



EM-POWERING AFRICA



**AFRICAN LEGAL SUPPORT
FACILITY**

**FACILITE AFRICAINE DE
SOUTIEN JURIDIQUE**

ALSF in the Power Sector

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The African Legal Support Facility (ALSF) is a multilateral organization dedicated to empowering African governments and utilities. We strive to level the playing field by removing asymmetric technical capacities during negotiations of complex commercial contracts related to large-scale infrastructure projects. The power sector is one of the key sectors of the facility.

The ALSF recognizes that broad and inclusive access to energy is the *sine qua non* of economic development and, as a consequence, facilitating the development of energy infrastructure is a priority for the Facility. Affordable and reliable electricity will not only improve health, education, and nutrition, it promotes new business opportunities and job-creation. Moreover, a lack of consistent energy can hamstring educational progress among children, or interrupt the operation of hospitals and other critical public services.

The ALSF is dedicated to supporting the development of Africa's energy sector. In addition to providing technical guidance and advice to African governments in their negotiation of power projects, the Facility develops model agreements, power sector toolkits, and capacity building opportunities to enable countries to unlock Africa's massive energy potential.



Advisory Services

Betting on Innovation

The Facility provides authoritative legal and technical guidance to African Governments from the procurement phase to financial close of power sector projects. ALSF's assistance is aimed at removing the imbalance between the Governments/utilities and the private sectors to achieve sustainable and fair agreements which will produce bankable and well-structured projects. In the power sector alone, the ALSF is currently advising African governments on more than 25 projects with a generation potential of more than 4000MW.

The ALSF is proud to participate in Africa's efforts to leapfrog the energy gap by supporting innovative and cutting edge technologies which will push it towards the forefront of the global energy transition. The ALSF has recently supported

the Government of Ethiopia in negotiating the first phase of the Corbetti and Tulu Moya geothermal power projects, which draw on financing and expertise from around the world and has a potential to produce over 1000 MW. The Facility also supported the Taiba N'Diaye 158 MW wind farm project, the first utility-scale wind power project in Senegal and a critical component of the Senegalese Government's clean electricity production strategy.

Pushing the boundaries, our power sector team is currently advising the Government of the Seychelles in respect of the first African utility-scale floating solar PV project. As it will be built on a lagoon, it will also be one of the first floating solar projects on salt water in the world and is intended to become a promising and scalable solution to land scarcity for Island states as they turn towards more renewable energy.

The ALSF is dedicated to help governments and utilities identify and focus on the right projects for their sector structure and energy mix. We provide assistance (i) in the early identification of bankability issues and potential solutions, (ii) in the establishment of procurement strategies that yield competitive pricing and adequate technology proposals and (iii) in the implementation of negotiation strategies that produce fair and sustainable contractual arrangements.



Knowledge Management

Power Sector Toolkits

By preparing comprehensive and country-specific power sector toolkits, the ALSF works with African governments in setting market standards and best practices across the continent. Composed of procurement guidelines, tender documents, model agreements and user-friendly guide notes, the toolkits are designed to ease the retention of knowledge by governments and utilities. Most of the ALSF's advisory projects will include the drafting of a power sector toolkit in concertation with government and market stakeholders to facilitate future negotiations.

Understanding...Series of Handbooks

The effective negotiation of complex commercial contracts represents a substantial obstacle for many African governments. In all negotiations, the concerned parties must always endeavour to achieve a balance between promoting their own interests while identifying mutually beneficial opportunities—this process can often be challenging to master. Moreover, due to the length and breadth of their applicability, the need for accurate and well-balanced contracts is especially necessary in the power sector.

In response to this need and in collaboration with USAID, Power Africa and the U.S. Department of Commerce's Commercial Law Development Program (CLDP), the African Legal Support Facility has developed a series of manuals which guide policy and decision makers through the complex process of procuring, negotiating and financing power related projects

The 'Understanding...' series of Handbooks includes:

- [Understanding Power Purchase Agreements](#)
- [Understanding Power Project Financing](#)
- [Understanding Power Project Procurement](#)



Capacity Building

The ALSF provides assistance to develop legal capacities throughout the continent. Its capacity building model focuses on a real transfer of knowledge and skills development by means of workshops, conferences, seminars, and transaction based trainings for government officials, utility managers, and local lawyers. To date, the Facility has trained over 3,000 African experts in commercial legal issues from more than 45 African states.

Reflecting its core values, the African Legal Support Facility also co-ordinates with regional and international partners to deliver essential capacity building opportunities throughout

the African region. The Facility has recently collaborated with the Infrastructure Consortium for Africa (ICA) in order to carry out a comprehensive training workshop for the Southern African Power Pool, a cooperative venture between the national electricity companies of 13 countries in the southern African region. Building atop the success of similar training events carried out in 2014 and 2015, the Power Pool workshop was designed to clarify the legal and financial aspects of Power Purchase Agreements. These training events were made available to government representatives, utilities managers and national lawyers, in recognition of the persisting skills gaps on the continent.



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