



Electricity

Licence



Electricity Generation Licence

OneSteel Manufacturing Pty Ltd

ACN 004 651 325

This licence was issued by the **Commission** on 1 January 1998 and last varied on the date specified below.



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Natasha Cheshire
Acting Chief Executive Officer and Commission authorised signatory

27 April 2022

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Date

Variation history

Amendment number	Variation date	Reason
1	6 June 2007	
ESCOSA02	8 August 2019	Licence varied to reflect amendments to the Act and update outdated references.
ESCOSA03	April 2022	Licence varied to reflect changes following the implementation of SSNI to remove operational and annual return reporting requirements, together with minor administrative variations to update outdated references and formatting.

1 Directions, approvals, authorisations and notices

- 1.1 A direction, approval, authorisation or notice under this licence:
- (a) must be in writing signed by the person authorised to give it; and
 - (b) may be given, varied or revoked from time to time.
- 1.2 An approval or authorisation under this licence:
- (a) may be given or withheld at the absolute discretion of the person authorised to give it; and
 - (b) may be given subject to conditions.

2 Term

- 2.1 This licence commences on the date it is issued and continues until it is:
- (a) surrendered by the **licensee** under section 29 of the **Act**; or
 - (b) suspended or cancelled by the **Commission** under section 37 of the **Act**.

3 Scope of licence

- 3.1 This licence authorises the **Licensee** to undertake the **Operations** in accordance with the terms and conditions of this licence.
- 3.2 The **Licensee** must not supply electricity to a person if the **Licensee** is aware that the person does not hold a licence (if any) required under the **Act** authorising the person to undertake the operations in respect of which that electricity is supplied.
- 3.3 The **Licensee** must ensure that any risk of death or injury to a person, or damage to property, arising out of the **Operations** is eliminated or minimised.

4 Audit of operations

- 4.1 The **Licensee** must, at its own expense, undertake any audit of its **Operations** reasonably required by the **Commission**, in a manner and form determined by the **Commission** from time to time, for the purpose of determining whether or not it has complied with the **Act**, applicable **Codes** and this licence and must provide a copy of the results of that audit to the **Commission**.

5 Compliance with Codes

- 5.1 The **Licensee** must:
- (a) comply with the **Electricity Transmission Code** as varied from time to time; and
 - (b) comply with any other **Code** or **Rule** made by the **Commission** from time to time, relevant to the **Licensee**.
- 5.2 The **Licensee** must, from time to time, provide to the **Commission**, in a manner and form determined by the **Commission**:

- (a) details of the **Licensee's** financial, technical and other capacity to continue the operations authorised by this licence; and
- (b) such other information as the **Commission** may require from time to time.

6 System controller and AEMO

- 6.1 The **Licensee** must, following a request from **AEMO**, provide to **AEMO**, such documents or information as it may reasonably require to perform its functions, and exercise its powers under the **Act**.
- 6.2 The **Licensee** must comply with any directions given to it by the **System Controller**.

7 Interruption of supply

- 7.1 The **Licensee** must, in undertaking the **Operations**, use best endeavours to minimise the frequency and duration of outages or supply interruptions.

8 Compliance with regulatory requirements

- 8.1 The Licensee must comply with all applicable laws including, but not limited to, any technical or safety requirements or standards contained in regulations made under the **Act**.

9 Confidentiality

- 9.1 The **Licensee** must, unless otherwise required by law, this licence, an **Code**, or the **National Electricity Rules**, comply with any **rules** made by the **Commission** from time to time relating to the use of information acquired by the **licensee** in the course of operating the business authorised by this licence.

10 Insurance

- 10.1 The **Licensee** must comply with the insurance obligations set out in Item 2 of the Schedule.

11 Safety and technical management plan

- 11.1 The **licensee** must:
 - (a) prepare, maintain and periodically revise a safety, reliability, maintenance and technical management plan dealing with matters prescribed by **regulation**;
 - (b) obtain the approval of the **Technical Regulator**:
 - (i) to the plan (prior to commencement of the operation of the **electricity generating plant** to which the plan relates); and
 - (ii) to any revision of the plan;
 - (c) comply with the plan as approved in accordance with clause 11.1(b); and
 - (d) undertake audits of its compliance with the plan from time to time and report the results of those audits to the **Technical Regulator**, in the form required by the **Technical Regulator**.

