

To
Michal Luft, Adv.
Legal Department
Gisha – Legal Center for Freedom of Movement
42 Harakevet St.
Tel Aviv 6777008

Sent by email – info@gisha.org

Dear Madam,

Re: **Application under the Freedom of Information Act 5758-1998 – Information regarding the supply of electricity to the Gaza Strip**

Ref: Your letter, dated June 21, 2017.

Please find our response to your letter in reference below:

1. As is known, the Electric Corporation does not divulge information regarding its clients, partly due to confidentiality provided for in Section 9(a)(3) of the Freedom of Information Act. In addition, the information requested in your application is sensitive information, in the meaning of the term under Section 9(a)(1) of the Act, and need not be disclosed. Despite this, and after weighing all considerations, we have decided to respond to your letter, as follows.
2. Prior to addressing the information requested in your letter, we wish to correct a fundamental error on which the letter is based. Contrary to the claim made in paragraph 3 of your letter, the decision of the Security Cabinet (the cabinet) was not made following a request from the Electric Corporation, but rather a request made by the Palestinian Authority (PA). The Electric Corporation took measures to limit the supply of electricity to the Gaza Strip following a directive it received from state officials – a letter from the Coordinator of Government Activities in the Territories Maj. Gen. Mordechai, dated May 15, 2017, and a letter from acting National Security Advisor and Head of the National Security Council, Mr. Eytan Ben-David, from June 18, 2017.
3. Notwithstanding the above, responses to the requested information listed in paragraph 5 of your letter are supplied below in the order listed in the subparagraphs thereof:
 - a. The requested information comes under the disclosure exclusion provided for in Section 9(b)(4) of the Act, and need not be divulged.
 - b. As stated, the Electric Corporation did not provide a recommendation on this matter and, in any case, does not possess the documents requested in your application.
 - c. The decision of the Electric Corporation's Board of Directors is as follows:
 - Decision dated June 15, 2017:
“**On June 11, the Security Cabinet reached a decision regarding the restriction of the supply of electricity to the Gaza Strip.**
The corporation received a directive on this issue from the Coordinator of Government

Activities in the Territories on May 15, 2017.

The following has been decided: The board takes note of the management's decision to limit the supply of electricity to Gaza early next week, conditioned on the backing supplied by the cabinet decision. The board gives the management the go-ahead to limit the supply of electricity to the Gaza Strip, according to the information presented at the board meeting. At the same time, the board will hold a special plenum meeting on this issue. Management will prepare a legal opinion for said meeting... [The rest of the decision relates to the legal opinion and is therefore classified].

- Decision dated June 22, 2017:

“Following the board plenum meeting held on June 15, 2017, the board was briefed in its June 22, 2017 meeting on the restriction of the supply of electricity to the Gaza Strip, which is being implemented progressively and in coordination with all relevant state authorities, as well as direct communications with operations level personnel in Gaza. Having held a discussion and heard the opinion of the legal advisors on this issue, the board decides as follows:

1. To order the management of the corporation to continue limiting the supply of electricity to the Gaza Strip, in accordance with the request made by the Palestinian Authority to limit the supply of electricity to Gaza to an amount not exceeding 25 million ILS per month, as noted in the letter from the Coordinator of Government Activities in the Territories and the letter from the National Security Council, which was based on the cabinet's decision.

2. To order the management of the corporation to continue coordinating, to the extent possible, the restriction of the supply of electricity with relevant state officials and with operational level personnel in Gaza, in order to minimize as much as possible, the impact on essential needs in Gaza.

3. To maintain ongoing monitoring of the situation, through the chair, and should circumstances change, hold a board discussion as needed.”

- d. The Electric Corporation does not have the requested information.
- e. The Electric Corporation does not have a copy of the Security Cabinet decision, only the letter from the acting National Security Advisor and head of the National Security Council from June 18, 2017.
- f. The Electric Corporation's plan for gradual implementation of the restriction of the supply of electricity to the Gaza Strip, in accordance with the directive it received, is attached hereto and marked Annex A. The plan was forwarded for review by state officials (the Coordinator of Government Activities in the Territories, the Ministry of Energy, the Ministry of Finance and the National Security Council) prior to implementation.
- g. As stated, according to information provided to the Electric Corporation, the restriction of the supply of electricity to the Gaza Strip was introduced at the request of the Palestinian Authority, and hence, with its knowledge. Furthermore, it was widely reported by the media, beginning mid-May. Moreover, the responsibility for providing official notice to the Palestinian side lies with the Office of the Coordinator of Government Activities in the Territories. Notices regarding the gradual implementation of the restriction were provided in real time by the Electric Corporation South District Control Room directly to local Gaza electricity personnel.

