NATIONAL ENERGY REGULATOR OF SOUTH AFRICA

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Decision and Reasons for Decision (RfD)

In the matter regarding the

Municipal Tariff Application for the 2026/27 Financial Year

by

Molemole Local Municipality

THE DECISION

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1. At its meeting held on 11 May 2026, the Regulator Executive Committee (REC) considered Molemole Local Municipality's tariff application. Based on the facts and evidence presented, the REC approved the tariff increases for the 2026/27 financial year (FY) set out in Section 8 (Page 19) below.
2. Based on the available information and the analysis performed thus far, the Regulator Executive Committee decided:

2.1. that the municipality must submit a report accounting for all the costs that have been noted in its COS study to enable the National Energy Regulator of South Africa to perform its independent verification/audit process by 31 January 2027; and

2.2. note the COS study submitted by the municipality;

2.3. that the municipality must submit a quarterly smart efficiency plan with improvement measures identified in reducing high energy losses and submit by 30 September 2026

TABLE OF CONTENTS

THE DECISION 1

ABBREVIATIONS 4

1. INTRODUCTION 5
2. LEGAL AND REGULATORY FRAMEWORK 6
3. FINANCIAL AND TECHNICAL PERFORMANCE 10
4. DETERMINATION OF MOLEMOLE LOCAL MUNICIPALITYS'S TARIFFS BASED ON THE COST OF SUPPLY STUDY 13
5. PUBLIC PARTICIPATION 17
6. THE OBJECTORS AND OTHER INTERVENING PARTIES 18
7. OVERALL TARIFFS IMPACT ANALYSIS 18
8. TARIFF ANALYSIS 19
9. CONFIDENTIALITY 21
10. CONCLUSION 21

LIST OF TABLES

Table 1: Customer Statistics (Data obtained from the latest D-forms – 2024/25FY) 5

Table 2: Performance Indicators.....11

Table 3: Municipality's Revenue Requirement.....15

Table 4: Tariff Analysis 19

ABBREVIATIONS

COS	Cost of Supply
D-form	Distribution Form
ERTSA	Eskom's Retail Tariff Structural Adjustments
FBE	Free Basic Electricity
IBT	Inclining Block Tariff
IPP	Independent Power Producer
MFMA	Municipal Finance Management Act
NERA	National Electricity Regulation Act
NERSA	National Energy Regulator of South Africa
OPEX	Operating Expenditure

1. INTRODUCTION

1.1. The National Energy Regulator of South Africa (NERSA) receives and considers tariff applications on a yearly basis, in accordance with the mandate of the Energy Regulator to regulate prices and tariffs. Municipal tariffs must be approved by the Energy Regulator to be implemented on 1 July of each financial year.

1.2. Molemole Local Municipality is situated in Limpopo. The Municipality has a total of 1,224 customers, with domestic customers accounting for 57% of sales. The Municipality applied for an average increase of 11.32% in the 2025/26 financial year, and an average increase of 9.01% in the 2026/27 financial year. The Municipality is supplying 50 kWh FBE to its 250 indigents. The details regarding customer statistics are highlighted in Table 1 below.

Table 1: Customer Statistics (Data obtained from the latest D-forms – 2024/25FY)

Customers Categories	***MWh***	***% MWh***	***Customers Numbers***
Domestic (prepaid)	29,989	57.00	1,099
Commercial (prepaid)	12,852	24.43	104
Commercial (conventional)	9,771	18.57	21
Total	**5, 612**	**100**	**1,224**

Free Basic Electricity (FBE)[1]	1,500	50	250

1.3. NERSA received Molemole Local Municipality's tariff application together with its existing Cost of Supply (COS) study and is based on the cost-plus methodology on 31 March 2026.

1.4. For this application, the Municipality has indicated that Council approved the tariff application. The Council meeting at which this application was approved took place on 31 March 2026, and the Council resolution has been submitted to NERSA. Proof of customer consultation was also submitted on 31 March 2026.

1.5. NERSA followed the notice and comment consultation process in line with PAJA. Molemole Local Municipality's tariff application was published on the NERSA website on 31 March 2026, on social media platforms and national and local newspapers to solicit written comments from affected parties.

