



## RESEARCH ARTICLE

### THE PRIVATIZATION OF ELECTRICITY IN NIGERIA: THE IMPERATIVE FOR RESTRUCTURING

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#### ABSTRACT

The importance of electricity to any nation cannot be underestimated. This is because of its impact in the overall economy. There is no doubt that all is not well with Nigeria electricity, hence, the need for the restructuring of its privatization process. Electricity in Nigeria prior to this time has been a public enterprise before it was privatized as a result of claims by stakeholders that government has no need to be involved in business ventures. Using quantitative research method with oral interview as the instrument for data collection, this paper examines the need for the restructuring of the earlier privatized electricity sector in the country. It argues that Electricity privatization was intended to promote efficiency in the power sector which will invariably bring about reduction in the price of electricity. Unfortunately, the distributing arm of the electricity was privatized to the detriment of the consumers who are now victims of exploitation by the elite class. This paper contends that there is an understanding that price should be fixed by the forces of demand and supply, and not by any regulatory authority as it is obtainable in other developed economies. It recommends the withdrawal of electricity privatization by government for sale to the various states where power plants are located, a legislation that will make the power sector (electricity) to be controlled by the various states, while the National Assembly should pass a law backing the clamor for resource control which will enable states to exploit available resources for development including the generation, transmission and distribution of electricity as this will put an end to the present exploitation by few elites involved in the power sector. The paper concludes that the implementation of these recommendations will enhance efficient delivery of electricity to Nigerians.

#### INTRODUCTION

The importance of electricity to any nation cannot be underestimated; this is because of its impact in the overall economy. There is no doubt that all is not well with Nigeria electricity, hence, the need for restructuring of the already privatized sector. Collins (2018) posits that to restructure a system means to change the way it is organized, usually in order to make it work more effectively. The sensitivity of electricity to the economy is germane. Koledoye, Jumah and Phillips (2012:30) opined that, "Electricity market has been a sensitive arena that continually attracts global attention thus, becoming a top priority of virtually all governments globally". The instrumentality or the role electricity plays in the economy of every country has necessitated countries to see it as a core area in which they must invest and control so as to ensure a robust, dynamic and vibrant economy. Sule (2010:160) observes that, "Electricity can be generated at Hydro, Thermal, Wind, and Solar generating stations". Talking about electricity in Nigeria, Koledoye *et al* (2012:30) contend that: Electricity grew from few kilowatts used to serve the colonial masters in Lagos, Nigeria in the late 19th century to the Electricity

Corporation of Nigeria (ECN) established by Act of Parliament in 1951. A decade later (1962), Niger Dams Authority (NDA) was set up to develop hydro-electricity which was merged with ECN to form National Electric Power Authority (NEPA) in 1972. Electricity in Nigeria prior to this time has been a public enterprise before it was privatized as a result of claims by stakeholders that government does not have business in that sector. According to Subair and Oke (2008): The privatization and commercialization Decree of 1988 recognized the need for NEPA to operate a tariff structure that would facilitate increased revenue generation which would reduce its dependence on government for funding, support its cost of operations and fund part of its annual investment plans. The privatization and commercialization Decree of 1988 was initially proposed to serve as a source of revenue generation for government and to ensure self-reliance of the power sector, though it was not implemented by that time. According to Sule (2010:159) electrical power generation, transmission and distribution are the three stages of delivering electricity to consumers at residential, industry, commercial, and administrative areas. The supply of adequate and stable electricity to consumers is the back bone of socioeconomic development of any nation. Thus, the development of every nation is not only dependent on electricity generation alone, but rather on how such power generation is transmitted and

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distributed to consumers. However, the inefficiency in the power sector informed the privatization and sale of the power sector private to companies. Usman and Abbasoglu (2014:9) observe that, "the government completed the privatization of 11 distribution and generation companies and handed them over to their respective buyers in phases between November 2013 and February 2014". Privatization is not a new phenomenon, as it has been previously practiced and found to be successful in other countries of the world. Rutherford (2002:468) holds that:

Many countries in the 1980s undertook this kind of reduction of the public sector to achieve a variety of aims: to improve industry by freeing it from bureaucratic state control, to augment public revenue, to widen share ownership, and to increase competition to benefit consumers. One example is the sale of several UK nationalized industries to the public, notably gas, steel, oil, water, electricity, telecommunications, the state airline, and airports.

