

**DEPARTMENT: PUBLIC ENTERPRISES**

**REPUBLIC OF SOUTH AFRICA**

**NATIONAL ASSEMBLY**

**QUESTION FOR ORAL REPLY**

**QUESTION NO.: PQ 996**

**QUESTION:**

**996. Ms N W A Mazzone (DA) to ask the Minister of Public Enterprises:**

1) (a) On what date was Eskom’s litigation against the National Energy Regulator of South Africa initiated and

 (b) what is the main objective of the litigation;

2) (a) which law firm or panel of legal representatives have been appointed in this regard and

(b) what total amount was spent on litigation as at the latest specified date for which information is available;

3) Whether he has found the litigation to be justifiable?  NW2148E

**REPLY:**

**According to the information received from Eskom**

1. (a) 26 May 2018 and 14 February 2019.

(b) Reviewing and setting aside the decision of NERSA in relation to the Eskom application for tariff increases for the 2018/19 year and remitting the application to NERSA for redetermination and,

The NERSA RCA decisions for the 2014/15, 2015/16 and 2016/17 financial years should be reviewed and set aside.

(2) (a) Gildenhys Malatji Attorneys

 (b) As at 26 September 2019 Eskom has spent almost R2.7 million over two years. This amount includes for Attorney’s fees, senior counsel and junior counsel fees as well as Economic and financial experts fees.

(3) This will be determined by the judge.