

Approved for tabling in the House.
Bait SNA
9/6/2022.

THE NATIONAL ASSEMBLY		
DATE: 09 JUN 2022 Thursday		
REPUBLIC OF KENYA		
THE NATIONAL ASSEMBLY		
TWELFTH PARLIAMENT - SIXTH SESSION		
TABLED BY:	Hon. Ali Warrio, MP	
CLERK AT THE TABLE:	G. Chebet	

DIRECTORATE OF DEPARTMENTAL COMMITTEES

EXIT REPORT
OF
THE DEPARTMENTAL COMMITTEE ON ENERGY
(NOVEMBER 2017 TO JUNE 2022)

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LIST OF ACRONYMS/ABBREVIATIONS

BPS	Budget Policy Statement
EPRA	Energy and Petroleum Regulatory Authority
IPPs	Independent Power Producers
ISC	Inspectorate of State Corporation
KENGEN	Kenya Electricity Generating Company
KETRACO	Kenya Electricity Transmission Company
KPC	Kenya Pipeline Company
KPLC	Kenya Power and Lighting Company
LPG	Liquefied Petroleum Gas
NOCK	National Oil Corporation of Kenya
REREC	Rural Electrification and Renewable Energy Corporation
SAGAs	Semi-Autonomous Government Agencies
SCAC	State Corporation Advisory Committee

CHAIRPERSON'S FOREWORD

Standing Order 200A (1) and (2) of the National Assembly provides that, *"a Committee which is unable to complete its work before the expiry of its term shall table an exit report to the Assembly detailing reasons for such inability; and (2) "The report shall be made available to the succeeding Committee which may consider it in preparing its work plan."*

The report highlights the activities undertaken by the Departmental Committee on Energy in the Twelfth Parliament from the period the Committee was constituted in November 2017 until June 2022, covering six sessions in total. The Committee has executed its mandate in line with the National Assembly Standing Orders No. 216 which includes consideration and processing legislation referred to it; exercise oversight over the Ministries of Energy and Petroleum and Mining as well as their respective Semi-Autonomous Government Agencies (SAGAs) reporting to it; considering international agreements referred to it, scrutinize the budget vote of the Ministry of Energy and that of Petroleum and Mining as well as their SAGAs; facilitating public participation in its processes; and to consider all other matters referred to it in terms of Questions, Petitions, Motions and legislations and the Rules of Parliament.

In total, the Committee considered fifty-eight (58) Questions, seven (7) Petitions, three Bills (3), Twenty-nine (29) inspections and fact-finding visits, seven statements (7), one inquiry and seven (7) capacity building activities.

This report enumerates the key achievements attained by the Committee and has indicated the pending business that may form the basis of the work program of the Committee to be established in the 13th Parliament.

The Committee wishes to thank the Offices of the Speaker and the Clerk of the National Assembly for the logistical and technical support over this period of the Twelfth Parliament and pursuant to provisions of Standing order 200A (1), it is my pleasant duty to Table in the House the Exit Report of the Departmental Committee on Energy.

Hon. Jeremiah Kioni, MP

Chairperson, Departmental Committee on Energy

PREFACE

1.1 Establishment of the Committee

1. The Committee on Energy is one of the Departmental Committees of the National Assembly established under Standing Order 216 and mandated to, *inter alia*:
 - i) *investigate, inquire into, and report on all matters relating to the mandate, management, activities, administration, operations and estimates of the assigned Ministries and departments;*
 - ii) *study the program and policy objectives of Ministries and departments and the effectiveness of the implementation;*
 - iii) *study and review all legislation referred to it;*
 - iv) *study, assess and analyze the relative success of the Ministries and departments as measured by the results obtained as compared with their stated objectives;*
 - v) *investigate and inquire into all matters relating to the assigned Ministries and departments as they may deem necessary, and as may be referred to them by the House;*
 - vi) *to vet and report on all appointments where the Constitution or any law requires the National Assembly to approve, except those under Standing Order 204 (Committee on Appointments);*
 - vii) *examine treaties, agreements and conventions;*
 - viii) *make reports and recommendations to the House as often as possible, including recommendation of proposed legislation;*
 - ix) *make reports and recommendations to the House as often as possible, including recommendation of proposed legislation;*
 - x) *consider reports of Commissions and Independent Offices submitted to the House pursuant to the provisions of Article 254 of the Constitution; and*
 - xi) *examine any questions raised by Members on a matter within its mandate.*
2. In accordance with the Second Schedule of the Standing Orders, the Committee is mandated to consider matters relating to the Fossil Fuel Exploration, Development, Production, Maintenance and Regulation of Energy.
3. The Second Schedule to the Standing Orders mandates the Committee to consider matters relating to the Fossils fuels exploration, Development, production, maintenance and regulation of energy.
4. In executing this mandate, the Committee oversees the following Ministries, Department and Agencies (MDAs):
 - i. The Ministry of Energy; and
 - ii. The Ministry of Petroleum and Mining (State Department for Petroleum).

1.2 Committee Membership

5. The Departmental Committee on Energy was first constituted in December, 2017 and by June, 9th 2022 had changed membership to comprise the following:

Chairperson

The Hon. Jeremiah Kioni, M.P.

Ndaragwa Constituency

Jubilee Party

Vice Chairperson

The Hon. Gladwell Cheruiyot, MP

Baringo County Women Representative

Kenya African National Union (KANU)

The Hon. Joseph Kirui Limo, MP

Kipkelion East

Jubilee Party

The Hon. Joseph Wathigo Manje, MP.

Kajiado North Constituency

Jubilee Party

The Hon. Rashid Kassim Amin, MP.

Wajir East Constituency

Wiper Democratic Movement- Kenya

The Hon. Amina Gedow Hassan, MP.

Mandera County Women Representative

Economic Freedom Party

The Hon. Mary Wamaua Njoroge, MP.

Maragua Constituency

Jubilee Party

The Hon. Elsie Muhanda, MP

Kakamega County Women Representative

Orange Democratic Movement (ODM)

The Hon. Julius Mawathe, MP

Embakasi South Constituency

Wiper Democratic Movement – Kenya

The Hon. Michael Mwangi Muchira, MP

Ol Jorok Constituency

Jubilee Party

The Hon. Ekomwa Lomenen James, MP.

Turkana South Constituency

Jubilee Party

The Hon. Lemanken Aramat, MP.

Narok East Constituency

Jubilee Party

The Hon. (Eng.) Vincent Musau, MP.