The political economy of privatizing electricity is to bring about competition in the power sector that will bring about efficiency in service delivery and reduction in tariff rate in the long run, courtesy of the forces of demand and supply. This however is not the case in Nigeria as higher electricity tariffs are charged in the midst of epileptic or total power outage in virtually every part of the country. It is this seeming contradiction that has energized and prompted us to examine the need to restructure the already privatized power sector in the country. In doing this, this paper intends to provide answers to some teething questions including why the power sector has remained inefficient even after privatization, the persistent clamor for tariff increase by service providers within this cycle of inefficiency as well as the reasons for the continuous use of estimated bills instead of the prepaid meters among others. We thus begin with some conceptual clarifications.

### Conceptual Definitions

**Privatization:** Rutherford (2002:468) opines that, "privatization is the sale of publicly owned assets, especially industrial capital, to private investors. This view is shared by Ojobo (2005) who opined that privatization is the selling of a part or the entire equity of a publicly owned organization to private individuals or organizations such that the control of the public institution is transferred from government or any of its agencies to private hands. His definition is adopted for this paper because it explains the dimension of sales of such government own institutions.

**Price System:** In the words of Muley (2016), price system is one in which all economic decisions are taken through the medium of prices which are by nature, self-adjusting and self-correcting. As there is no central regulating authority, decisions are taken by invisible hand (demand and supply). There is an understanding that price should be fixed by the forces of demand and supply, and not by any regulatory authority as it is obtainable in developed economy. Rutherford (2002) holds that, price system is a method of allocating goods and services or factors of production by the free movement of prices, a definition which is in tandem with this paper.

**Restructuring:** Restructuring is the corporate management term for the act of reorganizing the legal, ownership,

operational, or other structures of a company for the purpose of making it more profitable, or better organized for its present needs. Other reasons for restructuring include a change of ownership or ownership structure, demerger, or a response to a crisis or major change in the business such as bankruptcy, repositioning, or buyout. Restructuring may also be described as corporate restructuring, debt restructuring and financial restructuring. For the purpose of this paper restructuring is the reorganization of the privatized power sector in Nigeria for better, efficient and profitable service delivery.

**Theoretical Framework:** This study adopts the elite theory as a framework for analysis. This is in line with the thinking that the elites which are the minority in the society influences the political process and struggles for political power in order to be able to exert such influence. They also take the bulk of the decisions that affect the majority of people in society. The elites are primarily those that govern whether as governing elites or as the oligarchy. This theory was propounded by Robert Michels, Gaetona Mosca and Vilfredo Pareto (Hughes, 1965:142). The major assumptions of elite theory is that in every society there is, and must be a minority which rules over the rest of society, and this minority forms the political class or governing elite composed of those who occupy the posts of political command and more regularly those who can directly influence political decision. They undergo changes in its membership over a period of time, ordinarily by the recruitment of new individual members from the lower strata of the society, sometimes by the incorporation of new social groups, and occasionally by the complete replacement of the established elite by a counter-elite. Writers like Saint Simon, Hippolyte, Ludwis, Karl Marx, Vilfred Pareto and Gaetano Mosca opined that in every branch of human activity each individual is given an index which stands as a sign of his capacity, very much the way grades are given in the various subjects in examinations in school (Nkwede, 2014).

