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GOVERNMENT NOTICE

DEPARTMENT OF MINERALS AND ENERGY

No. 1222

14 November 2008

NATIONAL ENERGY REGULATOR**NOTICE IN TERMS OF SECTION 2(3)(a) OF BOTH****THE GAS REGULATOR LEVIES ACT 2002 (NO.75 OF 2002)****AND OF****THE PETROLEUM PIPELINE LEVIES ACT 2004 (NO.28 OF 2004)****Proposed Levy on the Piped-Gas and Petroleum Pipeline Industries for 2009/10**

The Energy Regulator approved the revised NERSA Strategic Plan (2009/10 – 2011/12) and Business Plan with Budget (2009/10) at its meeting of 30 October 2008.

The total revised NERSA Expenditure Budget amounts to R185 677 212 for 2009/10 (2008/09: R149 539 429) with the specific budgets for the three industries being as follows:

- Electricity Industry: R110 943 836 (2008/09: R95 356 241)
- Piped-gas Industry: R 32 746 441 (2008/09: R22 170 502)
- Petroleum Pipelines Industry: R 41 986 935 (2008/09: R32 012 686)

This expenditure budget represents an increase of 24.2% over the expenditure budget for the National Energy Regulator for the financial year 2008/09, submitted to the Minister of Minerals and Energy at the end of September 2007.

Taking into account the decision of the Energy Regulator to deal with the accumulated surplus reported in NERSA's Annual Financial Statements as at 31 March 2008, the total required NERSA Income Budget amounts to R139 055 226 for 2009/10 (2008/09: R112 875 779) with the specific budgets for the three industries being as follows:

- Electricity Industry: R78 152 200 (2008/09: R66 391 446)
- Piped-gas Industry: R29 886 194 (2008/09: R18 472 758)
- Petroleum Pipelines Industry: R31 016 832 (2008/09: R28 011 575)

The income budget represents an increase of 23.2% over the income budget for the National Energy Regulator for the financial year 2008/09, submitted to the Minister of Minerals and Energy at the end of September 2007.

Proposed Piped-Gas Levy 2009/10

The proposed levy to be imposed on the piped-gas industry is **18.9916 c/Gj** (2008/09: 14.5675 c/Gj) in respect of the amount of gas, measured in Gigajules, delivered by importers and producers to the inlet flanges of transmission or distribution pipelines and will be paid by the person holding the title to the gas at the inlet flange. The levy shall be payable to the National Energy Regulator, as from 1 April 2009 to 31 March 2010, by persons concerned.

The proposed levy was determined based on an estimated volume of 157.4 million GJ per annum and the 2009/10 Business Plan and Budget requirement, for the regulation of the piped-gas industry, of R29 886 194 as documented above.

Proposed Petroleum Pipeline Levy 2009/10

The proposed levy to be imposed on the petroleum pipelines industry is **0.1724 c/litre** (2008/09: 0.1534 c/litre) in respect of the amount of petroleum, measured in litres, delivered by importers, refiners and producers to the inlet flanges of petroleum pipelines and will be paid by the person holding the title to the petroleum immediately after it has entered the inlet flange. The levy shall be payable to the National Energy Regulator, as from 1 April 2009 to 31 March 2010, by persons concerned.

The proposed levy was determined based on an estimate of 18 billion litres per annum and the 2009/10 Business Plan and Budget requirement, for the regulation of the petroleum pipelines industry, of R31 016 832 as documented above.

The National Energy Regulator, acting under section 2(3)(a) of both the Gas Regulator Levies Act, 2002 (Act No. 75 of 2002) and the Petroleum Pipeline Levies Act, 2004 (Act No. 28 of 2004), hereby publishes the proposed levies on the piped-gas and petroleum pipeline industries for the 2009/10 financial year to bring it to the attention of stakeholders in the piped-gas and petroleum pipeline industries and invite representations to be made to the Energy Regulator within thirty days of the date of this publication. The Executive Summary of the revised NERSA Strategic Plan (2009/10 – 2011/12) and Business Plan with Budget (2009/10) is available on the NERSA website: www.nersa.org.za.

Representations must be addressed to:

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