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BY EMAIL AND HAND

16 May 2017

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The Minister of Environmental Affairs

Private Bag X313

Pretoria

0001

For attention: Mr. Ziyaad Hassam

Director: Appeals and Legal Review,

Department of Environmental Affairs

Fax: (012) 320 7561

Email:

AppealDirectorate@environment.gov.za

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Copy to: Ms. Heloise Van Schalkwyk

Deputy Director: Appeals and Legal Review

Email: HVanSchalkwyk@environment.gov.za

Copy to: Centre for Environmental Rights

(CER) representing groundWork

email: rhugo@cer.org.za

ref: CER54.1/RH

Our ref: Lara Bezuidenhoudt/Rakhee Bhoora/Justine Sweet/300231.00003
(3001454v2)

Your ref: Lara Bezuidenhoudt/Rakhee Bhoora/Justine Sweet/300231.00003

**RE: APPELLANT'S SUBMISSIONS TO THE MINISTER IN TERMS OF REG 60(4)
OF THE 2010 EIA REGULATIONS IN RESPECT OF ACWA POWER KHANYISA
THERMAL POWER STATION RF (PTY) LTD**

We confirm that we represent ACWA Power Khanyisa Thermal Power Station (RF) (Pty) Ltd
("our client") in respect of the above matter.

We refer to:

1. the letter provided to you by the Centre for Environmental Rights ("CER") on 18 April 2017 in which the CER (on behalf of its client, groundWork) enclosed its client's

further submissions in support of its client's intention to appeal the environmental authorisation issued to our client ("**CER's condonation submissions**"); and

2. the email to us from Heloise Van Schalkwyk (Deputy Director: Appeals and Legal Review) dated 24 April 2017, enclosing the CER's condonation submission and requesting our client to provide a response to the CER's condonation submissions on or before 16 May 2017.

We hereby enclose our client's response to the CER's condonation application and the accompanying annexure referred to therein and marked "**ACWA1**" for your kind consideration.

We have also arranged for hard copies of our client's response and annexure **ACWA1** to be hand delivered to the Department of Environmental Affairs, together with a bundle of authorities referred to therein.

Please note that although we have copied the CER on the electronic submission, we have not arranged for hard copy delivery to it of the response and the annexure to it. We have also not prepared a bundle of authorities for the CER since we assume these are easily accessible by it. We will, however, gladly arrange for a hard copy delivery thereof should they request a copy.

Please confirm receipt of our client's response and accompanying annexure, by return email.

Yours faithfully



Fasken Martineau