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## Press release

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### **Rio Tinto pleased with British Columbia Court of Appeal decision**

**22 February 2008**

Rio Tinto announced that it is pleased with today's B.C. Court of Appeal decision, confirming the 2007 B.C. Supreme Court ruling by Chief Justice Brenner, which concluded that there are no restrictions on the Company's use or sale of Kemano power in the legislation or agreements with the Province of British Columbia.

"We are satisfied with today's decision, and we hope that Rio Tinto Alcan and the District of Kitimat can now focus on working together to address the economic challenges and opportunities of the region," said Jacynthe Côté, Rio Tinto Alcan Primary Metal President.

Rio Tinto Alcan has sold clean and renewable Kemano power since the 1950's and BC Hydro has recognized Rio Tinto Alcan-supplied power as an important resource to support the North Coast region.

The conclusion of the B.C. Court of Appeal states: "I conclude the Chief Justice made no error in concluding as he did that Alcan was not precluded from selling the power it generates under either Act or the Agreement."

"We hope that this legal challenge, which has caused so much uncertainty in the region, is now ended and we can focus our collective energies on bringing the Kitimat Modernization Project to fruition" said Jacynthe Côté. "A project that will allow a reduction of more than 400 000 tonnes of GHG emission, is in line with our sustainability approach" she added.

#### **About Rio Tinto**

Rio Tinto is a leading international mining group headquartered in the UK, combining Rio Tinto plc, a London and NYSE listed company, and Rio Tinto Limited, which is listed on the Australian Securities Exchange.

Rio Tinto's business is finding, mining, and processing mineral resources. Major products are aluminium, copper, diamonds, energy (coal and uranium), gold, industrial minerals (borax, titanium dioxide, salt, talc) and iron ore. Activities span the world but are strongly represented in Australia and North America with significant businesses in South America, Asia, Europe and southern Africa.

**Forward-Looking Statements**

This announcement includes “forward-looking statements” within the meaning of Section 27A of the Securities Act of 1933, as amended, and Section 21E of the Securities Exchange Act of 1934, as amended. All statements other than statements of historical facts included in this announcement, including, without limitation, those regarding Rio Tinto’s financial position, business strategy, plans and objectives of management for future operations (including development plans and objectives relating to Rio Tinto’s products, production forecasts and reserve and resource positions), are forward-looking statements. Such forward-looking statements involve known and unknown risks, uncertainties and other factors which may cause the actual results, performance or achievements of Rio Tinto, or industry results, to be materially different from any future results, performance or achievements expressed or implied by such forward-looking statements.

Such forward-looking statements are based on numerous assumptions regarding Rio Tinto’s present and future business strategies and the environment in which Rio Tinto will operate in the future. Among the important factors that could cause Rio Tinto’s actual results, performance or achievements to differ materially from those in the forward-looking statements include, among others, levels of actual production during any period, levels of demand and market prices, the ability to produce and transport products profitably, the impact of foreign currency exchange rates on market prices and operating costs, operational problems, political uncertainty and economic conditions in relevant areas of the world, the actions of competitors, activities by governmental authorities such as changes in taxation or regulation and such other risk factors identified in Rio Tinto’s most recent Annual Report on Form 20-F filed with the United States Securities and Exchange Commission (the “**SEC**”) or Form 6-Ks furnished to the SEC. Forward-looking statements should, therefore, be construed in light of such risk factors and undue reliance should not be placed on forward-looking statements. These forward-looking statements speak only as of the date of this announcement. Rio Tinto expressly disclaims any obligation or undertaking (except as required by applicable law, the City Code on Takeovers and Mergers (the “**Takeover Code**”), the UK Listing Rules, the Disclosure and Transparency Rules of the Financial Services Authority and the Listing Rules of the Australian Securities Exchange) to release publicly any updates or revisions to any forward-looking statement contained herein to reflect any change in Rio Tinto’s expectations with regard thereto or any change in events, conditions or circumstances on which any such statement is based. Nothing in this announcement should be interpreted to mean that future earnings per share of Rio Tinto plc or Rio Tinto Limited will necessarily match or exceed its historical published earnings per share.

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