Mwala Constituency

Maendeleo Chap Chap Party

The Hon. Ali Wario, MP

Bura Constituency

Jubilee Party

The Hon. Elisha Odhiambo, MP

Gem Constituency

Orange Democratic Movement (ODM)

The Hon. Annie Wanjiku Kibeh, MP

Gatundu North Constituency

Jubilee Party

The Hon. Richard Ken Chonga, MP

Kilifi South Constituency

Orange Democratic Movement (ODM)

The Hon. Walter Owino, MP

Awendo Constituency

Orange Democratic Movement (ODM)

The Hon. Pavel Oimeke, MP
Bonchari Constituency
Orange Democratic Movement (ODM)

6. The Committee previously had the following Members before reconstitution;

The Hon. David Gikaria, MP
Nakuru Town East Constituency
Jubilee Party

The Hon. Abdikhaim Osman, MP
Fafi Constituency
Kenya African National Union (KANU)

The Hon. Mohamed Ali Lokiru, MP
Turkana East Constituency
Orange Democratic Movement (ODM)

The Hon. Robert Pukose, MP
Endebess Constituency
Jubilee Party

1.3 Committee Secretariat

7. The following technical staff facilitate the Committee;

Mr. Victor Weke
Senior Clerk Assistant

Ms. Mary Lemerelle
Clerk Assistant II

Mr. Sidney Lugaga
Legal Counsel I

Dr. Benjamin Ngimor
Senior Fiscal Analyst

Mr. Brian Njeru
Fiscal Analyst III

Mr. David Ngeno
Research Officer II

Ms. Noelle Chelagat
Media Relations Officer

Ms. Mercyline Kerubo
Audio Recording Officer

Ms. Sheila Chebotibin
Serjeant at Arms I

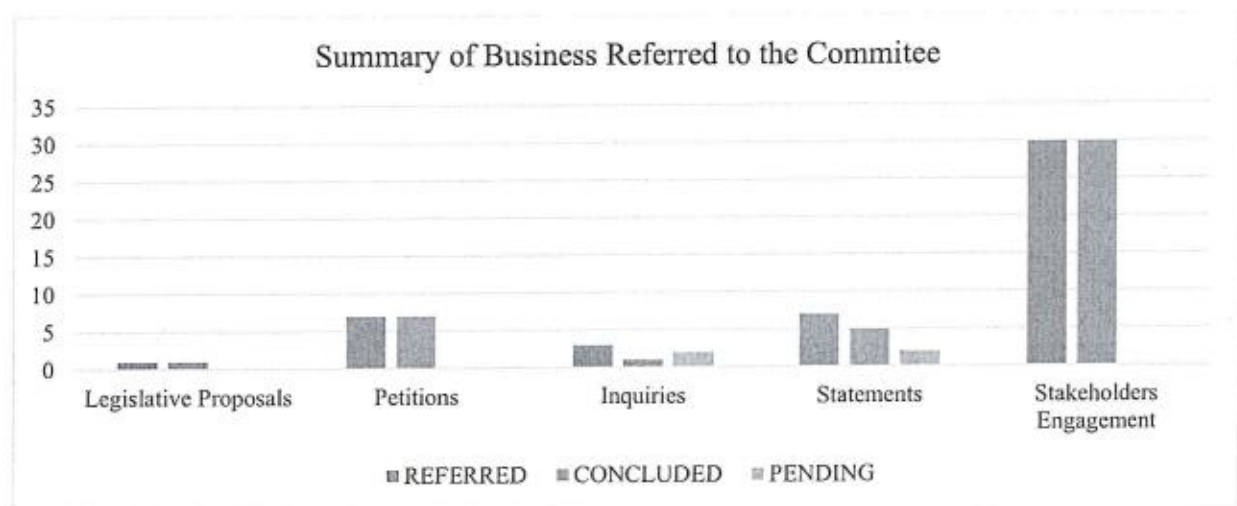
Ms. Joyce Wachera
Hansard Officer

PART TWO

2.0 BACKGROUND INFORMATION OF THE EXIT REPORT

8. The aim of this report is to:
- Highlight the contribution of the Committee to the legislative development and oversight of the Energy sector for the 5 years of the 12th Parliament.
 - Highlight the role the Committee played in budgetary allocation and implementation of the programme-based budgets in the line Ministry.
 - Point out the capacity building and studies undertaken by the Committee in the last 5 years.
 - Enumerate the key achievements attained by the Committee and indicate the pending business that may form the basis of the work program of the Committee to be established in the 13th parliament.
9. The Departmental Committee on Energy transacted several business during the period under review some of which the Committee was able to consider and report back to the House while some of which were pending before the Committee at the end of the 12th Parliament. The Committee considered the following business-
- Bills
 - Legislative Proposals
 - Petitions
 - Inquiries
 - Questions
 - Statements
 - Stakeholder Engagement
 - Workshops/Retreats/Field Visits
 - Foreign Travel
 - Budgetary Review
10. The Table 1 below shows a summary of the business referred to the Committee in the Twelfth Parliament:

NO.	BUSINESS	REFERRED	CONCLUDED	PENDING
1	Bills	3	3	0
2	Legislative Proposals	1	1	0
3	Petitions	7	7	0
4	Inquiries	3	1	2
5	Statements	7	5	2
6	Stakeholders Engagement	30	30	0



11. Below are details of the business referred to the Committee:

2.1 BILLS

12. One of the roles of the National Assembly is to enact legislation. Committees assist the House in the in-depth consideration of Bills by incorporating public participation in the legislative process as well as consider and make recommendations for approval of the Bills.
13. Three (3) Bills were committed to the Committee. The Committee concluded consideration of the three (3) Bills. Table 2 below shows the status of Bills that were referred to the Committee

Table 2: Bills referred to the Committee

NO.	BILL TITLE	STATUS
FIRST SESSION		
None		
SECOND SESSION		
1.	Petroleum Bill No. 48 of 2017	Was assented to on 12/3/2019
2..	Energy Bill No. 50 of 2017	Tabled on 29/12/2017 and was assented to on 12/3/2019
3.	Nuclear Regulatory Bill No. 27 of 2018	Published by Parliament on November 19, 2018, tabled on 6/2/19
THIRD SESSION		
None		
FOURTH SESSION		
None		
FIFTH SESSION		
None		

2.2 LEGISLATIVE PROPOSALS

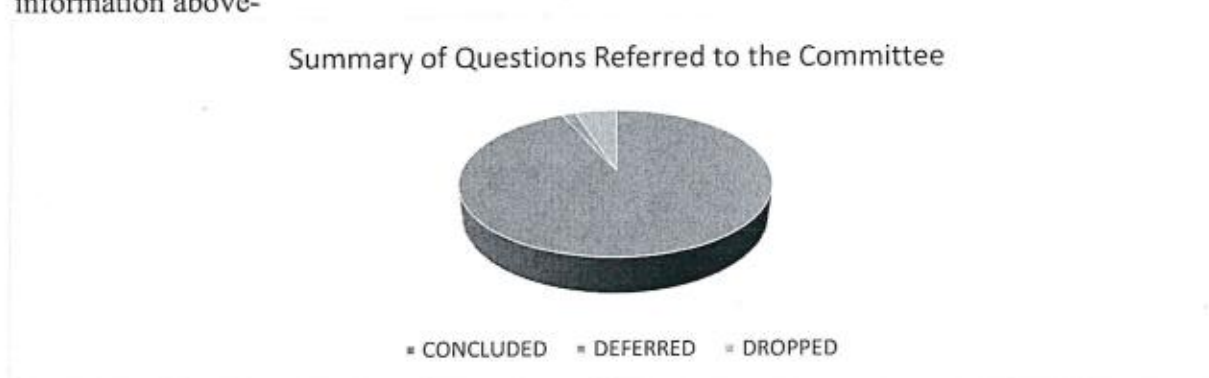
14. Standing Order 114 of the National Assembly Standing Orders provides for the consideration of legislative proposals by Departmental Committees.
15. One (1) Legislative Proposals were referred to the Committee in the Twelfth Parliament as in the table below;

