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The Gazette of the Democratic Socialist Republic of Sri Lanka

EXTRAORDINARY

අංක 1,617/34 - 2009 සැප්තැම්බර් 03 වැනි බ්‍රහස්පතින්දා - 2009.09.03

No. 1,617/34 - THURSDAY, SEPTEMBER 03, 2009

(Published by Authority)

PART I : SECTION (I) — GENERAL

Government Notifications

THE SRI LANKA ELECTRICITY ACT, No. 20 OF 2009

Regulations made under Section 54

BY virtue of the Powers vested in me by the Section 54 of the Sri Lanka Electricity Act, No. 20 of 2009, and on the recommendation of the Public Utilities Commission of Sri Lanka, I, W. D. J. Seneviratne, the Minister of Power and Energy, do by this order make the under-mentioned regulations.

W. D. J. SENEVIRATNE,
Minister of Power and Energy.

Ministry of Power and Energy,
31st August, 2009.
09-637/1

L.D.-B. 3/2009.

SRI LANKA ELECTRICITY ACT, No. 20 OF 2009

REGULATIONS made by the Minister of Power and Energy on the recommendation of the Public Utilities Commission of Sri Lanka under Section 54 of the Sri Lanka Electricity Act, No.20 of 2009, read with Section 11 and Sub-section (1) of Section 21 of that Act.

W. D. J. SENEVIRATNE,
Minister of Power and Energy.

Ministry of Power and Energy,
Colombo 10,
31st August, 2009.

Regulations

1. These Regulations may be cited as “the Electricity (Applications for Licences and Exemptions) Regulation, 2009”.
2. An Application for the issue of—
 - (a) a generation licence to generate Electricity over and above 25 MW, shall be in such form as specified in Part I of Schedule A to these Regulations and be accompanied by the documents and information as specified in Part II of that Schedule ;

- (b) a generation licence to generate electricity up to 25MW, shall be in such form as specified in Part I of Schedule B to these Regulations and be accompanied by the documents and information as specified in Part II of that Schedule.
- (c) a transmission licence, shall be in such form as specified in Part I of Schedule C to these Regulations and be accompanied by the documents and information as specified in Part II of that Schedule ; and
- (d) a distribution licence, shall be in such form as specified in Part I of Schedule D to these Regulations and be accompanied by the documents and information as specified in Part II of that Schedule.

3. An application for the grant of an exemption from the requirement of obtaining a—

- (a) generation licence to generate electricity less than 25 MW, shall be in such form specified in Part I of Schedule E to these Regulations and shall be accompanied by the documents and information as specified in Part II of that Schedule ; and
- (b) distribution licence, shall be in such form as specified in Part I of Schedule F to these Regulations and shall be accompanied by the documents and information as specified in Part II of that Schedule.

4. Every application shall have annexed to it a signed Declaration in the form as specified in Schedule G to these Regulations and such application shall be handed over or sent by registered post to the Commission at its principal office.

5. The Commission shall have the power at its sole discretion at any time after the receipt of an application, to call upon an applicant to provide any clarifications that it may, consider necessary on the contents of the application submitted, for the purpose of processing such application.

6. (1) The application fee payable in respect of applications submitted for the issue of the following licences or for the grant of an exemption, shall be as follows :—

(a) for a generation licence	-	Rs.	10,000.00
(b) for a transmission licence	-	Rs.	10,000.00
(c) for a distribution licence	-	Rs.	10,000.00
(d) for an exemption from obtaining a generation Licence or a distribution licence	-	Rs.	1,000.00

(2) Application fees shall be paid to the Commission by money order or bank draft, drawn in favour of “the Public Utilities Commission of Sri Lanka” and documentary proof of such payment shall be submitted along with the application.

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

“Act” means the Sri Lanka Electricity Act, No. 20 of 2009 ;

“applicant” means the person or body of persons who is or are making an application under the Act for the issue of licence or a for the grant of an exemption, as the case may be ;

“commission” means the Public Utilities Commission of Sri Lanka established by the Public Utilities Commission of Sri Lanka Act, No. 35 of 2002 ;

“distribution licence” means a licence granted under paragraph (c)(i)(c) of sub-section (1) of Section 13 of the Act ;

“exemption” means an exemption granted from the requirement of obtaining a licence to generate or distribute electricity, under sub-section (1) of Section 10 of the Act ;

“generation licence” means a licence granted under paragraph (c)(i)(a) of Sub-section (1) of Section 13 of the Act ; and

“transmission licence” means a licence granted under paragraph (c)(i)(b) of Sub-section (1) of Section 13 of the Act.

