

Evaluation of the Administration of Public Utilities in Nigeria and Developmental Imperatives: A Study of Port-Harcourt Electricity Distribution Company (PHEDC), Cross River State, Nigeria

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Abstract

Public utility is a government owned organization meant to supply goods and services seen as essential commodities. With the introduction of economic reforms in the mid-eighties, the Nigeria government came up with the privatization and commercialization programme which was implemented in 1993. As a result of poor performance in distribution of power, the government turned NEPA from a non-Profit making to a profit-making enterprise. This necessitated the privatization of NEPA. After privatization, NEPA did not still perform as expected. Hence, it was bought over by PHEDC the present company handling electricity distribution in the country. This is because government cannot fund nor subsidize NEPA. Today, people are dissatisfied With PHEDC because of high cost, delay in providing meters, inconsistent power supply, over estimation etc. This has led her commercial and industrial customers to become heavily reliant on self-generated power, using fuel and diesel generators which are very costly for consumers. This sector was set up to provide affordable and efficient service to the public with large coverage with the possibility of providing credit facilities; rather we see duplication of receipt, nonchalant attitude of staff and general poor performance. This paper seeks to examine the operations, and efficiency of service delivery of PHEDS in Nigeria and ways of improving performance.

Keywords: *Utility, Administration, Development, Public and PHEDC*

Introduction

Public utility company is an organization that carries out public services. They are meant to provide goods and services that are seen as essential goods such as light, water, gas and communication systems. These companies are capital intensive businesses which need government regulations. In most cases they are seen as natural monopoly. As virtually, all public enterprises were inefficient, inspire of huge amount of money spent on them by the government, PHEDC was not exempted it became a liability to the government. The decree No 25 of October, 1988 gave a legal backing to the Policy programme. Privatization and Commercialization set up for the purpose of restructuring the management of public utilities national economy has been a problem in Nigeria, because, utilities are expensive and need infrastructure which needs regular maintenance and replacement which was a problem in Nigeria. Apart from that, the government continues pumping money as financial support to these enterprises and yet they continued to lose money. This work seeks to evaluate the administration and efficiency of service delivery of PHEDC (Port Hacourt Electricity Distribution Company in Cross River State of Nigeria. Many utilities such as Nigerian National Petroleum Corporation (NNPC), Nigerian Telecommunications limited (NITEL), Nigerian Postal Services, (NIPOST), Federal Airports Authority of Nigeria. (FAAN), Nigerian Ports Authority (NPA), are

examples of public utilities. However, our focus is on PHEDC. Paul, (1988) and Samule, (1998) outlined some of the problems that affected the public utility in Nigeria as economic inefficiency in production of goods and services by the public sector with higher costs of production, inability to innovate, and delays in delivery of the goods produced. Obadan (2006) said there was failure to meet intended objectives, inefficiency in government, poor financial performance, rapid expansion of the bureaucracy, etc. Electricity supply has become a problem in Nigeria because, its commercial and industrial sectors have become heavily reliant on self-generated power, using petrol and diesel generators. This accounts for nearly half of the electricity consumed. Nigeria's shortage of reliable power is a constraint on the country's economic growth. The challenges of electricity power distribution in Nigeria, infrastructure constraints across the entire value chain from fuel to power distribution chain, with undiversified energy sources for electricity, insufficient gas pipelines, obsolete generation plants and equipment, with inadequate and poorly maintained transmission are many of the problems faced in the electricity sector in Nigeria (Byju's 2020).

In Nigeria, when the National grid broke down, it took some weeks before it was fixed. Meaning that during that period many cities were in darkness leaving the citizens at the mercy of buying fuel or diesel for their generators. Of course, with the increase in fuel and poverty in the country, it became difficult for the citizens (Ozumba, Field work, 2023).