Table 3: Legislative Proposals referred to the Committee

SECOND SESSION		
	LEGISLATIVE PROPOSAL	STATUS
i.	Energy Bill 2017 by Leader of Majority Party	Sent for Publication on 29/12/2017 and was published

2.3 QUESTIONS

16. A total of fifty-eight (58) Questions were referred to the Committee for response during the Twelfth Parliament. Out of the 58 questions, 55 was responded to, 2 were deferred while 1 was dropped during the period under review. The pie chart below gives a summary of the information above-



17. Table 4 shows the status of the questions referred to the committee;

Table 4: Questions referred to the Committee

NO.	QUESTION	STATUS
FIRST SESSION		
None		
SECOND SESSION		
1.	Rural Electrification Projects in Rongai Constituency	Concluded on 19/11/2018
2.	Power Outages in Eldas Constituency by the Hon. (Dr.) Adan Keynan, MP	Concluded on 19/11/2018
3.	The status Rural Electrification projects in Muranga County by the Hon. Sabina Chege, MP	Concluded on 19/11/2018

4.	Rural Electrification Projects in Fafi Constituency by the Hon. Osman Abdikhaim, MP	Concluded on 19/11/2018
THIRD SESSION		
5.	Q035/2019 The Rural Electrification Projects in the Maragwa constituency by the Hon George Gitonga Muragara	Concluded on 23/03/2021
6.	Q96/2019 The contractual obligation of Kenya Power over contractors related to Last mile projects by the Hon David Gikaria, MP.	Concluded on 13/04/2019
7.	Q270/2019 the Rural Electrification Projects in the Igembe South constituency by the Hon. Kubai Iringo, MP	Concluded on 19/07/2019
8.	Q278/2019 the Rural Electrification Projects in the Ol Jorok Constituency by the Hon. Michael Muchira, MP	Concluded on 20/07/2019
9.	Q434/2019 the inordinate delay in the release of electrification construction materials imported into the Country by Kenya Power's contractors by the Hon. George G. Murugara, MP	Concluded on 22/11/2019
10.	Q430/2019 Status of seismic explorations undertaken by Octant Energy by the Hon. Adan Haji Ali, MP	Response tabled on 03/11/2019
11.	Q341/2019 Power supply to Marsabit County by the Hon. Chachu Ganya, MP	Concluded on 03/11/2019
12.	Q341/2019 Electricity connectivity in Kilome Constituency by the Hon. Thaddeus Nzambia, MP	Dropped on 03/11/2019
13.	Q345/2019 Electricity connectivity in Samburu North by Hon. Alois Lentoimaga, MP	Concluded on 26/08/2019
14.	Q346/2019 Projects undertaken by the Rural Electrification Authority in Kitui West by the Hon. Edith Nyenze, MP	Concluded on 01/09/2019
15.	Q418/2019 Power outages in Kacheliba Constituency by the Hon. Garane Mohamed Hire, MP	Response tabled on 26/08/2019

16.	Q464/2019 Criteria used by EPRA in issuance of approvals for tariffs and projects in the Country by the Hon. Malimo Arbelle, MP	Dropped on 30/11/2019
17.	Q430/2019 Status of seismic exploration undertaken by M/S Octant Energy on Kenya Block 1 by the Hon. Adan Haji, MP	Response tabled on 03/11/2019
18.	Q434/2019 The inordinate delay in the release of electrification construction materials imported into the Country by Kenya Power's contractors by the Hon. George G. Murugara, MP	Dropped on 04/11/2019
19.	Q509/2019 Power outages in Kacheliba Constituency by the Hon. Mark Lomunokol, MP	Deferred on 27/12/2019
20.	Q511/2019 Negotiations between Kenya Pipeline Company and National Oil Corporation on sale of NOCK's Nairobi depot by the Hon. Abdikhaim Osman, MP	Concluded on 28/12/2019
FOURTH SESSION		
21.	Q/089/2020 regarding the status of compensation awarded on 26th January 2012 by Kenya Power & Lighting Company (KPLC) to residents of Tiwi location on Matuga Constituency by Hon. Kassim Tandaza, MP, Member of Parliament, Matuga Constituency.	The Member received written response
22.	Q/142/2020 regarding the status of electricity connection and stalled projects to all public institutions in Mwingi West Constituency under the Last Mile and Rural Electrification & Renewable Corporation by Hon. Charles Ngusya Nguna, MP, Member of Parliament, Mwingi West Constituency.	The Cabinet Secretary, Energy responded and the member received a response.
23.	Q/143/2020 regarding the planned electricity connectivity in Lomat and Anet areas in Sigor Constituency has stalled for the last seven years by Hon. Peter Lochakapong, MP, Member of Parliament, Sigor Constituency.	The Cabinet Secretary, Energy responded and the member received a response.
24.	Q/146/2020: regarding the power outages being experienced in Buuri area in Meru County by Hon. Bishop Kawira Mwangaza, MP Member of Parliament, Meru County.	The Cabinet Secretary, Energy responded and the member received a response

25.	Q/51/2020 regarding the implementation status of the construction of Mgeno / Saghala-Bughuta /Kazighau electric fence project that was budgeted for in the financial year 2017/2018 by Hon. Andrew Mwadime M.P., Member of Parliament, Mwatate Constituency.	The Hon. Member received written response and the Question was referred to the Committee on Environment and Natural Resources.
26.	Q/180/2020 regarding the measures to be undertaken on the dangers posed by the main electricity power line passing through Kaiani Secondary School in Kathiani Constituency by Hon. Robert Mbui, M.P., Member of Parliament for Kathiani Constituency.	The Cabinet Secretary, Energy responded and The Hon. Member received written response.
27.	Q/209/2020 regarding connectivity of public facilities in Igembe South Constituency to the National Power Grid by Hon. John Paul Mwirigi, MP, Member of Parliament for Igembe South Constituency.	The Cabinet Secretary, Energy responded and the Hon. Member received a response.
28.	Q/241/2020 regarding interruption and disconnection of power supply by KPLC in the last three months in the Constituency by Hon. Samuel Gachobe, MP, Member of Parliament, Subukia Constituency.	The Cabinet Secretary, Energy responded and the Hon. Member received a response.
29.	Q/220/2020 regarding the implementation status report of the Last Mile Connectivity Programme in the Country, with particular reference to Nandi Hills Constituency, indicating the amount of funds the programme has received, and how much has utilized since its inception by Hon. Alfred Keter, MP, Member of Parliament, Nandi Hills Constituency.	The Cabinet Secretary, Energy responded and the Hon. Member received a response.
30.	Q/ 234/2020 regarding the causes of power outages in Gigiri, Runda and wider Karura environs every evening by Hon. Timothy Wanyonyi, MP, Member of Parliament, Westlands Constituency.	The Cabinet Secretary, Energy responded and the Hon. Member received a response.

