

Time To Revoke EEDC License In Southeast Nigeria & Dismiss Its Ogbaru, Onitsha & Ogidi Network Managers & Ors (Concluded)

(Intersociety & SBCHROs, 22nd December 2017)-The leaderships of **Int'l Society for Civil Liberties & the Rule of Law (Intersociety)**, **Southeast Zone of the Civil Liberties Organization (Southeast CLO)** and 13 other members of the **Southeast Based Coalition of Human Rights & Good Governance Organizations (SBCHROs)** are strongly calling on the Federal Government of Nigeria and its Ministry of Power et al; manned by Mr. Babatunde Raji Fashola, SAN to revoke the operating license granted to the Enugu Electricity Distribution Company (EEDC) for failing woefully to improve and revolutionize power distribution in Southeast Nigeria.

This strong call of ours has become necessary and second to no other following mindboggling atrocious conducts of the Company; especially by its field personnel; fully condoned by the Company in its 18 Business Districts of the Southeast Zone. Totality of these atrocious conducts has shackled and manacled the People of Southeast Nigeria and forced them into chronic bondage; and industrial and developmental retardation or backwardness.

We had on 18th December 2017, raised a joint petition (special memo) to the Minister of Power et al, the Acting Chairman of the Nigerian Electricity Regulatory Commission (NERC), the Senate Committee Chairman on Power et al and the House Committee Chairman on Power et al. For purpose of fair hearing and solidity and sanctity of our investigation and its findings, the Acting MD of EEDC and his Ogbaru, Onitsha and Ogidi Network Managers; etc were copied. All the addressees except Senator Enyinnaya Abaribe (Senate Committee Chair on Power) and Hon Effiong Daniel (House Committee Chair on Power); have received copies of the petition. The latter had gone on Xmas break, but will be reached in early January 2018.

We are also strongly calling for immediate investigation and dismissal of present Ogbaru, Onitsha and Ogidi Network Managers of the EEDC and their subordinate senior managers for **marketing, billing, operations, network expansion or distribution**. The three Network Managers are: Engineers Obi Ughasoro for Ogbaru Business District, Ozor Nweke for Onitsha Business District and Chris Ezeoha for Ogidi Business District.

More Statistics of EEDC Mindboggling Atrocities in Southeast Nigeria

There are now rampant cases where the whole area is plunged into total darkness by disconnection of same from feeder lines; accusing them of "under payment". In Ogbaru Business District, for instance, the consumers using "33 Feeder Line" in Iyiowa Layout are now plunged into five days of total blackout every week and since 25th November 2017 (26/11/2017-31/11/2017; 3/12/2017-8/12/2017; 11/12/2017-15/12/2017 and 18/12/2017- 21/12/2017) accusing them of "making under payment".

As if not was not enough, each residential building there is also visited and its power line severed. There are other reported cases of distribution transformers of single phase consumers in Awada (Idemmili North), Odor-Rubber, Iyiowa Layout and Okpoko (Ogbaru) and Fegge (Onitsha), etc being disconnected for weeks and plunged into total blackout. Specifically, the single phase residential consumers using distribution transformers located at Chioma by Mission Road and Akili Ogidi Street had their transformers disconnected and plunged into total darkness since 30th November 2017 for “making under-payment”, ranging from N5, 000/N6, 000 to N7, 000 per consumer.

The personnel of the Ogbaru Navy Outpost were procured and used in the violent disconnection exercise. The consumers of Ehirim Street in Iyiowa Layout also were not left out, as they were swooped on by machete bearing EEDC disconnection staff on 13th December 2017 at about 10.30am and later joined by personnel of the Nigerian Navy, Ogbaru Outpost. The single phase residential consumers in the named Street were accused of “making N4, 000 to N5, 000 under payment” for the month of November 2017, instead of paying the entire estimated monthly bill as criminally issued. Consumers of Chioma by Mission Road Substation in Iyiowa Odekpe have also been receiving incessant harassment from EEDC in Ogbaru and criminal invitations from Atani Police Station for “making under payments”.

There is also rampancy of cases where churches and other consumers in the range of *three phase consumers (R2T) and D1TI consumers* are made to face total disconnection by violent EEDC disconnection staff; accompanied by hired soldiers, police or navy personnel. For instance, in Ogbaru LGA, churches were disconnected in September and October 2017 for “making under payments”. Newly constructed residential buildings are also left out as they are heavily extorted or forced to pay heavily before being connected with electricity supply from EEDC. Instances are too many to mention.

