

# EXEMPTION

## PURSUANT TO SECTION 77(1) OF THE GAS ACT 1997 (SA)

Pursuant to section 77(1) of the Gas Act 1997 (SA) ("the Act"), the Essential Services Commission ("the Commission") hereby grants an Exemption to AGL Wholesale Gas Limited (ACN 072 948 504), hereafter referred to as "the Exemptee", from the requirement under Part 3 of the Act to hold a retail licence associated with the sale and supply of gas to AGL South Australia Pty Limited for use in a back-up boiler connected with the Coopers Brewery Cogeneration project, subject to the conditions described below.

### CONDITIONS

- (a) The Exemptee must only supply gas to AGL South Australia Pty Limited for use in a back-up boiler connected with the Coopers Brewery Cogeneration project, where the back-up boiler is to be used only for the purpose of:
  - (i) an emergency back up in the event the Cogeneration system unexpectedly comes off line; or,
  - (ii) general testing of the back-up boiler itself.
- (b) The Exemptee must not retail gas to any other customer in South Australia.
- (c) The Exemptee must comply with any information requests made by the Commission from time to time in relation to this exemption.

THE COMMON SEAL OF )  
THE ESSENTIAL SERVICES )  
COMMISSION )  
was hereunto affixed )  
by authority of the Essential )  
Services Commission )  
and in the presence of: )



.....  
Witness

*Luis Urban*  
.....  
Chairperson, Essential Services  
Commission

Date: 6/1/04

I approve the granting of the exemption referred to above.

THE COMMON SEAL OF )  
THE MINISTER FOR ENERGY )  
was hereunto affixed )  
by authority of the Minister for )  
Energy and in the presence of: )

.....  
Witness

*Paul Hollaway*  
.....  
Minister for Energy

Date: 22/1/04