



ANAMBRA STATE ELECTRICITY REGULATORY COMMISSION

PUBLIC CONSULTATION PAPER ON DRAFT BUSINESS RULES OF THE ANAMBRA STATE ELECTRICITY REGULATORY COMMISSION (ASERC).

1. INTRODUCTION AND LEGAL BASIS

- 1.1 The Anambra State Electricity Regulatory Commission (“ASERC”) 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 in accordance with Section 78(1)(a) of the Law, being the administrative procedures governing its operations.
- 1.3 This consultation paper is issued to invite comments, suggestions and objections from stakeholders before the finalization of the proposed Rules.

2. OBJECTIVES OF THE PROPOSED BUSINESS RULES

The salient features of the Draft Regulations:

- 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, Executive Commissioners (Members), Secretary, Officers and Staff of the Commission.
- All licensees, generating companies, distribution companies, transmission companies, utilities, consumers, electricity traders and other entities regulated by 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

The Chairman shall:

- Exercise general vision and administrative control over the Commission.
- Allocate subject matter issues among Members.
- Preside over meetings and hearings.

5.2 Executive Commissioners (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 directives 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. Where there is an equality of votes, the Chairman 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,
 - supported by affidavits and documents, and
 - accompanied by prescribed fees.

7.3 The Secretary shall scrutinize the filings and shall 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 shall regulate its own procedure.

8.3 Public Hearings

8.3.1 The Commission shall conduct public hearings in matters involving tariff determination, regulations and other 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 the 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 in accordance with the Business Rule or the Law.

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, and
- 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 except where confidentiality is required.

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-compliant submissions may attract regulatory sanction.

15. POWER TO EXERCISE DISCRETION

15.1 The Commission may exercise discretion in the application of these Rules as may be required by the circumstances and this shall be 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 stakeholders and the general public have **Ten (10) Business Days** from the publication of this notice to submit their written comments, objections, inputs/contributions on the proposed Business Rules for the Commission's consideration.

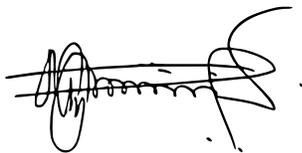
Respondents may propose either modifications or alternatives to the proposals expressed by ASERC for consideration by the Commission.

All such comments on the proposed Business Rules should be submitted by the **Text** Day of February 2026, and addressed to: info@aserc.anambrastate.gov.ng

The draft Business Rules can be found on the Commission's website on: <https://aserc.anambrastate.gov.ng>

The Public Consultation document is intended to facilitate stakeholder participation. The Commission reserves the right to modify, amend or revise the Draft Regulations based on stakeholder feedback and its own assessment, without being bound by any submission received.

At the end of the Consultation, the Commission's decision on the proposed Business Rules will be issued and published.



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