31.	Q/ 264/2020 regarding the status of electricity connectivity in Ganze Constituency, indication the number of public schools, health centres and trading centres that are yet to be connected by Hon. Teddy Mwambire, MP, Member of Parliament, Ganze Constituency.	The Cabinet Secretary, Energy responded and the Hon. Member received a response.
32.	Q/274/2020 regarding measures taken by the Ministry to address power rationing in Marsabit County experienced since July 2020 by Hon. Col. (Rtd) Dido Rasso, MP, Member of Parliament, Saku Constituency.	The Cabinet Secretary, Energy responded and the Hon. Member received a response.
33.	Q/291/2020 regarding the status of the electricity connectivity projects in Loiyangalani Township, Gatap area of Mt. Kula land South Horr Town in Laisamis Constituency that were commissioned by the President on July 19, 2019 by Hon. Arbelle Malimo, M.P., Member of Parliament, Laisamis Constituency.	The Cabinet Secretary, Energy responded and the Hon. Member received a response.
34.	Q/299/2020 regarding the progress of electricity connectivity to all primary and secondary schools in Tigania East Constituency and how many schools that are yet to be connected by Hon. Josphat Kabeabea, MP, Member of Parliament, Tigania East Constituency.	The Cabinet Secretary, Energy responded and The Hon. Member received a written response.
35.	Q/268/2020 regarding the status of electricity connectivity in Kimilili Constituency from 2017 to date for public institutions particularly public schools and health centres, trading centres and households by Hon. Didmus Barasa, MP, Member of Parliament, Kimilili Constituency.	The Cabinet Secretary, Energy responded and The Hon. Member received a written response
36.	Q/ 315/2020 regarding the electrification plan for all public primary and secondary schools in Kibwezi East Constituency and the status of electricity connectivity of the said institutions by Hon. Jessica Mbalu, MP, Member of Parliament, Kibwezi East Constituency.	The Cabinet Secretary, Energy responded and the Hon. Member received a response.

37.	Q/ 316/2020 regarding the steps the Ministry has taken to ensure the Market centres – Morijo, Opiroi, Barsaloi, Marti, Nachola, Lesirikan, Tuum and South Horr in Samburu North Constituency are connected to electricity power by Hon. Alois Lentoimaga, MP, Member of Parliament, Samburu North Constituency.	The Cabinet Secretary, Energy responded and the Hon. Member received a response
38.	Q/319/2020) regarding the delays in the completion of the Olkaria- Lessos- Kisumu electricity Transmission line comprising of 400, 220 and 32 Kv network which was expected to be completed in 2018 by Hon.(Dr.) James Nyikal, MP, Member of Parliament, Seme Constituency.	The Cabinet Secretary responded and the on. Member received a response.
39.	Q/226/2020 regarding frequent power blackouts in Kabondo Kasipul Constituency and the steps taken to resolve the problem by Hon. Eve Obara, MP, Member of Parliament, Kabondo Kasipul Constituency.	The Cabinet Secretary, Energy responded and the Hon. Member received a response
40.	Q/ 315/2020 regarding the electrification plan for all public primary and secondary schools in Kibwezi East Constituency and the status of electricity connectivity of the said institutions by Hon. Jessica Mbalu, MP, Member of Parliament, Kibwezi East Constituency.	The Cabinet Secretary, Energy responded and the Hon. Member received a response.
41.	Q/324/2020 regarding the frequent power outages in Bondo Constituency and timelines when the matter will be resolved by Hon. Gideon Ochanda, Member of Parliament MP, Bondo Constituency.	The Cabinet Secretary, Energy responded and the Hon. Member received a response.
FIFTH SESSION		
42.	Q/027/2021 regarding the status of electricity connectivity to all public primary and secondary schools in Tharaka Constituency as well as the status of the solar PV systems installed in 25 schools in the said constituency by Hon. Gitonga Murugara, M.P. (Tharaka Constituency).	The Cabinet Secretary, Energy responded and the Hon. Member received a response.

43.	Q/096/2021 regarding the status for connectivity for the 2.4 million people in the Country at a subsidized cost as envisaged under the Achieving Universal Electricity Access Programme and the timeline for the achievement by Hon. Walter Owino, MP (Awendo Constituency).	The Cabinet Secretary, Energy responded and the Hon. Member received a response.
44.	Q/099/2021 regarding the implementation status report of the Last Mile Connectivity Programme in Teso South Constituency by Hon. Geoffrey Omuse, MP (Teso South Constituency).	The Cabinet Secretary, Energy responded and the Hon. Member received a response.
45.	Q/104/2021 regarding the policy guidelines and criteria used to identify areas for electricity connectivity in the Country and Mwingi Central by Hon. Gideon Mulyungi, MP (Mwingi Central Constituency)	The Cabinet Secretary, Energy responded and the Hon. Member received a response.
46.	Q/119/2021 regarding the plans the Ministry has put in place to address the high cost of power and deal with the occasional power outages and deal with National grid defects by Hon. Maj. (Rtd) John Waluke, MP (Sirisa Constituency).	The Cabinet Secretary, Energy responded and the Hon. Member received a response.
47.	vii. Q/120/2021 Regarding a recalled batch of liquefied Petroleum Gas (LPG) hosepipes sold within the Country and what steps taken to ensure recovery of the defective hosepipes by Hon. Maj. (Rtd) John Waluke, MP (Sirisa Constituency).	The Cabinet Secretary, Petroleum and Mining responded and the Hon. Member received a response.
48.	Q/125/2021 regarding the measures the Ministry has put in place to ensure power transformers requested in 2019 in Lurambi Constituency are delivered, installed and by when by Hon. Bishop Titus Khamala, MP (Lurambi Constituency).	The Cabinet Secretary, Energy responded and the Hon. Member received a response.
49.	Q/131/2021 regarding the cause of the constant increases in the prices of Petroleum products in the Country by Hon. Benjamin Washiali, MP (Mumias East Constituency).	The Cabinet Secretary, Petroleum and Mining responded and the Hon. Member received a response.
50.	Q/161/2021 regarding the electricity connectivity to all public schools and all health facilities and coffee factories in Kabuchai Constituency by Hon. Majimbo Kalasinga, MP (Kabuchai Constituency) .	The Cabinet Secretary, Energy responded and the Hon. Member received a response.

