



24 August 2005

Mr Simon Uthmeyer
Phillips Fox
PO Box 4301PP
MELBOURNE VIC 3001

Dear Mr Uthmeyer

**National Electricity Tribunal Action No. 2 of 2005
NECA v Pelican Point Power Ltd**

The Tribunal has asked that I write to you and the other party to seek clarification of several matters. It would be appreciated if your joint response could be provided by way of a supplementary statement or other material that would become part of the record.

1. The Application

Particular 1.4 under the heading "Breach of the Code" states that "*The Pelican Point gas turbine tripped approximately 2.5 seconds after the loss of the interconnector and the steam turbine tripped approximately 2 minutes later.*" Please confirm whether:

1.1 The plant in question is a combined cycle gas turbine that is to be treated as a single generating unit under the Code;

1.2 The two incidents referred to in Particular 1.4 constitute one Code breach or two.

2. The Agreed Statements of Facts and Positions

Paragraph 15.6 of the Agreed Statement states that "*The timing of the trip of Pelican Point meant that there was no impact, as a result of this trip, on the amount of load shedding required to restore the frequency following the separation from Victoria.*" Given the importance of this point to the issue of whether there should be a public hearing and the appropriate penalty range, the Tribunal seeks some form of confirmation of this point. The Tribunal suggests that it may be appropriate to provide, if it be available, a statement of confirmation by NEMMCO that there was no impact on load shedding.

I advise that the Tribunal will defer any further consideration of the determination until it has received the response of the parties to the above matters.

We look forward to hearing from you further.

Yours faithfully

A handwritten signature in black ink, appearing to read 'Belinda Grant', written in a cursive style.

BELINDA GRANT

Registrar

Direct Telephone: 08 8205 0874

Email: registrar@netribunal.net.au