Schedule A

PART I

APPLICATION FORM FOR A LICENCE TO GENERATE ELECTRICITY OVER AND ABOVE A GENERATION CAPACITY OF 25 MW

SECTION A - Where the applicant is the Ceylon Electricity Board —

1. Name of the Applicant :
2. The legal status of the applicant :
3. Official address of the applicant :
4. Full names of the current members of the Board of the applicant :
5. Name and designation of the person to whom enquires may be addressed in relation to this application, together with an address for correspondence (if difference from item 3 above) and other contact details :
6. Desired date on which the licence is to become operative :
7. List of approvals obtained or proposed to be obtained and agreements executed or proposed to be executed, in relation to this application :
8. A list of the administrative districts included (in whole or in part) in the geographical areas on which the Applicant seeks to operate its activities on the licence to which the application relates ;
9. Proposed generation capacity (MW) for which the licence is being applied for :
10. Whether the licence is being applied for the construction of a new plan or for the expansion or refurbishment of an existing plant :

SECTION B - Where the applicant is a local authority—

1. Name of the Applicant :
2. The legal status of the applicant :
3. Official address of the applicant :
4. Full names of all the members of the applicant local authority :

5. Name and Designation of the person to whom enquires may be addressed in relation to this application, together with an address for correspondence (if different from Item 3 above) and other contact details:

6. Desired date on which the licence is to become operative :

7. List of approvals obtained or proposed to be obtained and agreements executed or proposed to be executed, in order to carry out the activities on the licence to which the application relates :

8. A list of the administrative districts included (in whole or in part) in the geographical areas on which the Applicant seeks to operate its activities on the licence to which the application relates :

9. Proposed generation capacity (MW) for which the licence is being applied for :

10. Whether the licence is being applied for the construction of a new plant or for the expansion or refurbishment of an existing plant :

11. Details of any previous application for the issue of a licence to generate or distribute electricity under the Electricity Act, No. 19 of 1950 or the Electricity Act, No. 20 of 2009, as the case may be, and where :

- (a) such application was accepted and a licence was issued, details of all the activities carried on by the applicant under such licence ;
- (b) such application was rejected, the reasons for such rejection ; or
- (c) such licence was revoked, the reasons for such revocation.

12. Details of any licence or exemptions obtained, applied for or being applied for by the applicant, for the generation (Whether over or less than 25 MW in capacity) or distribution of electricity:

SECTION C - Where the applicant is a company incorporated under the Companies Act, No. 7 of 2007.—

1. Name of the Applicant :

2. The legal status of the applicant :

3. Official address of the applicant :

4. Whether any shares are held by the Government of Sri Lanka or a Public Corporation or a company in which the Government of Sri Lanka holds more than fifty per centum of the shares or a subsidiary of such a company, and the number of shares held by each of them :

5. Where applicable, the name, address and place of incorporation of any parent company :

6. Full names of the current directors of the Board of Directors of the applicant company :

7. Name and designation of the person to whom enquires may be addressed in relation to this application, together with an address for correspondence (if different from Item 3 above) and other contact details.

8. Desired date on which the licence is to become operative :

9. List of approvals obtained or proposed to be obtained and agreements executed or proposed to be executed, in order to carry out the activities on the licence to which the application relates :

10. A list of the administrative districts included (in whole or in part) in the geographical areas on which the applicant seeks to operate its activities on the licence being applied for :

11. Proposed generation capacity (MW) for which the licence is being applied for :

12. Whether the licence is being applied for the construction of a new plant or for the expansion or refurbishment of an existing plant :

13. Details of any previous application made for the issue of a licence to generate or distribute electricity under the Electricity Act, No. 19 of 1950 or the Electricity Act, No. 20 of 2009, as the case may be, and where :

(a) such application was accepted and a licence was issued, details of all the activities carried on by the applicant under such licence ;

(b) such application was rejected, the reasons for such rejection ; or

(c) such licence was revoked, the reasons for such revocation.

14. Details of any Licence or exemptions obtained, applied for or being applied for by the applicant, for the generation (Whether over or less than 25 MW in capacity) or distribution of electricity:

PART II

DOCUMENTS TO ACCOMPANY AN APPLICATION MADE FOR A LICENCE TO GENERATE ELECTRICITY OVER AND ABOVE A GENERATION CAPACITY OF 25 MW

1. If the applicant is —

(a) a body established by an Act of Parliament, a copy of such Act ;

(b) a company, a certified copy of the certificate of incorporation issued and of the Memorandum and Articles of Association of the company.

2. The following documents :—

(a) most recent audited annual accounts, and if more than two months have lapsed since the end of the accounting year covered by the accounts submitted, a certificate from the applicant's auditor stating that no material adverse change has occurred between the date of the end of the accounting year covered by the accounts submitted and the date of the submission of the application, and the audited accounts of the previous two years ;

(b) annual returns for the immediately preceding year ;

(c) statement of account for the current year ; and

(d) audited accounts of the previous two years.