51.	Q/163/2021 regarding the implementation status of the Last Mile Connectivity programme in Soy Constituency by Hon. Caleb Kositany, MP (Soy Constituency).	The Cabinet Secretary, Energy responded and the Hon. Member received a response
52.	Q/170/2021 regarding all projects funded through the Rural Electrification Authority in Magarini Sub-County from 2017 to date by Hon. Michael Kingi, MP (Magarini Constituency).	The Cabinet Secretary, Energy responded and the Hon. Member received a response.
53.	Q/165.2021 regarding the measures the Ministry is putting in place to ensure compensation for the family of late Kennedy Simiyu Wanyama who died as a result of being electrocuted by a live wire by Hon. Majimbo Kalasinga, MP (Kabuchai Constituency).	The Hon. Member received a written response.
54.	Q/199/2021 regarding the high cost of power in Kenya as compared to other EAC Countries and why Mavoko Constituency and the larger Machakos County are yet to benefit from the Last Mile Connectivity by Hon. Patrick Makau, MP (Mavoko Constituency).	The Cabinet Secretary, Energy responded and the Hon. Member received a response.
55.	QPN 001/2021 Regarding payment of Hospital bill, burial expenses, compensation for the death of Noel Tinga Katana as a result of electrocution by a live wire from a disintegrating electric pole and the status of replacement of the sad electric pole by Hon. Michael Kingi, MP (Magarini Constituency).	The Cabinet Secretary, Energy responded and the Hon. Member received a response
56.	QPN 003/2021 Regarding action taken against contractor M/s CP Power undertaking Last Mile Connectivity Projects in Kinangop Constituency for abandoned dug-out holes which caused the death of a 21/2-year-old by Hon. Kwenya Thuku, MP (Kinangop Constituency).	The Cabinet Secretary responded and the Hon. Member received a response.
SIXTH SESSION		
57.	Question NO.003.2022 by the Member for Magarini (Hon. Ayub Savula, MP) details on the amount of money paid to Kenya Power by each of the cement-manufacturing firms in the Country per month, for electricity power consumption in 2020 and 2021	Response provided on 28 th February 2022

58.	Question No. 044/2022 by the Member for Magarini (Hon. Michael Kingi, MP) on status report regarding electricity connectivity to homes and public institutions in Magarini Constituency	Response provided on 28 th February 2022
59.	Question No. 117/2022 By the Member for Ndhiwa (Hon. Martin Peter Owino, MP) regarding measures in place to ensure all schools in Ndhiwa Constituency are connected to electricity and installation of street lights in trading centre.	Response provided on 25 th May, 2022

2.4 STAKEHOLDER ENGAGEMENTS

18. The Committee engaged with various stakeholders in the execution of its mandate. These include:

2nd Session

1. Meeting with the Taskforce on the Implementation of the Energy Act 2019 from the Ministry of Energy and its SAGAs;
2. The National Treasury on the inquiry into the operations of Kenya Pipeline Company;
3. Ministry of Energy and Ministry of Petroleum and Mining in relation to various issues including budget scrutiny, Energy Bill, 2017 and Petroleum (Exploration, Development and Production) Bill, 2017 and other policy issues;
4. SAGA's such as the Kenya Pipeline Corporation, the Kenya National Oil and the Kenya Power among many others on different issues of national and public interest;
5. Kenya Oil and Gas Association, Kenya Private Sector Alliance, Kenya Oil and Gas Contractors, Turkana County Government/ Assembly, Council of Governors, among other private organizations and stakeholders regarding the Energy Bill, 2017 and the Petroleum (Exploration, Development and Production) Bill, 2017 and other policy issues;
6. Kenya Oil Transporters Association regarding the Petroleum (Exploration, Development and Production) Bill, 2017 as well the fuel adulteration menace;
7. Geothermal Development Corporation regarding the status of Geothermal Projects in the Country;
8. Kenya Private Sector Alliance regarding the participation of Private sector in the Energy sector of the economy and also discussion on the high cost of power in the country;
9. The residents of Tana River, Garissa and Kakamega counties regarding public petitions before the Committee;
10. The representative of Oil Marketers dealing with Jet fuels as well officials of the major airlines regarding the challenges facing the aviation industry in Kenya;
11. Public fora in fourteen counties in relation to the Nuclear Regulatory Bill 2019;
12. Ministry of Energy and Ministry of Health in relation to the Nuclear Regulatory Bill 2019;
13. Meeting on oil operations in Turkana County with Principal Secretary, State Department of Petroleum, Tullow Kenya B.V and Interstate Petroleum Limited.

3rd Session

1. Ministry of Energy and Ministry of Petroleum and Mining in relation to various issues including budget scrutiny, Energy Bill, 2017 and Petroleum (Exploration, Development and Production) Bill, 2017 and other policy issues;

2. SAGA's such as the Kenya Pipeline Corporation, the Kenya National Oil and the Kenya Power among many others on different issues of national and public interest. Kenya Oil and Gas Association, Kenya Private Sector Alliance, Kenya Oil and Gas Contractors, Turkana County Government/ Assembly, Council of Governors, among other private organizations and stakeholders regarding the Energy Bill, 2017 and the Petroleum (Exploration, Development and Production) Bill, 2017 and other policy issues;

4th Session

1. Ministry of the Energy and the State Department for Petroleum and their respective SAGAs on the Budget Policy Statement (BPS) 2020.
2. Meeting with State Corporation Advisory Committee (SCAC) and Inspectorate of State Corporation (ISC) on the inquiry into the operations of Kenya Pipeline Company Limited.
3. The Ministry of Energy and State Department for Petroleum and their respective SAGAs on consideration of the Budget Estimates FY 2020/21.
4. Energy and Petroleum Regulatory Authority (EPRA) on the status of review of Electricity and Petroleum Products tariffs.
5. State Department for petroleum on the Status of LPG Mwananchi Gas Project and Early Oil Pilot Scheme.

2.5 WORKSHOPS/RETREATS/FIELD VISITS UNDERTAKEN

19. The following workshops/retreats/field visits were undertaken by the committee as indicated in the table below;

Table 5: Workshops/Retreats/Field Visits Undertaken by the Committee

FIRST SESSION			
None			
SECOND SESSION			
	Date(s)	Venue	Activity
i.	4 th – 8 th February, 2018	Mombasa	Committee Members Induction Retreat
ii.	8 th – 10 th March, 2018	Turkana County	Public Hearings session on the Energy Bill. 2017 and the Petroleum (Exploration, Development and Production) Bill, 2017
iii.	11 th – 13 th March, 2018	Nakuru and Narok Counties	Public Hearings session on the Energy Bill. 2017 and the Petroleum (Exploration, Development and Production)

			Bill, 2017
iv.	15 th – 17 th March, 2018	Muranga and Kitui Counties	Public Hearings session on the Energy Bill. 2017 and the Petroleum (Exploration, Development and Production) Bill, 2017
v.	22 nd -24 th March, 2018	Lamu County	Public Hearings session on the Energy Bill. 2017 and the Petroleum (Exploration, Development and Production) Bill, 2017
vi.	19 – 21 st April, 2018	Mombasa	Meeting with Kenya Private Sector Alliance
vii.	22 – 26 th May, 2018	Nyali Sun Africa Hotel - Mombasa	Retreat on 2018/19 Budget Estimates
viii.	28 th -30 th June, 2018	Nanyuki	Retreat with Board and Management of Kenya Power Ltd
ix.	16 th to 18 th November 2018	Tana river and Garissa counties	Fact finding visit on a Public Petition
x.	10 th November,2018	Kakamega County	Fact finding visit on a Public Petition
xi.	20 th - 22 nd September, 2018	Baringo County	Retreat with Geothermal Development Corporation and inspection visits to GDC projects in Silali
xii.	24 th August, 2018	Marsabit County	Inspection visit to the Loiyangalani-Suswa High Voltage line

THIRD SESSION

	Date(s)	Venue	Activity
xiii.	7th - 9th March, 2019	Mombasa	Consultative retreat on Nuclear Regulatory Bill ,2019
xiv.	4 th April. 2019	Kajiado County	Public Hearings session on the Nuclear Regulatory Bill ,2019
xv.	8 th April. 2019	Nakuru County	Public Hearings session on the Nuclear Regulatory Bill ,2019
xvi.	9 th April, 2019	Kericho County	Public Hearings session on the

