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KEVIN MILEHAM, MP

MEMBER OF PARLIAMENT FOR THE DEMOCRATIC ALLIANCE

27 January 2026

Hon. Nonkosi Queenie Mvana

Chairperson of the Standing Committee on Electricity and Energy

Per e-mail nmvana@parliament.gov.za akotze@parliament.gov.za

Dear Chairperson,

**REQUEST FOR AN URGENT MINISTERIAL BRIEFING ON THE REVISED
ESKOM UNBUNDLING MODEL AND COMPLIANCE WITH THE
*ELECTRICITY REGULATION AMENDMENT ACT (ERAA)***

The Democratic Alliance (DA) hereby requests that the Portfolio Committee on Electricity and Energy schedule an urgent briefing by the Minister of Electricity and Energy, Dr. Kgosientsho Ramokgopa.

This request follows recent reports and public statements indicating a fundamental shift in the government's strategy for unbundling Eskom. Specifically, the proposal to retain the National Transmission Company South Africa (NTCSA) as a subsidiary of Eskom Holdings, rather than a fully independent State-Owned Company (SOC), requires immediate parliamentary oversight.

There are three primary areas of concern that necessitate this briefing:

1. **Legislative Alignment:** The Committee must be briefed on how a "subsidiary model" complies with Sections 34A and 34B of the *Electricity Regulation Amendment Act (ERAA) 38 of 2024*, which came into effect on 1 January 2025. The Act explicitly mandates the establishment of an independent Transmission System Operator (TSO) to ensure non-discriminatory access to the grid.
2. **Financial and Investment Risks:** Reports suggest that this change in reform trajectory has caused significant concern among international lenders and partners involved in the \$8.3 billion Just Energy Transition Partnership (JETP). The Committee requires clarity on whether this funding is at risk and how the NTCSA will raise the required R440 billion for grid expansion if its balance sheet remains tied to Eskom Holdings.

3. **Market Competition:** The preservation of a "holding company" structure threatens the creation of a competitive multi-market for electricity. It is essential for the Committee to scrutinize how "functional" ring-fencing will prevent conflicts of interest between Eskom's generation business and the transmission gatekeeper.
4. **Operational Independence of the Grid Access Unit (GAU):** Clarity is required regarding the reporting lines of the Grid Access Unit. For a competitive market to function, the GAU must operate with total autonomy from Eskom's generation division. The Committee must be briefed on the specific organizational "firewalls" that prevent Eskom Holdings from influencing the GAU's processing of private sector connection applications, which is a prerequisite for the non-discriminatory access mandated by the ERAA.

As the body charged with overseeing the Department of Electricity and Energy and its statutory entities, it is the responsibility of this Committee to ensure that executive policy does not deviate from the legislative framework passed by Parliament.

We look forward to your favourable response regarding the scheduling of this briefing at the earliest possible convenience.

Yours Sincerely,

KEVIN MILEHAM, MP

(Electronic copy, sent unsigned)