In political science and sociology, elite theory is a theory of the state which seeks to describe and explain the power relationships in contemporary society. The theory posits that a small minority, consisting of members of the economic elite and policy-planning networks, holds the most power and that this power is independent of a state's democratic elections process. Through positions in corporations or on corporate boards, and influence over the policy-planning networks through financial support of foundations or positions with think tanks or policy-discussion groups, members of the "elite" are able to exert significant power over the policy decisions of corporations and governments. An example of this can be found in the Forbes magazine article (published in December 2009) entitled The World's Most Powerful People, in which Forbes purported to list the 67 most powerful people in the world (assigning one "slot" for each 100,000,000 of human population) (Forbes, 2009). Pareto (1968) emphasized the psychological and intellectual superiority of elites, believing that they were the highest accomplishers in any field. He identified the existence of two types of elites: governing elites and non-governing elites and also extended the idea that the whole elite can be replaced by a new one and how one can circulate from being elite to non-elite. Mosca (1967) on his part emphasized the sociological and personal characteristics of elites. He said elites are an organized minority and that the masses are an unorganized majority. The ruling class is composed of the ruling elite and the sub-elites. He divides the world into two groups: the ruling class and the class that is

ruled. Mosca (1967) asserts that elites have intellectual, moral, and material superiority that is highly esteemed and influential. Sociologist Mitchells developed the iron law of oligarchy where, he asserts that social and political organizations are run by few individuals, and social organization and labor division are key.

Sociologist Mitchells developed the iron law of oligarchy where, he asserts that social and political organizations are run by few individuals, and social organization and labor division are key. He believed that all organizations were elitist and that elites have three basic principles that help in the bureaucratic structure of political organization: need for leaders, specialized staff and facilities, utilization of facilities by leaders within their organization and the importance of the psychological attributes of the leaders (Bottomore, 1964:25). The proponents of elite theory believe that the society is made up of elite class and non-elite class. The elite class is the richest and the most successful in every sphere of life, the elite controls and exploits the non-elite by the virtue of its position in the society. Governing elite establishes its control over the subject classes by using force and providing great wealth. Bargaining, concessions, and deceive are the kind of policies used by the ruling elite. Economic prosperity not only keeps the ruling class in power and makes easy to govern society than period of depression, but also affects the type of political regimes. In prosperity periods, there is a tendency to shift from oligarchic regimes to democratic regimes (Pareto 1935). From all of the above, elite theory becomes quite apt for this paper as it exposes the innate ambition of Nigeria's economic elites in milking the citizenry in the guise of providing electricity for the populace. To date, a lot of money has been put into the sector with no meaningful result to show as the entire country wallows in darkness from the epileptic nature of power supplied by these firms. In fact, there are insinuations that the failure of the sector to deliver any meaningful service to Nigerians is a scheme by the same powerful elites to create room for the thriving business of generator sales, an enterprise dominated by them. It has equally been argued by scholars and public commentators that the privatization of the power sector in the country is just a mere transfer of public assets to members of the elite class.

***The Privatization of the Power Sector in Nigeria and the Imperative for Restructuring:*** There is doubt if Nigeria as a democratic country is not under the rule of the minority. The Nigerian elites seem to have always be in control and exploit the majority for their own benefit. Mbah (2014) observes that, the elites are those people who have some qualities that differentiate them from the general mass of people. Hence, democratic systems must rely on the wisdom, loyalty and skill of their political leaders, not on the population at large. Democratic system as the rule of the elite over the people at large started right from when democracy first emerged in the City of Athens, where all slave owners gathered to take major decisions affecting the City, while neglecting the slave, women and foreigners (McLean & McMillan, 2003:139). The elites are the richest in every society and also control the means of production, distribution and exchange. In the words of Aminu and Peterside (2014:118), "that power sector has failed to deliver to the expectation of Nigerian is not an understatement. The colossus amount of money expended on the sector is not in tandem with the current poor performance of the sector". There is an argument that the money budgeted for power sector over time has been embezzled by the ruling elites and members

of their family. Albeit, the beneficiaries of the privatization exercise remains the powerful economic elites who have constituted themselves into a cabal that is feeding fat on the country's funds pumped into the sector. As identified by Mosca, the political class is rife with men of property and sometimes with intelligentsia, but most often with the political personnel in government and it is on this premise that the Nigerian ruling elites have always tried as much as possible to satisfy those who sponsored them to political offices, hence the need to pay back through various exploitative means like the privatization plan. Shosanya (2015) observes that, the federal government broke up PHCN, privatized its generation and distribution arms and indicated that transmission could also have a future in the private sector. From the exercise, government realized over N500 billion. Others have raised doubts that the amount the federal government sold PHCN seemed to have been far below what previous administrations must have invested in the power sector. Similarly, it has been argued that the infrastructure of PHCN alone ought to have been worth more than trillions of Naira, owing to the long period of investment in the sector by past governments.