			Nuclear Regulatory Bill ,2019
xvii.	10 th April, 2019	Kisumu County	Public Hearings session on the Nuclear Regulatory Bill ,2019
xviii.	11 th April, 2019	Busia County	Public Hearings session on the Nuclear Regulatory Bill ,2019
xix.	12 th April, 2019	Uasin Gishu County	Public Hearings session on the Nuclear Regulatory Bill ,2019
xx.	May 15 th , 2019	Kiambu County	Public Hearings session on the Nuclear Regulatory Bill ,2019
xxi.	May 16 th , 2019	Mwingi County	Public Hearings session on the Nuclear Regulatory Bill ,2019
xxii.	May 17 th , 2019	Garissa County	Public Hearings session on the Nuclear Regulatory Bill ,2019
xxiii.	25 th April, 2019	Kwale County	Public Hearings session on the Nuclear Regulatory Bill ,2019
xxiv.	26 th April, 2019	Kilifi County	Public Hearings session on the Nuclear Regulatory Bill ,2019
xxv.	27 th April, 2019	Mombasa County	Public Hearings session on the Nuclear Regulatory Bill ,2019
xxvi.	30 th April, 2019	Nairobi County	Public Hearings session on the Nuclear Regulatory Bill ,2019
FOURTH SESSION			
	Date(s)	Venue	Activity
xvii.	25 th - 28 th January, 2020	Naivasha	Inspection visit to Kenya Electricity Transmission Company (KETRACO) installations in Suswa and Olkaria accompanied by KETRACO officials
xviii.	11 th -13 th February, 2020	Mombasa	Inspection visits to Kenya Power and Lighting Company (KPLC) and Rural Electrification and Renewable Energy Company (REREC) street lighting and

			electricity installations to public facilities in Kilifi County accompanied by KPLC and REREC officials.
xxix.	12th March to Sunday 15th March, 2020.	Nakuru	Inspection Visit to geo thermal generation installations Menengai and Baringo-Silali Projects accompanied by Geothermal Development Company officials.
xxx.	April, 2020	Mombasa	Induction Workshop of the six new members to the Committee on Energy with the Ministry of Energy and the Ministry of Petroleum and Mining and its respective SAGAs.

FIFTH SESSION

	Date(s)	Venue	Activity
xxxi.	19 th – 25 th July, 2021	Ole Sereni, Nairobi	Consultative retreat with the department of energy, KPLC, KENGEN, EPRA, IPPS and other stakeholders on an inquiry into variance in procurement of power costs by KPLC from KENGEN and IPPS.
xxii.	17th to 19th August, 2021	Hill Park Hotel, Nairobi	Consultative retreat with KPLC Board regarding its Operations and Mandate from

SIXTH SESSION

	Date(s)	Venue	Activity
xxiii.	6 th to 11 th April 2022	Mombasa	Report writing retreat in Mombasa on the Inquiry into the variance in costs of purchasing power by KPLC from IPPS
xxiv.	25 th to 30 th April 2022	Nairobi	Retreat with the Ministry of Energy and the Ministry of Petroleum and Mining to consider the Budget Estimates for FY2022/2023
xxv.	13th to 16th May	Nyakach, Kisumu County	Site visit to meet the petitioners,

	2022		KenGen welfare staff and residents living along Sondu Miriu dam
xxvi.	19th to 24th May 2022	Mombasa	Report writing retreat on the Petition regarding degradation of Sondu Miriu dam,
xvii.	2 nd to 6 th June, 2022	Mombasa	Consideration of legacy report

2.6 FOREIGN TRAVEL UNDERTAKEN

20. The Committee undertook the following foreign travel in the Twelfth Parliament:

Table 6: Foreign Travel Undertaken by the Committee

FIRST SESSION				
None				
SECOND SESSION				
	DATES	COUNTRY VISITED	ACTIVITY	REPORT STATUS
i.	10 – 17 March, 2018	Edmonton Canada	Study Visit on Oil Production Sector	There was no Secretary to the Delegation
ii.	23 rd -27 th April, 2018	Iceland, Rejavic	Geothermal Conference	Report adopted by the Committee and tabled in the House
iii.	11 th -26 th May, 2018	Russian Federation and People Republic of China	Participation in Ex-Po Conference in Sochi and visit to Nuclear Plants in China	Report adopted by the Committee and tabled in the House
iv.	11 th – 19 th October, 2018	United State of America, Reno Nevada	Annual Geothermal Resource Council Meeting	Report adopted by the Committee and tabled in the House
v.	13 th -20 th August ,2018	Turkey, Istanbul	Study visit to the Coal project in Kabaringa, Turkey organised by the Ministry of Energy	Report adopted by the Committee and tabled in the House
vi.	15 th -18 th April, 2019	Russian Federation	Participation in Ex-Po Conference in Sochi	Report adopted by the Committee and yet to be tabled in the House
THIRD SESSION				
	DATES	COUNTRY VISITED	ACTIVITY	REPORT STATUS
i.	15 th -18 th April,	Russian	Participation in Ex-Po	Report adopted by the

	DATES	COUNTRY VISITED	ACTIVITY	REPORT STATUS
	2019	Federation	Conference in Sochi	Committee and yet to be tabled in the House
ii.	24 th April -3 rd May 2019	Geneva, Switzerland	United Nations Economic Commission for Europe conference	Report adopted by the Committee and tabled in the House
FOURTH SESSION				
None				
FIFTH SESSION				
	DATES	COUNTRY VISITED	ACTIVITY	REPORT STATUS
i.	8 th to 15 th August, 2021	Ethiopia	Inspection visit to Tulu Moya Geothermal Power Plant and Ethiopia-Kenya Transmission Line	Report tabled in the House
ii.	21st to 23rd September, 2021.	Canada	Global Energy Show at Stampede Park- Calgary.	Report tabled in the House
iii.	18th -25th September, 2021	Austria	Atomic Energy Conference	Report tabled in the House
SIXTH SESSION				
None				

2.7 STATEMENTS

21. The following statements were referred to the twelfth parliament as indicated in the table below;

Table 7: Statements referred to the Committee

NO.	QUESTION	STATUS	
FIRST SESSION			
None			
SECOND SESSION			
None			
THIRD SESSION			
None			
FOURTH SESSION			
	Statement	Sponsor	Status
i.	Regarding flooding in Garissa County occasioned by spillage from dams and water reservoirs for hydro- electric power generation	Hon. Aden Duale, MP, Member of Parliament Garissa Township Constituency	The sponsor received written response and was satisfied.
ii.	Regarding persistent electricity supply outages in Mukurwe-ini Constituency	Hon. Anthony Kiai MP, Member of Parliament Mukurwe-ini Constituency	The sponsor received written response and was satisfied.
FIFTH SESSION			
	Statement	Sponsor	Status
iii.	Requested for a statement from the Cabinet Secretary, Ministry of Energy regarding Kenya Powers inflated electric power procurement costs.	Hon. Aden Duale, MP, Garissa Township	A response was read on the House on 16/06/21.
iv.	Requested for a statement regarding petrol pricing parameters used by the Energy and Petroleum Regulatory Authority.	Hon. Abdulswamad Nassir, MP, Mvita	The House directed that an Inquiry to be undertaken jointly by Committees on Energy and Delegated Legislation. Matter was however addressed in a separate petition.
SIXTH SESSION			
	Statements	Sponsor	Status
v.	Suspension of Staff of the Kenya Power under unclear	Hon. (Dr) Richard Pukose, MP	The statement was sought on 22/2/2022. The written response

	circumstances		was received and shared with the sponsor.
vi.	Fuel crisis/shortage across the country as a result of delayed subsidy payment to oil marketing companies	Hon Aden Duale, MP, Garissa Township	The Committee resolved to pursue recommendations of the Executive taskforce on the same matter.

