



# THE KENYA GAZETTE

Published by Authority of the Republic of Kenya

(Registered as a Newspaper at the G.P.O.)

Vol. CXIX—No. 61

NAIROBI, 12th May, 2017

Price Sh. 60

## CONTENTS

### GAZETTE NOTICES

	PAGE
The Constitution of Kenya—Appointment .....	2106
The Accountants Act—Appointment.....	2106
The State Corporations Act—Appointment.....	2106
The Kenya Information and Communications Act— Appointment etc. ....	2106, 2119
The National Construction Authority Act—Appointment ...	2106
The Land Registration Act—Issue of Provisional Certificates, etc .....	2106–2114
The Land Act—Intention to Acquire .....	2114–2115
The County Governments Notices .....	2115–2119
The Labour Relations Act—Application for Registration of an Association .....	2121
The Co-operative Societies Act—Inquiry, etc.....	2121–2122
The Insolvency Act—Members’ Voluntary Liquidation...	2122
The Companies Act—Dissolution, etc.....	2122–2123
The Water Act—Regular Tariff Adjustment in RVWSB	2124–2126
The Energy Regulatory Commission—Fuel Cost Charge, etc. ....	2126–2127

### GAZETTE NOTICES—(Contd.)

The Geologists Registration Act—Registered Geologists and Graduate Geologists.....	2128–2131
The Physical Planning Act—Completion of Physical Development Plan.....	2131
The Environmental Management and Co-ordination (Amendment) Act—Environmental Impact Assessment Study Reports.....	2131–2133
Disposal of Uncollected Goods .....	2133–2134
Loss of Policies .....	2134–2136
Change of Names.....	2136–2137

### SUPPLEMENT No. 67

*Legislative Supplement, 2017*

LEGAL NOTICE NO.	PAGE
73—The Elections (Registration of Voters) (Amendment) Regulations, 2017 .....	451

GAZETTE NOTICE NO. 4494

## THE WATER ACT

(No. 8 of 2002, section 73 (5))

## REGULAR TARIFF ADJUSTMENT IN RIFT VALLEY WATER SERVICES BOARD (RVWSB) AREA

The Water Services Regulatory Board has pursuant to Section 73(5) of the Water Act 2002 approved a Regular Tariff increase for water tariffs for Nakuru Rural Water and Sanitation Company (NARUWASCO)

By extension therefore, Rift Valley Water Services Board hereby gives a one (1 month) notice to all existing and potential water customers of NARUWASCO that the current tariffs have been adjusted upwards and the new tariffs will come into effect 30 days from the date of this notice.

Water Tariff Structure for the period 2016/17 to 2020/2

Type of Customer	Approved (KSh./M3)
Domestic/Residential	
Consumption Block in m3	
0 – 6	(Flat rate) 300
7 – 20	74
21 – 50	85
51 – 100	100
101 – 300	120
> 300	140
Commercial / Industrial	
Consumption Block in M3	
0 – 6	(Flat rate) 330
7 – 20	79
21 – 50	90
51 – 100	105
101 – 300	125
> 300	145
Government Institutions	
Consumption Block in M3	
0 – 6	(Flat rate) 330
7 – 20	79
21 – 50	90
51 – 100	105
101 – 300	125
> 300	145
Schools	
Consumption Block in M3	
< 600	70
600 – 1200	80
> 1200	90
Bulk Supply	40
Water Kiosks	35
Resale at Kiosk	Ksh 1 per 20 litre container

Miscellaneous Charges

Analysis of Cost Structure

Below is the summary of the cost structure that makes up the total costs incurred by Nakuru Rural Water and Sanitation Company:

Expenditure Item	2016/17	2017/18	2018/19	2019/20	2020/21
Operations	162,612,470	173,763,665	184,445,571	195,754,562	197,978,663
Maintenance	9,975,000	10,473,750	10,997,438	11,547,309	12,124,675
Regulatory Levy	2,711,197	3,092,456	3,312,932	3,407,988	3,573,299
WSB Administrative fee	30,880,383	33,103,116	30,631,352	31,510,242	33,038,701
Minor Investments	13,311,000	22,770,000	36,950,000	37,400,000	53,380,000
Loan Repayment	12,018,300	17,682,776	15,678,031	14,405,929	14,405,929
Total Costs	231,508,350	260,885,763	282,015,324	294,026,031	314,501,267
Total Billing ( Kshs)	271,119,707	309,245,581	331,293,202	340,798,834	357,329,867
Collection Efficiency (%)	85	85	87	90	92
Projected Revenue	230,451,751	262,858,744	288,225,086	306,718,951	328,743,478
Cost Coverage	100%	101%	102%	104%	105%

Item	Approved Charge (KSh.)
Standing charge per connection per month	
Connection Size	Approved (KSh.)
½ inches	50
¾ inches	100
1 inches	250
1½ inches	250
2 inches	250
3 inches	450
4 inches	800
6 inches	1,250
8 and above	2,000
Water Deposit	
Domestic	2,500
Retail shops more than 10m3	3,500
Bars, restaurants more than 15m3	6,000
Hotel class 'A' and 'B' less than 150 m3	12,000
Hotel class 'C' and 'D' more than 150 m3	20,000
Hospitals more than 150m3	20,000
Health centers less than 150 m3	12,000
Schools and other institutions more than 200m3	20,000
Schools and other institutions less than 200m3	10,000
Minor construction sites between 200m3 and 300M3	15,000
Major construction site more than 300m3	50,000
Light industries less than 200m3	30,000
Medium industries between 200m3 to 300m3	50,000
Heavy industries more than 300m3	100,000
Water Kiosks	5,000
Other Charges	
New Water Connection Fee	2,500
Reconnection fee - at meter point	1,000

Reconnection fee - at mains	5,000 and double deposit
Illegal connection - Commercial, Industry, Construction ( Fraud)	100,000 plus estimated consumption during the period of the illegality
Illegal connection - Domestic ( Fraud)	30,000 plus estimated consumption during the period of the illegality
Tanker - 8000 ; 16,000 litres	2,500 ; 5,000 respectively per tanker within Naruwasco area for all consumers
Replacement of stolen or damaged meters	100% of the market cost of the meter
Meter testing on request	100
Leak detection services	1,000
Exhauster services ( Company exhauster)	4,000 for informal settlements and 5,000 for other customers

Conditions attached to the tariff approval

Service Delivery Targets:

Target	2016/17	2017/18	2018/19	2019/20	2020/21
Water Coverage (%)	35	40	45	50	55
Water Quality Standards	100% compliance with the quality standards				
Non-Revenue Water (%)	57.3	50.2	44	42.1	38.8
Hours of Supply ( Hrs)	12	13	14	15	16
Staff per 1000 connections	8	7	7	6	5
Metering Ratio (%)	37	47	57	67	75
Collection Efficiency (%)	85	85	88	91	93
Resale at Kiosk	Regulate resale by kiosk vendors at Kshs 1 per 20 litres. Tariffs at kiosks must be displayed at strategic points for public awareness.				

Investments

The utility shall undertake the following investments during the tariff period and also submit quarterly progress reports to the Rift Valley Water Services Board and WASREB on the same.

#### 1. Bulk and Zonal Metering

	Target Area	Size	No	Estimated cost	2016/17	2017/18	2018/19	2019/20	2020/21
Bulk meters (Production meters)	Turasha	24	1	1,500,000	1,500,000				
	Nguso	12	1	1,200,000	1,200,000				
	Rongai South	6	1	300,000		300,000			
	Bahati Chania	6	1	300,000			300,000		
	Shell Borehole – Njoro	2	1	130,000		130,000			
	Golf Club borehole - Njoro	3	1	200,000		200,000			
Master meters (Zonal meters)	Langalanga	8	1	600,000					
	Gilgil	3	5	1,000,000		400,000	400,000	200,000	
	Salgaa	6	1	300,000		300,000			
	Salgaa	4	2	480,000			480,000		
	Salgaa	12	1	1,200,000		1,200,000			
	Molo	8	2	1,200,000			600,000		600,000
	Njoro	8	1	600,000			600,000		
	Njoro	10	1	1,000,000				1,000,000	
				10,010,000	2,700,000	2,530,000	2,380,000	1,200,000	600,000

