



## FORM E

Application for an amendment of a licence in terms of section 23 of the Petroleum Pipelines Act, 2003 (Act No. 60 of 2003)

### INSTRUCTIONS

1. Before completing this form, you are advised to read the following documents:
  - (a) the Petroleum Pipelines Act, 2003 (Act No. 60 Of 2003) and its Regulations; and
  - (b) the Rules made in terms of the Petroleum Pipelines Act, specifically rule
2. Please note that this form has five sections (A, B, C, D & E). An applicant must provide all information and supporting documentation required. Incomplete applications will not be accepted.
3. The completed form with supporting documentation must be delivered to the Energy Regulator:
  - (a) by registered mail to: P O Box 40343, Arcadia 0007; or
  - (b) by hand at: Kulawula House, 526 Madiba Street, Arcadia, Pretoria; or
  - (c) electronically to [pipelines@nersa.org.za](mailto:pipelines@nersa.org.za); or
  - (d) by fax to 012 401 4700
4. If you want to request the confidential treatment of certain information in your application, you must do so in accordance with Rule 4 of the Rules made in terms of the Petroleum Pipelines Act.

#### Enquiries:

Contact: Executive Manager: Petroleum Pipelines Regulation  
Contact No: (012) 401 4600  
Fax No.: (012) 401 4700

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#### Official Use Only

Date received \_\_\_\_\_  
Reference number \_\_\_\_\_

**SECTION A: CATEGORY OF THE APPLICANT**

1. Indicate if you are the licence holder or a party affected by the licence by ticking the appropriate box below:

- I am the licence holder
- I am a party affected by the licence

**SECTION B: DETAILS OF THE APPLICANT**

- 2. Full registered name of the applicant Astron Energy (Pty) LTD
- 3. Trading name of the applicant (if different from the registered name)  
N/A
- 4. Registration number of company (if applicable) 1911/0011054/07
- 5. Name of mandated representative (if applicable). Attach documentary proof of mandate given to representative Danie Gouws
- 6. Physical address 11 Borneo Road, Island View, Bluff, 4000
- 7. Postal address 11 Borneo Road, Island View, Bluff, 4000
- 8. Telephone number 021 403 7431
- 9. Fax Number.....
- 10. Email address Danie.Gouws@astronenergy.co.za
- 11. Details of mandated representative, including:
  - a) Designation GM Transport and Operations
  - b) Family name Gouws
  - c) First name Danie
  - d) Telephone number 021 403 7431
  - e) Fax number .....
  - f) Email address Danie.Gouws@astronenergy.co.za

**SECTION C:         DETAILS OF THE LICENCE**

12. Name of licensee *Astron Energy (Pty) LTD*
13. Type of licence or licensed activity to which this application is applicable  
*Operation and Construction License*
14. Location of the facility *Island View, Durban, KwaZulu-Natal*
15. State the licence number (if known) *PPL If.F1/263/1,2&3/2016 and PPL If.F3/264/1,2&3/2016*

**SECTION D:         DETAILS OF THE APPLICATION**

16. Clearly indicate the amendments that you seek. Please indicate each amendment sought separately and provide details thereof. If the amendment is to a particular condition, cite the condition. (Add additional page(s), if necessary).

*In terms of condition 12.1 of the licence, Astron Energy must commence construction of the loading facilities on Berth 4, 5 &6, within 12 months from the date of issue of its construction licence. The expiry date is set for the 4<sup>th</sup> of September 2019.*

*Astron Energy would like to apply for the amendment of its conditions of licence as we have not commenced with the construction. Astron Energy has and TNPA has now finalised and signed the Wayleave Agreement. The inception date of the wayleave agreement is 1<sup>st</sup> January 2020, terminating on 30 April 2020. Upon expiry of this Wayleave agreement in April 2020, Astron Energy and TNPA will conclude a concession agreement that will include all leases and wayleave agreements running concurrently.*

*As such, would you please extend the time frame of the Licence to 30 June 2021 as this will accommodate the project plan as well as a contingency period for unforeseeable events.*

17. Provide detailed reasons and motivation for each of the amendments sought in 16 above (add additional page(s), if necessary).

As per attached correspondence between Astron Energy and TNPA, Astron Energy has agreed on the conditions set on the Wayleave Agreement. The recent impasse was due to certain clauses within the agreement that required legal intervention of both parties. The agreement has now been signed by both parties.

The Detailed Project Plan as well as communication from TNPA confirming the concession agreement that will be effective after April 2020 has been attached as supporting evidence.

18. Substantiate your reasons and motivation in 17 above by submitting documentary proof of your claims.

19. Where the amendment sought is an amendment to an existing tariff, information listed in rules 12(7) and 12(8) must also be provided.

**SECTION E: SOLEMN DECLARATION BY APPLICANT OR MANDATED REPRESENTATIVE**

I (full names) Joseph Donald Crows Identity Number: [REDACTED] hereby declare that:

- (a) I am authorised by Astron Energy (PTY) LTD to make this declaration (attach the authorisation); and
- (b) all information provided herein is within my personal knowledge and is both true and correct.

Signed at Cape Town (place) on this 15 day of January (month) 2020 (year).

[Signature]  
Signature

I certify that the deponent:

- (a) has acknowledged that she/he knows and understands the contents of this application form and its annexures, that she/he has no objection to taking the prescribed oath and that she/he considers the oath binding on her/his conscience; and
- (b) has in the prescribed manner sworn that the contents of this application form and its annexures are true and signed same before me at Cape Town (place) on this 15 day of January (month) 2020 (year).

[Signature]  
**COMMISSIONER OF OATHS**

Name: MOSES MOTHIBE  
Address: COMMISSIONER OF OATHS  
ATTORNEY R.S.A.  
Capacity: ASTRON ENERGY (PTY) LTD  
5 CENTURY BOULEVARD  
CENTURY CITY, 7441, CAPE TOWN