3. Details of technical expertise available with the applicant, to enable it to carry on its activities in respect of which the licence is being applied for.

4. Details of the funding available for the duration of the whole period for which the licence is being issued, to enable the applicant to carry out the proposed activities under such licence.

5. Details of any expected substantial capital outflows, including major rehabilitation or decommissioning costs.
6. Estimates of net annual cash flows for the duration of the whole period of the duration of the licence, adequate to demonstrate the financial security and feasibility of the activities under such licence.
7. any parent or bank guarantees in favour of or given by the applicant.
8. A statement as to how the applicant proposes to comply and adhere to safety and performance standards and technical and other operational codes.
9. The following information, namely—
 - (a) names of specific generating plants intends to be operated under the licence ;
 - (b) an adequate description (see Note below) specifying the actual or proposed locations of the plants *e.g.* by reference to town, administrative district, and postal address ;
 - (c) a description of how the plants will in each case, be fuelled or driven, including both primary and back-up fuel sources ;
 - (d) the date or dates on which any proposed generating plant or plants is or are expected to be commissioned ; and
 - (e) rated capacity (MW) and type of each unit within each generating plant.
10. An outline statement of a business proposal covering a period of five years, relating to the activities which the applicant hopes to carry out under the licence, and such statement should include —
 - (a) maximum power (MW) expected to be available from each generating plant at any given time and the aggregate energy (GWh) expected to be available from each generating plant during any given year, excluding in each case such energy as is expected to be consumed at the plant ;
 - (b) expected life span of each generating plant and generation station ;
 - (c) for each generating plant, the number of generating units and the capacity of each generating unit ;
 - (d) map or maps sufficient to identify the location of all generating plants to which the application relates ;
 - (e) annual forecasts of costs, sales and revenues and project financing, stating the assumptions underlying the figures provided ; and
 - (f) a quantified statement of inputs and discharges from each plant to the environment and the sources of such inputs and discharges.
11. A statement describing any lands and servitudes which the applicant has acquired or proposes to acquire for the purpose of establishing the generation plant to which the application relates.
12. Copies of specifications, plans and drawings to a scale sufficient to show clearly all the buildings and structures proposed to be constructed, in order to carry out the activities under the licence to which the application relates.
13. Where the applicant is the Ceylon Electricity Board, in addition to the above, it shall be required to submit a plan specifying the geographical area on which it is operating its activities as at present and an expansion plan indicating the geographical area in which it proposes during a period of fifteen (15) years from the date of this application, to expand its activities relating to generation of electricity, prepared in accordance with the general policy guidelines approved by the Cabinet of Ministers under Section 5 of the Sri Lanka Electricity Act, No. 20 of 2009.

Note : Description

The description should enable the areas and locations concerned to be adequately and readily identified by a map if the applicant so desires or by any other convenient means which should be sufficient to make clear, the nature and extent of the proposed activities.

Schedule B

PART I

APPLICATION FORM FOR A LICENCE TO GENERATE ELECTRICITY UP TO A GENERATION CAPACITY OF 25 MW

1. Name of the Applicant :

2. The legal status of the applicant :

3. Official address of the applicant :

4. The following information, as appropriately applicable :

(a) where the applicant is a public corporation or a company, the full names of all the members of the governing body of the corporation or of the Board of Directors, as the case may be :

(b) where the applicant is a local authority, the full names of all the members of such local authority :

(c) where the applicant is a partnership, the full names of all the current partners of such partnership :

(d) where the applicant is a society registered under the Co-operative Societies Law, No. 5 of 1972, the full names of all the members of the governing body of such registered society ; or

(e) where the applicant is an unincorporated body of persons, the full names of all the office bearers of such body of persons.

4. Name and designation of the person to whom enquires may be addressed in relation to this application, together with an address for correspondence (if different from 3 above) and other contact details :

5. Desired date on which the licence is to become operative :

6. Where the applicant is a company, the names of all the shareholders of the company and the number of shares held by each such member :

7. Proposed generation capacity (KW or MW) for which the licences is being applied for :

8. Name, address and place of incorporation of a parent Company (if any) :

9. List of approvals obtained or proposed to be obtained and agreements executed or proposed to be executed, in order to carry out the activities on the licence to which the application relates :

10. A list of the administration districts included (in whole or in part) in the geographical areas on which the applicant seeks to operate seeks to operate its activities on the licence to which the application relates :

11. whether the licence is being applied for the construction of a new plant or for the expansion or refurbishment of an existing plant :

12. Details of any previous application made under the Electricity Act, No. 19 of 1950 or the Electricity Act, No. 20 of 2009, as the case may be, for the issue of a licence to generate or distribute electricity or for an exemption from obtaining a licence, and where :

- (a) such application was accepted and a licence was issued, details of all the activities carried on by the applicant under such licence ;
- (b) such application was rejected, the reasons for such rejection ; or
- (c) such licence was revoked, the reasons for such revocation ;

13. Details of any licence or exemptions obtained, applied for or being applied for by the applicant, for generation (whether over or less than 25 MW in capacity) or distribution of electricity.

