

Excerpt from State response submitted to court on December 27, 2007, HJC 9132/07

- 4. First**, the honorable court requested that the respondents present the information that was provided during Col. Muktar's meeting with the Palestinian Energy Authority, as well as the details provided about the humanitarian situation in the Gaza Strip and the impact of the electricity restrictions on its residents. **The said facts below in this paragraph are supported by the statement of head of the Department of Investigations at the Operations Branch at Headquarters of the Coordinator of Government Activities in the Territories.**
 - a. We seek to update the honorable court about that the meeting that took place on November 23, 2007. The Palestinian representatives present at the meeting were the deputy chairman of the Palestinian Energy Authority, the acting executive director of the Palestinian Electric Company in Gaza and two technicians.
 - b. At the meeting, the Palestinian side was updated regarding the main points of the plan to restrict supply of electricity to the Strip, such as the expected implementation date and the phases of the plan. The Palestinian representatives were also informed they would be responsible for making the appropriate preparations for the restriction of electricity supply.
 - c. At the meeting, the IDF representatives made clear to the Palestinian side that the planned low level of restrictions at this point in time (a 5% percent gradual reduction), is intended to prevent a negative impact on humanitarian facilities, as much as it is within Israel's power to do so.
 - d. The Palestinian representatives made clear at the meeting that they do not have the capacity to internally regulate **the electrical current on the distribution lines coming in from Israel.** This means that they cannot transfer electricity from any line that has been restricted to any of the other lines. However, the Palestinian representatives stated that **they do have the capacity to regulate** the internal distribution grid, i.e., they have the capacity to regulate loads within the area which all four lines to be restricted serve, by reducing the electricity consumption within the distribution area of each line. The Palestinian representatives also noted that this was done already, even though the restriction of electricity supply to the Strip has not yet begun.

- 5. Second**, the honorable court requested additional information with regards to the additional transformer that was supposed to be brought to the Strip and its impact on the supply and regulation of electricity in the Strip. **The said facts below in this paragraph are supported by the statement of head of the Department of**

Investigations at the Operations Branch at Headquarters of the Coordinator of Government Operations in the Territories.

With regards to this issue, the respondents wish to point out that the additional transformer has been brought to the Strip. The arrival of the additional transformer is supposed to increase capacity to carry electricity from the power station to the consumers. In the respondents' estimation, the increased supply to the Strips' consumers will be in the range of 15-20 megawatts.

6. Third ...

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- a. First, as noted above, during the meeting with the representatives of the Coordinator of Government Activities in the Territories on November 23, 2007, the Palestinian representatives themselves stated that the Palestinian electric system has the capacity to reduce loads within the area which the electric lines reach. (Though it cannot regulate the various lines that come from Israel.) Moreover, the Palestinians themselves stated that they already make use of the said regulation capability, even though Israel has not yet commenced restrictions of electricity supply to the Strip. Thus, for example, the Palestinians confirmed their capacity to reduce consumption on one line in order to enable to proper functioning of a hospital.
- b. Second, the head of the Electricity Administration in Israel made clear during the Court hearing that the capacity to reduce loads is not solely dependent on the electricity grid infrastructure. Indeed, **with a modern electrical infrastructure it is possible to reduce loads with more advanced methods and by remote control. With an electrical grid of an older variety (and this is apparently the situation in the Strip) the reduction of loads must be done by more primitive methods.**

For example, as the director of the Electricity Administration explained in the Court hearing, in a case where the load on one of the lines is nearing the set limit, the governing authorities in the Strip have the capability to cut off the electricity to facilities which are non-essential in humanitarian terms (such as workshops producing Qassam rockets, non-essential industry, government institutions, etc.) by "turning off" the main switch on the electrical switchboards of those places.

Thus it will be possible to reduce the general consumption of electricity on each of the lines and to prevent a negative impact on humanitarian facilities, such as hospitals. It is possible that such a load reduction will require the physical presence of representatives of the Strip's governing entity at the electrical switchboards of those facilities (if they are not there

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in any case), but there is no doubt that there is no obstacle to them doing this.

There are additional avenues for reducing the consumption of electricity on each of the lines, other than a physical presence at those places. In cases where the load is nearing the limits that Israel will impose, the authorities in the Strip can, for example, ask the Strip's consumers, via the media, to reduce use of electrical appliances at certain times of the day which are the most overloaded hours, etc.

- c. The Director of the Operations and Engineering of the Beersheva Region in Israel Electric's Southern District (hereafter: **the district engineer**) has in recent years has been Israel Electric's contact person with the relevant Palestinian bodies in the Gaza Strip. The district engineer stated that from what he has observed in his professional capacity, the Palestinians have the capability to reduce and manage loads through the opening and closing of "network disconnectors" within the Strip's territories. In addition, in various meetings between the district engineer and Palestinian representatives he was told in explicit terms by the Palestinian representatives that **they have made use of this capability**. These things corroborate what the Palestinian representatives told Col. Muktar in their meeting with him described above.

7. **Fourth**, the honorable court asked the respondents for details with regards to the destination of the electric lines that run to the Strip which will have their supply restricted, making note of the essential facilities that receive their electricity supply from these lines. **The said facts below in this paragraph are supported by the statement of head of the Department of Investigations at the Operations Branch at Headquarters of the Coordinator of Government Activities in the Territories.**

As noted in the previous statements of the respondents, according to the plan to restrict electricity supply that was in effect, the restriction of electricity supply was supposed to be implemented by limiting the maximum consumption on only four out of the ten lines that pass into Gaza from Israel. The plan to restrict the electricity, the extent of which will be decided based on the updated figures, will continue to relate to only the above four lines. Those four lines are:

- a. The "Nekorot" line which runs to the east, south-east and center of Gaza City. To the best of the respondents' knowledge, there are two hospitals in this area.
- b. The "Hemda" line which runs to the south-east of Gaza City. The respondents know of no hospitals in that area.
- c. The "Iron" line which runs to the north and north-east of Gaza City. To the best of the respondents' knowledge, the Shifa hospital is the only one in this area.

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- d. The “Shiryon” line runs to Khan Yunis, Abasan, Bani Suheila and Kharaba Khuza'a. To the best of the respondents' knowledge, there are two hospitals in these areas.
8. Beyond this, the respondents know that there are additional medical facilities operating in the areas which the above four lines serve. But, as was written in the previous statement, the respondents do not have precise information with regards to all the clinics and essential humanitarian facilities in those areas, and the above details are based on the partial information which they do possess. The respondents also do not possess precise information with regards to the backup systems at the various facilities, which the petitioners claim cannot operate in a continuous manner. In addition, it is clear that even after the restriction of electricity to these areas, in light of the fact that the restrictions will be very small at this stage, there will be no real impact on the essential facilities. This is based on the assumption that the government in the Strip will give priority to the consumption of electricity by these essential facilities.