

LEGAL NOTICE NO.

THE ENERGY ACT
(No. 1 of 2019)

IN EXERCISE of the powers conferred by Sections 5 and 208 of the Energy Act, 2019, the Cabinet Secretary for Energy makes the following Regulations

**THE DRAFT ENERGY (INTEGRATED NATIONAL ENERGY PLAN)
REGULATIONS, 2023 FOR PUBLIC COMMENTS**

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THE ENERGY ACT (No. 1 of 2019)

IN EXERCISE of the powers conferred by Sections 5 and 208 of the Energy Act, 2019, the Cabinet Secretary for Energy makes the following Regulations

ENERGY (INTEGRATED NATIONAL ENERGY PLAN) REGULATIONS, 2023

PART I - PRELIMINARIES

- Citation and Commencement**
- (1) These Regulations may be cited as the Energy (Integrated National Energy Plan) Regulations, 2023.
 - (2) These Regulations shall come into force upon gazettment by the Cabinet Secretary.
- Application**
- These Regulations shall apply to National Government and its entities; County Government and its entities, Development Partners, Private-sector Entities, Non-governmental Organizations and any other relevant stakeholder(s) that are involved in identification, implementation and financing of energy projects including the provision of energy services.
- Interpretations**
- In these Regulations, unless the context otherwise requires –
 - “**Act**” means the Energy Act, 2019;
 - “**Bioenergy**” means a form of renewable energy that is derived from organic matter, including wood, agricultural products, organic waste, municipal solid waste and other living cell materials;
 - “**Biomass**” has the meaning assigned to it in the Act;
 - “**Cabinet Secretary**” has the meaning assigned to it in the Act;
 - “**Coal**” has the meaning assigned to it in the Act;
 - “**Conservation**” has the meaning assigned to it in the Act;
 - “**Consumer**” has the meaning assigned to it in the Act;
 - “**Day**” means a calendar day unless notified otherwise;
 - “**Distribution**” has the meaning assigned to it in the Act;
 - “**Distributed generation**” has the meaning assigned to it in the Act;
 - “**Distribution System**” has the meaning assigned to it in the Act;
 - “**Energy**” has the meaning assigned to it in the Act;
 - “**Energy access**” means households, communities, industries, enterprises and institutions having reliable and affordable access to energy services, which is enough to supply a basic bundle of energy services initially, and then an increasing level over time to reach the regional average;
 - “**Energy conservation**” has the meaning assigned to it in the Act;
 - “**Energy Plans**” means National Energy Service Providers’ energy plans and County Governments’ Energy plans
 - “**Energy resources**” means the estimated maximum capacity for energy production given all available resources which can be categorized as; fossil fuel, nuclear fuel and renewable resources.
 - “**Energy requirements**” means a County Government’s energy needs to facilitate realization of economic, social and political development objectives and goals;
 - “**Generate**” has the meaning assigned to it in the Act;
 - “**Household**” means a person or group of persons who reside in the same homestead or compound but not necessarily in the same dwelling unit, have same cooking arrangements and are answerable to the same household head.

“Integrated National Energy Plan” means the Energy Plans consolidated and published by the Cabinet Secretary as the national energy plan in respect of coal, renewable energy and electricity pursuant to section 5 of the Act.

“Ministry” means the Ministry responsible for Energy;

“National Energy Service Providers” means persons engaged in provision of energy services (importation, exportation, generation, transmission, distribution and supply of energy); development of energy resources; energy efficiency and conservation activities. For the purpose of planning it shall include persons engaged in policy making, licensing and regulation of energy services and shall exclude County Governments.

“National Planning” means both sectorial and multi-sectorial planning relating to the whole country;

“Outcomes” means expected changes, effects or benefits to the intended beneficiaries occurring as a result of the implementation of projects or programmes;

“Outputs” means direct products, services or results stemming from the implementation of projects or programmes;

“Person” means any natural or juridical person;

“Power” has the meaning assigned to it in the Act;

“Project” means a set of tasks or activities undertaken for the purpose of delivering specific products, services or results within a given budget, timeline and to a certain specified quality;

“Programme” means a set of policies, projects and other interventions within a certain sector that taken as a whole contribute together towards the achievement of an overall outcome or objective in the sector, national and county development plans;

“Public” has the meaning assigned to it in the Act;

“Renewable energy” has the meaning assigned to it in the Act;

“Supply” has the meaning assigned to it in the Act;

“Tariff” has the meaning assigned to it in the Act; and

“Transmission” has the meaning assigned to it in the Act.

Object and purpose of these Regulations.

