

**Applicant Details**

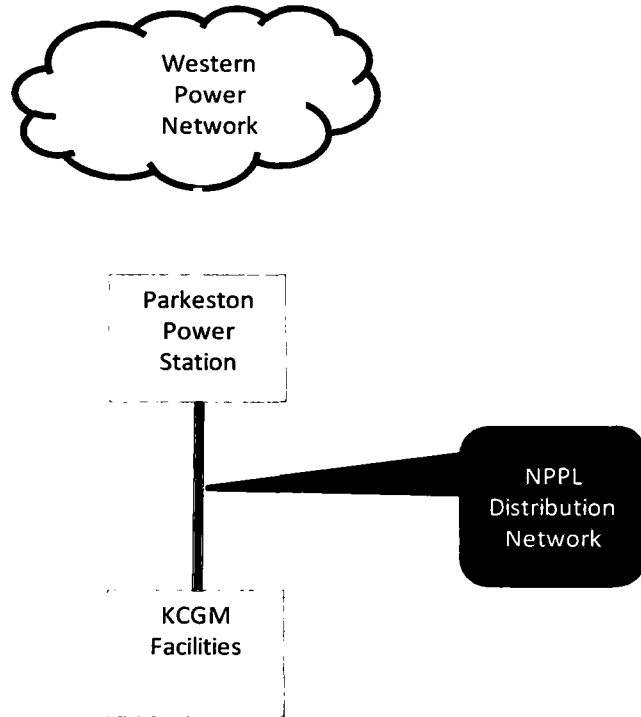
Applicant Details	
Name	Newmont Power Pty Ltd
Registered Office (if a Corporation)	Level 1, 388 Hay Street Subiaco WA 6008
Principal Place of Business (if different from Registered Office)	As above

Contact Details	
Primary Contact Name	Tim Gordon Senior Advisor Power and Joint Ventures
Mail Address	P.O. Box 1652 Subiaco WA 6904
Email	tim.gordon@newmont.com
Telephone	(08) 9423 6239
Mobile	N/A
Fax	(08) 9423 6234

Company Structure	
ABN or ACN	85 065 116 841
Legal Nature of applicant	Proprietary Company
Place of Incorporation	South Australia

Application Details	
Licence No	EDL 4
Reason for and Details of the Amendment	<p>The explanatory memorandum for the Electricity Industry Act 2004 (WA) (Act) in relation to section 8 of that Act allows for exemptions from the Act where exemptions "provide the ability to recognize unique supply circumstances which, although they would otherwise require a licence, may not be practical to license. Examples in this regard could include.....the sale of electricity to a single large customer".</p> <p>At the time of section 8 of the Act coming into force Newmont Power Pty Ltd (NPPL) supplied power to more than one customer connected to its network. Due to termination of supply arrangements since then, from 2011 there has only been one customer (Kalgoorlie Consolidated Gold Mines Pty Ltd (KCGM)) connected to this network. KCGM is a contestable customer under the Act and is owned in a Joint Venture arrangement by NPPL's ultimate parent company.</p> <p>The distribution network licensed under EDL 4 is a small 33kV network. The network contains no meters or protection devices (metering and protection is undertaken by others before the electricity is delivered into the network) and lies almost entirely on tenements controlled by the single large customer. A simplified diagram of the network configuration is shown on the following page.</p> <p>There are no known other potential customers in the vicinity of the network and it is not NPPL's intention to seek out further customers. As a result of the tenement control by KCGM, it is not expected that any other customers will be able to locate near the network, and in any event most of the network is paralleled by or adjacent to existing distribution lines owned and operated by Western Power.</p> <p>Many of the requirements of the Customer Transfer Code are suited to large networks with many customers, and target the protection of non-contestable customers. Application of these code requirements in the situation described above is unnecessary, onerous and does not serve the public interest.</p> <p>Accordingly, as NPPL now only distributes power to this single large customer, NPPL makes application pursuant to s.11 and Schedule 1(k) of the Electricity Industry Act for exemption from the Customer Transfer Code in its entirety for the duration that it has this single large customer.</p> <p>This application is consistent with the explanatory memo to the Act mentioned above which contemplates that there may not be a need to impose licence conditions in circumstances involving the sale of electricity to a single large customer.</p> <p>Should this amendment application be granted, NPPL undertakes to advise the ERA should there ever be more than one customer connected to this network, and agrees that in the event this happens that the exemption from Customer Transfer Code would be lifted.</p>

SIMPLIFIED DIAGRAM - NPPL EDL4 DISTRIBUTION NETWORK



Note: Add more space as necessary


**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>8</sup>.

Name: Phillip Starkle

Position: Director – Newmont Power Pty Ltd

Signed:  .....

Date: 21 June 2012

<sup>8</sup> If signed on behalf of the applicant, please attach the relevant authority to bind the applicant.