



CONSULTATION

Newmont Power Pty Ltd

AMENDMENT OF ELECTRICITY DISTRIBUTION LICENCE

The Economic Regulation Authority is seeking public comment on an application by Newmont Power Pty Ltd (**Newmont**) to amend its electricity distribution licence EDL4.

Newmont is seeking to have its electricity distribution licence amended to provide an exemption from having to comply with the *Electricity Industry Customer Transfer Code 2004* (**Transfer Code**).

Under section 11, Schedule 1(k) of the Act, the Authority may determine the terms and conditions applying to a licence, including requiring the licensee to observe specified codes. Specified codes include any codes issued by the Authority or the Minister for Energy under section 39 of the Act. The Transfer Code is made under section 39 of the Act.

Currently, all electricity licences include a condition (clause 5) requiring licensees to comply with any applicable legislation. Applicable legislation is defined in the licence and includes the Act, regulations and codes that apply to the licensee.

The Authority has interpreted the application submitted by Newmont as being a request to amend the distribution licence to remove the requirement for Newmont to observe the Transfer Code, subject to the condition that there is only one retailer (Newmont) accessing the Newmont distribution system.

Newmont also holds electricity retail licence ERL9. The single customer referred to in the amendment application is supplied under Newmont's retail licence.

A copy of the amendment application can be obtained from the Authority's [website](#).

Interested parties are invited to make submissions on the proposed amendment by **4:00 pm (WST) on Friday, 27 July 2012**.

Submissions should be marked to the attention of Rasmus Moersch, Assistant Director Licensing.

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Office address: Level 4, Albert Facey House, 469 Wellington Street, Perth WA 6000

Email address: publicsubmissions@erawa.com.au

Confidentiality

In general, all submissions from interested parties will be treated as being in the public domain and placed on the Authority's website. Where an interested party wishes to make a submission in confidence, it should clearly indicate the parts of the submission for which confidentiality is claimed, and specify in reasonable detail the basis for the claim. Any claim of confidentiality will be considered in accordance with the provisions of Section 51 of the *Economic Regulation Authority Act 2003*

The publication of a submission on the Authority's website shall not be taken as indicating that the Authority has knowledge either actual or constructive of the contents of a particular submission and, in particular, whether the submission in whole or part contains information of a confidential nature and no duty of confidence will arise for the Authority.

For further information contact:

General Enquiries

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STEVE EDWELL

MEMBER

4 July 2012