[1] Included in the consumption in both the domestic prepaid and conventional customer

1.6. The asset value is estimated as R23.4 million (aggregated from audited AFS) with the depreciation of 1.3 million; (calculated on a straight line over a useful life of 18 years).

1.7. NERSA's decision was made on 11 May 2026, considering the written comments received from the affected stakeholders and the analysis performed by NERSA.

2. LEGAL AND REGULATORY FRAMEWORK

2.1. Background

2.2.1 The approval of municipal electricity tariffs constitutes a core regulatory function of the Energy Regulator and must be exercised in accordance with the applicable legislative framework, national policy directives and court orders. The principal legal instruments governing the exercise of this regulatory authority include the National Energy Regulator Act, 2004 (Act No. 40 of 2004) ("NERA"), the Electricity Regulation Act, 2006 (Act No. 4 of 2006) as amended ("ERA"), the Promotion of Administrative Justice Act, 2000 (Act 3 of 2000) ("PAJA"), and the Electricity Pricing Policy for the South African Electricity Supply Industry, 2008 ("EPP").

2.2.2 The approval of municipal electricity tariffs follows the Eskom Multi-year Price Determination and Eskom Retail Tariff and Structural Adjustment decision and is undertaken annually to align with the municipal budgeting process contemplated in the Municipal Finance Management Act, 2003 (Act No. 56 of 2003).

2.2.3 In addition, the municipal tariff approval process has recently been the subject of judicial scrutiny in the High Court of South Africa (Gauteng Division, Pretoria) in AfriForum NPC v National Energy Regulator of South Africa and Others (Case No. 2025/137620), which resulted in structural directives governing the timing and conduct of NERSA's tariff approval process.

2.2.4 This section provides the legal and policy context within which the Energy Regulator evaluated and determined the municipal electricity tariff application for the 2026/2027 municipal financial year

2.2. Statutory Mandate of the Energy Regulator

2.2.1 NERSA is established as a juristic person in terms of section 3 of the NERA. In terms of section 4 of NERA, the Energy Regulator, as the decision-making body, must regulate the electricity industry and execute the functions set out in the ERA. The Energy Regulator's regulatory electricity mandate is therefore primarily governed by the ERA. Section 3 of the ERA particularly provides that the Energy Regulator is the custodian and enforcer of the national electricity regulatory framework and exercises regulatory authority over activities regulated under the ERA.

2.2.5 In particular:

a) section 4(a)(i) of the ERA provides that the Energy Regulator must consider applications for licences and may issue licences subject to conditions;
b) section 4(a)(ii) of the ERA provides that the Energy Regulator must regulate prices and tariffs; and
c) section 14(1)(d) of the ERA authorises the Energy Regulator to impose licensee conditions relating to the setting or approval of prices, charges, rates and tariffs charged by licensees.

2.2.6 Municipalities distributing electricity do so under electricity distribution licences issued by the Energy Regulator and are therefore subject to the tariff approval framework established under the ERA.

2.3. Tariff Determination Principles under the ERA

2.3.1 When determining or approving electricity tariffs, the Energy Regulator must apply the principles contained in section 15(1) of the ERA.

2.3.2 Section 15(1) provides that the Energy Regulator:

a) must enable an efficient licensee to recover the full cost of the licensed activity;
b) must allow for a reasonable return commensurate with the risk of the licensed activity;

a) may provide incentives for continued improvement of technical and economic efficiency;
b) must avoid undue discrimination between customer categories;
c) may permit cross-subsidies of tariffs to certain classes of customers; and
d) may have regard to the need to ensure security of supply, diversity of supply and the promotion of renewable energy.

2.3.3 These statutory requirements form the core legal principles guiding the determination of electricity tariffs within the South African electricity supply industry.

2.4. Administrative Law Requirements

2.4.1 The approval of municipal electricity tariffs constitutes administrative action as defined in section 1 of the PAJA. Accordingly, the Energy Regulator must ensure that its tariff determinations are lawful, reasonable and procedurally fair as required by sections 3 and 6 of PAJA. Procedural fairness requires that affected parties and the public be afforded a reasonable opportunity to make representations before a final decision is taken.

2.4.2 Public participation processes conducted by the Energy Regulator, therefore, form an essential component of the municipal tariff approval process and are intended to ensure transparency, accountability and fairness in regulatory decision-making.