4. (1) The object and purpose of these Regulations is to provide guidelines on the preparation, content, timelines, publication and monitoring of Energy Plans and the Integrated National Energy Plan.
- (2) Without prejudice to the generality of the foregoing, these Regulations shall—
- a. Provide clarity, harmony and guidelines on a coordinated approach in energy planning within the country;
 - b. Guide in the identification of energy objectives, visions, and deliverables as well as reporting framework;
 - c. Set out the guidelines and timelines for the preparation and implementation of energy plans and Integrated National Energy Plan;
 - d. Set out guidelines to regulate the content of the energy plans and Integrated National Energy Plan;
 - e. Provide guidelines on stakeholder consultations in the development, publication and review of energy plans and Integrated National Energy Plan;
 - f. Provide a framework for consolidation of energy plans into Integrated National Energy Plan;
 - g. Provide guidelines on planning for energy infrastructure investments, energy supply options and selection of appropriate technologies to meet energy demand;

- h. Provide guidelines for monitoring, evaluation and reporting on the implementation of energy plans and Integrated National Energy Plan;
- i. Provide a mechanism for ensuring that energy planning is aligned with National Planning; and
- j. Define the roles and responsibilities of various stakeholders in the energy planning process and implementation of the energy plans and Integrated National Energy Plan.

PART II – ESTABLISHMENT OF PLANNING COMMITTEES

Establishment of Integrated National Energy Planning Committee

5. (1) The Cabinet Secretary shall establish and maintain a standing committee known as the Integrated National Energy Planning Committee.
- (2) The Integrated National Energy Planning Committee shall;
 - a. Develop a uniform framework to guide on preparation of national energy providers’ energy plans and county energy plans;
 - b. Consolidate the energy plans into an Integrated National Energy Plan;
 - c. Prepare an annual report on the implementation of the Integrated National Energy Plan;
 - d. Oversee the review of the Integrated National Energy Plan after every Three (3) years;
 - e. Facilitate development of a framework for provision of data and information for energy planning;
 - f. Identify, propose and facilitate capacity building areas relevant to energy planning;
 - g. Undertake any other tasks that relate to energy planning that may be assigned by the Cabinet Secretary for Energy; and,
 - h. Mobilize resources to undertake energy planning.
- (3) The Integrated National Energy Planning Committee shall consist of the following Members: -
 - a. Cabinet Secretary, Energy and Petroleum
 - b. Principal Secretary, State Department for Energy
 - c. Principal Secretary, State Department for Petroleum
 - d. Chairperson of the Council of Governors
 - e. Chairperson of Energy Committees in Council of Governors
 - f. Director General, Energy and Petroleum Regulatory Authority
 - g. Director General, Energy Planning and Coordination Unit
 - h. Managing Director and Chief Executive Officers Kenya Electricity Generating Company PLC
 - i. Chief Executive Officer, Rural Electrification and Renewable Energy Corporation
 - j. Managing Director and Chief Executive Officer, Kenya Power and Lighting Company PLC
 - k. Managing Director and Chief Executive Officer, Kenya Electricity Transmission Company
 - l. Chief Executive Officer, Geothermal Development Company
 - m. Chief Executive Officer, Nuclear Energy Power Agency
 - n. Representative of Kenya Association of Manufacturers

- o. Representative of Kenya Private Sector Alliance
- p. Not more than five (5) co-opted members from both state and non-state Actors.

- (4) The Integrated National Energy Planning Committee shall establish the following technical committees;
- a. Electricity technical committee
 - b. Energy access technical committee
 - c. Bio-energy technical committee
 - d. Energy efficiency and conservation technical committee
 - e. Energy resource and development technical committee

The technical committees shall address specific energy themes in the Integrated National Energy Plan.

**Establishment of
County Energy
Planning
Committees**

6. (1) Each Governor shall establish and maintain a standing committee known as the County Energy Planning Committee.
- (2) The County Energy Planning Committee shall;
- a. Prepare and submit the County Energy Plan to the Governor;
 - b. Undertake monitoring, evaluation and reporting on county energy plans;
 - c. Prepare and submit an annual report on the status of implementation of the County Energy Plan;
 - d. Undertake a review of the County Energy Plan after every Three (3) years;
 - e. Identify, propose and facilitate capacity building areas relevant to energy planning; and,
 - f. Identify potential financing and funding sources.
- (3) The County Energy Planning Committee shall consist of the following members:
- a. Director of County responsible for Energy
 - b. Director responsible for economic planning
 - c. Directors responsible for key energy nexus sectors- Agriculture, water, health, industrialization/SMEs, education (counties will make choices based on their CIDP priorities)
 - d. County Business Manager, Kenya Power and Lighting Company
 - e. Representative of the Civil Society
 - f. Representative of Private Sector
 - g. Representative of Development Partners
- (4) The County Energy Planning Committee shall establish a technical committee to facilitate the development of the County Energy Plan. The Committee shall be chaired by the Director responsible for energy in the County.
- (5) The Governor shall submit the County Energy Plan for approval by the County Assembly in accordance to the County Government Act of 2012.