#### 2. Consumer Meters

	Size of meter	No	Estimated cost	2016/17	2017/18	2018/19	2019/20	2020/21
New connections	1	1,500	3,750,000	500,000	1,250,000	750,000	1,000,000	250,000
New connections	1	10	35,000	35,000				
New connections	1	5	35,000	35,000				
Total			3,820,000	570,000	1,250,000	750,000	1,000,000	250,000
Re-connection (Replacements)	1	2,000	5,000,000	500,000	1,000,000	1,500,000	1,500,000	500,000
Re-connection (Replacements)	1	2	7,000	7,000				
Re-connection (Replacements)	1	2	14,000	14,000				
Total			5,021,000	521,000	1,000,000	1,500,000	1,500,000	500,000
Conversion from flat rate	1	5,000	12,500,000	2,500,000	2,500,000	2,500,000	2,500,000	2,500,000
Conversion from flat rate	1	10	35,000					
Conversion from flat rate	1	5	35,000					
Total			12,570,000	2,500,000	2,500,000	2,500,000	2,500,000	2,500,000
Valves and fittings			6,500,000		500,000	2,000,000	2,000,000	2,000,000
Grand Total		8,534	37,921,000	6,291,000	7,780,000	9,130,000	8,200,000	5,850,000

#### 3. Rehabilitation of Pipeline and new networks extensions

Area	Size of meter	No	Estimated cost (KSh.)	2016/17	2017/18	2018/19	2019/20	2020/21
Eastern	3"	10	3,000,000	200,000	300,000	600,000	900,000	1,000,000
Eastern	2"	15	3,000,000	200,000	200,000	900,000	900,000	800,000
Eastern	1"	25	2,250,000	200,000	300,000	500,000	500,000	750,000
Total			8,250,000	600,000	800,000	2,000,000	2,300,000	2,550,000
Northern	3"	10	3,000,000		500,000	600,000	900,000	1,000,000
Northern	2"	15	3,000,000		600,000	900,000	700,000	800,000
Northern	1"	20	1,800,000		700,000	500,000	100,000	500,000
Total			7,800,000		1,800,000	2,000,000	1,700,000	2,300,000
Central	3"	10	3,000,000	100,000	300,000	800,000	800,000	1,000,000
Central	2"	15	3,000,000	100,000	800,000	800,000	800,000	500,000
Central	1"	20	1,800,000	100,000	1,000,000	400,000	200,000	100,000
Total			7,800,000	300,000	2,100,000	2,000,000	1,800,000	1,600,000
Western	3"	10	3,000,000	100,000	200,000	900,000	900,000	900,000
Western	2"	15	3,000,000	200,000	300,000	900,000	800,000	800,000
Western	1"	20	1,800,000	100,000	400,000	500,000	500,000	300,000
Total			7,800,000	400,000	900,000	2,300,000	2,200,000	2,000,000
Southern	3"	10	3,000,000	100,000	300,000	800,000	1,000,000	800,000

Area	Size of meter	No	Estimated cost (KSh.)	2016/17	2017/18	2018/19	2019/20	2020/21
Southern	2"	15	3,000,000	100,000	400,000	800,000	900,000	800,000
Southern	1"	20	1,800,000	100,000	300,000	500,000	500,000	400,000
Total			7,800,000	300,000	1,000,000	2,100,000	2,400,000	2,000,000
Grand total			39,450,000	1,600,000	6,600,000	10,400,000	10,400,000	10,450,000