PART II

DOCUMENTS TO ACCOMPANY AN APPLICATION MADE FOR A LICENCE TO GENERATE ELECTRICITY UP TO A GENERATION CAPACITY OF 25MW

1. If the Applicant is :—

- (a) a body established by an Act of Parliament, a copy of such Act ;
- (b) a company, a certified copy of the certificate of incorporation and of the Memorandum and Articles of Association of the company ;
- (c) a society registered under the Co-operative Societies Law, No. 5 of 1972, a certified copy of the certificate of registration issued and of the by-laws of such society ;
- (d) a partnership, a certified copy of the certificate of registration issued by an appropriate authority under any law or Statute relating to the registration of business names ; or
- (e) any unincorporated body of persons, the constitution of such unincorporated body.

2. The following documents :-

- (a) most recent audited annual accounts, and if more than two months have lapsed since the end of the accounting year covered by the accounts submitted, a certificate from the applicant's auditor stating that no material adverse change has occurred between the date of the end of the accounting year covered by the accounts submitted and the date of the submission of the application, and the audited accounts of the previous two years ;
- (b) annual returns for the immediately preceding year ;
- (c) statement of account for the current year ;
- (d) audited accounts of the previous two years .

3. Details of technical expertise available with the applicant, to enable it to carry on its activities in respect of which the licence is being applied for.

4. Details of the funding available for the duration of the whole period for which the licence is being issued, to enable the applicant to carry out the proposed activities under such licence.

5. Details of any expected substantial capital outflows, including major rehabilitation or decommissioning costs.

6. Estimates of net annual cash flows for the duration or the whole period of the duration of the licence, adequate to demonstrate the financial security and feasibility of the activities under such licence.

7. Any parent or bank guarantees in favour of or given by the applicant.

8. A statement of how the applicant proposes to comply and adhere to safety and performance standards and technical and other operational codes.

9. The following information, namely :—

- (a) names of specific generating plants intended to be operated under the licence ;
- (b) an adequate description (see Note below) specifying the actual or proposed locations of the plants. *e.g* - by reference to town, administrative district, postal address ;
- (c) a description of how the plants will, in each case, be fuelled or driven, including both primary and back-up fuel sources ;
- (d) the date or dates on which any proposed generating plant or plants is or are expected to be commissioned ; and
- (e) rated capacity (MW) and type of each unit within each generating plant.

10. An outline statement of a business proposal covering a period of five years, relating to the activities which the applicant hopes to carry out under the licence, and such statement should include :—

- (a) maximum power (MW) expected to be available from each generating plant at any given time and the aggregate energy (GWh) expected to be available from each generating plant during any given year, excluding in each case energy as is expected to be consumed at the plant ;
- (b) expected life span of each generating plant and generation station ;
- (c) for each generating plant, the number of generating units and the capacity of each generating unit ;
- (d) map or maps sufficient to identify the location of all generating plants to which the application relates ;
- (e) annual forecasts of costs, sales and revenues and project financing, stating the assumptions underlying the figures provided ; and
- (f) a quantified statement of inputs and discharges from each plant to the environment and the sources of such inputs and discharges.

11. A statement describing any lands and servitudes which the applicant has acquired or proposes to acquire for the purposes of establishing the generation plant or plants to which the application relates.

12. Copies of specifications, plans and drawings to a scale sufficient to show clearly all the buildings and structures proposed to be constructed, in order to carry out the activities under the licence to which the application relates.

13. Where the applicant is the Ceylon Electricity Board, in addition to the above, it shall be required to submit a plan specifying the geographical area on which it is operating its activities as at present and an expansion plan indicating the geographical area in which it proposes during a period of fifteen (15) years from the date of this application, to expand its activities relating to generation of electricity, prepared in accordance with the general policy guidelines approved by the Cabinet of Ministers under Section 5 of the Sri Lanka Electricity Act, No. 20 of 2009.

Note : Description

The description should enable the areas and locations concerned to be adequately and readily identified by map if the applicant so desires or by any other convenient means and must be sufficient to make clear the nature and extent of the proposed activities.