PART III - ROLES AND RESPONSIBILITIES OF PERSONS INVOLVED IN INTEGRATED NATIONAL ENERGY PLAN PROCESS AND IMPLEMENTATION

Powers and functions of the National and County Governments

7. The powers and functions between the National and County Governments are as set out in the Fourth Schedule of the Constitution and the Fifth Schedule of the Act.

Roles and Responsibilities of the Cabinet Secretary

8. The Cabinet Secretary shall: -
 - a. Provide policy priority areas for energy planning;
 - b. Provide leadership in the preparation, implementation and review of Integrated National Energy Plan;
 - c. Develop and issue a Circular on Integrated National Energy Planning;
 - d. In collaboration with the National Energy Service Providers and County Governments develop capacity for the preparation of energy plans and Integrated National Energy Plan;
 - e. Mobilize resources for preparation and implementation of the Integrated National Energy Plan;
 - f. Provide leadership and guidance in energy data access and governance;
 - g. Publish the Integrated National Energy Plan; and
 - h. Monitor and report on the progress of the implementation of Integrated National Energy Plan.

Roles and Responsibilities of the National Energy Service providers

9. The National Energy Service Providers shall: -
 - a. Prepare and submit to the Cabinet Secretary their respective energy plans;
 - b. Undertake a review of their Energy Plans after every Three (3) years;
 - c. Prepare and submit an annual report on the implementation of their Energy Plan to the Cabinet Secretary. The same shall be submitted within One (1) month after the end of each financial year;
 - d. Consult with the Cabinet Secretary, the Council of Governors, other national energy service providers, and other relevant stakeholders in preparation of their Energy Plans;
 - e. Identify, propose and build capacities relevant to energy planning;
 - f. Mobilize resources for implementation of their energy plans and Integrated National Energy Plan;
 - g. Provide data and information for development of National and County energy plans; and
 - h. Publish their Energy Plans on their websites; and
 - i. Implement, monitor and report on the progress of the implementation of their Energy Plans.

Roles and Responsibilities of the County Governments

10. The County Governments shall: -
 - a. Prepare and submit to the Cabinet Secretary, County Energy Plans;
 - b. Undertake a review of the County Energy Plans after every Three (3) years;
 - c. Prepare and submit an annual report on the implementation of the County Energy Plan to the Cabinet Secretary. The same shall be submitted within One (1) month after the end of each financial year;

- d. Consult with other County Governments, national energy service providers and other relevant stakeholders in preparation of the County Energy Plans;
- e. Identify, propose and build capacities relevant to energy planning;
- f. Provide data and information to inform the energy planning process;
- g. Mobilize resources for preparation and implementation of the County Energy Plan and Integrated National Energy Plan;
- h. Harmonize the County Energy Plan with the County Integrated Development Plans;
- i. Publish their County Energy Plans on their websites; and,
- j. Implement, monitor and report on the progress of the implementation of the County Energy Plans.

Roles and Responsibilities of Other National Ministries, Departments and Agencies

- 11. Other National Government Ministries, Departments and Agencies shall: -
 - a. Propose interventions in the Energy Plans and Integrated National Energy Plan;
 - b. Provide resources for implementation and interventions of Integrated National Energy Plan that are relevant to their mandate;
 - c. Provide data and information to inform the energy planning process; and,
 - d. Monitor and report on the progress of the implementation of Integrated National Energy Plan relevant to their mandate.