Cases also abound where single phase residential consumers are issued with monthly estimated bills of as much as N170, 000 to N190, 000 per month for each of the consumers. When such are reported to relevant EEDC personnel and offices such as *Marketing, Operation and Billing Managers*, the affected consumers are told that “they have no case” and should go and pay the entire bills. For instance, a single phase residential consumer residing in a 3-bedroom apartment, located at No. 8 Abazuonu Street, Iyiowa Layout in the Ogbaru Business District was issued with N173, 034.79 as his *November 2017 monthly bill consumed in October*. His post paid meter number is 94000555 and account number-52/24/23/1275-01. The referenced consumer also has “accumulated bills” of N84, 652.028 arising from previously imposed outrageous estimated monthly bills.

Another single phase consumer occupying a 3-bedroom flat at No 8 Isunjaba Street, Iyiowa Layout with post paid number 0325000376 and account number 52/24/03/2816-01 was given estimated bill of N192, 567.09 for month of November 2017 for “energy consumed in October”. He has arrears of N10, 048.44 and had paid a total of N32, 000 in the past eight months. The two affected consumers had met the *Ogbaru EEDC billing, operation and marketing managers* for the error to be corrected; only to be worked out of their offices and given a matching order to “go and pay all the current charges”. Instances are too many to mention.

Owing to reckless issuance of outrageous estimated bills by EEDC especially to single phase residential consumers; billions, if not tens of billions of worth of “accumulated bills” abound in the Southeast. In many, if not most single phase residences and their residents, EEDC’s monthly estimated bills have become much higher than monthly house rents. For instance, the N173, 034.79 and N192, 567.09 issued to the two referenced consumers above as “November 2017 monthly bill” is more than one year house rent of a 3-bedroom apartment and its occupant in Iyiowa Layout, Ogbaru LGA of Anambra State; which goes for N150, 000 to N180, 000 per annum.

It is also an act of impossibility for a consumer resident that owes arrears of his or her N13, 000 to N15, 000 monthly house rent or less to be asked to pay N10, 000 to N15, 000 monthly as electricity bill. As a matter of fact, all the unmetered (prepaid) single phase, three phase (R2T) and D1TI consumers in the Southeast have over paid EEDC since 2012. That is to say that all the “accumulated bills” being lumped monthly by EEDC and demanded as “unpaid arrears owed” are untenable and non-payable. EEDC also maintains fraudulent dual tariffs for its single phase consumers whereby some are issued N30.93k per unit while others get N34.28k. This is a clear breach of Federal Government and NERC uniformed pricing policy for electricity consumers in Nigeria.

Daily power supply ratio or average in the Southeast is also acutely abysmal with urban cities getting less than five hours per day and rural communities less than four hours per day. In other social climes in Africa and other developing countries, power supply hits national and sub national daily average of 22hrs.

Cases abound also whereby community of single phase residential consumers that undertook the task of procuring and installing distribution transformers or installing such given to them by politicians using EEDC certified private electricity engineers; are stopped by EEDC from having their newly installed transformers activated or energized unless “they liquidate or pay 50% of accumulated arrears in the bills”; arising from EEDC’s outrageous estimated billing system, running into millions of naira in each street, if not per residential building.

For instance, in Ogbaru Business District in Anambra State, headed by Engineer Obi Ughasoro; the single phase residential consumers of *Nwoke Street by School Lane and Nwachukwu Lane by Acha Street*, located at Iyiowa Layout were bluntly told by the Ogbaru Network Manager, Engineer Obi Ughasoro to “pay 50% of all their arrears” before their newly installed transformers; already profiled and possessed by EEDC could be activated or energized. The two transformers were given to them by Senator Stella Oduah and Princess Chinwe Nwaebili respectively in 2016 and January 2017. They have remained in total blackout or acute load shedding for more than one year.

In all, the social consequences of the criminal activities and other forms of lawlessness of EEDC in the Southeast especially among the People of the Zone are incalculable and inestimable. Apart from acute retardation of the growth of industries and other forms of economic growth and development in the Zone; generated social inconveniences have risen to an apogee. Infant and maternal mortality and diseases have gone viral; likewise airborne and water borne diseases and deteriorating insanitary conditions. Owing to the same power epilepsy or acute shortage, if not total blackout; mosquito bites have increased especially in this period of scorching heats. The sick, the old, the heavily pregnant women, the newborn, the infants, etc have all borne the brunt of EEDC’s criminality, recklessness and lawlessness.

