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KIPETO ENERGY LIMITED
P.O. BOX 57357 CODE 00200, NAIROBI, KENYA

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Frequently Asked Questions

No.	Question	Answer
1.	What is Financial Close, also referred to as Financial Completion?	The end of the Project Development period, when the Project has met all the Technical, Legal, Financial, Social, Environmental, Government and Lender requirements and has been given financial approval to go ahead with construction.
2.	What agreements have been signed with the affected communities to allow the Project to enter the area?	<p>1.) The Project has signed a Lease Agreement with all Landowners in the area of the Wind Farm to allow the Project to build the wind turbines on their land.</p> <p>2.) A Way Leave agreement has been signed with all Landowners along the Transmission Line route to allow the Project access to their land to construct and operate the transmission line from the Project area to the substation at Isinya.</p> <p>3.) A House Relocation agreement has been signed with the Landowners where the residents have to move out of the way before the Project infrastructure can be built.</p>
3.	Why does the Agreement mention that the Landowners must pay all rates and taxes?	Landowners are currently free from any rates or taxes in relation to the land. Government may, in the future, change its laws and start raising taxes on the land. In this event, the Landowners will be responsible for all relevant rates and taxes.
4.	What is a Way Leave?	A Way Leave is a registered Right of Passage or Right of Way. The Landowner gives the Project the exclusive right to work inside the 60-meter corridor and build the infrastructure that is permitted in the Way Leave Agreement. The Way Leave restricts the activities and actions of the Landowner within this corridor.
5.	What is the duration of the Way Leave Agreement?	The term of the Agreement is 99 years. This period is the standard period that is used for Way Leaves in Kenya by KETRACO and KPLC for overhead power lines and because the power line will become KPLC's property once it has been built, the Project has followed this period to meet KPLC requirements.
6.	What land area is required for the Transmission Line?	The transmission line will cover a 60-meter wide corridor along the full length of the Transmission Line, approximately 17 kilometres.
7.	Why are Landowners along the Transmission Line offered a once-off payment, and not an annual payment?	The Project acquired the right of passage from the Landowners based on a valuation of the land and a negotiated agreement. The Way Leave is not a rental agreement (unlike a Lease), and therefore does not have annual payments.
8.	How will the Project access the land along the Transmission Line?	There are four public roads that will be used to access the Way Leave area. The construction of new roads is therefore not necessary.
9.	What is the duration of the Wind Farm Lease Agreement?	The Lease Agreement is for a period of 30 years. This period is the life of the project. After 30 years the Project will come to an end.
10.	Why are Landowners on the Wind Farm receiving annual payments?	The land on the Wind Farm is leased (rented) from the landowners. An annual rental is therefore payable to the Landowners by the Project for the use of the land.

11.	Who is entitled to a 1.4% of revenue?	Landowners with one or more turbines on their land are entitled to a 1.4% share of the income generated from the turbine(s) on their land. Turbines operate differently in different locations, and also need to be repaired from time to time. Turbines do not generate electricity every day of the year, and some years a turbine may generate more energy than other years. The tariff (price) at which KPLC buys the electricity from the Project remains the same for the duration of the Project. The percentage (%) of the revenue will therefore also remain the same for the duration of the Project.
12.	What does 5% escalation mentioned in the Lease Agreement mean?	The rent payable to the Landowners on the Wind Farm during the Feasibility and Construction periods will receive an annual rent which will be increased annually after the first year by 5% to keep in line with inflation.
13.	Who is a Grantor?	A Landowner along the Transmission Line who is affected by the Project infrastructure and has signed a Way Leave Agreement is the Grantor.
14.	Who is a Lessor?	A Landowner on the Wind Farm who will host one or more turbines and other infrastructure such as cables, substations and access roads on their land is the Lessor.
15.	Who is a Grantee?	The Developer of the Transmission Line, Kipeto Energy Limited (KEL), is the Grantee. The Grantee will transfer ownership of the Transmission Line to Kenya Power and Lighting Corporation (KPLC) when construction has been completed and operation begins.
16.	Who is a Lessee?	The Developer (KEL) who will construct and own the turbines and all the associated Project infrastructure on the Wind Farm.
17.	What is the Project's relationship with KPLC?	KPLC will buy the power generated by the Project for a period of 20 years – referred to as the Power Purchase Agreement (PPA). KPLC will distribute the power into the national grid.
18.	Where can we register our concerns or complaints about the Project?	The Project Community Office is located in Esilanke. The Project has appointed two Community Liaison Officers and a Site Officer who have been trained to register your concerns. All matters raised by the community will be registered in a book and resolved through the Grievance Procedure.
19.	When the registered Landowner is deceased how will the compensation and other benefits be shared among the family?	The family will identify one or more representatives who will be appointed by the court to act on behalf of the Deceased Estate. The court will issue a letter of administration to confirm the appointed person(s)' power of attorney. All monies will be paid to the appointed family representatives. The family must decide how the proceeds will be shared among themselves.
20.	My husband is the registered Landowner. Am I entitled to share the benefits from the Project as his spouse?	The sharing of benefits must be discussed within families, and where there is unhappiness and disputes, family members should bring their matter to the Village Elders for assistance.