PART IV – PLANNING PROCESS

Integrated National Energy Planning Process

- 12. (1) The INEP planning process shall comprise of the following Eleven (11) steps;
 - i. Preliminaries
 - ii. Establish the Integrated National Energy Planning Committee.
 - iii. Identify and engage stakeholders
 - iv. Formulate a vision and re-assess objectives
 - v. Conduct situational analysis of the energy sector
 - vi. Develop energy goals and strategies
 - vii. Identify and prioritize actions
 - viii. Develop funding and financing strategy
 - ix. Develop a blueprint for implementation of Integrated National Energy Plan
 - x. Develop a monitoring and evaluation plan
 - xi. Refine, adopt and publicize the Integrated National Energy Plan.
- (2) The Cabinet Secretary shall issue a Circular to the National energy service providers and County Governments for commencement of Integrated National Energy Planning. The Circular shall be shall be in the form set out in **Schedule One**
- (3) The Circular shall prescribe the following:
 - a. Timelines for submitting of energy plans;
 - b. Key policy issues to be addressed;
 - c. Roles and responsibilities of various stakeholders;
 - d. Timelines for key activities in the energy planning process;
 - e. Requirements for key activities in the energy planning process;
 - f. Format and content of the energy plans;
 - g. Energy planning data governance and access;
 - h. Identified Cross-cutting issues;

- i. Reporting period of past performance;
 - j. Public participation and stakeholder involvement; and,
 - k. Preparation, submission and approval of energy plans.
- (4) The National Energy Service Providers and County Governments shall develop and submit, to the Cabinet Secretary, their energy plans within the timelines specified in the Circular.
 - (5) The energy planning process for national service providers and county governments shall be as set out in **Schedule Two**.
 - (6) The Integrated National Energy Planning Committee shall acknowledge receipt in writing of the energy plans within seven (7) days.
 - (7) The Integrated National Energy Planning Committee shall, within ninety (90) days, consolidate the energy plans submitted by National Energy Service Providers and County Governments into a draft Integrated National Energy Plan.
 - (8) The Cabinet Secretary shall, within fourteen (14) days, publish and subject the draft Integrated National Energy Plan to public participation. The public participation shall be for a period of twenty-one (21) days.
 - (9) The Cabinet Secretary shall, within thirty (30) days, consider and incorporate comments received during the public participation and publish the final Integrated National Energy Plan.
 - (10) The Integrated National Energy Plan shall be reviewed in accordance with Section 5(4) of the Act. The Circular for review shall be issued Three (3) months prior to the commencement of the Financial Year preceding the year of the review.
 - (11) All energy programmes and projects shall be guided by the Integrated National Energy Plan.

PART V - CONTENT OF THE ENERGY PLANS AND INTEGRATED NATIONAL ENERGY PLAN

Contents of the Energy Plans

13. (1) The Circular issued by the Cabinet Secretary shall provide information on the contents of the National Energy Service provider plans and County Energy Plans. The plans shall as a minimum, contain information set out in **Schedule Three** and **Schedule Four**.
- (2) Non-governmental Organizations and Private-sector Entities will prepare and submit their energy programmes/projects either to their respective counties or to the Cabinet Secretary for incorporation in the county energy plans and Integrated National Energy Plan. They shall contain the details set out in **Schedule Five**.
- (3) The outline and contents of the Integrated National Energy Plan Shall be set out in **Schedule Six**

PART VI – GENERAL PRINCIPLES OF THE INTEGRATED NATIONAL ENERGY PLAN

- Monitoring and evaluation of National Energy service providers and County Governments energy plans**
14. (1) The National Energy service providers and County Governments shall have a monitoring and evaluation framework for tracking and reporting progress on implementation as well as assessing the impacts of the energy plans.
- (2) The monitoring and evaluation framework shall be linked to the National and County Monitoring and Evaluation Systems.
- (3) The annual report on the implementation of the energy plans shall be prepared by the National Energy service providers and County Governments and submitted to the Cabinet Secretary within One (1) month after the end of each financial year.

- Mainstreaming of cross-cutting issues**
15. The National Energy Service Providers and County Governments shall during the preparation, implementation, monitoring, evaluation and reporting of their energy plans, take into consideration cross-cutting issues as shall be identified from time to time and advised in the Circular.

PART VII – MISCELLANEOUS PROVISIONS

- Submission of Energy Plans and report on the implementation of energy plans Stakeholder - consultations**
16. A person who fails to submit the energy plans and reports provided in these Regulations commits an offence.

17. The integrated national planning process shall comply with the Constitutional requirements of public participation.

- Provision of information**
18. (1) The National Energy Service providers and County governments shall furnish the Integrated National Energy Planning Committee at such times and in such form and manner, such information as the Integrated National Energy Planning Committee may, in writing, require.
- (2) Any information obtained under sub-regulation (1) shall be dealt with in accordance with Section 211 of the Act and the Access to Information Act, No. 31 of 2016 and Data Protection Act of 2019.
- (3) The Energy Plans, County Energy Plans and Integrated National Energy Plan shall be posted on the websites of the Ministry responsible for Energy, National Energy Service Providers and County Governments.

Records of the Energy Plans, County Energy Plans and Integrated National Energy Plan shall be made available to any member of the public upon written request.