WHAT IS PUBLIC ADMINISTRATION

Rosenbloom (1985) sees administration as being concerned with the provision of "public goods" such things as defence of the political community, safety, health and other benefits to the public. Larry and Joseph (2004) say administrative processes with rule-making authority develop measure to control things in the society such as regulate environment, health and other public functions. For Ikeji and Ekot (2002), administration has to do with the structure and personnel that are concerned with executing the policy decisions of any organization. It is the business of administration to articulate, formulate and execute the decisions reached by the organization. This means that administration is deeply involved with policy formulation and is constantly concerned with determining how discretionary authority should be used in particular circumstances. From the explanation of Ikeji and Ekot, we can agree that administration is involved in all aspects of running of the organization that is with planning, formulating and execution of policies. It is the business of the administration to ensure that the organization succeeds in carrying out its specified mandate to the people or in fulfilling the purpose for which the organization is set up. Ikeji maintained that the often-disappointing results of programmes and projects geared towards development have highlighted the need to strengthen these managerial capacities in the society that have urgent need for social transformation. That creation of administrative capability must, of necessity, assume a central importance for the overall goal of achieving cost-effective development, this is because no programme of development can be conceived and succeed on its own without good administrators. Thus, it behooves administrative agencies to put solid structures for the continuity of public good. Adebayo (2002) sees administration as the organization and direction of persons in order to accomplish a specified end. It therefore means that administration is carried out by people and not an individual. He opined that administration must exist in any organization set up for a defined purpose. There has to be administration in an organization because each one consists of human beings brought together in rank, set up, making use of tools, equipment, human and material resources in a bid to achieve the objective of the organization. The process of achieving organizational goal required planning, organization, command, coordination and control (POSDCORB). In most cases, many different groups of people are woven together in a complicated process to achieve the objective of the organization. And this is why most organizations fail as

different people with different views and interests are there, some for their personal interest and not for the organization. This is the case with NEPA where corrupt leaders who came in for their personal interest looted the organization. In Ihejiamaizu (1996), administration is concerned with how a particular course of action is predetermined by the basic political or policy forming units of the total government, electorate, legislative or executive and how the functions are to be carried out. He holds that it covers activities ranging from determination of what is to be done (policy-making, objective plans) to organization, staffing and financing of government activities as well as final accounting of administrative activity by means of internal and external control. Meaning that administration is a broad-based mechanism which draws its strength from the expectations of the government as in provision of basic things needed to make the citizens live a comfortable life and being accountable for what is committed into their hands to the citizens. Akpama (2002) assert that administrative agents are expected to use their administrative discretion in enforcing some of the rules but within the bounds of the law guiding them. For example, in making an arrest of those who violate the rule by reconnecting light illegally, the administrative agents are authorized by law to use reasonable force to elicit compliance. For David (1982), administration must be in compliance with the appropriate statutes and should not go against the statutes.

Historical Antecedent of HPEDC

The history of electricity in Nigeria is dated back to 1896 when electricity was first produced in Lagos as government owned electricity Company. In 1951 the electricity corporation of Nigeria (ECN) according to Nnaji (2012) was established in line with the Niger Dam Authority (NDA). NEPA exist later as the upshot of ECN and NDA IN 1972. In 2010 when many countries were initiating reforms of their power sectors and management of efficiencies to, lower the cost of power, Power holding Company of Nigeria came on board to introduced Commercial management principles to government owed monopolies (Gibert, 2017) transferring ownership to private companies.

In 2013 September, 30th, Nigeria Electricity regulatory Commission (NERC) was formed by President Goodluck Jonathan administration to monitored and regulates Nigeria electricity industry as specified by power sector reform Act of 2005. This provides the basis for the existence of PHCN separate entities electric distribution Company in each state of the federation (PHCN (2013). Presently there exist eleven (11) electricity distributions Companies since May 2016 in Nigeria (www.nereng.org).

Establishment of NEPA

The federal government by decree No.24 of 1972 created the National Electric Power Authority (NEPA). In 2005 as a result of power sector reform process, NEPA was unbundled and renamed Power Holding Company of Nigeria (PHCN). This enabled private companies to participate in electricity generation, transmission and distribution. <http://nerc.gov.ng>>403 generation.