2.8 PETITIONS

22. The following petitions were referred to the committee during the period under review as indicated in the table below;

Table 8: Petitions referred to the Committee

NO.	QUESTION	STATUS
FIRST SESSION		
None		
SECOND SESSION		
	PETITION	STATUS
i.	Public Petition presented by Hon Ali Wario Guyo, MP regarding compensation of flood victims by KENGEN	Petition considered and report tabled.
ii.	Public Petition by Mr. Vincent Mathuku Okoti regarding massive power disconnections by Kenya Power in Shirakalu Village, Navakholo Constituency of Kakamega County.	Petition considered and report tabled.
iii.	Public Petition by Messrs Pius Omolo and Mr. Agoi Vedell regarding licensing of Jet A1 Oil Marketers by Energy Regulatory Commission ERC.	Petition considered and report tabled.
iv.	Public Petition by Hon Qalicha Gufu Wario, MP regarding Massive Power outages in Moyale Constituency	Petition considered and report tabled.
v.	Public Petition by Hon. (Dr.) Gideon Mutemi Mulyungi, MP on behalf of the residents of Mui regarding Coal Mining activities in Mui Basin, Mwingi East Sub- County of Kitui County	Petition considered and report tabled.
THIRD SESSION		
None		
FOURTH SESSION		
None		
FIFTH SESSION		
None		
SIXTH SESSION		
	PETITION	STATUS
i.	Petition regarding degradation of environment around Sondu Miriu dam	Petition considered and report tabled.
ii.	Petition on operations of the open tender system	Petition considered and report tabled.

	for importation of fuel products	
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2.9 BUDGETARY REVIEW

23. The Committee in undertaking budget-making role reviewed budget documents i.e., Budget Policy Statements for FYs 2018, 2019, 2020, 2021 and 2022, budget estimates for FYs 2018/19, 2019/20, 2020/21, 2021/22 and 2022/23 and Supplementary Estimates that were submitted to the House for consideration during the period.

PART THREE

3.0 ACHIEVEMENTS

24. The Committee over this period, while carrying out its oversight mandate, saw the Ministry of Energy and its agencies implement the following critical projects in the country;

(i) **Last Mile Connectivity and provision of transformers in constituencies**

The project aims at facilitating the objective of affordably connecting Kenyan households to the national network grid. This has led to;

- a) Improved rural electricity connectivity and reduction in fixed charges.
- b) Enhanced Small Medium size (SMEs) performances with the access to electricity and allowed for growth of more SMEs in rural areas e.g., posho mills, farm produce cold storages etc.
- c) Increased availability of medical facilities and schools especially boarding schools because of the availability of electricity.
- d) Increased time for education of children especially the girl child and the rural boy child as they can finish their chores and do homework and study
- e) Increased productivity of the women as it allows them to work at night, use electricity to pump water from boreholes and therefore free time to engage in other productive activities and family time.
- f) The increased use of electricity will also reduce the need for kerosene and therefore fossil fuels and use of firewood and so contribute towards conservation of the climate and reduction in climate change.
- g) The jua kali sector has been opened up in rural areas for instance, welding and production of metal doors and grills has percolated to the smaller rural villages which saves time, energy to seek the same services in the larger towns.
- h) There is better and continuous communication as the phones can be charged at home and not at the centres as was the case before. Sports and cultural activities can be scheduled for the night.
- i) With electricity, there is more access to other forms of media including television and radio whose dissemination of information is real time.

(ii) **Street lighting project**

The project aims to ensure there is sufficient street lighting in areas of human settlement to enhance security, promote a 24-hour economy and increase productivity. This has led to: -

- a) Improved security and the number of hours people can be productively engaged. This includes vulnerable persons' access to toilets and medical centres at night. There is also increased safety on roads and bus terminus for travellers.
- b) Market hours have been extended which means more money in people's pocket. Further, traders just secure their wares in the market place instead of incurring cost to transport them to secure places and possible damages and losses.

- (iii) The change of the energy mix with more emphasis on green energy sources. There is more emphasis on renewable energy sources like solar, geo-thermal and wind. This

will reduce the dependency on hydro generation which in turn reduces the increased cost of power generation during time of drought because the generating company is forced to use diesel due to the reduced water levels. The increased addition of electricity generated through green energy sources instead of fossil will go a long way to reducing the impact on climate change.

- (iv) The Committee plans to ensure that the prices of power further reduce to assist in manufacturing competitiveness as the cost of power in Kenya is very high.
- (v) Handling and successfully disposing off two (2) petitions which responded to issues of concern to the people as envisaged in article 95 (2) of the Constitution.
- (vi) Processing of Bills which were ultimately enacted into following Acts of Parliament:
 - a) Energy Act No. 1 of 2019 which is an act of Parliament to consolidate the laws relating to energy, to provide for National and County Government functions in relation to energy, to provide for the establishment, powers and functions of the energy sector entities; promotion of renewable energy; exploration, recovery and commercial utilization of geothermal energy; regulation of midstream and downstream petroleum and coal activities; regulation, production, supply and use of electricity and other energy forms; and for connected purposes. This legislation has consolidated all laws relating to energy by repealing both Energy Act No.12 of 2006 and Geothermal Resources Act No.12 of 1982 of laws of Kenya. Further, this Act has also aligned the legal and regulatory framework of the energy sector to be in line with the Constitution of Kenya, 2010. This Act has provided for the following:
 - i. Provided clarity on roles of National and County Governments.
 - ii. Ended the monopoly of Kenya Power as the only Off taker of power in this country by allowing licensing of other entities to undertake power distribution.
 - iii. imposed local content requirements on energy projects and the local content plans which should ensures that: first consideration is given to services provided within the County and goods manufactured in Kenya, where the goods meet the relevant specifications; qualified and skilled Kenyans are given first consideration with respect to employment at all levels of the value chain; and adequate provision is made for the training of Kenyans on the job.
 - iv. Provided for an Energy and Petroleum tribunal to hear and resolve disputes arising from execution of the Act.
 - v. Has established REREC which in addition to rural electrification, will provide policy formulation, research and development, international cooperation and the promotion of renewable energy use amongst the local population.
 - vi. It has established RERAC an inter-ministerial committee intended to advise the responsible CS, Energy on the allocation of renewable energy resources, the licensing of renewable energy resource areas, the management of water towers and catchment areas, the development of multi-purpose projects such as dams and reservoirs and the management and development of renewable energy resources.
 - vii. Established Nuclear Power and Energy Authority which among its roles is to develop and implement Kenya's Nuclear Power program which