- False information**
19. A person who provides false information in relation to development of Energy Plans, County Energy Plans and the Integrated National Energy Plan shall be liable prescribed under Section 210 of the Act.

- Offences and Penalties**
20. (1) Where any default in or contravention of any of the provisions of these regulations is made for which no fine or penalty is expressly stated, the person so defaulting or contravening shall, on conviction, be liable to a fine not less than one hundred thousand shillings.
- (2) A person who is found to be guilty of any of the offences listed in **Schedule Seven** shall be liable to the fine or penalty indicated thereunder
- Disputes and Appeals**
21. (1) Complaints and/or disputes under these Regulations shall be referred to the Authority for resolution in accordance with the Energy (Complaints and Disputes Resolution) Regulations 2012.
- (2) Any person aggrieved by a decision or Order of the Authority may appeal to the Tribunal in accordance with provisions of Section 24 of the Act.
- Period**
22. (1) The National Service Provider Plans and the Integrated National Energy Plan shall be for a period of twenty (20) years reviewed every three (3) years on a rolling basis.
- (2) The Initial County Energy Plans shall be for a period of ten (10) years reviewed every three (3) years on a rolling basis.
- Transition**
23. The Cabinet Secretary shall within one (1) year of coming into effect of these Regulations, integrate all the existing energy plans for the National Energy Service Providers and County Governments into the Integrated National Energy Plan.

Dated2023

Daniel Kiptoo Bargaroria, OGW
Director General
Energy and Petroleum Regulatory Authority

SCHEDULE ONE (r. 7(2))

OUTLINE OF CIRCULAR ON INTEGRATED NATIONAL ENERGY PLANNING

ENERGY CIRCULAR NO.

TO: ALL GOVERNORS, COUNTY GOVERNMENTS

ALL CEOs NATIONAL ENERGY SERVICE PROVIDERS

REF: GUIDELINES FOR THE PREPARATION OF THE ENERGY PLANS AND INTEGRATED NATIONAL ENERGY PLAN FOR THE PERIOD (*insert period here*)

1. INTRODUCTION

- a) Purpose of the Circular
- b) Background information about Energy Planning.

2. Policy and regulatory framework supporting Integrated National Energy Plan

3. Energy policy objectives guiding energy planning.

4. **SPECIFIC GUIDELINES**

The following will guide the preparation of Energy Plans and INEP.

- a) Timelines and requirements for key activities in the energy planning process
- b) Roles and responsibilities of key players in energy planning process.
- c) Advisory on undertaking energy programmes/projects.
- d) Linkages of energy planning with other plans.
- e) Energy planning process
 - i. County Energy Planning Process
 - ii. National Service Providers Planning Process
 - iii. Integrated National Energy Planning Process
- f) Form and content of Energy Plans and INEP
 - i. Form and content of National Energy Service Providers Plans (Annex 2)
 - ii. Form and content of County Energy Plans (Annex 3)
 - iii. Form and content for Private Sector and Non-governmental organization programme/projects reporting matrix for inclusion in either County Energy Plans or Integrated National Energy Plan (Annex 5)
 - iv. Form and content of Integrated National Energy Plan (Annex 4)
- g) Mainstreaming of crosscutting issues
- h) Public participation and stakeholder involvement

5. Preparation and Submission of Energy Plans

6. Conclusion.

SIGNED BY THE CABINET SECRETARY RESPONSIBLE FOR ENERGY

COPY TO RELEVANT STAKEHOLDERS.

ANNEXES

Annex 1: Integrated National Energy Planning Calendar

Annex 2: Outline for National Energy Service Providers

Annex 3: Outline for County Energy Plan

Annex 4: Outline for Integrated National Energy Plan

Annex 5: Outline for Private Sector and Non-governmental organization programme/projects reporting matrix

Annex 6: Guidelines for preparation of annual progress reports by the national Service providers and the County Governments for implementation of their respective plans

Annex 7: Monitoring and reporting template.

SCHEDULE TWO (r. 7(5))

A. COUNTY ENERGY PLANNING PROCESS

The county energy planning process shall comprise the following eleven distinct and sequential stages;

Stage 1: Preliminaries

Stage 2: Establish the County Energy Planning Committee.

Stage 3: Identify and engage stakeholders

Stage 4: Formulate a vision and re-assess objectives

Stage 5: Conduct situational analysis of the energy sector

Stage 6: Develop energy goals and strategies

Stage 7: Identify and prioritize actions

Stage 8: Develop funding and financing strategy

Stage 9: Develop a blueprint for implementation of county energy plan

Stage 10: Plan to monitor and evaluate

Stage 11: Refine, adopt and publicize the county energy plan.