Criminal Syndicate Now Removes & Destroys Received Public Letters At EEDC & NERC

It is further recalled that Intersociety had written several letters to Ogbaru and Enugu headquarters of EEDC in early 2015. In the said letter, complaints concerning issues highlighted above were raised. But Intersociety's letter was ignored, forcing same to take recourse to NERC headquarters in Abuja via a letter, dated 10th November 2015, after further efforts to get the Southeast Area office of NERC to intervene and call EEDC to order failed woefully.

To the greatest shock and surprise of Intersociety, its letter to NERC was removed by EEDC's oiled criminal syndicate from where it was documented for attention. It took the organization more time and resources to send a team to NERC headquarters for its replacement and effect associated processes; leading to the visit of NERC team to Ogbaru in mid 2016. The visit resulted to a meeting between Intersociety, Iyiowa Layout Electricity Consumers' Forum and representatives of NERC, Abuja and its Southeast Zone; EEDC, Enugu; EEDC, Ogbaru; and EEDC Onitsha; which took place on 25th May 2016.

Present in the meeting were: Engineer Obi Ughasoro for Ogbaru Business District, Bonaventure Emeachi (Onitsha Business District), Agu Eucharia (EEDC Ogbaru), Ugwuegbu F.C. (EEDC Ogbaru), Agbo Celestine O. (EEDC Ogbaru), Okoye Emma Chukwudi (EEDC Ogbaru), Segum M. (EEDC Ogbaru), Engr. Onyebuchi Okechi (NERC Owerri/Southeast), Engr. A.I. Yusuf (NERC Abuja), Ogunchebe Ijeoma (EEDC Enugu headquarters), Engr. Ozonweke (EEDC GRA/Onitsha), Emeka Umeagbalasi (for Intersociety/rights groups) and the elected executives of the Abazuonu/Ihitenasaa Residents Electricity Users' Forum led by its chairman, Reverend Elisha Umeh.

In the said meeting, agreements were reached including need for improved power supply, NERC's directive to EEDC to provide prepaid meters to all its consumers especially its single phase, three phase (R2T) and D1TI consumers, sticking to NERC recommended billing methods for unmetered consumers and those with faulty post paid meters, issuance of adequate notice before disconnection and non-disconnection of the entire building for default of few as well as discontinuation of shouldering of responsibility by community of consumers in the area of procurement and installation of transformers and maintenance of ailing ones, etc.

Months later, all the agreements reached were flouted by EEDC including the Ogbaru, Onitsha and Ogidi Business Districts and their Network Managers; forcing Intersociety to write the Ogbaru Network Manager on 31st January 2017, reminding him of his District's dishonouring of all the agreements reached in the 25th of May 2016 meeting at St James Outstation Catholic Church in Iyiowa Layout. His poor response to same led to another letter from Intersociety to the CEO of EEDC, dated 28th March 2017. The letter was taken straight to Enugu and submitted by one of the lawyers working for Intersociety; with an acknowledgement copy fully stamped. Months later, and on enquiry, the letter was declared missing at EEDC Enugu headquarters where it was filed for attention.

We later found that the same criminal syndicate procured by the accused including the Ogbaru Business District and its Network Manager had possibly removed and destroyed same. A copy of the acknowledgement letter, duly received and stamped by Enugu EEDC CEO; with affidavit of facts, deposed before the High Court of Onitsha by a leading victim of EEDC's criminality and other forms of lawlessness- Emeka Umeagbalasi; is hereby attached.

We hereby seek for the rescue of the People of Southeast Nigeria from chronic bondage, oppressive and criminal conducts of EEDC by calling on your public offices especially the authorities of Abuja NERC and Federal Ministry of Power et al, to thoroughly investigate the EEDC especially in the area of sharp practices highlighted above. EEDC's recklessness, criminality and lawlessness in the Southeast via its personnel and within the context of vicarious liability; must no longer be allowed to rear its ugly head in the Southeast and among the People of the Zone.