- can be used for cancer treatment, enhance Kenya's move towards green energy, Agriculture, electricity and heat generation.
- viii. Compensation for damage to property as a result of power outages.
 - ix. Payment of royalties to the County Government and the local Community for geothermal, wind and solar sources of energy generation.
- b) Petroleum Act No.2 of 2019 is an act of Parliament to provide a framework for the contracting, exploration, development and production of petroleum; cessation of upstream petroleum operations; to give effect to relevant articles of the Constitution in so far as they apply to upstream petroleum operations, regulation of midstream and downstream petroleum operations; and for connected purposes. Kenya in 2009 discovered hydrocarbons (crude oil) in Turkana County and as result there was need to have laws that would guide Oil exploration activities Kenya. Therefore, the Committee facilitated the enactment of the Petroleum Act, 2017. This Act has provided for the follow Kenya in 2009 discovered hydrocarbons (crude oil) in Turkana County and as result there was need to have laws that would guide Oil exploration activities Kenya. Therefore, the Committee facilitated the enactment of the Petroleum Act, 2017. This Act has provided for the following;
- i. A framework for the contracting, exploration and development of petroleum together with production of petroleum discovered within the licensed petroleum exploration blocks.
 - ii. A framework for cessation of upstream petroleum operations.
 - iii. Profit sharing between the National Government, County Government and Local Community on the resources.
- c) Nuclear Regulatory Act No.29 of 2019 is an act of Parliament to provide for a comprehensive framework for the regulation of safe, secure and peaceful utilization of atomic energy and nuclear technology; the production and use of radiation sources and the management of radioactive waste; the repeal of the Radiation Protection Act and for connected purposes.
- (vii) Processing responses to several questions from different members relating to electricity connectivity to public facilities, schools, markets and health facilities has led to increase connectivity in these places which in turn has improved the public lives and productivity.
 - (viii) Inquiry into the variance in the purchasing cost of power by Kenya Power and Lighting Company (KPLC) from Kenya Electricity Generating Company (KenGen) and Independent Power Producers (IPPs) which arose from a statement sought by the Member for Garissa Township Hon. Aden Duale, MP on the matter. The Committee conducted an inquiry into the rate that KenGen and IPPs supply generated electricity to Kenya Power; the basis of the differences in the rates charged by each IPP and KenGen, the list of directors and shareholders of the IPPs, the monies thus paid to each IPP by the Ministry of Energy and Kenya Power since the start of the respective contracts.
 - (ix) In considering the Budget Policy Statements and the Budget Estimates for the energy and petroleum sectors for the Fiscal Years 2019/20, 2020/21 and 2020/22, the Committee recommended allocation of funds to several areas under its mandate.

- i. Power transmission and distribution to ensure that power generated is distributed. This is in line with the change in policy in reducing power generation and increasing infrastructure and facilitating connectivity to increase distribution.
- ii. Allocation to Last Mile Connectivity projects across the Country especially in rural areas to allow for more customers to be connected with electricity. This has increased distribution network in the Country. This includes provision of transformers and their maximization.
- iii. Geothermal wells exploration for instance by National Oil Corporation and Geothermal Development Company in order to increase the green energy forms of electricity generation (steam, solar, wind etc.)

Other Matters

25. The Committee has also under its own initiative examined-

- i. The financial status of National Oil Corporation with an aim of assisting the institution improve its financial situation either through legislation and increased budget allocation.
- ii. The delineation of a State Corporation Board of Directors mandate and the Corporation Senior management to ensure clear roles and mandate are provided for and followed to enhance accountability for instance Kenya Pipeline and Kenya Power.

PENDING BUSINESS

26. Pending business before the Committee as of 9th June 2022 includes the following:

- i. Inquiry into the purchase of power conducts an inquiry into the variance in costs of purchasing power by *Kenya Power and Lighting Company (KPLC)* from *Kenya Electricity Generating Company PLC (KenGen)* and *Independent Power Producers*. The matter has since been overtaken by completion and ongoing implementation of a report by a taskforce appointed by the Executive on the same. The succeeding Committee in the 13th Parliament may ensure full implementation of the recommendations;
- ii. Joint inquiry with Delegated Legislation on the matter of petroleum pricing parameters used by the Energy and Petroleum Regulatory Authority (EPRA). This arose from a statement sought by the Member for Mvita Constituency, Hon. Abdulswamad Sheriff Nassir, MP on the matter. The House resolved that the Committee conducts a joint inquiry into the pricing parameters used by the Energy and Petroleum Regulatory Authority (EPRA) in determining the maximum wholesale and retail petroleum prices in the country. Further to engage EPRA to explore avenues of revising the petroleum pricing parameters that are anchored on Energy (Petroleum Pricing) Regulations 2010 and the Energy, (Petroleum Pricing) (Amendment) Regulations 2012. This is with a view to making recommendations to the House that may lead to amendments to existing delegated legislation. Sub-Committees from each Committee were yet to be formed to undertake the inquiry. However, on a related petition on operations of the Open Tender System, the Committee recommended that the Ministry submits Regulations envisaged under Section 101 (d) of the Petroleum Act, by 31st December 2022.

PART FOUR

4.0 CHALLENGES AND RECOMMENDATIONS

1. During the Twelfth Parliament, the Committee encountered the following challenges:
 - a) Slow or inadequate implementation of the Committee's recommendations mainly due to inadequate or lack of resources. There is need for the government to prioritize resources on areas where Kenyans are likely to experience immediate gains from its services as guided by the resolutions of the House.
 - b) The Ministry of Energy officials severally did not honour invitations and summons from the Departmental Committee on Energy. This led to deferment of business before the Committee thus hindering Members from prosecuting Questions, Petitions, Motions and legislation relating to the Energy Sector in a timely manner.
 - c) The Ministry of Energy and its related parastatal and agencies on several occasions gave unsatisfactory responses with regards to Members Question, petitions, motions and legislation relating to the Energy Sector. This delayed the timely tabling of reports by the Committee to the House;
 - d) Difficulty in the prioritization of business pending before the Committee arising from the serious challenges that faced the Energy sector in 2018.
 - e) Increased number of generic questions received by Committee for instance questions regarding status of last mile activities in the constituencies which has led to crowding out the required time to undertake meaningful oversight.
 - f) The COVID-19 pandemic posed a challenge to the National Assembly and its Committees leading to a reduction in sittings for the better part of 2020. However, the House embraced digital technology in particular virtual sittings and hybrid meetings to accommodate Members who could not attend physical meetings;
 - g) The advent of digital technology posed a further challenge as Members of Parliament were unprepared to adapt to virtual applications such as zoom hence there was inadequate interaction and slow adaptation to virtual meetings;
 - h) Administrative challenges specifically insufficient infrastructure impacted negatively on the effectiveness of the Committee work.

Signed  _____

HON. JEREMIAH KIONI, MP

CHAIRPERSON, DEPARTMENTAL COMMITTEE ON ENERGY

Date: 9th June 2022