B. NATIONAL ENERGY SERVICE PROVIDERS PLANNING PROCESS

The planning process for national energy service providers shall comprise the following eleven distinct and sequential stages

Stage 1: Preliminaries

Stage 2: Establish an Internal Energy Planning Committee.

Stage 3: Identify and engage stakeholders

Stage 4: Formulate a vision and re-assess objectives

Stage 5: Conduct situational analysis of the energy sector

Stage 6: Develop energy goals and strategies

Stage 7: Identify and prioritize actions

Stage 8: Develop funding and financing strategy

Stage 9: Develop a blueprint for implementation of Energy Plan

Stage 10: Plan to monitor and evaluate

Stage 11: Refine, adopt and publicize the Energy Plan.

SCHEDULE THREE (r. 8(1))

CONTENT OF THE NATIONAL ENERGY SERVICE PROVIDERS PLAN ENERGY PLANS	
1.	Cover Page
	The Cover page shall include the national government logo, national energy service provider's logo, name of the national service provider, title of the plan, plan period
2.	Preliminaries
	The preliminary pages shall include; Foreword, Preface, Acknowledgements, Table of contents and Abbreviations.
3.	Executive Summary
	All information in the Executive Summary should be drawn from the detailed information in the entire Energy Plan. The Executive Summary shall highlight the plan development process, review topical areas discussed within the plan, a brief description of the stakeholder engagement process as well as key recommendations and action items.
4.	Introduction
	<ul style="list-style-type: none"> a. Outline the Scope, Purpose and Overarching goals of the Energy Plan. b. Vision of the Energy Plan: Describe the desired future in detail so as to clearly depict the intended outcomes once all elements of the energy plan are adopted and implemented. The vision shall illustrate how the energy plan recommendations align to all the prevailing national plans, policies, programmes, laws, executive orders and trends. c. Policy Legal and Regulatory framework for energy sector. d. Institutional Framework for energy sector e. National Energy Service Provider Mandate towards realization of the government development agenda f. Global, Regional and National Energy Challenges and emerging issues
5.	Situational Analysis
	<p>This section shall indicate the performance of the energy service provider as per their mandate for the period indicated in the Circular. This shall include both technical and financial performance. Specifically, it shall include;</p> <ul style="list-style-type: none"> a. Review of Past Performance - Captures the performance of the energy service provider as per their mandate b. Key Milestones. c. Challenges. d. Lessons learnt by the ESP from the implementation of past programme e. Strength Weakness Opportunities and Threats Analysis f. Stakeholder Analysis
6.	Programmes/Projects
	<p>This section shall contain the ongoing energy programmes/projects being undertaken by the energy service provider as per their mandate. Specifically it shall containe</p> <ul style="list-style-type: none"> a. Current Energy Profile b. Strategic Priorities c. Programmes and Projects – Ongoing and planned.
7.	Implementation And Coordination Framework
	This section shall identify the institutional framework and provide the roles of key stakeholders in the implementation of the plan. The section shall also clearly define

	responsibilities and assign leaders to implement the specific recommendations of each of the energy plans.
8.	Resource Mobilization and Management
	This section shall indicate the financing strategies for the objectives and recommended actions that will ensure that the plan is financially sustainable. Section will have; <ul style="list-style-type: none"> a. Financial resources requirements b. Resource Gaps c. Resource mobilization strategies. d. Resource management
9.	Monitoring, Evaluation and Reporting and Reporting Methodologies
	This section shall explain the methodologies to be used to measure and report results of the energy plan, including specific metrics that will be used to gauge the success in implementation of each goal and recommended actions. The section shall also define responsibilities and indicate the player who shall undertake the monitoring and reporting of the energy plans.
10.	Crosscutting issues
	In selecting policies and objectives, identifying key stakeholders, carrying out analysis and review of data, scenario development and identification of interventions, and determining monitoring and evaluation indicators, the following cross-cutting issues shall be taken into consideration: Gender; Innovation, Research and Development; Communication; Disaster and Risk management; Environment, Health and Safety and /or any other crosscutting issues that may be identified from time to time.
11.	Conclusion and Recommendations
	This section shall contain a summary of key elements of the energy plan.
12.	Glossary
	Include a list of definitions of words used in the plan.
13.	Appendices
	Attach schedules/documents that complements or supports any part of the text within the plan.
14.	References
	Provide a list of references used in the development of the plan.
General Notes to the Energy Plan	
	<ul style="list-style-type: none"> a. All statistics should be supported by a formula, source, reference or computation methodology. b. <i>Grammar and style:</i> The Energy Plan shall be in English, legible, paginated and written in proper prose. The language should be clear, concise and understandable. c. All graphs and tables should be properly labeled and should indicate the dates when the data was obtained. These should first be introduced in the text, then discussed and cross referenced. d. The Energy Plan should be printed on both sides and either book or spiral bound. e. Reference to all the appendices should be made in the Energy Plan f. A hard and soft copy of the Energy Plan shall be submitted to the Cabinet Secretary. g. <i>Citation, referencing and plagiarism:</i> Proper and accurate citations and referencing should be indicated for all materials and works attributable to other sources. Clearly identify and cite (according to academic conventions) any borrowed numbers, ideas, or material and document all source material. Self-plagiarized Energy plans shall not be admitted.