- h. There is no written supply contract between the Electric Corporation and the Palestinian Authority concerning the supply of electricity to the Gaza Strip.
- i. A breakdown of monthly bills for electricity supplied to the Gaza Strip over the last 12 months:

Month	Bill amount (in ILS)
July 2016	38,107,681
August 2016	35,023,218
September 2016	35,584,521
October 2016	45,367,528
November 2016	29,272,565
December 2016	37,854,671
January 2017	35,953,223
February 2017	42,539,091
March 2017	36,539,942
April 2017	40,802,189
May 2017	34,936,818
June 2017	34,127,318

- j. The request for “the exact current supplied to the Gaza Strip in practice” is unclear. Electrical currents are inherently in constant flux, and any current measurement is true only for the given moment in which it was taken. Therefore, this request cannot be answered. Though you did not request this information, we hereby provide a breakdown of electricity consumption (in kWh) in Gaza in each of the last 12 months:

Month	Electricity Consumption (in kWh)
July 2016	85,841,200
August 2016	81,038,800
September 2016	84,671,600
October 2016	105,781,840
November 2016	71,799,440
December 2016	90,073,520
January 2017	82,985,120
February 2017	95,956,960
March 2017	82,346,800
April 2017	95,552,160
May 2017	78,964,080
June 2017	77,174,560

- k. The Electric Corporation does not hold this information.
- l. The installation and operation of “Line 161” (for the purpose of transferring it for high tension connection) are dependent on payment from the Palestinian Authority, the signing of a commercial and operational agreement, and the capacity of the substation in Gaza for uptake of the line. Once these issues are resolved, it will be possible to install the remainder of the line (spanning several kilometers), carry out the additional work needed for the adaptation of the regional conduction system and the Electric Corporation’s substation, and transfer the line for

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connection to high tension. All this, without detracting from the rights of the Electric Corporation vis-à-vis the Palestinian Authority, or any other directive or decision issued.

- m. I hereby inform you that under Section 17 of the Act, you may appeal this decision to the Court of Administrative Affairs.

Sincerely,

Ehud Kramer, Adv.
Public Information Officer

[official letterhead of the Israel Electric Corporation]

**Client Department
Office of the Vice President and
Deputy Director General**

May 21, 2017
No.: 105-011691-2017

To: Mr. Ofer Bloch – Director General

Re: **Restrictions on supply of electricity to the Gaza Strip**

Reference: Memo from Coordinator of Government Activities in the Territories Maj. Gen. Yoav (Poli) Mordechai, dated May 15, 2017, with respect to the matter in reference.

1. General

In accordance with the directives in reference, issued to the Electric Corporation, restrictions on the supply of electricity to the Gaza Strip are required. The directives correspond to a request by the Palestinian Authority to Israel, to limit the supply to 25 million ILS per month, out of a monthly payment of some 40 million ILS.

Implementation of restrictions -May 22, 2017.

2. Background

- 2.1. Electricity is supplied from Israel to the Gaza Strip through ten high-tension lines from four substations, as described in Annex A.
- 2.2. The Gaza supply lines are extended to their maximum capacity through most hours of the day and night, which requires extensive management of demand, implemented in practice by local electricians. The rate of malfunctions on these lines is also extremely high, affecting the Israeli side as well.
- 2.3. There is no possibility of implementing consumption restrictions precisely according to payments made to the Electric Corporation. It is only possible to do so based on an estimate of the load on these lines.
- 2.4. Extreme load restrictions could severely impede the capacity to manage demand (in light of past experience, as well) and could mean a stoppage of service to restricted lines (regional blackout), or the entire Strip (full blackout).
- 2.5. In 2007, the Electric Corporation took steps to restrict the supply of electricity to lines servicing the Gaza Strip, supported by and in coordination with the Ministry of Defense. The method used for implementing the restriction was calibration of current inhibitors in circuit breakers, using remote control on lines at the point at which they enter the Gaza Strip.
- 2.6. This led to a High Court petition which resulted in permission granted to the corporation to implement the restrictions proportionately, and not on all lines.

