

19 April 2022

Dr John Hamill
Essential Services Commission
Level 8, 570 Bourke Street
Melbourne VIC 3000

Dear Dr Hamill

Electricity Transmission Company Land Access Statement of Expectations – Submission to the Essential Services Commission’s Draft Statement

AEMO welcomes the opportunity to provide feedback on the Essential Services Commission’s draft Statement of Expectations dated 23 March 2022 (the Statement) in relation to how transmission companies access land within Victoria. AEMO is acutely aware of the importance of effective engagement with landowners by transmission companies when accessing privately-owned land and is supportive of an initiative to provide greater clarity of the expectations of the Essential Services Commission of transmission companies when accessing land under section 19 of the *Electricity Industry Act 2000* (the Act).

AEMO understands that the Statement would be applicable only to holders of an electricity transmission licence issued by the Essential Services Commission (the Commission) under section 19 of the Act. While AEMO is not a distribution company, transmission company, a retailer or a generation company and has not sought or been issued a licence under section 19 of the Act, the Statement does have implications to AEMO in the performance of its functions.

In planning and managing the electricity systems across Australia, AEMO engages the holders of electricity licences under section 19 of the Act (licensees) to construct and operate transmission electricity assets. Costs associated with the construction and operation of these assets are reflected in the electricity bills of Australians. To ensure Australians continue to have access to affordable, secure and reliable energy, it is critical that the Statement achieves a balance between the statutory rights of the licensees and the rights of the affected landowners.

AEMO notes that section 1.1.1 of the Statement advises that the objective of the Statement is ‘...to establish the commission’s clear expectations of Victorian electricity transmission licence holders when a licensee accesses private land under its powers derived from section 93 of the *Electricity Industry Act 2000* (the Act).’ Section 2 of the Statement provides: ‘The following table details general principles that the commission expects to apply to all instances of private land access undertaken by an electricity transmission company.’ It is unclear from the Statement whether it is intended to be specific to access to land under section 93 of the Act or whether it is intended to extend to all land access by licensees.



AEMO is concerned that, should the Statement extend to all land access by licensees, it may see the introduction of unnecessary and onerous steps where access has already been agreed with landowners. As the associated cost would be reflected in the electricity costs of consumers, AEMO would request that the Statement be specific to access under section 93 of the Act only.

In addition, the introduction of the Statement may result in requests for variations to AEMO from Licensees where contractual agreements are in place for the delivery of transmission infrastructure within Victoria. AEMO would seek the Commission carefully consider any feedback from stakeholders, such as landowners and Licensees, to ensure that the requirements of the Statement improves engagement between Licensees and landowners without restricting the ability of Licensees to perform their function as electricity transmission companies.

If you would like to further discuss any matters raised within this submission, please contact Ben Schneider, Specialist – Land, Planning and Environment, on [REDACTED] or [REDACTED]

Yours sincerely,

Nicola Falcon

Acting Group Manager – Victorian Planning | System Design