



NIGERIAN ELECTRICITY REGULATORY COMMISSION

CASE NO: NERC/01/000002/2007

IN THE MATTER OF:

**THE PETITION IN RESPECT OF THE ELECTROCUTION
OF A MINOR GIRL AT AN ABUJA ELECTRICITY
DISTRIBUTION COMPANY LTD SUBSTATION AT
SIRAKORO STREET, OFF BLANTYRE STREET, WUSE
II, ABUJA.**

BETWEEN:

PETITIONER:

**NIGERIAN ELECTRICITY REGULATORY COMMISSION
Adamawa Plaza, Plot 1099, 1st Avenue, Central Business
District, Abuja.**

AND

RESPONDENT:

**ABUJA ELECTRICITY DISTRIBUTION COMPANY LTD
Abuja Distribution Zonal Headquarters,
Loma – Mansa Street, Off IBB Way,
Wuse Zone 4,
Abuja**

HEARING NOTICE

TAKE NOTICE that a Hearing Panel constituted pursuant to the Electric Power Sector Reform (EPSR) Act 2005, will be moved on the **22nd day of April, 2008**, at the hour of 9 O'clock in the forenoon or so soon thereafter at the Court room of the Investment & Securities Tribunal, Plot 823, Ralph Sodehinde Street, Central Business District, Abuja, as parties or their respective counsel on their behalf, and interested parties may be heard in the Petition on the electrocution of a minor girl at an Abuja Electricity Distribution Company Ltd ("**Abuja Distco**") substation at Sirakoro Street, off Blantyre Street, Wuse 11, Abuja.

SUMMARY OF FACTS:

The Commission received a report of the electrocution of a minor girl on April 18th, 2007 at a substation under the operational area of the **Abuja Distco** at Sirakoro Street, off Blantyre Street, Wuse II, Abuja.

Following the report, the Commission conducted a preliminary investigation into the incident and discovered that the substation was not cordoned off but was exposed in such a way as to endanger lives. The Commission directed the Respondent to immediately fence round the substation to prevent future occurrences.

Thereafter the Commission caused a more detailed investigation into the incident and it was discovered amongst other findings that the substation was still not properly protected as directed.

The Commission further directed the Respondent as follows:

- To clear the bushes and the trees in the substation;
- Construct a barbed wire fence and fit a gate to separate the gate from the walkway;
- To compensate the family of the victim for the loss;
- Carry out an audit of their substations in the service territory and come up with a program for making them secure.

The Respondent in a letter dated 31st July, 2007 stated that the Company had done the following:

1. Embarked upon the enumeration of those compact units with a view to protect them against intruders;
2. Procured 50 feeder pillars which were being installed to replace the ones in bad condition;
3. Enlightenment campaign arranged to sensitize the Public on the danger of going too close to installations.

The Commission carried out several inspection of the substations in the Respondent's area of operation, the last being that of February 22, 2008, and observed that they have not been secured to ensure the safety of lives and property as directed by the Commission and in accordance with existing Regulations.

ISSUES FOR DETERMINATION:

At the Hearing, the Commission shall be considering the following issues amongst others:

1. Whether the Abuja Electricity Distribution Company owes a duty of care and safety under its license terms and conditions?
2. Whether the events of the 18th of April 2007 resulted from a breach of such duty?
3. Whether the non-compliance of the Abuja Distribution Company to the Direction of the Commission amounts to further breach by the Company?

Members of the public who wish to make comments or contributions with respect to the issues to be determined at the Hearing are advised to visit the Commission's website at www.nercng.org for more details.

Such comments may be posted at the Commission's website at info@nercng.org and written copies may be forwarded to the Commission at the address below within **seven (7)** days of this Publication.

**Secretary to the Commission
Nigerian Electricity Regulatory Commission
Plot 1099, First Avenue
Central Business Area
Abuja, FCT.**

***Signed
Secretary to the Commission***