

Ms M. Solomons
Director: Integrated Environmental Authorization
Department of Environmental Affairs
Private Bag X447
Pretoria
0001

Date:
12 June 2014

Enquiries: Tobile Bokwe
Tel +27 11 800 2303

Our Ref No: ENV14 – L191

DEA Ref No: 14/12/16/3/2/40

Dear Ms. Solomons

MOTIVATION FOR FEE APPLICATION EXCLUSION MADE BY AN ORGAN OF STATE

Eskom hereby confirms that it is a State Owned Company and the company is excluded from paying the application fees for the Environmental Authorization and Amendments in terms of regulation 3 of "National Environmental Management Act, 1998 (Act no. 107 of 1998) Fees for consideration and processing of applications for Environmental Authorisations and Amendments thereto" which were published on 28 February 2014 in the Government Gazette No.37383.

Eskom was established in South Africa in 1923 as the Electricity Supply Commission. In July 2002, it was converted into a public, limited liability company, wholly owned by government. The constitutional definition of 'organ of state' makes it clear that other institutions and functionaries are organs of state on the basis of what they are and others by virtue of the functions they are engaged in.

Eskom is one of the top 20 utilities in the world by generation capacity (net maximum self-generated capacity: 41 194MW). Eskom generates approximately 95% of the electricity used in South Africa and approximately 45% of the electricity used in Africa. Eskom directly provides electricity to about 45% of all end-users in South Africa. The other 55% is resold by redistributors (including municipalities).

Eskom applies for exclusion from payment of the fees applicable to this amendment application, since it is a State Owned Company.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Deidre Herbst', is written over a faint horizontal line.

Deidre Herbst

ESKOM ENVIRONMENTAL MANAGER

SUSTAINABILITY DIVISION: ENVIRONMENTAL MANAGEMENT