

Decision on the Amendment of Electricity Integrated Regional Licence EIRL1

EDL NGD (WA) Pty Ltd

26 February 2010

Economic Regulation Authority

 WESTERN AUSTRALIA

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DECISION

- 1 Pursuant to sections 9 and 21 of the *Electricity Industry Act 2004* (Act), the Economic Regulation Authority (Authority) approves the amendment of EDL NGD (WA) Pty Ltd's Electricity Integrated Regional Licence 1 (EIRL1). The amendment removes the obligations related to the distribution system from the licence.
- 2 As required by section 23(1) of the Act, the Authority will publish a notice of its approval of the amendment in the *Government Gazette* as soon as is practicable.

BACKGROUND

The *Electricity Industry Exemption Amendment Order 2009* (2009 Order) was published on 9 October 2009 and amends the *Electricity Industry Exemption Order 2005*. Clause 18 of the 2009 Order is as follows:

18. Exemption for EDL NGD (WA)

- 1 EDL NGD (WA) Pty Ltd (ABN 35 070 941 721) is exempt from the *Electricity Industry Act 2004* section 7(3) for the underground distribution network joining the power station site and the sub station site identified in Plan No. ERA-EL-001.
- 2 The distribution network is depicted as ***HV Cabling Route*** in Plan No. ERA-EL-001 a copy of which is shown for information in Schedule 1 Division 2.

On 5 February 2010, EDL NGD (WA) Pty Ltd (EDL) wrote to the Authority requesting an amendment to their Electricity Integrated Regional Licence EIRL1. The request was for the Authority to remove the obligations related to the distribution system from EIRL1, consistent with clause 18 of the 2009 Order.

REASONS

- 1 Pursuant to section 21 of the Act, the Authority may amend a licence if it is satisfied that the Applicant: has made the application in a form approved by the Authority; paid the prescribed application fee; and where a requirement has been made for additional information, the relevant information has been provided to the Authority. EDL has satisfied all of these requirements
- 2 The Authority is satisfied that clause 18 of the 2009 Order applies to the distribution system covered by the EDL licence.

LYNDON ROWE
CHAIRMAN