In another clime, privatization ought to be of benefit to the majority of the people, not the privileged few. According to Adejumo (1997), privatization eliminates demand for subsidized services, enhances efficiency to meet up customers' satisfaction as this is crucial in determining the firms market share, production level, sales, and profit margin. There is doubt if any privatization has really met these criteria in Nigeria. Aminu and Peterside (2014:117) observe that, the PHCN privatization process followed the exact path that led to the death of those public corporations and utilities. The public corporations were undervalued and sold at give-away prices. Flowing from the above, the privatization of electricity in Nigeria might just be one of the ways in which the ruling elites used in transferring government own properties to their fellow elites, hence the contention of Pareto (1935) and Mosca (1939) that the elites have direct access to government and can realize their objectives by influencing the decision makers. This sentiment is shared by Shibayan (2016) when he observed that Aliko Dangote, President of Dangote Group, has advised the Federal Government to take back the assets it sold earlier and give it to people who really have money to manage them. According to Shibayan (2016), Dangote added that "today, how can we say that we don't have 300,000 prepaid meters? Things have changed and you cannot go and charge a rate and then you have to follow people one by one to be scheming for them to pay but with a prepaid meter, once you buy for 10,000 after the 10,000 you have to remain in darkness so it is not an issue to start chasing people to pay".

This has shown that the privatization of power sector is part of the deceit and exploitation of the non-elite (people) by the elites who have their personnel in political positions. One can also deduce from the argument of Dangote that the power sector was actually sold at a very minute amount of money compared to the actual worth, hence the new owner of the power sector do not have enough money to manage the sector effectively. In an interview with twenty randomly selected respondents who are users of electricity in Wukari, Taraba State, on November 28, 2017, twelve of them agreed that the issue of privatization of the power sector has not enhanced any service delivery in the sector. This they hinged on the continuous and persistent use of estimated billing system where consumers are made to pay flat rate amount for

electricity whether it is supplied or not against the use of prepaid meters. Eight of them however agreed that minimal impact of about 50% increase in electricity supply has been felt under the present privatization arrangement. Thus, it can be averred that privatization has not really made any meaningful impact as far as service delivery in the power sector is concerned. The reaction on the general improvement in electricity supply under privatization as against the pre-privatization era revealed some level of performance by service providers as 12 out of 20 respondents reacted in the affirmative while eight of them believed that there is no improvement in electricity supply under privatization. The general opinion therefore seems to be in favour of an improvement in the electricity supply in the post privatization era. Nigerians also frowned at the attitude of staff of the private electricity companies particularly their extortionist tendencies when asked to comment on them as part of the service delivery system. Majority of them argued that the staff attempts to extort money from consumers especially when there is any need to reach them on account of any fault in the supply line. They also surmise that most of the staff is bent on frustrating the prepaid arrangement because of what the companies stand to gain by using the estimated billing method which compels consumers to pay for what they have not consumed. The workers were however commended for their strictness on tariff collection by majority of the respondents although their attitude is nothing to write home about. Some however felt the attitude of the workers remained the same under both the PHCN and the privatized companies, generally that of exploitation and extortion.