DRAFT

SCHEDULE FOUR (r. 8(1))

CONTENT OF THE COUNTY GOVERNMENT ENERGY PLANS	
1.	Cover Page
	The Cover page shall include the National Government logo, County Government logo, the name of the County Government, title of the plan, plan period
2.	Preliminaries
	The preliminary pages shall include; Foreword, Preface, Acknowledgements, County Map, Table of contents and Abbreviations.
3.	Executive Summary
	All information in the Executive Summary should be drawn from the detailed information in the County Energy Plan. The Executive Summary shall highlight the plan development process, review topical areas discussed within the plan, a brief description of the stakeholder engagement process as well as key recommendations and action items
4.	Introduction
	<ol style="list-style-type: none"> a. Outline the Scope, Purpose and Overarching goals of the County Energy Plan. b. Background: Provide a background of the energy planning, which may include the rationale for the County Energy Plan, history of energy planning, plus challenges and opportunities. c. Indicate the process of development of County Energy Plan. d. State the Integration of county energy planning into the County Integrated Development Plan process. e. The geographical location and size of the County f. Development partners, Private-sector entities and Non-governmental organizations in the county's energy sector. g. Applicable legislations on energy in the County h. Vision of the county energy plan -
5.	County Energy Resources
	This chapter shall detail all resources and provide statistical data in terms of technical viability and level of current exploitation. It shall relate the county energy resources to national statistics. Further, it will describe energy resources and potential in the county, including projections based on the available data. The following data shall be required for the county energy resources;
6.	County Energy Access
	This section provides an overview of electricity access in the County. It will cover electricity access trends over time, key stakeholders, strategies, goals and barriers to access
	Indicate the County Government energy requirements and the ongoing energy Programmes/Projects being undertaken by the County Government.
7.	County Energy Efficiency and Conservation Measures Assessment
	County Governments are required to promote actions to enhance energy efficiency and conservation in order to improve energy security and mitigate the impacts of climate change by lowering GHG emissions. This section should focus on energy efficiency and conservation measures in the county
8.	Programmes and Projects
	This chapter will include all the agreed interventions across the thematic areas of the county energy plan. County government to identify and proposed implementable projects
9.	Implementation, Coordination, Monitoring and Evaluation

	<p>The county government to provide in detail, an implementation, coordination, monitoring and evaluation framework for the county energy sector.</p> <p>The county department responsible for energy shall have the overall supervisory and coordinating role of implementing and monitoring.</p>
	Crosscutting issues
10.	In selecting policies and objectives, identifying key stakeholders, carrying out analysis and review of data, scenario development and identification of interventions, and determining monitoring and evaluation indicators, the following cross-cutting issues shall be taken into consideration: Gender; Innovation, Research and Development; Communication; Disaster and Risk management; Environment, Health and Safety and /or any other crosscutting issues that may be identified from time to time.
11.	Challenges and proposed solutions
	This section shall identify specific barriers to completing the objectives outlined in the County Energy Plan and propose solutions to address the same.
12.	Conclusion.
	This section shall contain a summary of key elements of the County Energy Plan.
13.	Glossary.
	Include a list of definitions of words used in the County Energy Plan.
14.	Appendices.
	Attach schedules/documents that complements or supports any part of the text within the County Energy Plan.
15.	References
	Provide a list of references used in the development of the County Energy Plan.
16.	General Notes to the County Energy Plan
	<ol style="list-style-type: none"> a. All statistics should be supported by a formula, source, reference or computation methodology. b. <i>Grammar and style:</i> The County Energy Plan should be in English, legible, paginated and written in proper prose. The language should be clear, concise and understandable. c. All graphs and tables should be properly labeled and should indicate the dates when the data was obtained. These should first be introduced in the text, then discussed and cross referenced. d. The County Energy Plan should be printed on both sides and either book or spiral bound. e. Reference to all the appendices should be made in the County Energy Plan f. A hard and soft copy of the County Energy Plan shall be submitted to the Cabinet Secretary. g. <i>Citation, referencing and plagiarism:</i> Proper and accurate citations and referencing should be indicated for all materials and works attributable to other sources. Clearly identify and cite (according to academic conventions) any borrowed numbers, ideas, or material and document all source material. Self-plagiarized County Energy Plan shall not be admitted.

