



# Centre for Environmental Rights

## Advancing Environmental Rights in South Africa

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Your ref: 8/4/2/584.

Our ref: CER-2019-DMRE-0001 (IRP)  
2 September 2020

Dear Sir and Mesdames

### REQUEST FOR ACCESS TO IRP SUPPORTING RECORDS IN TERMS OF SECTION 25 OF THE PROMOTION OF ACCESS TO INFORMATION ACT, 2000 (PAIA)

1. We refer to your response letter dated 25 June 2020 and the records received on the 30 June 2020 (“PAIA response”) per our PAIA request submitted to the Department of Mineral Resources and Energy (“the Department” or “DMRE”) on the 13 December 2019 in relation to the Integrated Resource Plan for Electricity 2019 (IRP), wherein we requested the following:
  - 1.1. The Plexos modelling input and output data used for the IRP of 17 October 2019 (“IRP 2019”), to be made available and executable in formulas intact in Excel form, including, but not limited to:
    - 1.1.1. records of the explicit technology costs relied on for each technology in the IRP 2019 and the sources for these costs;
    - 1.1.2. records of the modelling outputs of the annual greenhouse gas emissions under each scenario;
    - 1.1.3. records of the emissions abatement technology costs considered and incorporated into the IRP 2019 and the sources for these cost values;
    - 1.1.4. records of the water use and greenhouse gas emissions data relied on for each scenario;
    - 1.1.5. the modelling outputs for the scenario with the annual constraint on renewable capacity; and
    - 1.1.6. the modelling outputs for the scenario without the annual constraint on renewable capacity;
  - 1.2. The data and records that informed the emissions externality costs referred to in Table 2 (page 32) of the IRP 2019;
  - 1.3. Records reflecting the total cost output, and the resulting average tariff, of the least-cost scenario (the baseline for the IRP);
  - 1.4. Records reflecting the incremental cost output and tariff increase of all scenarios of the IRP 2019, including, but not limited to, the recommended plan in the IRP 2019;

