



**EMFULENI
FOR CHANGE**
ENABLING BUSINESS
EMPOWERING GROWTH

Emfuleni for Change NPC

NPC 2019/417572/08

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03 November 2020

To Champions of Industry and Thought Leaders of Emfuleni and beyond

RE: COURT APPLICATION TO INTERVENE: ELECTRICITY CRISIS: EMFULENI LOCAL MUNICIPALITY ("ELM")

Dear Sir/Madam

An urgent call to action to save Emfuleni from total collapse due to a dysfunctional local municipality.

1. It is a well-known fact that ELM is in a financial crisis and that it affects service delivery.
2. This is evident from the lack or inconsistent waste removal and the collapse of the electricity distribution network, water and sanitation systems and roads infrastructure.
3. With specific reference to electricity, it appears that it is not generally known that Eskom has decided to discontinue the electricity supply to ELM and is only stopped from doing so by virtue of a court order. Eskom has, however, given an indication that it may withdraw its original decision and take a new decision to discontinue the electricity supply, amongst others, for the following reasons:

3.1. ELM has no payment plan in place with Eskom.

3.2. ELM does not make payments to Eskom of the funds it receives from consumers.

NOTE: EVEN IF YOU AS A CONSUMER PAY YOUR ELECTRICITY ACCOUNT TO ELM, ESKOM CAN STILL DISCONTINUE THE ELECTRICITY SUPPLY TO ELM, IN WHICH EVENT ALL CONSUMERS WILL BE WITHOUT ELECTRICITY.

4. As a result of the above factors, Eskom has launched a contempt of court application against ELM, and after considering various options, Emfuleni For Change NPC ("EFC") and its members decided to support Eskom by joining Eskom's pending court application. If Eskom were to be successful, it may create an opportunity to avoid a total collapse of the electricity supply to ELM.

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Directors: J N Verwey (Chair) | G J v Rensburg | J J v Rensburg | T P Skele | W Mphuting | R Anderson | R Van der Merwe | K Jackson



NATIONAL AFRICAN FEDERATION CHAMBER OF COMMERCE AND INDUSTRY
SEDIBENG REGION





5. Eskom will be supported by industry and civil society and EFC is well positioned to fulfil that role in the sense that it has 7 (seven) permanent members, who are representative of business and residents residing within the area of jurisdiction of ELM.
6. In order to prepare the court papers to apply to join the Eskom case and to argue the matter, EFC as a non-profit organization requires funds to instruct its attorneys. It is estimated that an amount of between R500 000-00 and R750 000-00 will be required, and any contribution will therefore be of tremendous value.
7. Please therefore make a contribution into the bank account as set out below and identify the payment with the words '**EFC Legal Fund**' as the reference.
8. Please note that there is no quick fix, the situation in ELM is worse than generally known and the proposed action is one of the few options open to the ELM community to avoid the total collapse of a once thriving community.

As per the attached Confirmation of banking Details below, herewith the account details for clarity:

Bank: Absa
Name: Emfuleni for Change NPC
Account: 4097555349
Branch: 632005
Reference: EFC Legal Fund

We are all in this boat, which has been slowly taking on water for a couple of decades, and is now doomed to the bottom of the ocean, forever (since industries that are forced to pull out will never return...). However, with your support, we will be able to muster up the legal muscle to turn the tide and to restore Emfuleni as the hub of industry and heavy engineering in Africa.

Thank you for your gracious support.

Flourishing Regards,

A handwritten signature in black ink, appearing to read 'G. J. van Rensburg', written in a cursive style.

Gerhard Janse van Rensburg

Chief Executive Officer

By Copy:

lswart@psn.co.za – Mr. Lourens Swart: Director, PSN Incorporated Attorneys & Conveyancers



Confidential

Date: 03-11-2020

Confirmation of Banking Details (Non-Individual)

We have pleasure in confirming that EMFULENI FOR CHANGE NPC/ 201941757208 has had accounts with Absa since 21/10/2019.

Account name	EMFULENI FOR CHANGE NPC
Absa account number	4097555349
Account type	Current
Branch code	632005
SWIFT code	ABSAZAJJ

- This letter does not confirm funds or the conduct of the account in any way.
- This information is to be treated in the strictest of confidence and may only be used in the context which it is given.
- This letter is a confirmation of the correctness of information supplied by the client, dependent on the information contained by the Bank's system at the time that the request is submitted to the Bank.
- This letter is given in confidence and on request of our client.

Absa Bank and/or its employees will not be held responsible for any loss, damage or liability which may arise directly or indirectly from the provision of this letter of confirmation.

Yours sincerely

General Manager: Digital Channels



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