

ORDER OF THE REGULATOR No.2020/E73

TARIFF APPROVAL REQUIREMENTS DURING DISASTERS FOR EMERGENCIES

Statutory Obligations

Sub-section 19 (1) of the Electricity Act 2010 ("the Act") requires the Regulator to set all tariffs charged by a licensee.

During this time of State of Emergency for COVID-19, the Electric Power Corporation ("EPC") submitted a Stimulus Package proposal to Cabinet then subsequently to the Office of the Regulator seeking approval for changes in electricity tariffs as assistance to the general public.

In light of the abovementioned proposal and in the interest of the general public, the Regulator pursuant to Part 4 Sections 19 and 20 of the Act makes the following order:

Order

1. An electricity network services licensee's proposed tariff during a declaration of disaster period as per section 19 of the Disaster and Emergency Management Act 2007 or a proclamation of emergency period as per article 105 of the *Constitution of the Independent State of Samoa 1960* is considered approved:
 - when the public has been informed via media of the change in tariff(s);
 - when the change produces a decrease to the preceding tariff(s) approved.
2. A tariff charged during the periods underlined above, must be in line with the Act; and must only apply as long as the period of the declaration or the proclamation is in force.
3. A licensee must however as soon as practicable inform the Regulator of tariffs charged during the underlined periods; for removal of doubt, this does not require a retrospective approval.
4. For clarity, the interpretation of disaster and emergency in the Disaster and Emergency Management Act is hereby adopted for the purpose(s) of this Order.
5. Order shall apply only to electricity network services licensees.

6. All other necessary approvals required for the tariff are to be obtained by the electricity network services licensees.

Duration of the Order

This Order shall expire on the earlier of:

- a) The Regulator revoking this Order; or
- b) The making of a new Order by the Regulator in relation to the matters addressed herein.

Effective date of this Order:

Order shall apply retrospectively from 20 March 2020.

Date of the Order: 7th April 2020



Cecily Faasau-Iakopo
ACTING REGULATOR