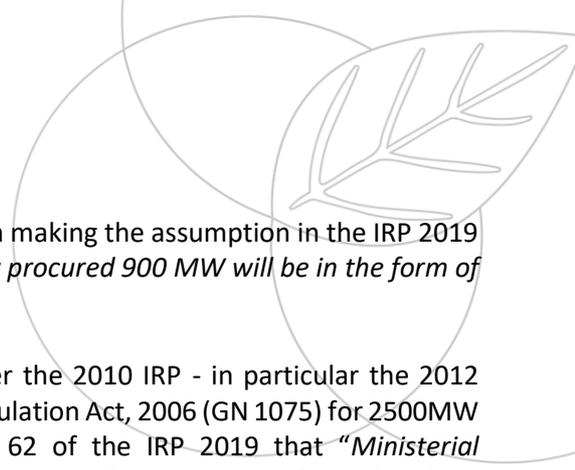
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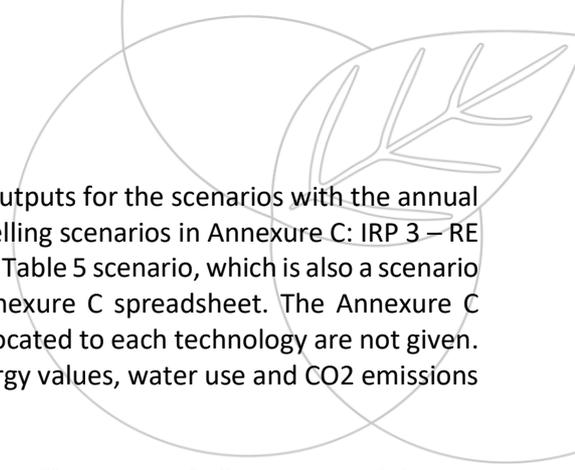
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- 1.5. Records of the costs and technology options that were considered in making the assumption in the IRP 2019 (at page 52) that *“all new coal to power capacity beyond the already procured 900 MW will be in the form of clean coal technology”*;
  - 1.6. Records of the decisions to review the determinations made under the 2010 IRP - in particular the 2012 Ministerial Determination in terms of section 34 of the Electricity Regulation Act, 2006 (GN 1075) for 2500MW of new coal capacity - in reference to the statement on page 62 of the IRP 2019 that *“Ministerial Determinations issued under the IRP2010 will be reviewed in consultation with NERSA, once the updated IRP is approved”*;
  - 1.7. Records of studies and considerations, including financial considerations, on the *“supply and demand balance and the impact of load shedding on the economy”* that were taken into account in making the recommendation against *“shutting down of MES non-compliant power plants and Koeberg power station in 2024 (at the end of its design life)”* (page 44);
  - 1.8. Records of considerations that were taken into account in reaching the decision (on page 46) that *“the application of renewable build limits “smooths out” the capacity allocations for wind and solar PV which provides a constant pipeline of projects for investment; this addresses investor confidence”*; and
  - 1.9. The supporting documentation for the annual build limits of 1000 MW for PV and 1600 MW for wind and how they were calculated.
2. Having now considered the PAIA response and the records received, we place on record that a number of the requests in our PAIA request have not been responded to, either adequately or at all. Further, it is incorrect that certain information and records, which the PAIA response alleges to be in the IRP 2019, are in fact in the IRP 2019. In particular, we refer to the following:
- 2.1. Your response to item 1 that *“Assumptions that are used as assumptions are contained in the published IRP 2019 and draft IRP 2018”*, is not correct. These assumptions are not included in the IRP 2019 or draft IRP 2018 – if they are, please advise where we can find/access them;
  - 2.2. Your response to item 1(i) refers to Annexure A for technology costs and states that *“sources of the technology costs are referenced in the publicly available IRP 2019”*. The sources are not available in the IRP 2019 – The EPRI report referenced in the IRP, does not appear to be available or accessible for the IRP 2019.<sup>1</sup>
  - 2.3. Your response to items 1(ii) and (iv), the requests for records of the modelling outputs of the annual greenhouse gas emissions under each scenario and records of the water use and greenhouse gas emissions data relied on for each scenario, makes reference to Annexure B. However, Annexure B **only** considers carbon dioxide (CO<sub>2</sub>) emissions. No reference is made to other greenhouse gas emissions.
  - 2.4. Your response to item 1(iii), the request for records of the emissions abatement technology costs considered and incorporated into the IRP 2019 and the sources for these cost values, refers to the 2016 draft Integrated Energy Plan (IEP) document for which a link is provided in the PAIA response.<sup>2</sup> This IEP document referenced in the response does not include the abatement technology costs or the sources for these values as requested. Further, the Annexure A – technology assumptions – to the IEP document is not included in the record provided.

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<sup>1</sup> Only a 2017 EPRI report for the draft IRP 2018 appears to be available online. <http://www.energy.gov.za/IRP/irp-update-draft-report2018/EPRI-Report-2017.pdf>.

<sup>2</sup> The link provided in the PAIA response is <http://www.energy.gov.za/files/IEP/2016/Integrated-Energy-Plan-Report.pdf>.

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- 2.5. Your response to items 1(v) and (vi), the request for the modelling outputs for the scenarios with the annual constraint on renewable capacity and without it, provides two modelling scenarios in Annexure C: IRP 3 – RE with Annual Limit, and IRP 1 – RE without Annual Limits. The IRP 2019 Table 5 scenario, which is also a scenario with annual RE limits, does not appear to be included in this Annexure C spreadsheet. The Annexure C spreadsheet contains numerical values only. The capacity factors allocated to each technology are not given. As such, it is impossible to determine how the final total annual energy values, water use and CO2 emissions were calculated.
- 2.6. Your response to item 4 regarding the incremental cost output and tariff increase of **all** scenarios of the **IRP 2019**, simply refers to the “*publicly available IRP 2019*”. We note that these comparisons (in relation to the IRP 2019) are not available in the IRP 2019, as stated in the response. Please advise where we can access them.
3. We therefore dispute that you have dispensed with the Department’s legal obligations under PAIA. Section 11(1) of PAIA requires that “*a requester must be given access to a record of a public body if that requester complies with all the procedural requirements in this Act relating to a request for access to that record and access to that record is not refused in terms of any ground for refusal contemplated in Chapter 4 of this Part*”.
4. We request that these issues be remedied as soon as possible and the clarity requested in paragraph 2 above be provided.
5. We await your response and our rights are reserved.

Yours faithfully

**CENTRE FOR ENVIRONMENTAL RIGHTS**



Per:  
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