POLICY

Public policy according to Ikeji and Ekot (2002) is what government do, why they do them, how they do them and what difference government actions make on people's lives. With this definition, one may ask, what policy established NEPA, how has the action of government affected the lives of the citizens. Public policy is also seen as awareness of needs, formulation of alternative solutions evaluation of alternative solutions, formulation of policy, implementation of policy and evaluation of implementation. With these definitions one can also ask, is government's evaluation of the implementation of the tenate of establishing NEPA, properly carried out? When policy is made, it

behooves the policy makers to check if the policy that established the business is being followed. Implementation means that government is bound to implement the policy put in place for the business. Meaning, if government actively check the principles guiding any venture and makes sure it is followed, then most of the problems we have in NEPA giving epileptic light would be reduced. In Nigeria, the problem is not with the formulation of the policy but implementation of the policy, because the policy objectives of NEPA was not properly followed up. NEPA today is having problems even after being privatized and transferred to PHEDC.

NEPA is one of the federal public corporations, it is a totally state-owned public corporation. It functions as public utility. It has a legal backing as statutory public corporation. It was quasi-commercial which depended on government funding but with time, government could not fund it. NEPA was among the corporations that was partially commercialized. NEPA was expected to generate a fair proportion of the required financial resources but would receive government subventions to meet operating cost or future capital investment. NEPA was expected to charge economic price for its goods and services as well as keep appropriate record and publish regularly annual audited reports (Ikeji and Ekot, 2002).

DEVELOPMENT

A lot has been said on development. Many proponents have defined development in their own understanding. Oji and Ikeji (2002) explained development and modernization to show how to modernize and develop the structure, which will bring the need to train manpower that will bring about the desired development in the system.

For any country to grow, there is need to train manpower and manpower will absorb knowledge that is requisite for development. For them, without knowledge, we cannot get equipped with modern technology, so, the human capacity needs to be developed. The drive for development goes with the following: Economic dimension, technological dimension and knowledge dimension.

Economically: A country must understand the economic trajectory that she needs to develop and she has to plan along that line and planning involves human beings.

Technologically: Imbibing technological knowhow that has made other countries to develop and to integrate them into our own system, so as to drive all the indices necessary for development.

Knowledge. Manpower capacity is needed to expose developers to relevant knowledge necessary to drive the development. It has to do with the human beings, policy makers must determine the type of development they are looking for, is it capitalist, socialist, welfarist? For example, Nigeria is capitalist; they have to go to capitalist State to understand the kind of development they want. There is need to imbibe the knowledge culture that will bring about development outcome that the government has in mind. The developers need to design their parameters based on the ideological foundation of the development they have in mind. Abasiokong (1982) suggested what he calls Resurgence theory of development. This theory has as its emphasis the need to consider the peculiar socio-political and economic condition of Africa and what he calls the socio-cultural value structures of Africa. He says that true African life is captured in their unity, cooperative existence, and communalism and shared purpose. The sole aim of development in Africa should be development through poverty reduction, provision of infrastructure and the equitable distribution of resources. For them, African resurgence approach to development emphasizes the significance of social arrangements where mandate is to engage people to face issues of justice, liberty, inequality and sustainability from a communal or collective point of view. For Dudley seer (1963), when we talk of development, we should ask the following question, how do we curb absolute poverty, how do we

take care of unemployment and how do we solve the problem of inequality. Rodney (1972) says development is a many-sided process which is driven by specialized skill, freedom, creativity, self-discipline, responsibility for the purpose of improved material wellbeing. For Okereke and Ekpe (2002) development for the Neo Marxist is seen as the progress made when the inclusive community of mankind weighs that impact against their economic wellbeing. Development for the Neo Marxist, is not an abstract economic category but a process that involves many facets including structure, attitudes and institutions. It involves an integrated approach, which pursues an acceleration economic development and eradication of poverty.

THEORETICAL FRAMEWORK

Lily's model of development

Lily's Model of Development is a novel thought experiment articulated both to critique past development models and to reticulate an autonomous and distinct model of development which should be adopted in steering Africa's indigenous development. It calls for pure, faultless, sanitized, indigenous and autochthonous way of exploring, analyzing, prospecting, trajecting and engineering Africa's development.