2.5. Policy Framework: Electricity Pricing Policy (2008)

2.5.1 In addition to the statutory framework, the Energy Regulator must have regard to the EPP. The EPP establishes national policy principles for electricity tariff setting, including cost reflectivity, transparency, economic efficiency and equity.

2.5.2 Policy Position 1 of the EPP provides that the revenue requirement for a regulated licensee must be set at a level that covers the full cost of production, including a reasonable risk-adjusted margin or return on appropriate asset values.

2.5.3 Policy Position 2 states that electricity tariffs must reflect the efficient cost of rendering electricity services accurately and that the average level of tariffs must be set to recover the approved revenue requirement.

2.6. Cost of Supply Studies

2.6.1 The EPP recognises that cost-reflective tariff structures require a sound understanding of the underlying cost drivers associated with electricity distribution.

2.6.2 Paragraph 8.1 of the EPP notes that cost of supply methodologies have historically not been consistently applied across the electricity distribution industry.

2.6.3 Policy Position 23 therefore requires electricity distributors to undertake cost of supply studies at least every five years, or when significant structural changes occur in the customer base or cost structure.

2.6.4 Such studies must be conducted in accordance with the methodology approved by NERSA and must accompany tariff structure applications submitted to the Energy Regulator.

2.7. Judicial Oversight of the Tariff Approval Process

2.7.1 The municipal tariff approval process administered by NERSA was the subject of litigation in AfriForum NPC v National Energy Regulator of South Africa and Others (Case No. 2025/137620) before the High Court of South Africa, Gauteng Division, Pretoria.

2.7.2 In its final judgment delivered on 4 December 2025, the Court held that NERSA's public participation process relating to the 2025/2026 municipal tariff approvals did not comply with the procedural requirements of section 4 of PAJA and was, therefore, unlawful.

2.7.3 However, recognising the potentially disruptive consequences of setting aside tariff determinations already implemented by municipalities, the Court declined to invalidate the tariffs. Instead, to assist in the timeous and lawful approval of municipal tariffs, the Court issued a structural interdict regulating the municipal tariff approval process going forward.

2.7.4 NERSA subsequently launched a variation application which sought to vary the timelines which were set by the Court on 4 December 2025, considering the practical difficulties which arose in relation to NERSA's compliance with the court order. The Court, having heard NERSA's application, granted the variation application in respect of the fixed deadlines for the 2026/27 municipal tariff approvals.

2.8. **Court-directed Timelines**

2.8.1 The timelines below are applicable in respect of the 2026/27 municipal tariff approvals:

a) written notice of bulk tariffs by 6 March 2026;
b) municipal tariff applications to be submitted by 31 March 2026;
c) public participation processes to be concluded by 21 April 2026;
d) the publication of NERSA decisions by 11 May 2026.

2.8.2 Municipal tariff approvals from 2027/28 are to comply with the following timelines:

a) written notice of bulk electricity tariffs be communicated by 31 January each year;
b) municipal tariff applications be submitted to NERSA by 20 March each year;
c) municipal tariff approvals and the Tariff Reasons for Decision document, be approved and published by 5 May of each year.

2.9. **Conclusion**

2.9.1. The determination of municipal electricity tariffs by the Energy Regulator must, therefore, be undertaken within a comprehensive regulatory framework consisting of the NERA, ERA, PAJA, EPP and the binding judicial directives issued by the High Court in AfriForum NPC v NERSA (Case No. 2025/137620).

2.9.2. The reasons that follow in this Reasons for Decision document demonstrate how the Energy Regulator complied with the legislative, policy and judicial framework in determining the municipal electricity tariff for the 2026/2027 municipal financial year.

3. FINANCIAL AND TECHNICAL PERFORMANCE

3.1. In evaluating the financial and technical performance of Molemole Local Municipality, the assessment relied on the Distribution Forms (D-forms) for the 2024/25 financial

year, which were submitted as part of the licensee's tariff application. The information contained in the D-forms was verified against the supporting source documents provided by the municipality, including the Trial Balance and Audited Annual Financial Statements. As a result, the data captured in the D-forms is considered dependable for the purposes of the tariff analysis.

3.2. Table 2 below indicates that Molemole Local Municipality's electricity business performance comparing FY 2023/24 and FY 2024/25.