Such thorough investigation under demand, should focus on the following monumental failures of EEDC to: (a) *distribute and market electricity and collect monthly lawful bills, (b) meter via prepaid metering policy of the Federal Government; all is single phase residential customers, three phase customers (R2T), D1TI customers and maximum demand or industrial customers, (c) stick to NERC issued tariff pricing of N30.93k per unit and strictly apply NERC recommended billing method for non-metered single phase residential consumers; by using monthly average consumption units consumed by those with functional meters (i.e. 50 units multiply by N30.93K).*

Others are its failure: (d) *not to disconnect unmetered customers that pay reasonable part payment of their estimated monthly bills and issue appropriate notice before disconnecting them, (e) not to carry out mass disconnection by severing feeder lines or disconnecting the entire transformer or residential building; to avoid unlawfully punishing those that have paid as appropriate, (f) failure to issue appropriate disconnection notice and disconnect only the defaulting consumers, (g) failure to provide un-tempered and NERC certified prepaid meters to all consumers in Southeast Nigeria (note: EEDC says it has not metered over 700,000 single phase residences in Southeast Nigeria).*

The rest of EEDC monumental failures; requiring thorough investigation and appropriate sanctions are: (h) *failure to effect adequate provision and installation of distribution transformers, specifically for consumers who are in need and generally for the purpose of ensuring distribution expansion and efficiency, (i) non-provision of power distribution network accessories including transformer accessories and feeder lines' spares, (j) failure to ensure round-the-clock maintenance of distribution transformers and distribution feeder lines, and (k) failure to disallow consumers in their groups or in individual to bear the brunt or cost of procuring, installing and maintaining distribution transformers. Etc. The Company's seemingly fraudulent use of dual tariff of N30.93k and N34.28k for its single phase residential consumers should also be investigated.*

Apart from our collective demand for thorough investigation into the above criminal conducts of EEDC and its personnel, we also collectively seek for total reversal of same and meting out of appropriate sanctions against the Company including total review of operating license issued to same by the Federal Government in 2012. EEDC should thoroughly be evaluated especially in the area of its inputs into power distribution in Southeast since 2012.

That is to say: *how many distribution transformers have the Company procured and installed on its own since 2012 and their locations in the Southeast? How many of same provided or procured and installed by States Governments, politicians and consumers have EEDC profiled and cornered or possessed in the Southeast since 2012?*

How many single phase residential, three phase (R2T), D1TI and maximum demand or industrial consumers have the Company provided with prepaid meters since 2012 in the Zone especially in Anambra's six Districts of Ogbaru, Onitsha, Ogidi, Awka, Nnewi and Ekwulobia? How many containers' load of power distribution accessories including transformer oil, fuses, armoured cables, feeder wires/cables, transformer panels and units, etc; are presently stocked by EEDC for round-the-clock maintenance of its existing distribution transformers?

It is also our collective demand that EEDC should be firmly and swiftly directed to write off and clear from its data system all accumulated bills arising from criminally and obnoxiously imposed estimated bills on its unmetered consumers and those with faulty post paid meters. Such accumulated bills; which the Company claims to be in tens of billions of naira in the Southeast; do not exist. This is because unmetered consumers in the Zone have extensively over-paid EEDC since 2012. In other words, it is EEDC that owes its unmetered consumers; not the other way.

The authorities of NERC and the Federal Ministry of Power et al are further called upon to strongly direct EEDC to issue a fixed monthly tariff of 50 units or N1, 600 to all its single phase consumers in rural areas and 80 units or N2, 400 to their urban cities' counterparts; using national approved tariff of N30.93k; pending when the Company is able to make prepaid meters available to all its consumers in the Southeast Zone.

For unmetered three-phase (R2T) and D1TI consumers, 150 and 200 units or N4500 and N6000, respectively, should be given to them across board. The EEDC's criminal policy of indiscriminate allocation of outrageous and obnoxious tariff units, ranging from 350 units to 1000 units especially to each of the single phase residential consumers must no longer be allowed by your public offices.

The Company's lawless practice of disconnecting consumers en masse for "making under payments" should be prohibited by your public offices and it should be directed immediately to restore power supply to those presently plunged into total darkness in the whole or part of Southeast Nigeria. EEDC should also be directed to provide prepaid meters to all categories of its consumers in Southeast and such prepaid meters should be supervised and certified by NERC and the Federal Ministry of Power et al.

The sharp practices of the Network Managers of EEDC in the Southeast Zone and their personnel especially those of Ogbaru Business District-Engineer Obi Ughasoro (+2348036315033), Onitsha Business District-Engineer Ozor Nweke and Ogidi Business or Network District-Engineer Chris Ezeoha; as highlighted above, should also be thoroughly investigated; with appropriate sanctions recommended against them to their mother headquarters (Enugu EEDC).

Investigation being demanded from NERC must not be delegated to its Southeast Zonal Office, but should be directly handled by the Abuja headquarters of the Commission. We also call on the Senate and House Committees on Power et al to investigate the complaints raised in this letter; as part of their legislative oversight duties.

Signed:

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