The inherited western models have failed Africa because it was not a fit-all model. It is a model crafted to fit the western metropolitan nations with its logic of development wound around environment, need, psychology, education, experience, potentials, predilections and political ambitions. Africa's soil breeds her own needs, education, environment, experience, potentials and so our loci of development should be different and must be original to Africa from foundation to apex. (*Igbo call it "odi na na na e bu eke"*) Every soil grown its own kind of snake (plant).

We have chosen to call it the Lily's Model because like the proverbial Lily, it is envisaged to be pure, original, independent, faultless, uninfluenced by its environment, innocent of other development models. We can argue that all developments that are sustainable must adopt or had adopted Lily's Model of its own crafting without knowing it. Our attempt/effort is to delineate what Lily's Model entails? How does it work and how do we apply it to achieve development? Why Lily's Model is unique is that, it is inward looking, introspective, exploitative, not-dependency forming, deserving and convenient. It decries '*copy catism*' and obnoxious integrativism. It encourages innocuous integrativism that is rooted in originality, peculiarity, relevance, essentiality, necessity and is undefiling. It is "autarkic" without being disdainful or foolishly exclusive. Inclusivity is based on universal human mental and intellectual operations. Human minds can work in similar ways in solving human problems.

The Lily plant is pure, innocent, undefiled, white, original, unique, path finding, exemplary, peculiar, unique, transparent and purposeful. These are the elements that characterize Lily's Model of development.

NECESSITY FOR LILY'S MODEL OF DEVELOPMENT

Lily's Model of development is necessitated by the wisdom in the Chinese proverb which says 'No matter how far we have gone on the wrong road, the only option is to return to the right point? (retrace your steps)'. Our journey on the western path of development is flawed *ab-initio*. It is flawed because it was crafted to

- i. Exploit Africa
- ii. Keep Africa Underdeveloped

- iii.Keep Africa Dependent
- iv.Keep Africa mesmerized and entangled
- v.Make Africa producer of cheap raw materials and consumer of expensive finalized products
- vi.Make Africans desire, thirst and glamorize made in the west products and loathe, deride made in Africa products.
- vii.Create incurable, insatiable thirst in our leaders for exotic Western products
- viii.Create high stealing ability in our politicians – Hide their stolen wealth for them and pretend to fight corruption
- ix.To effect regime change immediately a transformational leader emerges in any African country.
- x.To manipulate Africa's economy, leadership and development by using CIA, KGB and multinational corporations.
- xi. To encourage brain-drain
- xii.To ensure that Africans do not pursue Lily's Model of Development.
- xiii.To undermine the economic growth of his nation.

To grow and develop, we must develop an independent mind and indigenous mind like Mu' ammar Gaddafi of Libya (Ozumba, 2022). For effectual implementation of the proposal, a mixture of Modernization, Motivation and analytical theories are also used.

Modernization theory

The theory is a theory of development that is hinged on the development drive that pursues the achievement of the indices of development and modernization. To modernize is to make more contemporary, following new methods, approaches and ways of doing things. Modernization extends the movement from old, atomistic and crude ways of doing things to a new, better, tested, effective, efficient way of doing things. It means employing new and better technology. This takes care of resilience, effectiveness, functionality, service delivery, more progressive and generally acceptable way of doing things. Modernization theories according to Asiabaka, et al (2013) will include inventing new methods, overhauling out model structure and infrastructure, offering new imperatives and perspectives in doing things, better assumptions based on tested outcomes. Modernization must be based on pragmatism and progressivism. Modernization must take into account the newest practices that obtain in other lands and must emulate and aspire to attain the most accepted indices of development. No nation modernizes in isolation.

With regards to the power sector, in modernizing the Nigerian power sector effort must be made to understudy those who have got it right and then see why our power sector is not working. This need for investigating and interrogating our failures in the power sector is what I refer to as the analytic theory. Analytic theory employs analysis. No serious solution can be provided for the teething and almost intractable problem in the power sector without a thorough analysis of the multilayered levels of problems that characterize the power sector in Nigeria. These will involve the analysis of the following components of the power sector.

