

Respondent No. 4 - Network Licence Granted to Grenada Electricity Services Limited

1. This Draft Network Licence is also consistent with the provisions of the Electricity Act and is essentially a grant of a non-exclusive network Licence to GRENLEC for the transmission, distribution and sale of electricity to customers in the Authorized Area.
2. Although the written Draft appears to be described as a non-exclusive licence, the spirit and essence and effect of the Draft in fact grants exclusivity to GRENLEC for the following reasons:
 - a. On the one hand, while other persons are not precluded from applying for a Licence, GRENLEC however holds a Licence for the entire State of Grenada by virtue of the definition of "Authorized Area";
 - b. In further contradiction to its description as being non-exclusive, Part II B(2) (page 8) attempts to qualify the non-exclusive nature of the Licence by limiting the non-exclusivity to areas not currently serviced by GRENLEC and to residential, commercial, industrial, government and/or educational developments that may commence after the effective date. *(For information purposes, GRENLEC is known to provide coverage to approximately 98% of the Authorized Area).* It is further recommended as an alternative that the entire section be removed altogether.
3. We note the provision Q (page 27), like provision N1 (page 20) in the Draft Generation Licence appears to be unique and special to GRENLEC, given its relationship to the Government of Grenada and we recommend that such a clause does not feature or be drafted into any other network licences.

Thank you,