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GOVERNMENT NOTICE

DEPARTMENT OF ENERGY**No. 1029****12 November 2010****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 LEVIES ACT 2004 (NO.28 OF 2004)****Proposed Levy on the Piped-Gas and Petroleum Pipeline Industries for 2011/12**

The Energy Regulator approved the NERSA Strategic Plan (2011/12 – 2013/14) and Business Plan with Budget (2011/12) at its meeting of 23 September 2010.

The total NERSA Expenditure Budget amounts to R223 021 701 for 2011/12 (2010/11: R177 159 592) with the specific budgets for the three industries being as follows:

- Electricity Industry: R124 667 691 (2010/11: R103 122 347)
- Piped-gas Industry: R 50 486 314 (2010/11: R 31 800 313)
- Petroleum Pipelines Industry: R 47 867 696 (2010/11: R 42 236 934)

The expenditure budget represents an increase of 25.89% over the expenditure budget for the National Energy Regulator for the financial year 2010/11, submitted to the Minister of Energy at the end of September 2010.

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 2010, as well as interest receivable, the total required NERSA Income Budget amounts to R 147 408 375 for 2011/12 (2010/11: R159 727 278) with the specific budgets for the three industries being as follows:

- Electricity Industry: R73 408 045 (2010/11: R87 290 032)
- Piped-gas Industry: R40 496 714 (2010/11: R31 160 312)
- Petroleum Pipelines Industry: R33 503 616 (2010/11: R41 276 934)

The income budget represents a decrease of 7.7% over the income budget for the National Energy Regulator for the financial year 2010/11, submitted to the Minister of Energy at the end of September 2010.

Proposed Piped-Gas Levy 2011/12

The proposed levy to be imposed on the piped-gas industry is **28.7211 c/Gj** (2010/11: 19.2807 c/Gj) in respect of the amount of gas, measured in Gigajules, delivered by importers and producers to the inlet flanges of transmission of 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 2011 to 31 March 2012, by persons concerned.

The proposed levy was determined based on an estimated volume of 141.0 million Gj per annum and the 2011/12 Business Plan and Budget requirement, for the regulation of the piped-gas industry, of R 40 496 714 against the expenditure of R 50 486 314 as documented above.

Proposed Petroleum Pipeline Levy 2011/12

The proposed levy to be imposed on the petroleum pipeline industry is **0.1905 c/litre** (2010/11: 0.2234 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 2011 to 31 March 2012, by persons concerned.

The proposed levy was determined based on an estimated volume of 17 billion litres per annum and the 2011/12 Business Plan and Budget requirement, for the regulation of the petroleum pipelines industry, of R 33 503 616 against the expenditure of R 47 867 696 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 2011/12 financial year to bring it to the attention of the 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 NERSA Strategic Plan (2010/11 – 2012/13) and Business Plan with Budget (2011/12) is available on the NERSA website: www.nersa.org.za.

Representations must be addressed to:

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Smunda Mokoena
CHIEF EXECUTIVE MANAGER
