



IPP Office
Block D, Eco 1
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Centre for Advancing Environmental Rights
2nd Floor
Springtime Studios
Cape Town

For Attention: **Miss Robyn Hugo**
Attorney and Programme Head: Pollution and Climate Change

By Email: rhugo@cer.org.za

Dear Miss Hugo,

COAL BASELOAD IPP PROGRAMME (“the Coal Programme”): APPEAL AGAINST ENVIRONMENTAL AUTHORISATION FOR THABAMETSI INDEPENDENT POWER PRODUCER POWER STATION NEAR LEPHALALE, LIMPOPO PROVINCE UNDER AUTHORISATION REGISTRATION NUMBER 14/12/16/3/3/3/40 - LETTER DATED 17 AUGUST 2015

1. We acknowledge receipt of your letter dated 17 August 2015 regarding the appeal against the Thabametsi Power Station Environmental Approval and your email of 22 November 2015 requesting further information on the Coal Programme bids. We apologise for the delay in reverting.
2. The Department released the procurement documents for the Coal Programme (“the RFP”) to the market in December 2014. The approach of the Department in the design of all its procurement programmes is to seek input from all stakeholders including amongst others the dti, the DEA and DWAS. As such, cognisance was taken of a wide variety of inputs and requirements in the RFP.
3. The RFP contains extensive qualification criteria in respect of environmental and various other categories against which bidders are evaluated on a pass or fail basis, which criteria is set to ensure fairness and transparency in the bid process. Given the rules of the procurement process and in order to ensure fairness, the evaluation and adjudication of bids



are conducted against the qualification criteria with reference to the information at the disposal of the Department as provided by a bidder.

4. The Department during the evaluation process relies on information submitted by Bidders, which is required to include all information pertaining to *inter alia* appeals. Such information is taken cognisance of by the evaluation team whilst undertaking the environmental evaluation of bids.
5. The qualification criteria are applied stringently and without variation in respect of the evaluation of all bids which will be received under the Coal Programme including the Thabametsi power station. As aforementioned it is a requirement of the RFP that bidders are required to place all relevant information including information on any appeals before the Department thus enabling the Department to make its own assessment.
6. Unfortunately as you will appreciate, we are not in a position to provide any party with information regarding a bidder or potential bidder. However you are welcome to check our website, press releases and the media for regular announcements and updates on the Programme and its outcomes. You can be further assured that the Department consults with and has interactions on an ongoing basis with interested and affected parties which would include amongst others the Department of Environmental Affairs.
7. In addition, regarding your email, information on which bids were received is confidential, and therefore cannot be disclosed to you. The relevant procurement process is ongoing. As such, we are unfortunately unable to provide you with further information in relation to the timing. Information, including announcement of preferred bidders will be made available publically by the Department of Energy via press releases and the like.

Yours sincerely



Ms. Karén Breytenbach

Head: IPP Office

Date: 27/1/2016





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Dear Sir/Madam

AUTHORITY TO SIGN DOCUMENTS WITH FINANCIAL IMPLICATIONS IN RELATION TO THE DAY-TO-DAY EXPENDITURE OF THE IPP OFFICE

For purposes of exercising the powers invested in me to exercise administrative control over the IPP Office pursuant to the Memorandum of Agreement and Understanding (MOA) entered into between National Treasury (NT), Department of Energy (DoE) and DBSA, I hereby authorise Lolette Kritzinger-Van Niekerk to act as the Head of the IPP Office for the period 26 January 2016 to 1 February 2016 and to exercise all such authority that would ordinarily reside *ex officio* with the position of the Head of the IPP Office.

This delegation must be discharged in accordance with the delegation and controls protocol attached hereto and may not be sub-delegated.

Signed at PRETORIA on 26th JANUARY 2016.



Karen Breytenbach
Head: IPP Office

We accept the delegation as set out above



Lolette Kritzinger-Van Niekerk