12 Switching manual

12.1 The licensee must:

- (a) prepare and maintain an internal switching manual in accordance with the **regulations**;
and
- (b) comply with any other requirements relating to switching prescribed in the **regulations**.

Schedule: Definitions and Interpretation

Part 1 – Definitions

Act means the Electricity Act 1996 (SA) and includes any statutory instrument made under that Act;

AEMO means the Australian Energy Market Operator Ltd (ACN 072 010 327).

Business Day means a day on which banks are open for general banking business in Adelaide, excluding a Saturday or Sunday.

Code means any code made by the Commission under section 28 of the *Essential Services Commission Act 2002 (SA)* from time to time;

Commission means the Essential Services Commission established under the **ESC Act**.

Electricity Transmission Code means the code of that name made by the **Commission** under section 28 of the **ESC Act**.

ESC Act means the Essential Services Commission Act 2002 (SA).

Industry Regulator means the South Australian Independent Industry Regulator under the *Independent Industry Regulator Act 1999 (SA)*;

licensee means OneSteel Manufacturing Pty Limited (ACN 004 651 325);

National Electricity Law means the National Electricity Law referred to in the National Electricity (South Australia) Act 1996 (SA).

National Electricity Rules has the meaning given to that term in the **National Electricity Law**.

Network means a transmission or distribution network;

Operations means the carrying on by the Licensee of the generation of electricity set out in Item 1 of the Annexure;

Return Period means,

- (c) in respect of the first return under this licence, the period on and from the commencement of the licence until and including 30 June in the first twelve month period after the licence was issued;
- (d) in respect of each subsequent return (other than the last return) under this licence, the year commencing on the day following the last day of the immediately preceding return period; and
- (e) in respect of the last return period under this licence, the period on and from the day following the last day of the immediately preceding return period until and including the last day of the term;

regulation means a regulation made under the **Act**;

rule means any rule issued by the **Commission** under section 28 of the **ESC Act**.

System Controller means the person licensed under Part 3 of the **Act** to exercise system control over a power system.

Technical Regulator means the person holding the office of Technical Regulator under Part 2 of the **Act**.

Term means the term during which this licence operates set out in clause 2; but otherwise, terms have the same meaning as in the *Electricity Act 1996*.

Part 2 - Interpretation

In this licence, unless the context otherwise requires:

- (a) headings are for convenience only and do not affect the interpretation of this licence;
- (b) words importing the singular include the plural and vice versa;
- (c) words importing a gender include any gender;
- (d) an expression importing a natural person includes any company, partnership, trust, joint venture, association, corporation or other body corporate and any governmental agency;
- (e) a reference to any statute, regulation, proclamation, order in council, ordinance or bylaw includes all statutes, regulations, proclamations, orders in council, ordinances or by-laws varying, consolidating, re-enacting, extending or replacing them and a reference to a statute includes all regulations, proclamations, orders in council, ordinances, by-laws and determinations issued under that statute;
- (f) a reference to a document or a provision of a document includes an amendment or supplement to, or replacement or novation of, that document or that provision of that document;
- (g) an event which is required under this licence to occur on or by a stipulated day which is not a **business day** may occur on or by the next business day; and
- (h) a reference to a person includes that person's executors, administrators, successors, substitutes (including, without limitation, persons taking by novation) and permitted assigns.

ANNEXURE

1 Generation Operations – Whyalla

2 Insurance

- 2.1 The Licensee must ensure that it is covered at all times during the term by an occurrence based policy against public liability for at least the amount specified in the Licence application for any one loss or occurrence (“the public liability policy”) that covers the interests and liabilities of the Licensee’s subcontractors to the same extent as the Licensee’s interests and liabilities.
- 2.2 The Licensee must:
- (a) promptly provide written proof of the existence, currency and terms of that insurance if requested to do so by the Commission; and
 - (b) not do, or permit to be done, anything that may result in that insurance cover being vitiated or rendered void or voidable.
- 2.3 In specifying levels of insurance by or under this licence, neither the Commission, the Technical Regulator or the Crown in right of the State of South Australia accepts liability for the completeness of their listing, the adequacy of the sum insured, limit of liability, scope of coverage, conditions or exclusions of those insurances with respect to how they may or may not respond to any loss, damage or liability.
- 2.4 The Licensee acknowledges and agrees that it is the Licensee’s responsibility to assess and consider the risks and scope of insurances required under this licence.



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