

KOGI STATE ELECTRICITY REGULATORY COMMISSION

ORDER NO: KERC/ORD/ENF/05/2026/04

Date: 15 May 2026

NON-COMPLIANCE BY ORAHACHI INVESTMENT LIMITED IN RESPECT OF THE ABUGI COMMUNITY MINI-GRID PROJECT

BACKGROUND

The Kogi State Electricity Regulatory Commission ("the Commission"), established under the Kogi State Electricity Law, 2024, is mandated to regulate electricity generation, distribution, and supply within Kogi State, with powers to issue directives, enforce compliance, and take necessary regulatory actions. Orahachi Investment Limited ("the Company") was granted approval by the Nigerian Electricity Regulatory Commission (NERC) to develop a mini-grid solar project in Abugi Community, Kogi State. However, following the establishment of the State electricity market framework, the Commission required the Company to regularize its project within the State regulatory regime in accordance with applicable laws and guidelines.

REGULATORY DIRECTIVES ISSUED BY THE COMMISSION

The Commission issued a **Notice of Non-Compliance** dated 20 February 2026, directing the Company to:

- Commence the process of regularizing the project with the Commission.
- Submit all relevant technical, operational, and licensing documentation; and
- Provide a comprehensive update on the status of the project;

Upon failure of complying, the Commission issued a **Final Enforcement Notice** dated 4 March 2026, granting a final period of forty-eight (48) hours for compliance.

The Commission notes that Orahachi Investment Limited has **failed, refused, and/or neglected to respond** to the said directives within the stipulated timelines.

FINDINGS OF THE COMMISSION

The Commission, having reviewed the matter, makes the following findings:

- a. The Company is in **persistent breach of regulatory directives** issued by the Commission;
- b. The Company has **failed to regularize its project** in accordance with the Kogi State Electricity Law, 2024;
- c. The Company's continued inaction constitutes a **material non-compliance** with applicable regulatory requirements; and
- d. The conduct of the Company is **inconsistent with the public interest**, particularly with respect to timely electrification of the Abugi Community.

LEGAL AND REGULATORY BASIS

From the forgoing, it is clear that Orahachi Investment Limited is in violation of **Sections 15, 21, 30 and 45** of the **Kogi State Electricity Law, 2024** on the bases of which the commission drives its power to act accordingly.

DETERMINATION

Based on the foregoing, the Commission determines that:

- a. Orahachi Investment Limited has **failed to comply with lawful directives** of the Commission;
- b. The Company has **demonstrated unwillingness and/or inability to proceed** in accordance with the applicable regulatory framework; and
- c. The Company is therefore **not a fit and proper entity** to retain regulatory recognition in respect of the Abugi Community mini-grid project.

ORDER OF THE COMMISSION

Accordingly, and pursuant to the powers conferred on the Commission under the Kogi State Electricity Law, 2024, the Commission hereby ORDERS as follows:

FORFEITURE OF PROJECT RIGHTS

Orahachi Investment Limited is hereby declared to have **forfeited all rights, interests, and regulatory claims** in respect of the Abugi Community mini-grid project.

REVOCATION

Any and all approvals, recognition, or regulatory consideration previously granted or accorded to the Company under section 230 of the Electricity Act, 2023 and Sections 46 & 47 of the Kogi Electricity Law 2024 in respect of the said project are hereby **revoked with immediate effect**.

PROHIBITION

The Company shall **cease and desist** from representing, undertaking, or holding out any activity relating to the Abugi project within Kogi State.

REGULATORY ENFORCEMENT

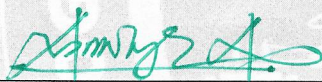
The Commission reserves the right to undertake further enforcement actions, including inspection, sealing of facilities, and imposition of administrative penalties, as may be deemed necessary.

EFFECTIVE DATE

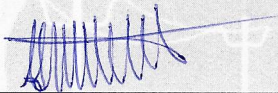
This Order shall take effect **from the date of issuance**.

Signed by Order of the Commission

On this 18th Day of May 2026



Engr. Ibrahim S Abdwaaris
Chairman/CEO



Prof. Abulkarim Ibrahim
Comm. Legal, Licensing & Compliance



Alh. Mabo Kasim
Commission Secretary