

February 14, 2017

NBET/LG/GEN-1/2017/55

Samuel Offia,
Program Officer,
Public & Private Dev. Centre Ltd/Gte,
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FREEDOM OF INFORMATION REQUEST FOR:

- A) RECORDS OF PAYMENT FOR CAPITAL PROJECTS RELEASED TO THE NIGERIAN BULK ELECTRICITY TRADING PLC IN THE YEAR 2016**
- B) LIST OF CONTRACTS AWARDED BY THE NIGERIAN BULK ELECTRICITY TRADING PLC IN YEAR 2016**
- C) THE PROCUREMENT PLAN WITHIN ITS APPROVAL THRESHOLD FOR THE YEAR 2017**

We wish to acknowledge receipt of your letter on the above subject matter.

Kindly find below our responses to the requests made.

- a) **Records of payment for capital projects released to the Nigerian Bulk Electricity Trading Plc in the year 2016:** Section 2 (3) (c) (v) of the Freedom of Information Act (FOI) 2011 requires that *"a public institution shall cause to be published a description of documents containing final opinions including concurring and dissenting opinions as well as orders made in the adjudication of cases; information relating to the receipt or expenditure of public or other funds of the institution."*

This provision does not specifically state the provision of records of payment for capital projects released to an organisation as requested by your organisation.

Premised on the provision of the Freedom of Information Act, NBET would like to decline the provision of this sensitive internal information.

- b) **List of contract awarded by the Nigerian Bulk Electricity Trading Plc year 2016:** Details requested on these contracts cannot be provided as this would be contrary to the Section 15 of the FOI Act.
- c) **The procurement plan within its approval threshold for the year 2017:** Please see our response to (a) above. Secondly, the budget for 2017 has not been approved by the National Assembly, hence this information is currently un-available.

Kindly note, that the Act, in its section 7 provides that all responses to an FOI request can be challenged by you, as of right. However, we hope that the reasons given for denying your request are taken in good faith.

We thank you for your continued interest in our operations.

Please accept the assurances of our highest esteem.

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Dr Nnaemeka Ewelukwa
General Counsel/Company Secretary
For: Managing Director/ Chief Executive Officer