There was unanimity of opinion by respondents on the problems encountered as electricity consumers. They reeled out the lack of steady power supply, low voltage or electricity output, incessant total black out, epileptic power supply, over pricing of bills and poor and slow response to customer's distress calls amongst others. All these problems had been experienced under the Federal Government controlled National Electricity Power Authority (NEPA) as well as the PHCN with an additional problem of high tariff which is trailing the activities of the privatized companies. Another teething issue in the operations of the electricity companies is that of pricing. Scholars, analysts, public commentators and other stakeholders in the sector are united in the thinking that the best pricing regime for electricity should be determined by the forces of demand and supply. In fact, the force of demand and supply in every market system is germane in determining the prices of goods and services. Alimba (2010:12) observes that, since price is the main driver of demand and supply in the power market, it is important for firms in the market to strive to have appropriate demand and supply price. In determining the price of goods and services, Council of Economic Advisers (2012:6) contends that, "the use of the price system in a market economy signals the price of a good and sends a signal to producers to increase or decrease production. Price system works in a competitive environment, where there are many buyers and sellers that have the opportunity to enjoy free entry and exit into the market. The observation of Alimba (2010) that price is the main driver of demand and supply in the power market might not hold water, this is because there is only one seller of electricity per time and many buyers. The electricity privatization as at today in Nigeria enjoys monopoly, hence the reason why customers are exploited even when they don't consume electricity. Consumers are unanimous in the thinking that there are high electricity tariffs regardless of consumption

(overpricing of electricity bill) and payment for service not rendered by the private electricity companies. To them, there is high rate of exploitation under electricity privatization compared to when electricity was under the control of the Federal Government; as customers are made to pay for tariffs that they did not consume. Again, customers were even compelled to buy electricity infrastructure such as wire before they can access electricity. Much resentment is also showed to the issue of flat billing system where consumers are meant to pay for what they have not consumed. Owners of the private electricity companies were also blamed for refusing to provide prepaid meters to consumers, as a means of the continuous exploitation of the masses through the estimation of bills. Lack of uniformity in the billing process as well as tariff inconsistencies were equally resented by the consumers, a development which they claimed is anti privatization as privatization is said to be a failure if it cannot bring about uniformity in pricing.

From all of the above, it is glaring that the power sector in Nigeria is not functioning effectively and needs to be restructured to get the best out of the companies providing services in the sector. This is quite imperative given the need for optimum benefits to be derived from the power sector. For instance, it is a statement of fact that efficient power supply is the backbone of industrialization in every country of the world; this is because of its usefulness in carrying out production and services. Electricity is also a means of providing comfort to people irrespective of their professions. For there to be industrialization in any society, there must be stable power supply to power the industries. Subair and Oke (2008:19) observe that, "despite the slow growth in economic activities in recent years, the demand for electricity in Nigeria has continued to increase. There is no doubt that expensive and unreliable power remains a major concern to Nigeria's industrial sector and household". Constant supply of electricity in a country will increase the standard of living of the people, because goods and services will be provided at a cheaper price compared to when individual company and service providing organizations use 'generating sets' to provide goods and services. The need to get rid of poor power supply led to the privatization of electricity in the first instance and from all indication that has not been achieved so far in Nigeria. Alimba (2010) submits that, the aim of privatization is to create viable commercial entities that would lend themselves to efficient improvements, competition in generation and supply that may lead to tariff reduction. Efficient improvement in electricity can become a reality if people who have the technical knowhow in the sector are given the opportunity to operate. As part of the effort to restructure the sector, there is need for a review of the current state of affairs in the sector with a view to injecting fresh hands into the activities in the sector. According to Aminu, & Peterside, (2014), there is need for more investors with technical expertise to come into the power sector. This will not only ensure the provision of better services to consumers but at affordable rates. The truth remains that, competent hands are in best position to manage the power sector if privatization must achieve its primary aim. The purpose of privatization can be said to have been defeated when industrialization is not achieved as a result of epileptic power supply. Constant and uninterrupted power supply is the only gateway that can power industries for national prosperity. A vibrant and efficient power sector will also assist in employment generation for the teeming idle and unemployed youths in the country. In every business endeavor, money is

needed to start or to enlarge an already existing business to ensure economic of scale which will eventually bring about employment opportunity for the citizens. Tallapragada (2009:29) contends that, Nigeria is faced with long bout of under-investment and poor planning in electricity infrastructure from 1981-99. Only 19 out of 79 generation units were operational in 1999, and the average daily generation was only 1,750 MW. Over time, there has been inadequate infrastructural development in the power sector, not because government has not been spending on the sector, but because of corruption, poor planning and ineffective management. It is believed in some quarters that private sector will best solve the problem of inadequate supply by injecting fund that will provide more infrastructure for effective power supply. Investment in electricity in form of infrastructure will undoubtedly generate employment opportunity and prosperity in the society as a whole. This must surely be taken into account in the effort to restructure the power sector for efficiency and optimum service.

