WASREB
Water Services Regulatory Board

WATER ACT 2016 Section 139

# PUBLIC NOTICE

## PUBLIC PARTICIPATION ON PROPOSED REGULATORY DECISIONS FOR MACHAKOS COUNTY WATER AND SANITATION SERVICE'S FUNCTION

**NOTICE IS HEREBY GIVEN** to the general public, consumers of water services, sector stakeholders, and interested parties pursuant to the national values and principles of governance under Article 10 and consumer rights under Article 46 of the Constitution of Kenya; read together with Sections 72, 74, 87, 97, and 139 of the Water Act, 2016 and Regulation 22 of the Water Services Regulations, 2025.

The Water Services Regulatory Board (WASREB) has received formal applications and proposals regarding the reorganization of water services provision within Machakos County and intends to make regulatory decisions on the following matters:

**1. Proposed Clustering / Merger of Water Service Providers**

In accordance with Section 97 of the Water Act, 2016, and the WASREB Guidelines on Clustering of Water Service Providers, it is proposed to merge the operations, assets, and service areas of the following six (6) existing Water Service Providers (WSPs) operating in Machakos County into a single clustered entity:

i. Municipal Council of Machakos Water and Sewerage Company Limited
ii. Mavoko Water and Sewerage Company Limited
iii. Matungulu-Kangundo Water and Sewerage Company Limited
iv. Kathiani Water and Sanitation Company Limited
v. Mwala Water and Sanitation Company Limited
vi. Yatta Water Services Company Limited

The proposed clustering is aimed at realizing economies of scale, improving commercial viability, eliminating cross-boundary inefficiencies, reducing non-revenue water (NRW), and enhancing water and sanitation service coverage across Machakos County.

**2. Licensing of Machakos County Water and Sanitation Company PLC**

Following the proposed clustering an application has been lodged under Section 85 and Section 87 of the Water Act, 2016 read together with Regulation 54 of the Water Services Regulations 2025, for the issuance of a License to Machakos County Water and Sanitation Company PLC (MACWASCO) as the county-wide clustered Water Service Provider.

Proposed scope of license is provision of urban and rural water supply and sanitation services across all administrative sub-counties of Machakos County, subject to standard and special regulatory license conditions, minimum service levels, and performance targets set by WASREB.

**3. Proposed Regular Tariff Review Structure**

Pursuant to Section 72(1)(b) of the Water Act, 2016, an application for approval of an interim tariff structure for Machakos County Water and Sanitation Company PLC has been lodged to achieve operational cost recovery, maintenance, sustainability, and ring-fenced infrastructure investment.

A summary of the proposed tariff adjustments across consumer categories (Domestic/Residential, Commercial, Industrial, Institutional, and Public Water Kiosks) is available for inspection at the venues listed below.

**4. Inspection of Application Documents**

Detailed dossiers containing the Merger Justification and Feasibility Report, the Draft License Conditions, Performance Improvement Plans (PIP), and the Detailed Tariff Adjustment Memorandum may be accessed and inspected through:

I. WASREB Official Website: Download online at **www.wasreb.go.ke**
II. WASREB Headquarters: 5th Floor, SHA Building, Ngong Road, Nairobi **(Working hours: 8:00 AM – 5:00 PM, Monday to Friday)**.
III. Machakos County Department of Water, Irrigation, Environment and Climate Change: County Headquarters, Machakos

**5. Invitation to Public Participation and Submission of Comments**

Members of the public, civil society organizations, water user associations, and relevant stakeholders are invited to submit written memoranda, objections, representations, or comments on any or all the three proposed regulatory decisions.

Written comments on the proposed clustering, interim license and interim tariff can be emailed to WASREB at **info@wasreb.go.ke**. Hard copies can be submitted to:

**The Chief Executive Officer,**
**Water Services Regulatory Board,**
**5th Floor SHA Building,**
**Ngong Road,**
**P.O Box 41621 -00100,**
**NAIROBI.**

The closing date for receipt of comments is **30 days** after the publication of this notice.

Please note that Water Services Regulatory Board (WASREB) shall hold hybrid public consultation meetings (physical and virtual) in the **seven (7)** sub-counties of Machakos County as outlined below.

| S/ NO. | SUB-COUNTY | VENUE | DATE AND TIME | TYPE OF APPLICATION |
|---|---|---|---|---|
| 1 | Mavoko | Portland Sports club | 17th November 2026 10.00 am | Clustering, Interim Licence & Interim Tariff |
| 2 | Machakos | Machakos Town Social Hall | 18th November 2026 10.00 am | Clustering, Interim Licence & Interim Tariff |
| 3 | Matungulu | Precious Blood Convention Centre Tala | 19th November 2026 10.00 am | Clustering, Interim Licence & Interim Tariff |
| 4 | Masinga | Catholic Church Hall, Masinga | 20th November 2026 10.00 am | Clustering, Interim Licence & Interim Tariff |
| 5 | Yatta | Imperial Hotel Matuu | 23rd November 2026 10.00 am | Clustering, Interim Licence & Interim Tariff |
| 6 | Mwala | Green Hub Hotel Masii | 24th November 2026 10.00 am | Clustering, Interim Licence & Interim Tariff |
| 7 | Kathiani | Kathiani Chief's Office Hall | 25th November 2026 10.00 am | Clustering, Interim Licence & Interim Tariff |

Participants should be seated by **10.00 am.** Personal identification of participants will be required.

Members of the public who wish to participate virtually may request the meeting link from Machakos County Water and Sanitation Company PLC through **info@wareb.go.ke**

**CHIEF EXECUTIVE OFFICER**
**WATER SERVICES REGULATORY BOARD**

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