

**10 May 2021**

## **MEDIA STATEMENT**

### **NERSA TO OPPOSE ESKOM HIGH COURT APPLICATION TO REVIEW ENERGY REGULATOR DECISION ON THE REGULATORY CLEARING ACCOUNT AND SUPPLEMENTARY APPLICATIONS FOR THE 2018/19 FINANCIAL YEAR**

The National Energy Regulator of South Africa (NERSA) confirms that at its meeting held on 28 April 2021, the Energy Regulator resolved to oppose the High Court application brought by Eskom Holdings SOC Limited (Eskom) against NERSA to review and set aside the Energy Regulator's decision pertaining to the approval of a Regulatory Clearing Account (RCA) balance of R13.271 billion for the 2018/19 financial year, and the Energy Regulator's decision to grant Eskom's supplementary revenue balance of R1.288 billion in respect of the 2018/19 financial year.

The Eskom judicial review application was received on 12 April 2021. In arriving at the decision to oppose the application, NERSA considered the factual matrix, applicable regulatory and legal principles. NERSA further considered the impact of Eskom's continuous court review applications on the Government's economic recovery plans, as well as hardships on customers. In this regard, interested stakeholders are welcomed to join NERSA in opposing the review application if they consider that the Court decision may negatively affect them.

NERSA will be opposing the judicial review application within the required time frame and process.

End.

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#### **Regulator Members:**

Ms MMD Nkomo (Deputy Chairperson)

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