- 2.7. Note that there is Israeli consumption on some of the Gaza supply lines, as described in Annex B (water wells and military facilities). Additionally, each Gaza supply line is fitted with a remotely controlled circuit breaker at the point at which the line enters Gaza.

3. **Method**

- 3.1. The restrictions on consumption will be implemented by calibrating the circuit breakers at the substations (preparation time – about three hours). For this purpose, the current will be stopped for about 30 minutes and reconnected once the restriction is adjusted.
- 3.2. The restriction will be implemented gradually, two lines at a time, to about 60% of the usual load, that is, restricting the current to 250A instead of 400A (commensurate with the rate of restriction on charges: 25 million ILS of 40 million ILS).
- 3.3. A line that falls due to overload for the first time will remain disconnected for one hour before being reconnected.
- 3.4. Once a line falls a second time due to overload, the line will remain disconnected for two hours.
- 3.5. Each reconnection will be subject to confirmation from electric staff in the Gaza Strip that the load has been reduced to enable reconnection.
- 3.6. Once consumption on the restricted lines stabilizes, restrictions will be implemented on the next lines, two at each phase, until all ten lines are restricted.
- 3.7. On lines that service Israeli facilities, after the line is disconnected, the circuit breaker at the entrance to the Gaza Strip will be disconnected (through remote control), and the line will be reconnected to a substation in order to allow supply to these facilities.
- 3.8. Restriction implementation phases:
 - 3.8.1. Phase 1:
Snir line – from Netivot substation – feeds southern Gaza City.
Kela line – from Bsor substation – feeds Khan Yunis
 - 3.8.2. Phase 2:
Proceeding according to table of lines above, in coordination with the Electricity Staff Officer and the Office of the Coordinator of Government Activities in the Territories - two additional lines at a time, after load stabilization on previous lines.
- 3.9. Further coordination:
 - 3.9.1. Legal opinion – in preparation. On the face of it – there is no impediment to implementation of the restrictions.
 - 3.9.2. Preparation for communications - Press release draft has been prepared.
 - 3.9.3. Communications with the Palestinians:
 - 3.9.3.1. Local Gaza electricians who work directly with the district – South District Control Rooms (Tel Aviv and Beersheva).

3.9.3.2. Coordination and Liaison Administration (CLA) Erez – South District Operations Director.

3.9.3.3. Official notice to Palestinian officials:

3.9.3.3.1. By the Electricity Staff Officer – responsibility of district director.

3.9.3.3.2. By a representative of the Coordinator of Government Activities in the Territories staff – responsibility of the vice president.

3.10. Risk management:

3.10.1. In the event of inadequate management of demand by the Palestinians, Gaza's electrical system could deteriorate to a state of regional or full blackout.

3.10.2. In the event of a full blackout, supply restoration is expected to take a number of hours.

3.10.3. Implementation of restrictions this week is politically sensitive – the visit of the American President, Jerusalem Day.

4. Conclusion

4.1. The above plan has been presented and approved in an internal discussion led by the chair today, and its implementation is subject to the completion of the legal opinion and the authorization of final implementation, following further discussion.

4.2. Ministerial level will be briefed by the office of the director general and the chair.

Sincerely

Yitzhak Balmas

[signed]

Vice President

Deputy Director General - Clients

CC:

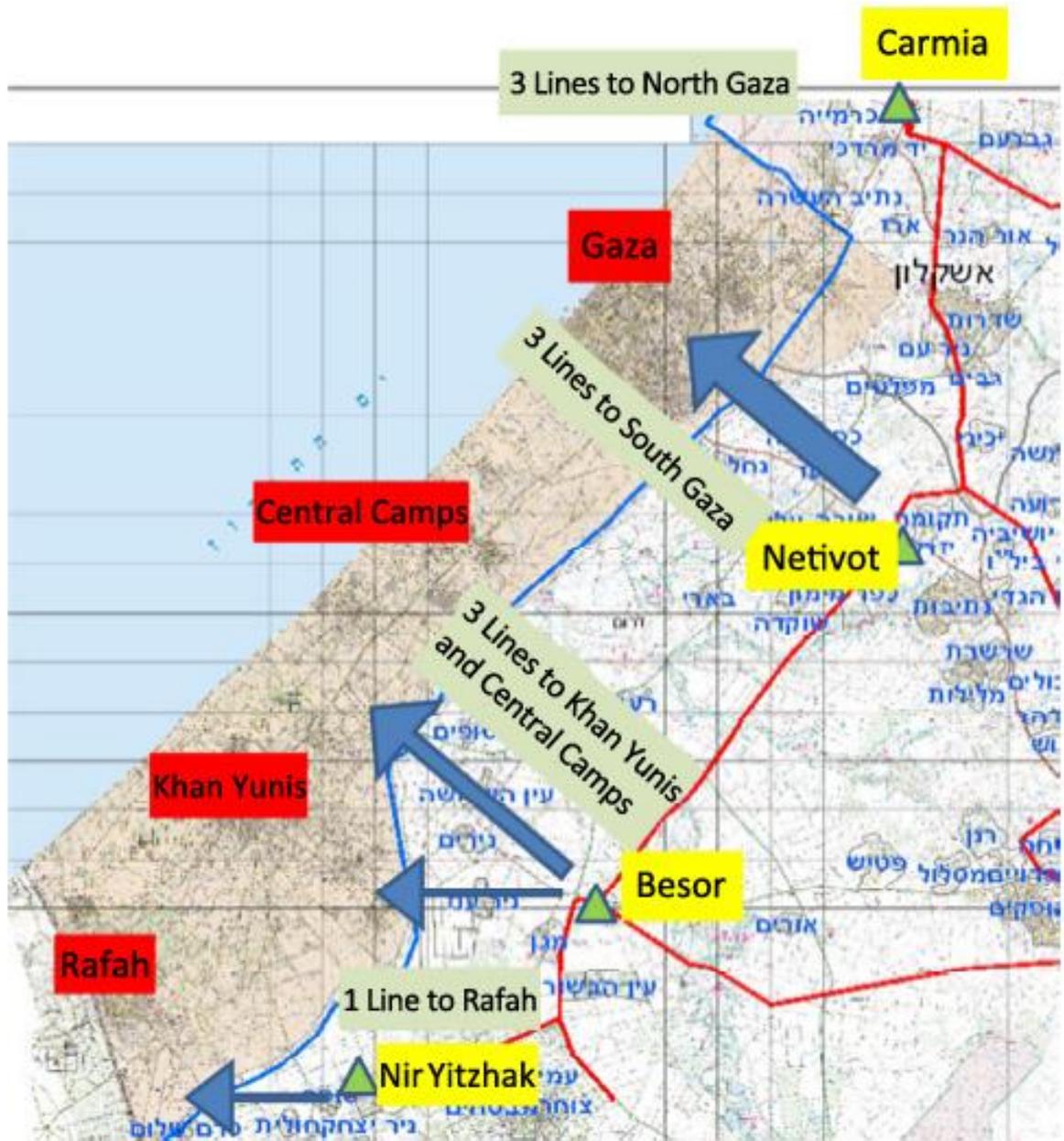
Adv. Yael Nevo, Deputy Director General, legal advisor

Ms. Dalia Bodinger – Corporation Spokesperson

Dr. Kobi Yahav – South District Director

Mr. Sergio Braunstein – Conduction and Transformation Department Director

Annex A – The supply of electricity to the Gaza Strip



Annex B – Israeli consumption on Gaza supply lines

Priority	Name of supply line	Type of consumption
1	Snir	None
2	Kela	None
3	Hemda	Netivei Israel- National Transport Infrastructure Company LTD.
4	Shiryon	Military, agriculture (irrigation)
5	Nekarot	Agriculture (irrigation)
6	Syria	Netivei Israel, agriculture (irrigation)
7	Grizim	Mekorot – Israel National Water Company
8	Meron	Mekorot, cellular facility
9	Eibal	Mekorot, military
10	Romach	Agriculture, military, Mekorot