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Mr Adam Phillips
Licensing, Monitoring and Customer Protection Division
Economic Regulation Authority
Level 6 Governor Stirling Tower
197 St George's Terrace
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Dear Adam

RE: Electricity Industry Guideline and draft Electricity Generation Licence

Alinta welcomes the opportunity to respond to the Economic Regulation Authority ("the Authority") and provides the following initial comments for discussion with regard the draft guideline "Electricity Industry Guideline: Information for Licence Applicants" ("guideline") and the draft standard form Generation Licence:

Draft standard form Generation Licence	
Clause	Comment
Schedule 1, Clause 4	This is an extremely broad provision. It allows for extensive requests to be made, which may require large volumes of information to be produced. Additionally, certain information, such as contracts etc, have specific confidentiality requirements which the party is held to. It is Alinta's preference to have this clause qualified for reasonableness.
Schedule 2, Clause 5.3	Whilst the timeframe for notification is acceptable, the clause does not differentiate between the times the breach is identified as opposed to when it actually occurred.
Draft Electricity Industry Guideline	
<i>Note: The following comments have been supplied previously, however they have been re-iterated for completeness as the guideline does not appear to reflect any amendments from the previous version.</i>	
Clause	Comment
General	Alinta would consider the majority of the information supplied with a licence application to be considered confidential and would require assurances of the mechanisms employed by the Authority to ensure that confidentiality would be preserved.

	Whilst Alinta recognises the need for a comprehensive licensing framework for the electricity industry in Western Australia, Alinta remains concerned that the information provided under such a framework is not overly onerous on applicants.
	What distinction is required between owner and operator? Are there separate information requirements for each entity?
	What is the expected timeframe to have the guideline completed?
6.1.5	Is a statutory declaration necessary? Would a statement to the same effect be acceptable?
6.3	It is likely that a generator is likely to apply for a licence prior to committing to the construction of a power station to offset the risk of the application being denied. Therefore it is likely that the details specified (such as details of construction activities in 6.3.3) might not be available at the relatively early stages of a project.
6.3.2.7	What detail is required for 'fuel supply arrangements'? Alinta would not release its supply contracts to third parties. Though it would be willing to provide evidence of the existence of the required arrangements.
6.3.2.10	Estimates can only be provided prior to completion of commissioning.
6.3.7	If licences reside in a separate entity within a corporate group, does this still apply?
6.4	The requirements are very general. Further guidance would be required to ensure that the application includes the necessary information to assist the Authority in the decision.
8.12	Whilst legislative support may exist for this clause, Alinta remains concerned about the broad nature and potential impacts of this clause.

I look forward to discussing these comments and the guideline further. Should you have any questions, please contact me on 08 9486 3156.

Yours faithfully

Justin Scotchbrook
MANAGER WA REGULATORY DEVELOPMENT