- (i) Annual Budgets: The WSP shall adhere to the budgetary levels set in the tariff.
- (ii) Bulk Agreements: All existing and future bulk sales of water shall be supported by bulk sale agreement/s issued by WASREB.
- (iii) NRW reduction plan: The WSP shall submit a NRW reduction plan before the tariff is approved for gazettment.
- (iv) Performance Evaluation: Performance targets to be met and ascertained by WASREB, at the end of the 1st year of the tariff period. Non achievement of the set targets without justifiable cause shall lead to penalty.
- (v) SPA Revision: The clause on tariffs and licensee remuneration levy which is the equivalent of Clause 9 of the Model Service Provision Agreement (SPA) on "Tariffs, Remuneration and Financial Arrangements", shall be amended to conform with the approved tariffs: The agent shall remit fixed annual payments to Licensee, which shall be paid on equal monthly rates, at the end of respective months according to the amount in section 3.
- (vi) Regulatory Levy: The WSP shall remit the regulatory levy on monthly basis being 1% of the billing as per Legal Notice No. 36 of 2008. Arrears of the levy shall be paid up before approval of the gazette notice of the tariff.
- (vii) Loan Repayment: NARUWASCO shall immediately establish a standing order with RVWSB where it shall remit on monthly basis, equal installments for the semi - annual repayments.

	2016/17	2017/18	2018/19	2019/20	2020/21
Loan Repayment Amount	12,018,300	17,682,776	15,678,031	14,405,929	14,405,929

Dated the 26th April, 2017.

Approved

MR/3429115

JAPHETH MUTAI,  
Chief Executive Officer,  
Rift Valley Water Service Board.

ROBERT GAKUBIA,  
Chief Executive Officer,  
Water Services Regulatory Board.

GAZETTE NOTICE NO. 4495

THE ENERGY REGULATORY COMMISSION

SCHEDULE OF TARIFFS 2013 FOR ELECTRICITY TARIFFS, CHARGES, PRICES AND RATES

FUEL COST CHARGE

PURSUANT to clause 1 of Part III of the Schedule of Tariffs 2013, notice is given that all prices for electrical energy specified in Part II of the said Schedule will be liable to a fuel cost charge of plus 285 Kenya cents per kWh. for all meter readings to be taken in May, 2017.

Information used to calculate the fuel cost charge.

Power Station	Fuel Price in April, 2017 KSh./Kg. (Ci)	Fuel Displacement Charge/ Fuel Charge April, 2017 KSh./kWh	Variation from March, 2017 Prices Increase/(Decrease)	Units in April, 2017 in kWh (Gi)
Kipevu I Diesel Plant	46.44		(1.35)	17,430,000
Kipevu Ii Diesel Plant (Tsavo)	50.46		0.24	13,748,500
Kipevu Iii Diesel Plant	46.70		(0.92)	58,743,000
Embakasi GT 1 – Muhoroni	77.41		(4.30)	14,806,820
Rabai Diesel with steam turbine	44.67		(0.94)	52,949,000
Iberafrika Diesel	65.92		15.46	1,930,760
Iberafrika Diesel – Additional plant	50.13		(0.09)	19,190,740
Thika Power Diesel Plant	54.05		(1.56)	1,857,800
Thika Power Diesel Plant (with steam unit)	54.05		(1.56)	22,342,100
Gulf Power	82.41		26.07	6,040,899
Triumph Power	56.01		2.35	4,031,000
Triumph Power	56.01		2.35	6,160,300
Mumias Sugar Company		3.51	0.01	—
Biojoule		7.23	0.03	32,351
Olkaria IV Steam Charge		2.07	0.01	77,118,787
Olkaria I Unit IV and V Steam Charge		2.07	0.01	77,373,246
Opower 4		-	—	20,265,800
UETCL Import (Non-Commercial)		11.65	(0.16)	1,486,246
UETCL Import (Commercial)		15.39	(0.26)	15,758,634
UETCL Export (Non-Commercial)		11.65	(0.16)	(260,370)
UETCL Export (Commercial)		11.23	(0.07)	—
Lodwar Diesel (Thermal)	115.31		1.99	786,563
Mandera Diesel (Thermal)	120.50		(1.50)	849,550
Marsabit Diesel (Thermal)	110.55		6.13	408,661
Wajir Diesel	114.58		2.46	954,880
Moyale Diesel (Thermal)	111.12		24.06	11,731
Merti (Thermal)	127.86		—	37,116