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Ref: NER/D/WC034

Ms Anneleen Vorster
The Municipal Manager
Swellendam Local Municipality
P O Box 20
SWELLENDAM
6540

Per Email: anneleenv@swellendam.gov.za

Dear Ms Vorster,

**NOTIFICATION ON REVISED MUNICIPAL TARIFF DETERMINATION TIMELINES FOR FY2026/27
FOLLOWING COURT JUDGMENT AND APPROVAL OF ESKOM RETAIL TARIFF STRUCTURAL
ADJUSTMENT (ERTSA)**

1. On 5 March 2026, the National Energy Regulator of South Africa (NERSA) granted approval for Eskom's Retail Tariff and Structural Adjustment (ERTSA) application. As part of this approval, the Regulator authorized a 9.01% tariff increase for local authorities (municipalities), effective from 1 July 2026 to 30 June 2027.
2. In terms of the court order, NERSA hereby informs you of the revised timelines which will be applicable to the electricity tariff application process for the FY2026/27. The following are the revised timelines as determined by the court order:
3. **Submission of Municipal Tariff Applications**
Municipal licensees are required to submit their electricity tariff applications by no later than 31 March 2026. This is an amendment from the previous deadline of 20 March of every year. Failure to meet this deadline may result in no tariff increase being approved by NERSA.

Regulator Members:

Mr T Bukula (Chairperson) Ms R Govender (Deputy Chairperson) *Adv NP Sithole (Chief Executive Officer)
*Mr W Majola *Ms N Maseti *Mr MW Mkhize Ms T Semane Mr FK Sibanda Ms PN Sibiya
*Full-Time Regulator Members

NERSA is a Regulatory Authority established in terms of the National Energy Regulator Act, 2004 (Act No 40 of 2004)

4. Public Participation

NERSA's public participation process in respect of municipal electricity tariff applications will conclude on 21 April 2026.

5. Finalisation of Municipal Tariff Applications Process

NERSA will finalise the process of considering municipal electricity tariff applications that are timeously received and communicate its decisions on or before 11 May 2026. This is an amendment from the previous deadline of 5 May of every year.

6. Municipalities Seeking Deviation from Revised Deadlines

Municipalities may apply for deviation from the revised deadlines, provided that good cause is shown. Any such application must be enrolled for hearing on the Urgent Court Roll on 17 March 2026, and respondents to such applications must be afforded not less than three (3) court days to file opposing papers. For further information on the above, please refer to the attached annexure.

7. Additionally, municipalities are reminded to ensure compliance with the following conditions:

- The tariff application must be signed and authorised by the relevant official authority;
- Confirmation that tariffs applied for are authorised by the Municipal Council;
- Confirmation that customers were consulted on the proposed tariffs; and
- Submission of audited regulatory financial information for 2024/25 to NERSA.

8. You are urged to take note of the revised timelines and ensure strict compliance. Failure to comply may impact the processing and approval of municipal electricity tariff applications.

9. NERSA appreciates your cooperation in ensuring compliance with regulatory requirements and the provision of electricity services.

Yours faithfully,



Adv Nomalanga Sithole

CEO

National Energy Regulator of South Africa

Date: 09/03/2026

ATTACHMENTS

- 1. Court Order – 20 February 2026**

IN THE HIGH COURT OF SOUTH AFRICA
GAUTENG DIVISION, PRETORIA

Case Number: 2025-137620

20/02/2026

Before The Honourable Mr. Justice Mooki (Court 4B)

Date of Hearing: 19 February 2026

In the matter between:

NATIONAL ENERGY REGULATOR OF SOUTH AFRICA

Applicant

and

AFRIFORUM NPC

ESKOM SOC LIMITED

SOUTH AFRICAN LOCAL GOVERNMENT ASSOCIATION

AMAHLATHI LOCAL MUNICIPALITY

BLOUBERG LOCAL MUNICIPALITY

DIHLABENG LOCAL MUNICIPALITY

DIPALESENG LOCAL MUNICIPALITY

DITSOBOTLA LOCAL MUNICIPALITY

eDUMBE LOCAL MUNICIPALITY

KAMIESBERG LOCAL MUNICIPALITY

MERAFONG CITY LOCAL MUNICIPALITY

MOSSEL BAY LOCAL MUNICIPALITY

CITY OF EKURHULENI LOCAL MUNICIPALITY

CITY OF CAPE TOWN METROPOLITAN MUNICIPALITY

192 LOCAL MUNICIPALITIES

1st Respondent

2nd Respondent

3rd Respondent

4th Respondent

5th Respondent

6th Respondent

7th Respondent

8th Respondent

9th Respondent

10th Respondent

11th Respondent

12th Respondent

13th Respondent

14th Respondent

15th–18th Respondents



This Order is made an Order of Court by the Judge whose name is reflected herein, duly stamped by the Registrar of the Court and is submitted electronically to the Parties/their legal representatives by email. This Order is further uploaded to the electronic file of this matter on Caselines. The date of this Order is deemed to be 20 February 2026.

ORDER

HAVING READ THE PAPERS AND HAVING HEARD Counsel for the parties, the Court makes the following order:

1. The application is urgent.
2. The order made by this Court (per Labuschagne J) on 4 December 2025 in matter number 137620/2025 is varied as follows ('the order'):
 - 2.1 Paragraph 2.1 of the order: the words "by 31 January of every year" are replaced with "by 6 March 2026";
 - 2.2 Paragraph 2.2 of the order: the words "by 20 March of every year" are replaced with "31 March 2026";
 - 2.3 Paragraph 2.5 of the order: the words "on or before 5 May" are replaced with "on or before 11 May 2026"
- 3 The variation in paragraph 2 relates only to municipal tariff applications for the 2026/2027 municipal financial year.



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4 The applicant's ("NERSA") public participation process on the ERTSA consultation paper shall conclude on 28 February 2026.

5 NERSA's public participation process on the municipal electricity tariff applications shall conclude on 21 April 2026.

6 Any municipality may, in relation to the variation ordered in paragraph 2 and on good cause shown, seek leave of the Court for a further deviation:

6.1 Any application contemplated in paragraph 6 shall be enrolled to be heard in the Urgent Court on 17 March 2026.

6.2 Any such application shall give respondents at least three (3) court days to have filed opposing papers.

7 NERSA shall, forthwith, cause this order to be served on parties that are subject to the order referred to in paragraph 2, including on any respondent in this application who may not have been a party to the order referred to in paragraph 2.

8 Service of this order shall be effected as follows:

8.1 On all respondents' attorneys of record, where such attorneys have been appointed, by e-mail to their nominated e-mail addresses.



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8.2 On the third respondent (SALGA) by e-mail to its chief executive officer.

8.3 On the municipalities, by way of the official e-mail address of the municipal manager of a municipality.

8.4 SALGA is to forthwith issue a bulletin to its members, notifying those members of this order.

9 Each party is to bear its own costs in the application.

