

## **NOTICE**

### **APPLICATION RECEIVED FOR ELECTRICITY GENERATION LICENCE**

**19 March 2007**

The Economic Regulation Authority is assessing an application from Griffin Power 2 Pty Ltd for a licence to generate electricity through its Bluewaters 2 power station, located in the Coolangatta Industrial Estate in the Shire of Collie.

The company made the application on 13 March 2007.

The Authority is responsible for licensing electricity supply services in Western Australia (under the *Electricity Industry Act 2004*) and must take all reasonable steps to decide on the application within 90 days of it being made.

This is subject to the Authority being satisfied that it would not be contrary to the public interest to do so if it is satisfied that the applicant:

- a) has, and is likely to retain; or
- b) will acquire within a reasonable time after the grant, and is then likely to retain,

the financial and technical resources to undertake the activities authorised, or to be authorised, by the licence.

The information as provided by the applicant is attached.

For further information contact:

#### **General Enquiries**

Mr Mick Geaney  
Assistant Director Licensing  
Ph: 61 8 9213 1900  
Fax: 61 8 9213 1999

#### **Media Enquiries**

Mr Paul Byrne  
Byrne & Byrne Corporate Communications  
Ph: 61 8 9385 9941  
Mb: 0417 922 452

**LYNDON ROWE**  
**CHAIRMAN**

19 March 2007

**APPLICATION FOR AN ELECTRICITY SUPPLY LICENCE**  
*Electricity Industry Act 2004 (WA)*

To: The Economic Regulation Authority  
6<sup>th</sup> Floor, 197 St Georges Terrace  
PERTH WA 6000

**Introduction**

This application is to the Economic Regulation Authority ('Authority') under the provisions of the *Electricity Industry Act 2004 (WA)* ('Act'). Applicants should be aware of the Act's licensing provisions. The Authority can assist an applicant in preparing an application and provide advice in relation to the information required as part of the licensing process. However, it is the responsibility of the applicant to ensure that the application complies with the Act. The application consists of this form and written submissions addressing the matters detailed in the Attachment. All information including plans should be submitted to the Authority in triplicate, together with an electronic copy of all information in a suitable format. The application fee must accompany this application.

If the applicant comprises more than one legal person (e.g. a Joint Venture) the information required for this application is to be provided for each such person.

The Authority is bound by its obligations relating to confidential information in the *Public Sector Management Act 1994 (WA)* and the *Economic Regulation Authority Act 2003 (WA)*.

Accordingly, the Authority has a very strict privacy policy regarding sensitive business and commercial information which is provided to the Authority as part of an electricity supply application or pursuant to the terms of a licence.

The Authority is bound by the *Freedom of Information Act 1992 (WA)* ('FOI Act'). However, section 33 of the FOI Act obliges the Authority to consult with a party who has provided it with commercial or business information as to whether the Authority should provide access to the material.

Further, the Authority will not provide information to an applicant under the FOI Act if the disclosure:

- (a) would reveal trade secrets of a person;
- (b) would reveal information (other than trade secrets) that has a commercial value to a person and disclosure could reasonably be expected to destroy or diminish that commercial value; or
- (c) would reveal information about the business, professional, commercial or financial affairs of a person; and disclosure could reasonably be expected to have an adverse effect on those affairs or to prejudice the future supply of information of that kind to the Government or to an agency.

Finally, under the FOI Act, if the Authority resolves to release commercial or business information the party who has provided it to the Authority can ask the Authority to review the decision internally or may have the decision reviewed by the Information Commissioner at the Department of Premier Cabinet 197 St Georges Terrace Perth WA 6000.

For this reason, the Authority recommends that applicants identify documents which may fall within provisions of section 33 of the *Freedom of Information Act 1992 (WA)* ('FOI Act') which contain:

- (a) Information (other than trade secrets) that has a commercial value to the business; or
- (b) Any other information concerning the business, professional, commercial or financial affairs of the business.

Accordingly, the Authority seeks the applicant's views as to whether the documents contain matter that is exempt matter under clause 4 of the Schedule 1 of the FOI Act. If the Authority decides that this matter is exempt matter the Authority will refuse access to the documents by any third parties.

<b>Applicant's Details</b>	Name	Griffin Power 2 Pty Ltd
	Registered Office (if a Corporation)	15 <sup>th</sup> Floor, 28 The Esplanade PERTH WA 6000
	Principal Place of Business (if different from Registered Office)	

<b>Contact Details</b>	Contact Name	Wayne Trumble
	Mail Address	15 <sup>th</sup> Floor, 28 The Esplanade PERTH WA 6000
	Email	wayne.trumble@thegriffingroup.com.au
	Telephone	(08) 9261 2817
	Fax	(08) 9486 7330

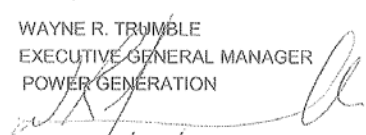
<b>Company Structure</b>	ABN or ACN	ABN 57 122 896 968
	Legal Nature of Applicant	Proprietary Limited Company
	Place of Incorporation	Western Australia

<b>Classification of the Licence Application</b>	Type of Licence Application	Generation <input checked="" type="checkbox"/> X Transmission <input type="checkbox"/> Distribution <input type="checkbox"/> Retail <input type="checkbox"/> Integrated Regional <input type="checkbox"/>
For Generation and Integrated Regional Licences only	Installed Capacity	_____ 220 _____ megawatts
For Transmission and Integrated Regional Licences only	Transmission System Length	_____ kilometres
For Distribution and Integrated Regional Licences only	Distribution System Length	_____ kilometres
For Retail and Integrated Regional licences only	Number of Customers	_____

<b>Designated area of the Licence Application</b>	Specific Area and/or Address to be covered by this licence.	Bluewaters Power Station _____ Coolangatta Industrial Estate _____ Collie, WA _____
	If the area covered by this licence is restricted to less than 4 Local Government Areas (LGAs) please list	Licence covers > 3 LGAs <input checked="" type="checkbox"/> X Else specific LGAs covered 1 _____ 2 _____ 3 _____
	Region(s) to be covered by this licence	Perth Metropolitan <input checked="" type="checkbox"/> X Gascoyne <input type="checkbox"/> Goldfields-Esperance <input checked="" type="checkbox"/> X Great Southern <input checked="" type="checkbox"/> X Kimberley <input type="checkbox"/> Mid-West <input checked="" type="checkbox"/> X Peel <input checked="" type="checkbox"/> X Pilbara <input type="checkbox"/> South West <input checked="" type="checkbox"/> X Wheatbelt <input checked="" type="checkbox"/> X

*Certification – Acknowledgement of Commitment*

I declare that the information provided in this application is correct to the best of my knowledge and I am aware of the requirements under the Act for the licence being applied for and that I have the authority to make this application on behalf of the above entity.

Signed by or on behalf of the applicant<sup>1</sup>. Name: WAYNE R. TRIMBLE  
 Position: EXECUTIVE GENERAL MANAGER  
 POWER GENERATION  
 Signed:   
 Date: 12/3/07

<sup>1</sup> If signed on behalf of the applicant please attach the relevant authority to bind the applicant.