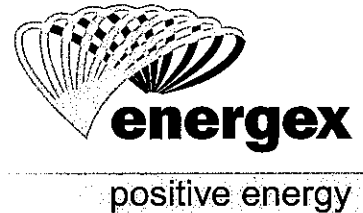


29 August 2011

Stewart Silver King & Burns Community Managers  
On behalf of the Body Corporate  
for [REDACTED]  
PO Box 10093 Adelaide Street  
Brisbane QLD 4000



Attention Ms Kate O'Rourke - Community Manager

Dear Ms O'Rourke

**ENQUIRY RE WATER INUNDATION RESPONSIBILITY FOLLOWING THE  
JANUARY 2011 BRISBANE FLOODS**

We refer to your correspondence of 25 March 2011 and subsequently of 20 May 2011. We apologise for the delay in our response following our letters of 29 March and 6 June, however this matter is complex and was referred for investigation to various members of the ENERGETEX team.

As a result of the investigations, we note the following:

1. Whilst it is possible that flood waters entered sections of the CBD pit and duct system adjacent to the [REDACTED] ("Building") at the time of the Brisbane January 2011 floods, it is also possible that such flooding affecting the Building may have resulted from other entry mechanisms.
2. As prescribed by the Electricity Regulation 2006, the Building Owner has a responsibility to provide ENERGETEX with the substation space and this includes providing ENERGETEX with the necessary or suitable places for entry and exit of electric lines and cables for the substation. ENERGETEX then supplies and installs the electrical equipment in the substation and installs the underground cables to connect to the electrical equipment.
3. The Building Owner also has the responsibility to maintain and repair damage to or deterioration of the substation space, including the necessary or suitable places for the entry and exit of electric cables for the substation.

Accordingly, ENERGETEX does not agree with the Body Corporate's assertion that ENERGETEX should therefore assume responsibility for the water inundation at the Building.

We trust the above response provides some clarity in relation to this issue.

Yours sincerely

[REDACTED]  
Darryl Bensted  
Insurance Manager

**Enquiries**  
Darryl Bensted  
**Telephone**  
(07) 3664 4132  
**Facsimile**  
(07) 3664 9820  
**Email**  
darrylbensted  
@energex.com.au

**Corporate Office**  
26 Reddacliff Street  
Newstead Qld 4006  
GPO Box 1461  
Brisbane Qld 4001  
Telephone (07) 3664 4000  
Facsimile (07) 3025 8301  
www.energex.com.au

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**ENERGETEX Limited**  
ABN 40 078 849 055