Table 2: Performance Indicators

PERFORMANCE INDICATOR: OBTAINED FROM D-FORMS		
Indicators	**2024/25 FY (Actuals)**	**2023/24 FY (Approved)**
Percentage surplus: (%)	-20.98	-25.00
Energy losses: (%)	10.95	10.97

Surplus

3.3. Molemole Local Municipality's electricity business operating deficit improved from a deficit of 25% in the 2023/24 financial year to a deficit of 20.98% in the 2024/25 financial year:

3.3.1. Despite the improvement, the business remains fundamentally unsustainable. The deficit is driven by

a) high operational overheads linked to a scattered network configuration, the high cost of skills recruitment/retention due to the rural nature of the licensee;
b) The customer base is mostly households that only pay for what they use (no monthly service fee is charged by the Municipality):
   i. This puts the licensee at risk because if people use less power, the licensee loses revenue.
   ii. There are no big businesses to cross-subsidise the small customers.

3.4. These challenges are structural and unlikely to change in the medium term, meaning the electricity department remains grant-dependent in running its electricity business.

Energy Losses

3.5. The licensee achieved a slight reduction in energy loss, bringing the rate down from 10.97% in the 2023/24 financial year to 10.95% in the 2024/25 financial year. The Molemole Local Municipality submitted a progress report on the reduction of energy, upon assessment the observation is that the improvement is attributed to proactive "energy curbing" strategies, specifically:

3.5.1. Analysing purchase pattern reports functioned as a detection mechanism to identify non-vending meters. This approach allows targeted site visits to uncover bypassing or tampering, enabling immediate disconnection and recovery of lost revenue by issuing reconnection fee penalties.

3.5.2. Quarterly loss calculations were used to validate the effectiveness of controls -- those checks allow the municipality to spot spikes in losses immediately and deploy technicians while the issue is fresh and the revenue losses are still minimal.

3.6. The municipality is commended for this achievement and is encouraged to expand its initiatives to reach a single-digit energy loss target.

General Conclusion on the Financial and Technical Indicators

3.7. Based on the above information, the licensee’s electricity department demonstrates satisfactory technical performance, as reflected in the energy losses that are below 12%. The deficit indicates poor financial management and a lack of effective cost recovery.

4. DETERMINATION OF MOLEMOLE LOCAL MUNICIPALITYS'S TARIFFS BASED ON THE COST OF SUPPLY STUDY

4.1. The Molemole Local Municipality submitted its existing COS study, which supports the tariff application which will be approved in the 2026/27 financial year. The Municipality's Cost of Supply study included all requirements of NERSA's approved COS Framework (i.e. revenue requirement, costs functionalisation, costs classification, costs allocation and rate setting).

4.2. Policy Position 23 states that:

Electricity distributors shall undertake COS studies at least every five years, but at least when significant licensee structure changes occur, such as in customer base, relationships between cost components and sales volumes. This must be done according to the approved NERSA standard to reflect changing costs and customer behaviour. The cost-of-service methodology used to derive tariffs must accompany applications to the regulator for changes to tariff structures".

4.3. The revenue requirement for Molemole Local Municipality was determined using a cost-plus methodology in accordance with the NERSA COS Framework.

4.4. Section 18.7 of the October 2023 NERSA-approved Cost of Supply Framework states that:

An adjustment index will be issued to licensees to allow them to submit the tariff applications, which will be used to determine the costs that must increase with CPI, purchase costs, and other OPEX. Where annual plans, such as repairs and maintenance, and CAPEX plans, have been assessed and approved by NERSA, these can be adjusted based on that.

4.5. In line with section 18.7 mentioned above, Table 3 below was developed, and the definition of the columns is as follows:

i. Column 1 is the actual FY2024/25 licensee performance and is sourced from the D-forms that are based on the audited annual statements.

ii. Column 2 is for the FY2025/26 revenues and electricity volume that are the base for FY2026/27 tariffs. The figures were evaluated for reasonableness (since, at the time of approval, they were estimates) when the Regulator considered and approved the FY2026/27 cost of supply base tariffs. Once the financial year ends, the actual figures will be verified using the audited statements.

iii. Column 3 is for the licensee's submitted FY2026/27 budgeted figures to be evaluated for reasonableness for determining tariffs for the control period under review.

iv. Column 4 is for NERSA's recommended adjustments after considering the reasons, facts, and evidence the licensee provided to motivate/justify the budgeted figures.

v. Column 5 is for NERSA's recommended amounts that sum up to allowable revenues the licensee must recover in FY2026/27. The total allowable revenue of R1.2 million is for the FY2025/26 tariff review and is based on the cost of supply revenue and the volumes used to determine the tariffs that were approved by the Energy Regulator, as shown in Table 3 below.

