



**GAS INDUSTRY ACT 2001
APPLICATION FOR A GAS RETAIL LICENCE**

**Discover Energy Pty Ltd
(ACN 619 204 750)**

RECORD OF DECISION

12 August 2020

SUMMARY

Pursuant to the provisions of section 26(1) of the Gas Industry Act 2001 (Vic) (Industry Act) the Essential Services Commission (the commission) has granted Discover Energy Pty Ltd (ACN 619 204 750) (**Discover Energy**) a licence to sell gas by retail in Victoria.

BACKGROUND

Requirement to obtain a Licence

Section 22(2) of the Industry Act provides that a person must not engage in the sale of gas by retail, either as principal or agent, unless the person is:

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

Entitlement to apply for a Licence

Section 25(1) of the Industry Act provides that a person may apply to the commission for a licence authorising the person to sell gas by retail.

The applicant

On 9 September 2019, Discover Energy submitted an application to the commission for a licence authorising it to sell gas by retail.

The application

Consistent with the requirements of the commission's 'Guide to Applications for Electricity and Gas Industry Licences', Discover Energy has provided the commission with comprehensive documentation supporting the application.

In particular, Discover Energy presented information to provide assurance concerning its technical capacity and its financial viability.

On 9 July 2020, 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.

CONSIDERATION OF THE APPLICATION

Section 26(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**).

DECISION

The commission is satisfied that Discover Energy:

- has the technical capacity to comply with the conditions of the licence to be granted;
- has the financial resources to sustainably operate the proposed retail business in compliance with the conditions of the licence to be granted; and
- is a fit and proper person to hold a licence to sell gas in Victoria.

In accordance with section 26(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 Discover Energy a licence to sell gas by retail in Victoria, subject to conditions specified in the licence.

THE COMMON SEAL
of the **ESSENTIAL**
SERVICES COMMISSION
was affixed pursuant to the
authority of the Commission
on 17 August 2020

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Kate Symons
Chairperson

