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# GOVERNMENT NOTICE

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## DEPARTMENT OF ENERGY

**No. 1117****27 November 2009**

### 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 2010/11**

The Energy Regulator approved NERSA Strategic Plan (2010/11 – 2012/13) and Business Plan with Budget (2010/11) at its meeting of 23 September 2009.

The total NERSA Expenditure Budget amounts to R177 159 592 for 2010/11 (2009/10: R185 677 210) with the specific budgets for the three industries being as follows:

- Electricity Industry: R 103 122 347 (2009/10: R110 943 835)
- Piped-gas Industry: R 31 800 312 (2009/10: R 32 746 440)
- Petroleum Pipelines Industry: R 42 236 933 (2009/10: R 41 986 935)

This expenditure budget represents a decrease of 4.6% over the expenditure budget for the National Energy Regulator for the financial year 2009/10, submitted to the Minister of Minerals and Energy at the end of October 2008.

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 R159 727 277 for 2010/11 (2009/10: R139 055 226) with the specific budgets for the three industries being as follows:

- Electricity Industry: R 87 290 032 (2009/10: R78 152 200)
- Piped-gas Industry: R 31 160 312 (2009/10: R29 886 194)
- Petroleum Pipelines Industry: R 41 276 933 (2009/10: R31 016 832)

The income budget represents an increase of 14.9% over the income budget for the National Energy Regulator for the financial year 2009/10, submitted to the Minister of Minerals and Energy at the end of October 2008. The increase is mainly due to the reduction in the levies refund in the 2010/2011 financial year.

#### Proposed Piped-Gas Levy 2010/11

The proposed levy to be imposed on the piped-gas industry is **19.2807 c/Gj** (2009/10: 18.9916 c/Gj) in respect of the amount of gas, measured in Gigajoules, 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 2010 to 31 March 2011, by persons concerned.

The proposed levy was determined based on an estimated volume of 161.6 million GJ per annum and the 2010/11 Business Plan and Budget requirement, for the regulation of the piped-gas industry, of R31 160 312 as documented above.

Proposed Petroleum Pipeline Levy 2010/11

The proposed levy to be imposed on the petroleum pipelines industry is **0.2234 c/litre** (2009/10: 0.1724 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 2010 to 31 March 2011, by persons concerned.

The proposed levy was determined based on an estimate of 18.5 billion litres per annum and the 2010/11 Business Plan and Budget requirement, for the regulation of the petroleum pipelines industry, of R41 276 934 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 2010/11 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 (2010/11 – 2012/13) and Business Plan with Budget (2010/11) is available on the NERSA website: [www.nersa.org.za](http://www.nersa.org.za).

Representations must be addressed to:

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Smunda Mokoena  
CHIEF EXECUTIVE OFFICER

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