In the words of Koledoye et al (2012:30), "Nigeria is rated among the top Oil Producers in Africa, second in natural gas reserve and estimated 2 billion metric tons of coal. Nigeria is also rich in water, wind and sun energy from which appreciable electricity can be generated". There seems to be untapped resources in the country that can be used for electricity generation, hence massive investment is needed to bring about the desired change that is expected of the private sector. As noted by Koledoye et al (2012:31), decline in electricity generation capacity in an ever increasing population, with no visible plan to commensurately increase generating capacity, cause electric power demand to increasingly overshoot available supply. By year 2000, the problem sent Nigeria into electricity supply crisis, which caused the Federal Executive Council (FEC) in year 2001 to approve the National Electric Power Policy (NEPP), which called for fundamental changes to ownership, control and regulation of the power sector. The 2001 NEPP actually set the roadmap for Nigeria's power sector privatization, but due to the bureaucracy in government, the policy could not be signed into law until 2005. The signed document became the Electric Power Sector Reform Act of 2005. The ESPR Act 2005 translated NEPA into the newly incorporated Power Holding Company of Nigeria (PHCN) Plc, comprising of 18 separate successor companies that took over the assets, liabilities and employees of NEPA, and responsible for the generation (6 companies), transmission (a company) and distribution (11 companies) of electricity in the country.

The expected restructuring must be targeted at addressing the issue of infrastructural deficiency in the power sector. The problem of electricity is that of infrastructural deficit, there is therefore the urgent need for massive investment in this area for optimum result. Compliance with international best practices is quite necessary if some level of efficiency must be attained in this sector. Usman and Abbasoglu (2014:9) contend that, "Nigeria's electricity consumption per capita in 2012 was 12 watts/person which is very low compared with most countries in the world like Brazil with 268 watts/person, Spain 645 watts/person and South Korea 1038 watts/person in the same year". Thus, Nigeria should be able to compare notes with these other countries on how they were able to achieve huge level of success in electricity generation and use such information for a better and efficient management of power generation in the country.

## Conclusion

This paper discussed the need to review, reposition and restructure the already privatized power sector in Nigeria. This it did with the understanding that privatization which is the transfer of government own enterprises to private individuals or companies is expected to bring about efficiency and maximum benefit to the people as a whole and not some few individuals. It discovers that this is not applicable to Nigeria as the privatization exercise carried out during the regime of ex-President Jonathan has yielded neither effectiveness in service delivery nor tariff reduction as expected after such exercise. Equally, the entire exercise seemed to have fallen short of international best practices enveloped in transparency and devoid of any iota of bias in favor of some groups of persons or individuals. The privatization exercise also sidelined individuals and companies with the required technical know-how, funds and management capacity to turn around the sector as the whole process painted a picture of the transfer of government own electricity company to some favored groups or individuals for very paltry amount of money. Thus, there is greater need for a review of the terms of this unholy transaction with a view to repositioning the electricity sector in the country for better service delivery, efficiency and lower tariff charges all aimed at the overall benefit of Nigerian consumers.

In the light of the above conclusion, the paper made the following recommendations:

- Government should withdraw electricity privatization and sell same to the various states where those power plants are located, this will put an end to the present exploitation by few elites who control and exploit the people
- The National Assembly should pass a law placing the control of the power sector (electricity) under the various states, and not the federal government (concurrent legislative list) as it is presently,
- The National Assembly should equally make a law that will enable states control their resources with a view to using such resources in their states to generate, transmit and distribute electricity for its populace.
- Government should compel the operators in the sector to embark on massive production and distribution of meters to electricity consumers and stop the current system of estimated billing where Nigerians are made to pay for what they have not consumed.

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