

Covering Letter

To: The Honourable President Cyril Ramaphosa

Dear President Ramaphosa

Re: Section 34 determination as announced in your Energy Plan

Our previous letter requesting that you instruct Minister Mantashe to issue a section 34 determination for the balance of renewable and storage capacity contained in the IRP 2019 refers.

We welcome your announcement on 25 July 2022 that the Minister must issue such a determination, which is one of the crucial steps required to rapidly add more generating capacity to the grid. We consider an expedited section 34 determination as a tangible crucial step to ignite the implementation of a national rollout plan to end load shedding.

In the meantime, we had been working on “The People’s Determination” as a collective effort, and in response to your call to us as civil society to contribute to the extent we can, we have drafted this as a proposed section 34 determination, to act as a guideline for the Minister in carrying out his duties in terms of the Electricity Regulation Act. We believe that the contents of the People’s Determination is an accurate reflection of the new generation capacity needed to swiftly eradicate load shedding and is a result of thorough thinking, modelling, and consultations among energy experts and civil society.

We note that in the past the DMRE has not always been quick to process instructions from yourself, as was the case with amending the regulations to allow 100MW installations without a licence from NERSA.

We therefore request that you present this People’s Determination to the Minister with a view to it being used as a basis for issuing a formal section 34 determination. We trust that the People’s Determination will fast-track the process so that a determination can be presented to NERSA for their concurrence as soon as possible in an expedited process.

We note again that in order to stimulate local manufacturing and jobs, there must be certainty of demand for renewable technology. We believe that this will be achieved by the Minister issuing this determination without delay.

We would like to extend a unified invitation for any further engagements with your office, the Minister and the DMRE, and/or any other relevant stakeholder(s). We hope that by monitoring progress with this process we will be able to assist where possible, and ensure focus is rapidly brought to delays or administrative blockages should any arise.

Civil society groups:

Koeberg Alert Alliance (KAA)

Alternative Information and Development Centre (AIDC)

Project 90

Fight Inequality Alliance

Fossil Free SA

Extinction Rebellion Cape Town

South African Faith Communities’ Environment Institute (SAFCEI)

Organisation Undoing Tax Abuse (OUTA)

350Africa.org

The Federation for a Sustainable Environment (FSE)

Environmental Monitoring Group (EMG)

Save Bantamsklip

The Green Connection

South Africa Climate Action Network (SACAN) ? Thando is confirming

Independent experts:

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