- Adequacy/ inadequacy of the present facilities and infrastructure in the sector.
- The funding potential in the sector. It's adequate, sustainable and dependable?
- Do we have the requisite manpower that can tackle the rot in the system and provide leadership? Do we have personnel with the technical knowhow and expertise to deliver a modernized power

sector? Do the personnel have the moral qualification and emotional quotient to drive and sustain the envisaged development? Those are critical areas of deep analysis.

- Do we have the enabling environment? How reliable is the government support system? How do we grapple with the rampant and pervasive corruption perpetrated by government cronies? Analysis must be carried out to determine how entrenched these corruption and malaise are and the existential possibility of extirpating them.
- The last but very crucial area of analysis is leadership. Leadership of the nation and leadership of the power sector. There is need for synergy, cooperation and partnership in tackling the problem in the power sector. There is no doubt that there is the need for dynamic, visionary, transformative and goal-getting leadership that has the resolve, the will-power and the determination to turn around the sector and to achieve results. To achieve result there must be morally, impeachable leadership, supervision and proper oversight function, commitment and ruggedness. The corruption perpetuated and perpetrated at the different rungs of the administer ladder in the power sector is benumbing. There are so many sharp practices which make it difficult for the sector to attain the sector's proper operational running of the sector. This is what leads us to the final mix of our theory which is employed in this research and that is motivation theory.

Motivation theory holds that man is provoked to be at his best when sufficiently motivated and appreciated. Motivation includes the reason(s), push, factor, an incentive that cause a person to do what he probably would have been reluctant in doing. Motivation can come through verbal promise, action, encouragement, hope, better expectations, good feeling, and inner satisfaction or can come from increased pay, provision of enabling environment, welfare packages, promotion, vacation, privileges, staff development schemes are some of motivational packages that must be put in place to encourage workers to put in their best (Maslow, 1972). Nigerian workers on the average are hardly properly remunerated. Their conditions of service are nothing to write home about. Except for those in the oil sector, Politics and perhaps in banking sector, other workers are mere used as labourers who work without commensurate reward. This has led to "sharp practices", "cutting corners", corrupt practices and sabotage. Without proper and adequate motivation, there is little hope that things will ever be better in the power sector. The racketeering, the swindling of customers, the exorbitant estimated bills and outrageous tariffs will never end in the power sector. Only a comprehensive overhaul of the entire power sector with a deliberate and intentional clinical application of the mixture of theories discussed above will restore sanity to this almost moribund corporation.

Why PHEDC has failed to live up to its billing?

The electric companies in Nigeria are having lots of problems because of inherited systemic problems. These problems came as a result of poor or lack of vision on the part of our past rulers especially after the civil war. The post-civil war period was the period of "naira rain". The problem of government then, especially, the General Gowon era was not that of money but "how to spend it". Our leaders during this period suffered from short sightedness (they could not see far) it was a combination of myopism and astigmatism. This means that our leaders did not see far and did not see well. This led them to squander the wealth of the nation on needless jamboree like FESTAC during which Nigeria's money was not properly spent. The excess wealth would have been deployed to plan for the future. The leaders who fought for the independence of Nigeria thought well about the future of Nigeria. They exchanged money for value. They laid the foundation for the electricity we are having today. They built Kainji dam, shiroro, and explored the mambila dam. Our leaders who took over from them have been more concerned with self-aggrandizement, personal enrichment than projects that will enhance the common good. This is why today; Nigeria has not been able to exceed

5000 megawatts of electricity. During President Jonathan's time, spirited effort was made to change the situation. This led to the partial privatization of the electricity corporation of Nigeria. National Electric Power Authority of Nigeria (NEPA) was sold by interested government officials to their lackeys and stooges who instead of allowing the newly privatized co-operation to have a life of its own became yoked up with the Nigeria's treasury as a drain pipe. Though the name was changed from NEPA to PHEDC, it remained a government channel for transmitting such fund into private pockets. This meant that instead of witnessing improving power supply in Nigeria both the GENCOS and the DISCOS were generating more and more darkness. It is the case of a father-robber who carries his only son for rubbery expeditions. You can be sure that when the son grows up, he will exceed the exploits of his father in stealing. What is happening now is that all PHEDC workers from top to bottom are freely helping themselves with "free money" that is supposed to be used for the development of facilities. That has led to decayed infrastructure, inadequate facilities, lack of money to run the corporation. No funds to provide meters for customers, no transformers, no cables, in fact, everything that is connected to power supply are either unavailable or in short supply (Field work, 2022).