Schedule C

PART I

APPLICATION FORM FOR THE ISSUE OF A TRANSMISSION LICENCE

1. Name of the Applicant :
2. The legal status of the applicant :
3. Official address of the applicant :
4. Full names of all the current members of the Board of the applicant :
5. Name and designation of the person to whom enquiries may be addressed in relation to this application, together with an address for correspondence (if different from 3 above) and other contact details :
6. Desired date from which the licence is to become operative :

PART II

DOCUMENTS TO ACCOMPANY AN APPLICATION MADE FOR A TRANSMISSION LICENCE

1. A copy of the Act of Parliament by which the applicant was established :
2. The following documents :-
 - (a) most recent audited annual accounts, and if more than two months have lapsed since the end of the accounting year covered by the accounts submitted, a certificate from the applicant's auditor stating that no material adverse change has occurred between the date of the end of the accounting year covered by the accounts submitted and the date of submission of the application, and the audited accounts of the previous two years ;
 - (b) annual returns for the immediately preceding year ;
 - (c) statement of account for current year ;
 - (d) the audited accounts of the previous two years.
3. Details of technical expertise available with the applicant to enable it to carry on its activities in respect of which the licence is being applied for.
4. Details of the funding available for the duration of the while period for which the licence is being applied for, to enable the applicant to carry out the proposed activities under the licence.
5. Details of any expected substantial capital outflows, including major decommissioning costs.

6. Estimates of net annual cash flows for the duration for the whole period of the licence, adequate to demonstrate the financial security and feasibility of the activities under such licence.

7. Any bank guarantees in favour of or given by the applicant.

8. A statement of how the applicant proposes to comply and adhere to safety and performance standards and technical and other operational codes.

9. Information identifying the voltages of the electric lines forming part of the intended transmission system.

10. An outline statement of a business proposal covering a period of five years, relating to the activities which the applicant hopes to carry out under the licence, and such statement should include.—

- (a) particulars of the person or persons from whom, and the points at which, the applicant expects to receive the electricity intended to be transmitted ;
- (b) particulars of transmission of the electricity and of the expected points of off-take, and quantities ;
- (c) proposed metering arrangements ;
- (d) forecast of annual maximum demands in the transmission system (GW) and energy (GWh) to be transmitted ;
- (e) summary of the large scale map, together with detailed maps providing information on areas where activities are concentrated as necessary ;
- (f) a single line diagram of the transmission system, distinguishing overhead lines from electric lines which are or will be placed underground ; and
- (g) annual forecasts of costs, sales and revenues and project financing stating the assumptions underlying the figures provided.

11. A list of consumers to whom the applicant provides or intends or provide bulk sale of electricity.

12. Where the applicant is the Ceylon Electricity Board, in addition to the above, it shall be required to submit a plan specifying the geographical area on which it is operating its activities as at present and an expansion plan indicating the geographical area in which it proposes during a period of fifteen (15) years from the date of this application to expand its activities relating to the transmission and bulk procurement of electricity, prepared in accordance with the general policy guidelines approved by the Cabinet of Ministers under Section 5 of the Sri Lanka Electricity Act, No. 20 of 2009.

Schedule D

PART I

APPLICATION FORM FOR THE ISSUE OF A DISTRIBUTION LICENCE

SECTION A - where the applicant is the Ceylon Electricity Board.

1. Name of the Applicant :
2. The legal status of the applicant :
3. Official address of the applicant :
4. Full names of the current members of the Board of the applicant :

5. Name and designation of the person to whom enquires may be addressed in relation to this application, together with an address for correspondence (if different from 3 above) and other contact details.

6. Desired date on which the licence is to become operative.

7. List of approvals obtained or proposed to be obtained and agreements executed or proposed to be executed, in relation to this application.

8. A list of the administrative districts included (in whole or in part) in the geographical areas on which the Applicant seeks to operate its activities on the licence to which the application relates.

SECTION B - Where the applicant is a local authority—

1. Name of the Applicant :

2. The legal status of the applicant :

3. Official address of the applicant :

4. Full names of the all the members of the applicant local authority.

5. Name and designation of the person to whom enquires may be addressed in relation to this application, together with an address for correspondence (if different from 3 above) and other contact details.

6. Desired date on which the licence is to become operative.

7. List of approvals obtained or proposed to be obtained and agreements executed or proposed to be executed, in relation to this application.

8. A list of the administrative districts included (in whole or in part) in the geographical areas on which the Applicant seeks to operate its activities on the licence to which the application relates ;

9. Proposed distribution capacity (MW) in respect of which the licence is being applied for :

10. Details of any previous application made for the issue of a licence to generate or distribute electricity or for an exemption from obtaining such licence, under the Electricity Act, No. 19 of 1950 or the Electricity Act, No. 20 of 2009, as the case may be, and where :

(a) such application was accepted and a licence was issued, details of all activities carried on by the applicant under such licence ;

(b) such application was rejected, the reasons for such rejection ; or

(c) such licence was revoked, the reasons for such revocation.

