



# **Electricity Generation Licence Application for Girgarre Solar Farm**

**12/09/2023**

**GIRGARRE SOLAR FARM PTY LTD AS TRUSTEE FOR THE GIRGARRE SOLAR  
FARM TRUST**



# 1 – General Information – The Applicant

## 1.1 Legal name of the applicant

Girgarre Solar Farm Pty Ltd as trustee for the Girgarre Solar Farm Trust (the applicant)

## 1.2 Legal identity of applicant

### ABN details

ABN 65 624 298 728

### ACN details

ACN 624 298 728

### Type of entity

Trustee of Girgarre Solar Farm Trust

## 1.3 Contact details and address of the applicant

### Business address

Suite 23.07  
100 Barangaroo Avenue  
BARANGAROO  
New South Wales 2000

### Postal address

Suite 23.07  
100 Barangaroo Avenue  
BARANGAROO  
New South Wales 2000

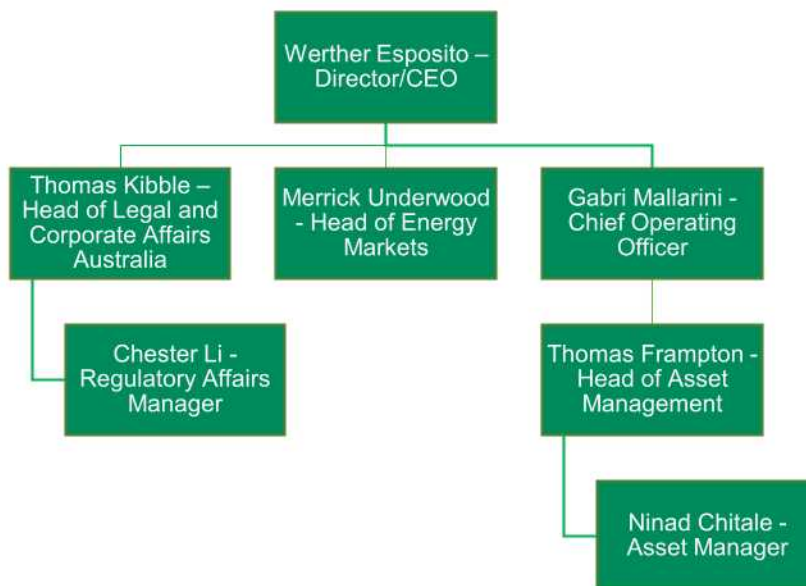
### