



**ELECTRICITY INDUSTRY ACT 2000
APPLICATION FOR ELECTRICITY GENERATION AND SALE LICENCE**

BESS Longwarry Pty Ltd (ACN 642 469 234)

RECORD OF DECISION

12 October 2022

SUMMARY

Pursuant to section 19(1) of the Electricity Industry Act 2000 (Vic) (Industry Act) the Essential Services Commission (the commission) has granted BESS Longwarry Pty Ltd (ACN 642 469 234) (BESS Longwarry) a licence to generate electricity for supply or sale, and to sell electricity at the battery energy storage system (BESS) located in Longwarry in southeast Victoria.

BACKGROUND

Section 16(1) of the Industry Act provides that a person must not engage in the generation of electricity for supply or sale or the transmission, distribution, supply or sale of electricity unless the person is:

- (a) the holder of a licence authorising the relevant activity;
- (b) exempted from the requirement to obtain a licence in respect of the relevant activity; or
- (c) is the holder of a trial waiver in respect of the relevant activity.

Section 18(1) of the Industry Act provides that a person may apply to the commission for a licence authorising the person to generate electricity for supply or sale and to sell electricity.

On 23 November 2021, BESS Longwarry applied to the commission for a licence to generate electricity for supply or sale, and to sell electricity to the wholesale electricity market.

Consistent with the requirements of the commission's Guideline to Applications for Electricity and Gas Industry Licences, BESS Longwarry provided the commission with necessary documentation supporting the application.

On 25 August 2022, the commission published a copy of the application, and invited interested parties to make submissions in respect of the application. The commission did not receive any submissions regarding the application.

DECISION

Section 19(1) of the Industry Act provides that the commission may grant or refuse the application for any reason it considers appropriate, having regard to the objectives of the commission under the provisions of the Industry Act and the Essential Services Commission Act 2001 (Vic) (Commission Act).

The commission is satisfied that:

- BESS Longwarry has the technical capacity to comply with the conditions of the licence to be granted; and
- BESS Longwarry is a fit and proper person to hold a licence to be granted.

In accordance with Section 19(1) of the Industry Act, and having regard to its objectives under the Commission Act and the Industry Act, the commission has decided to grant BESS Longwarry a licence to generate electricity for supply or sale, and to sell electricity to the wholesale electricity market. This authorisation granted by the licence is limited to the generation of electricity at the BESS located in Longwarry in southeast Victoria and the sale of electricity generated by this facility through the wholesale electricity market.

THE COMMON SEAL
of the ESSENTIAL
SERVICES COMMISSION
was affixed pursuant to the
authority of the commission
on 13 October 2022

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A handwritten signature in blue ink, appearing to read "Kate Symons".

Kate Symons
Chairperson