4.6. The COS study is applicable for five years; however, municipalities need to reflect the adjustments on their cost drivers for the FY2026/27. NERSA used the budgeted figures submitted by the licensee to assess reasonableness and the licensee's current operational requirements, ensuring that municipalities do not over- or under-recover during the FY2026/27 tariff review process.

4.7. The total allowable revenue of R28 724 million is recommended in Table 4 below for the 2026/27 tariff review period and is the basis upon which the tariffs were approved by the Regulator. The COS study is valid for five years; however, municipalities need to reflect the adjustments on their cost drivers for each financial year under the existing COS (i.e. FY2026/27). NERSA utilised the budgeted figures to verify efficiencies and to ensure that municipalities do not over- or under-recover their operating overheads during the FY2026/27 tariff review process.

4.8. To determine an increase applicable for the 2026/27FY, the licensee submitted its 2026/27FY cost (budgeted cost plus surplus) as requested by NERSA, and total budgeted required revenue that amounted to R28,724 million for the FY2026/27 tariff review process.

Table 3: Municipality's Revenue Requirement

Energy balance	Unit	Actual FY 2024/25 Costs	FY2025/26 Tariffs Costs per submitted COS	FY2026/27 budgeted Costs as per the Licensee
Sales	kWh	4 953 737	5 261 192	5 261 192
Eskom bulk purchases	kWh	5 562 775	5 909 622	5 909 622
Total Energy Requirements	**kWh**	**5 562 775**	**5 909 622**	**5 909 622**
Total Losses	kWh	609 038	648 430	648 430
Technical losses	kWh	609 038	648 430	648 430
Allowed losses	%	**10,95%**	**10,97%**	**10,97%**
Total Energy losses	%	10,95%	10,97%	10,97%
Cost drivers				
Energy purchases from Eskom	Rand	16 015 294	16 500 000	17 821 650
total energy purchases		**16 015 294**	**16 500 000**	**17 821 650**
Operational expenditure (incl. Depreciation)	**Rand**	**8 227 805**	**12 639 195**	**13 397 547**
General & Other	0	7 980 015	8 379 016	8 881 757
Contracted Services	Rand	2 259 737	2 372 724	2 515 087
Salaries, wages and allowances (exclu. Repairs and Mai	Rand	4 450 558	4 673 086	4 953 471
Current year depreciation	Rand	1 269 720	1 333 206	1 413 198
Shared OPEX	Rand	247 790	4 260 179	4 515 790
Bad debts (Allowance for Impairment)	Rand	247 790	260 179	275 790
Total Expediture before surplus		24 243 099	29 139 195	31 219 197
Surplus	Rand	1 212 155	1 602 656	2 169 734
Total Expenditure Including Surplus		24 243 099	30 741 851	33 388 931
Other revenues	Rand	**-3 264 143**	**-4 400 000**	**-4 664 000**
Total Allowable Revenus	Rand	20 978 956	26 341 851	28 724 931
% increase required			***25,56%***	***9,05%***

4.9. The actual figures were verified using Eskom invoices and verified electricity-related operating costs (tested against 2024/25 D-Forms, Trial Balance and Audited AFS). Only prudently incurred and efficiently verified costs, supplemented by a reasonable surplus margin, are recommended for approval. This forms the basis for projecting costs for the 2026/27 financial year, using assumptions to calculate revenue requirements.

4.10. Furthermore, NERSA has verified all expense items included in the revenue requirement to ensure they relate only to the licensee's electricity function. In instances where expenses are deemed inflated or unjustified, these have been adjusted accordingly.