21.	Where can we get more information about the Project and the Community Trust?	The Project has opened a Community Office in Esilanke (the KEL Container) which will be open three days per week. The office has two CLOs and a Site Officer who can provide Project information and answer your questions. If you need further information, you can also contact the KEL office in Nairobi. The contact details are available at the Community Office in Esilanke.
22.	Where can we find out whether there are job opportunities available?	The Community Office in Esilanke will keep a list of available job opportunities. Jobs will start during construction. Employment will be offered based on a formal hiring (recruitment) procedure. Semi-skilled and skilled jobs will require a certified Curriculum Vitae (CV). Not everybody will be employed on the Project, and opportunities are limited.
23.	How can women be involved in the Project?	Women are encouraged to participate in all community meetings. Women must also select representatives for election onto committees so that they can participate in decision-making. Women are free to bring their concerns and grievances to the Community Office.
24.	How long will it take to build the Project infrastructure?	It will take about one year to build the replacement houses for the families on the Wind Farm that need to move away from the Project infrastructure. It will take about 20 months to build all the turbines. It will take about 15 months to build the Transmission Line. Some of this work will be done at the same time by different construction teams.
25.	How many Landowners are affected by the Project?	There are about 61 Landowners on the Wind Farm and about 18 along the Transmission Line with whom the Project has signed Agreements. About 80 households on 15 plots have to move out of the way of the Project infrastructure.
26.	What will happen to families on the Wind Farm who live too close to where the turbines will be built?	The Project will build replacement houses for all households who must move from their current location. They will, as far as possible, be relocated to a suitable area on their plot. The Project will pay for all the materials and building costs.
27.	How will the community benefit from this Project?	The community will benefit from the improvement of main access roads as well as internal roads between turbines and other infrastructure. The Project is also committed to setting up a Community Trust which will receive a percentage of the profits to be spent on approved projects in the community. The community will also benefit from employment opportunities during the construction period. The Project is important for Kenya's energy production and Kipeto will become known amongst a much wider public and will become a prominent location in the county.
28.	How will the Community Trust work?	The Trust will be formally registered in Kenya. It will have Trustees from the community and KEL who will make decisions and manage the use of the monies. The activities of the Trust will be transparent and the community will receive regular reports on its activities. The community will also have a say in the projects the Trust should support.

29.	What kind of projects will be undertaken by the Trust?	The Trust together with the community will determine which projects should be undertaken. The available money in the Trust will be used to implement those projects. The Trust may also decide to support Projects that have been started by other NGOs and CBOs to help those Projects reach their goals.
30.	Will the Landowners with leases be given priority by the Trust?	The Trust is for the benefit of the whole community and the money that will be allocated will be used in projects that will be decided by the community. The geographical area within which the Trust will be allowed to operate will be determined upfront, before the Trust starts its work.
31.	What is the role of the Trustees?	The Trustees will be officially appointed and will be held legally accountable for the operation of the Trust. Trustees will look after the money on behalf of the beneficiary community. The community will have a say in the appointment of Trustees.
32.	How will the Trust operate to ensure that the interests of the community are implemented?	Trustees will work according to the legal and financial rules that will be written into a registered Trust Deed. A Trust Deed is the legal document that will register the Trust; name its Trustees; explain its Objectives, and establish operational principles and procedures.
33.	Will the Trust only benefit the Landowners?	The purpose of the Trust is to share the benefits of the Project with the community. Landowners are part of the community. The Trust will also give attention to the needs of women and the youth.
34.	Where are the Trust offices located and who works there?	Once the Trust has been registered it will do its work through the Community Office in Esilanke.
35.	How can women benefit from the Trust?	Women will be represented on the Trust as Trustees. Women are encouraged to participate during planning meetings so that their views are included in the decisions of the Trust.
36.	How will the youth benefit from the Trust since they do not own land?	The youth are part of the community and will benefit through the community projects of the Trust. The youth will also be involved in the identification and selection of projects to be supported by the Trust.
37.	Which communities will benefit from the Trust?	The communities that are directly affected by the Project, for instance by the turbines, access roads and Transmission Line, will be beneficiaries of the Trust. The Trust may decide to expand its work to neighbouring communities where a need for support is identified.
38.	What projects will the Trust support?	The Trust Fund will allocate money to projects that have been identified and agreed by the community. Support of projects is dependent on the amount of money that is available to the Trust. The funds of the Trust are limited.