11. Details of any licence or exemptions obtained, applied for or being applied for by the applicant, in respect of the generation (whether over or less than 25 MW in capacity) or distribution of electricity.

SECTION C - Where the applicant is a company incorporated under the Companies Act, No. 7 of 2007.—

1. Name of the Applicant :

2. The legal status of the applicant :

3. Official address of the applicant :

4. The names of the shareholders of the company :
5. Whether the Government holds more than Fifty *per centum* of shares of the company :
6. Name, address and place of incorporation of a parent company (if any) :
7. Full names of the all the current members of the Board of Directors of the company :
8. Name and designation of the person to whom enquires may be addressed in relation to this application, together with an address for correspondence (if different from 3 above) and other contact details.
9. Desired date on which the licence is to become operative.
10. List of approvals obtained or proposed to be obtained and agreements executed or proposed to be executed, in relation to this application.
11. A list of the administrative districts included (in whole or in part) in the geographical areas on which the Applicant seeks to operate its activities on the licence to which the application relates :
12. Proposed distribution capacity (MW) for which the licence is being applied for :
13. Details of any previous application made for the issue of a licence to generate or distribute electricity or for an exemption from obtaining such licence, under the Electricity Act, No. 19 of 1950 or the Electricity Act, No. 20 of 2009, as the case may be, and where :
 - (a) such application was accepted and a licence was issued, details of all activities carried on by the applicant under such licence ;
 - (b) such application was rejected, the reasons for such rejection ; or
 - (c) such licence was revoked, the reasons for such revocation.
14. Details of any licence or exemptions obtained, applied for or being applied for by the applicant, in respect of the generation (whether over or less than 25 MW in capacity) or distribution of electricity.

SECTION D — Where the applicant is a society registered under the Co-operative Societies Law, No. 5 of 1972.—

1. Name of the Applicant :
2. The legal status of the applicant :
3. Official address of the applicant :
4. Date of registration as a registered society under the Co-operative Societies Law, No. 5 of 1972 :
5. Full names of the current members of the governing body of the society :
6. Name and designation of the person to whom enquires may be addressed in relation to this application, together with an address for correspondence (if different from 3 above) and other contact details.
7. Desired date on which the licence is to become operative.

8. List of approvals obtained or proposed to be obtained and agreements executed or proposed to be executed, in relation to this application.

9. A list of the administrative districts included (in whole or in part) in the geographical areas on which the Applicant seeks to operate its activities on the licence to which the application relates :

10. Proposed distribution capacity (MW) or which the licence is being applied for :

11. Details of any previous application made for the issue of a licence to generate or distribute electricity or for an exemption from obtaining such licence, under the Electricity Act, No. 19 of 1950 or the Electricity Act, No. 20 of 2009, as the case may be, and where :

- (a) such application was accepted and a licence was issued, details of the activities carried on by the applicant under such licence ;
- (b) such application was rejected, the reasons for such rejection ; or
- (c) such licence was revoked, the reasons for such revocation.

12. Details of any licence or exemptions obtained, applied for or being applied for by the applicant, in respect of the generation (whether over or less than 25 MW in capacity) or distribution of electricity :

PART II

DOCUMENTS TO ACCOMPANY AN APPLICATION MADE FOR THE ISSUE OF A DISTRIBUTION LICENCE

1. If the Applicant is :—

- (a) a body established by an Act of Parliament, a copy of such Act ;
- (b) a company, a certified copy of the certificate of incorporation issued and of the Memorandum and Articles of Association of the company ; or
- (c) a society registered under the Co-operative Societies Law, No. 5 of 1972, a certified copy of the certificate of registration issued and of the by-laws of such society.

2. The following documents :-

- (a) most recent audited annual accounts, and if more than two months have lapsed since the end of the accounting year covered by the accounts submitted, a certificate from the applicant's auditor stating that no material adverse change has occurred between the date of the end of the accounting year covered by the accounts submitted and the date of the submission of the application, and the audited accounts of the previous two years ;
- (b) annual returns for the immediately preceding year ;
- (c) statement of account for the current year ;
- (d) audited accounts of the previous two years .

3. Details of technical expertise available with the applicant, to enable it to carry on its activities in respect of which the licence is being applied for.

4. Details of the funding available for the duration of the whole period for which the licence is being issued, to enable the applicant to carry on the proposed activities under such licence.

5. Details of any expected substantial capital outflows, including major decommissioning costs.

6. Estimates of net annual cash flows for the duration or the whole period of the licence, adequate to demonstrate the financial security and feasibility of the activities under such licence.