4.11. In line with COS Framework requirements, shared municipal costs are to be ring-fenced and allocated strictly to the electricity business using the D-Form. Cost attribution was verified against the Trial Balance and Audited AFS, ensuring separation of electricity and non-electricity functions. Any costs not demonstrably related to electricity distribution were adjusted or excluded. This approach ensures compliance with the principle of cost causality and prevents cross-subsidisation between municipal functions.

4.12. It is important to test the efficiency and prudence of costs in the 2025/26FY, since these are the most recently considered revenues in support of the approved tariffs for this period. This forms the basis on which costs for the 2026/27FY will be projected using assumptions to calculate revenue requirements for that year.

Bulk Purchases

4.13. For the 2026/27 FY, the licensee applied for a bulk purchase expenditure of R17.8 million which accounts for 62% of total costs.

4.14. To arrive at the 2026/27FY estimate, the licensee projected the year-to-date amount for 2025/26FY, since complete financial year data is unavailable, and then estimated that this cost item would increase by 9.01%, in line with the approved Eskom Retail Tariff Structural Adjustments (ERTSA).

4.15. The Eskom bills were analysed and there was no indication of the interest on Eskom or NMD penalty imposed on the Municipality.

Operating expenditure (including Depreciation)

4.16. The licensee applied for operational expenditure of R13.4 million, including depreciation of R1.4 million as highlighted in Table 4 above.

4.17. The approach taken by the licensee is satisfactory to NERSA for forecasting operational expenditure. As a result, this cost has been recommended for approval as applied for.

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8. TARIFF ANALYSIS

Table 4: Tariff Analysis

1.1 Domestic Tariffs (Prepaid & Conventional) Single-phase	2025/26 Approved Tariffs	2026/27 Proposed Tariffs	2026/27 Proposed % Increase	2026/27 Recommended Tariff	Recommended % Increase	Analysis and Key Findings
Block 1 (0 – 50 kWh)	192.50	209.85	9.01%	209.85	9.01%	The Municipality applied for uniform increases
Block 2 (51 – 350 kWh)	246.66	268.89	9.01%	268.89	9.01%	
Block 3 (351 – 600 kWh)	347.78	379.17	9.01%	379.14	9.01%	
Block 4 (> 600 kWh)	409.50	446.39	9.01%	446.40	9.01%	

1.2 Domestic Tariffs (Prepaid & Conventional) Three-phase	2025/26 Approved Tariffs	2026/27 Proposed Tariffs	2026/27 Proposed % Increase	2026/27 Recommended Tariff	Recommended % Increase	Analysis and Key Findings
Block 1 (0 – 50 kWh)	225.33	245.64	9.01%	245.63	9.01%	The Municipality applied for uniform increases
Block 2 (51 – 350 kWh)	317.72	346.35	9.01%	346.35	9.01%	
Block 3 (351 – 600 kWh)	374.09	407.80	9.01%	407.80	9.01%	
Block 4 (> 600 kWh)	392.10	427.43	9.01%	427.43	9.01%	

1.3 Commercial tariffs (Prepaid & Conventional) Single-phase	**2025/26 Approved Tariffs**	**2026/27 Proposed Tariffs**	**2026/27 Proposed % Increase**	**2026/27 Recommended Tariff**	**Recommended % Increase**	**Analysis and Key Findings**
Block 1 (0 – 600 kWh)	347.80	379.14	9.01%	379.13	9.01%	The Municipality applied for uniform increases
Block 2 (>600 kWh)	409.49	446.39	9.01%	446.38	9.01%	
1.4 Commercial Tariffs (Prepaid & Cconventional) Three-phase	**2025/26 Approved Tariffs**	**2026/27 Proposed Tariffs**	**2026/27 Proposed % Increase**	**2026/27 Recommended Tariff**	**Recommended % Increase**	**Analysis and Key Findings**
Block 1 (0 – 600 kWh)	411.97	449.09	9.01%	449.09	9.01%	The Municipality applied for uniform increases
Block 2 (>600 kWh)	429.28	467.96	9.01%	467.96	9.01%	

9. CONFIDENTIALITY

9.1. None.

10. CONCLUSION

10.1. The Energy Regulator, having considered Molemole Local Municipality's application, supporting information, stakeholder inputs, and applicable legal framework, approves the tariff adjustments as set out in this Reasons for Decision document.

End