

# Decision to Revoke the Shire of Northampton's Operating Licence No.25

13 December 2007

Economic Regulation Authority



WESTERN AUSTRALIA

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## DECISION

1. On the 30 November 2007, the Shire of Northampton applied to the Economic Regulation Authority for a cancellation of its Operating Licence 25.
2. The application for the revocation of this licence was made pursuant to clause 13(d) of the existing Operating Licence 25 (licence).
3. Pursuant to clause 13(d) of the licence, the Authority approves the revocation of the Shire of Northampton's licence.

## REASONS

1. On 13 November 2007, the Governor of Western Australia granted the Shire of Northampton a licence exemption to operate the Port Gregory non-potable water supply service for a period of 2 years. The Exemption Order was published on page 5697 of the Government Gazette No. 237. The Exemption Order expires on 14 November 2009.
2. As a consequence of the Exemption Order the Shire of Northampton has requested the Authority to cancel its licence.
3. The Authority does not have the authority to unilaterally cancel a licence; however pursuant to Clause 13(d) of the Operating Licence, the Authority may revoke a licence at the request of the licensee.
4. The Authority notes the existence of the exemption for all practical purposes cancels the licence and to maintain the licence would be a clear contradiction of the exemption order.
5. The Authority therefore agrees to the revocation of the licence.
6. The Authority will publish a notice of its decision to revoke the licence in the *Government Gazette* as soon as is practicable.

LYNDON ROWE  
**CHAIRMAN**