7. Any parent or bank guarantees in favour of or given by the applicant.

8. a statement of how the applicant proposes to comply and adhere to safety and performance standards and technical and other operational codes.

9. an outline statement of a business proposal covering a period of five years, relating to the activities which the applicant hopes to carry out under the licence, and such statement should include :

(a) particulars of the person or persons from whom the applicant intends to purchase or procure electricity for distribution and approximate number and expected maximum demand of customers giving a breakdown of the demand for each type of customer e.g. industrial, commercial etc. and the energy (GWh) to be supplied ;

(b) annual forecasts of costs, sales and revenues and project financing stating the assumptions underlying the figure provided :

(c) detailed map or maps to a scale sufficient to show clearly :-

(i) the area to which the application relates ;

(ii) the distribution system above 11kV, showing overhead lines, underground lines, and substations ; and

(iii) which overhead lines, underground cables and substations are to be constructed and which are already in existence ;

(d) single line diagram of the distribution system, showing what is to be constructed and what is already in existence ;

(e) details of embedded generators ;

(f) annual forecast of maximum demand in MW and energy in GWh ; and

(g) information relating to the location of interconnections with other distribution licencees.

10. A statement describing any lands and servitudes which the applicant has acquired or proposes to acquire for the purpose of establishing the distribution plant to which the application relates.

11. Where the applicant is the Ceylon Electricity Board. In addition to the above, it shall be required to submit a plan specifying the geographical area on which it is operating its activities as at present and an expansion plan indicating the geographical area in which it proposes during a period of fifteen (15) years from the date of this application, to expand its activities relating to the distribution and supply of electricity, prepared in accordance with the general policy guidelines approved by the Cabinet of Ministers under Section 5 of the Sri Lanka Electricity Act, No. 20 of 2009.

Schedule E

PART I

APPLICATION FORM FOR AN EXEMPTION FROM THE REQUIREMENT OF OBTAINING A GENERATION LICENCE

1. Name of the Applicant :
2. The legal status of the applicant :
3. Official address of the applicant :
4. The following information as appropriately applicable :
 - (a) Where the applicant is a public corporation or a company, the full names of all the members of the governing body of the corporation or of the Board of Directors, as the case may be :
 - (b) Where the applicant is a local authority, the full names of all the members of such local authority ;
 - (c) where the applicant is a partnership, the full names of all the current partners of such partnership.
 - (d) Where the applicant is a society registered under the Co-operative Societies Law, No. 5 of 1972, the full names of all the members of the governing body of such registered society ; or
 - (e) where the applicant is an unincorporated body of persons, the full names of all the office bearers of such body of persons.
5. Name and designation of the person to whom enquires may be addressed in relation to this application, together with an address for correspondence (if difference from item 3 above) and other contact details.
6. The desired date from which the exemption is to become operative.
7. Where the applicant is a company, the names of all the shareholders of the company and the number of shares held by each such member.
8. The aggregate capacity (kW or MW) of the generation plant(s) for which the application relates to ;
9. Name, address and place of incorporation of a parent company (if any) ;
10. List of approvals obtained or proposed to be obtained and agreements executed or proposed to be executed, in relation to this application ;
11. A list of the administrative districts included (in whole or in part) in the geographical areas on which the Applicant seeks to operate its activities upon the grant of an exemption under Section 10 of the Electricity Act, No. 20 of 2009 ;
12. Details of land required for the proposed activities of the Applicant :
13. Details of any previous application made under the Electricity Act, No. 19 of 1950 or the Electricity Act, No. 20 of 2009, as the case may be, for the issue of a licence to generate or distribute electricity, and where :
 - (a) such application was accepted and a licence was issued, details of all the activities carried on by the applicant under such licence ;
 - (b) such application was rejected, the reasons for such rejection ; or
 - (c) such licence was revoked, the reasons for such revocation :

14. Details of any licence or exemptions obtained, applied for or being applied for by the applicant, in respect of the generation (whether over or less than 25 MW in capacity) or distribution of electricity :

PART II

DOCUMENTS TO ACCOMPANY AN APPLICATION MADE FOR AN EXEMPTION FROM THE REQUIREMENT OF OBTAINING A GENERATION LICENCE

1. If the applicant is :—

- (a) body established by an Act of Parliament, a copy of such Act ;
- (b) a company, a certified copy of the certificate of incorporation and of the Memorandum and Articles of Association of the company ;
- (c) a society registered under the Co-operative Societies Law No. 5 of 1972, a certified copy of the certificate of registration issued and of the by-laws of such society ;
- (d) a partnership, a certified copy of the certificate of registration issued by an appropriate authority under any law or Statute relating to the registration of business names ; or
- (e) any unincorporated body of persons, the constitution of such unincorporated body.

