

7 September 2009

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30.9.09



Ms Caroline Le Couteur MLA
Chair
Standing Committee on Public Accounts
ACT Legislative Assembly
London Circuit
CANBERRA ACT 2601



Dear Ms Le Couteur

I refer to your letter of 28 August 2009 regarding a submission you have received in relation to the Committee's inquiry into the Auditor-General's report on the proposal for a gas fired power station and data centre.

I confirm CPR's statement that ACTEW denied they had anything to do with the project is correct. In response to a letter from Roger Payne, vice president of CPR on 15 September 2008, I advised Mr Payne that ACTEW was not an investor or proponent in the project. A copy of my letter is attached. This is consistent with the information provided to the Auditor-General during her audit. I refer you to page 20 of the Auditor-General's report.

The statement that Michael Costello was closely involved in the development of the project whilst he was chair of ACTEW is incorrect. Mr Costello is not, and has never been, chairman of ACTEW.

Comments relating to the relationship between the CEO and Chair of ACTEW and ActewAGL, Michael Costello, John Mackay and the Chief Minister imply inappropriate behaviour by these parties. I consider those comments are untrue, possibly defamatory, and question their relevance to the Committee's inquiry. However I will leave it to those individuals to comment on the accusations. If the Committee decides to publish the submission, I note and agree that this letter will also be published.

Thank you for the opportunity to respond to some of the comments and statements in the submission.

Yours sincerely

A handwritten signature in black ink, appearing to read "Mark Sullivan".

Mark Sullivan
Managing Director

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15 September 2008

Mr Roger Payne
Vice President
Canberrans for Power Station Relocation Inc
PO Box 40
ERINDALE CENTRE ACT 2903

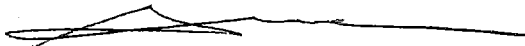
Dear Mr Payne

I refer to your letter dated 22 August 2008 addressed to the Chairman of ACTEW, Mr John Mackay. Mr Mackay has asked me to respond to your letter on his behalf.

ACTEW is not an investor or a proponent in the project, nor been asked to, or made any decisions in relation to the project. ActewAGL and TRE are the proponents of the project and have lodged a development application with the ACT Planning and Land Authority (ACTPLA). As you would be aware, ACTPLA is currently considering the application and an environmental assessment study is being undertaken. The proponents have, and will continue, to comply with all legal requirements and obligations if the development application is approved and the project proceeds.

The ACTEW Board does not consider it is in breach of the Territory Owned Corporations Act as it has played no role in relation to the project.

Yours sincerely



Mark Sullivan
Managing Director