioners@anambrastate.gov.ng](mailto:commissioners@anambrastate.gov.ng)

The draft Business Rules can be found on the Commission's website on:

<https://aserc.anambrastate.gov.ng>

At the end of the Consultation, the Commission's decision on the proposed Business Rules will be issued and published in an Official Gazette in accordance with Section 78(5) of the Law.

Copies to:

Barr. Chijioke N. Obi  
Executive Commissioner  
Legal, Licensing and Enforcement  
Anambra State Electricity Regulatory Commission  
ASERC Complex,  
Old Government House, Awka, Anambra State.  
Email: [c.obi@aserc.anambrastate.gov.ng](mailto:c.obi@aserc.anambrastate.gov.ng)

Prof. Frank N. Okafor  
Chairman/ Chief Executive Officer