PHEDC has become the proverbial "bottomless pit" that can never be filled. The more you put into it, the more it yearns for more. They have now resorted to selling meters provided to be given to customers free. They are now beguiling customers to pay in advance for unavailable meters. They have increased tariff until it has become publicly unacceptable. They may have borrowed until banks are no longer willing to lend. This has led to eventual takeover of five ailing discos namely Kaduna, Kano, Port Harcourt, Benin and Ibadan for reaching the insolvent threshold. They were not able to pay back the loans granted them by some Banks (Field work, 2022). The situation is this bad. The same leprous governments that have been siphoning money through these Discos have rushed to take over the Discos. This means that the privatization had crashed. This is multiple tragedies. We are back to square one. Government needs money to revitalize PHEDC. The question now is, Is it as a privatized corporation, or as a Government Corporation? Either way, the government hangs on the horns of a precarious dilemma.

As a government corporation, the question is, how do you cure the endemic systemic corruption? How do we purge the corporation of the very corrupt handlers and other bad eggs and the chain of hangers on who are benefitting from the sleeze. These are from the high-ranking officers, workers and management staff whose appetites are insatiable. These chains of "suckers" will prefer to die than to stop sucking. The truth is that PHEDC seem dead and the various efforts of government will take serious work to resurrect it. (field work, 2022)

PROPER PUBLIC ADMINISTRATIVE MEASURES

The proper measure will be to address the cancer from the root. The root, the trunk and the branches are already cancerous. What has to be done is complete policy review. There is need for a new policy direction. This direction must involve new privatization guidelines with minimum or no government interference. The power sector should be opened up for several private investors to come with their funds to run our power sector with conducive and favorable terms.

In addition, government must ensure that there is security and that the funds invested by investors will be safe and their profit can be repatriated without let or hindrance. Government must hand off the funding of the power sector. All possible power sectors like hydro, solar, wind, etc should be allowed to develop to their full potential. This will need thorough policy frame works that will

include tax reliefs, exemptions, financial supports, security guarantees, enabling environment, and access to bank credits and so on.

RECOMMENDATIONS

- Investors need to be given free hand to produce their expertise
- To employ who they will
- To hire and fire according to rules
- Pay reasonable not excessive tax
- Be able to build the infrastructure, facilities without fear of government intervention and unwarranted revocations, etc.

Conclusion

With what we have discussed so far, it is clear that nothing but a complete and total discarding of the previous privatization exercise in this sector will do. The government should provide the enabling financial, environmental, personnel, operational and business atmosphere and then withdraw to allow a level playing ground for foreign direct investment (FDI) and home-based investments to compete freely to bring about both profitability and efficiency in the power sector. The present state of affairs which encourages unending bail out for this sector will never allow genuine progress in this sector. It will continue to serve as the cesspit of corruption and the drainpipe on our economy to the total embarrassment of government and the disappointment of the Nigerian power consumers.

We all knew when PHEDC staff were fighting for the under listed issues as:

- The none payment of arrears of salary,
- Disengagement without compensation of some of its/her members,
- Government refusal to negotiate with the union
- Issue of better working conditions and new salary structure which are all okay.

Yet Mr. Tietie was seen on Arise TV (2022) saying that all those on essential services have no right to go on strike and if they do, the Attorney General of the Federation (AGF) should sue them as their action amounts to terrorism. Mr. Tietie failed to balance his argument, while it is proper for government to oppress, impoverish, ignore, exploit and subjugate her citizens, is not terrorism, but when the citizens dare to ask that the Federal Government discharge her legitimate responsibilities towards her citizens, that becomes terrorism. A government can be a terrorist so can the citizens, depending on who is at fault. I think the unions were merely resisting what they feel is a terrorist government that is failing in taking care of the essential legitimate earned needs of her citizens.

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