SCHEDULE FIVE (r.8(2))

**CONTENT OF NON-GOVERNMENTAL AND PRIVATE SECTOR ENTITY
PROGRAMMES/PROJECTS**

1. Name of the organization
2. Contact details (Physical address, postal address, email address).
3. Name of accounting officer/CEO/Director
4. Name and contact details of technical person (for any clarification).
5. Project name
6. Project scope/brief description
7. The national objectives the programme/project will meet.
8. Project timelines (Start and end date)
9. Estimated Project cost
10. Implementing entities/partners
11. Project activities
12. Project location (County, Constituency, Sub county, ward and its GPS coordinates)
13. Project status (ongoing or new)
14. Key output(s)

SCHEDULE SIX (r.8(3))

OUTLINE OF THE INTEGRATED NATIONAL ENERGY PLAN	
17.	Cover Page
	The Cover page shall include the National Government logo, Insert period, Theme of the Plan
18.	Preliminaries
	The preliminary pages shall include; Foreword, Preface, Acknowledgements, Table of contents and Abbreviations.
19.	Executive Summary
	All information in the Executive Summary should be drawn from the detailed information in the Integrated National Energy Plan. The Executive Summary shall highlight the plan development process, review topical areas discussed within the plan, a brief description of the stakeholder engagement process as well as key recommendations and action items
20.	Introduction
	<ul style="list-style-type: none"> a. Outline the Scope, Purpose and Overarching goals of the Plan. b. Vision and Mission of the Plan c. Policy, Legal, Regulatory and Institutional framework guiding energy sector d. Background: Provide a background of the energy planning, which may include the rationale for the County Energy Plan, history of energy planning, plus challenges and opportunities.
21.	Resource Assessment
	This chapter shall detail all resources and provide statistical data in terms of technical viability and level of current exploitation. Further, it will describe energy resources and potential in the county, including projections based on the available data.
22.	Energy Access
	This section provides an overview of energy access in the Country. It will cover energy access trends over time, key stakeholders, strategies, goals and barriers to access
23.	Energy Efficiency and Conservation Measures Assessment
	The chapter provides an overview of energy efficiency and conservation initiatives, the challenges, key stakeholders, barriers to energy efficiency and conservation, future energy efficiency and conservation outlook, proposed interventions, among others
24.	Bio-Energy
	The chapter provides an overview of bio-energy initiatives, the challenges, key stakeholders, future outlook, and proposed interventions.
25.	Electricity
	This chapter covers all the issues in the electricity sub-sector, including policies, laws, regulations, current and future demand and supply, key stakeholders, major challenges, and proposed interventions
26.	Programmes and Projects
	This chapter will include all the programmes and projects with selected interventions selected to achieve the agreed objectives
27.	Implementation
	This section shall provide an overview of the implementation framework of the INEP. It will also outline the relevant resource requirements, mobilization, and management.

28.	Monitoring and Evaluation
	The section shall provide a brief description of the structure for monitoring and evaluation (M&E) of the INEP. It shall state the goals and outline the design and indicators for the goals, outcomes and outputs
29.	Conclusion.
	This chapter will highlight the key issues and recommendations of the INEP.

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SCHEDULE SEVEN (r.15(2))

OFFENCES AND PENALTIES

REGULATION	DESCRIPTION OF OFFENCE/VIOLATION	FINE OR PENALTY
20(4)	Failure to submit energy plan	A fine not less than one hundred thousand shillings
20(4)	Failure to submit report on implementation of Integrated National Energy Plan	A fine not less than one hundred thousand shillings
20(4)	Delay in submitting of energy plan or report on implementation of Integrated National Energy Plan	A fine not less than one hundred thousand shillings
21(8)	Failure to give information	A fine not exceeding ten million shillings or to imprisonment for a term not exceeding five years or to both
22	Provision of false information	A fine not exceeding ten million shillings or to imprisonment for a term not exceeding five years or to both
22	Providing inaccurate or incomplete information	A fine not less one hundred thousand shillings