2. Details of technical expertise available with the applicant in carrying out the proposed activities, for which an exemption is being applied for :

3. A statement of how the applicant proposes to comply and adhere to safety and performance standards and technical and other operational codes, in carrying out its activities, in the event of a grant of an exemption :

4. The following information shall be provided :

- (a) names of specific generating plants intended to be operated upon the grant of an exemption.
- (b) an adequate description (see Note below) specifying the actual or proposed locations of the plants *e.g.* by reference to town, administrative district, postal address ;
- (c) a description how the plants will, in each case, be fuelled or driven, including both primary and back-up fuel sources ;
- (d) the date on which any proposed generating plants is expected to be commissioned ; and
- (e) the capacity and type of each unit within each generating plant :

Note : Description.

The description should enable the areas and locations concerned to be adequately and readily identified by map, if the applicant so desires, or by any other convenient means and must be sufficient to make clear the nature and extent of the proposed activities.

Schedule F

PART I

APPLICATION FORM FOR AN EXEMPTION FROM THE REQUIREMENT TO OBTAIN A DISTRIBUTION LICENCE

1. Name of the Applicant :

2. The legal status of the Applicant :

3. Official address of the Applicant :

4. The following information as appropriately applicable :

(a) where the applicant is a public corporation or a company, the full names of all the members of the governing body of the corporation or of the Board of Directors, as the case may be ;

(b) where the applicant is a local authority, the full names of all the members of such authority ;

(c) where the applicant is a partnership, the full names of all the current partners of such local partnership.

(d) where the applicant is a society registered under the Co-operative Societies Law, No. 5 of 1972, the full names of all the members of the governing body of such registered society ;

or

(e) where the applicant is an unincorporated body of persons, the full names of all the office bearers of such body of persons.

5. Name and designation of the person to whom enquires may be addressed in relation to this application, together with an address for correspondence (if difference from 3 above) and other contact details.

6. The desired date on which the exemption is to become operative.

7. List of approvals obtained or proposed to be obtained and agreements executed or proposed to be executed, in relation to this application.

8. A list of the administrative districts included (in whole or in part) in the geographical areas on which the Applicant seeks to operate its activities up on the grant of an exemption under Section 10 of the Electricity Act, No. 20 of 2009.

9. Details of any previous application made under the Electricity Act, No. 19 of 1950 or the Electricity Act, No. 20 of 2009, as the case may be, for the issue of a licence to generate or distribute electricity, and where :—

(a) Such application was accepted and a licence was issued, details of all the activities carried on by the applicant under such licence ;

(b) Such application was rejected, the reasons for such rejection ;

or

(c) Such licence was revoked, the reasons for such revocation.

10. Details of any licence or exemption obtained, applied for or being applied for by the applicant, in respect of the generation or distribution of electricity.

PART II

DOCUMENTS TO ACCOMPANY AN APPLICATION FOR AN EXEMPTION FROM THE REQUIREMENT TO OBTAIN A DISTRIBUTION LICENCE

1. If the applicant is :—

(a) Body established by an Act of Parliament, a copy of such Act ;

- (b) A company, a certified copy of the certificate of incorporation and of the Memorandum and Articles of Association of the company ;
- (c) A society registered under the Co-operative Societies Law No. 5 of 1972, a certified copy of the certificate of registration issued and of the by-laws of such society ;
- (d) A partnership, a certified copy of the certificate of registration issued by an appropriate authority under any law or Statute relating to the registration of business names ;

or

- (e) Any unincorporated body of persons, the constitution of such unincorporated body.

2. Details of technical expertise available with the applicant in carrying out the proposed activities, for which an exemption is being applied for.

3. A statement of how the applicant proposes to comply/adhere to safety and performance standards and technical and other operational codes.

4. A statement of the total number of consumers intended to be supplied with electricity along with a description (see Note below) of the nature, situation and type of electricity consumers to whom the applicant intends to supply electricity, upon the grant of an exemption.

Note : Description.

The description should enable the areas and locations concerned to be adequately and readily identified by map, if the applicant so desires, or by any other convenient means and must be sufficient to make clear the nature and extent of the proposed activities.

Schedule G

DECLARATION

I/We* hereby declare that,

- 1. I/We* shall at all times comply in every respect with the conditions attached to any Licence/Exemption that may be awarded to me/us* or as the same may be modified from time to time ;
- 2. I/We* shall at all times comply with any decision, direction, order or determination made by the Public Utilities Commission of Sri Lanka in relation to the issue of the licence/exemption ; and
- 3. The information provided by me/us* is accurate and complete in all respects.

.....
Full name(s) of signator(y/ies).

Signed by :

Position held (where Applicant is a company, partnership, co-operative or other body corporate or other legal entity) :

Date :

*Strike off what is inapplicable.

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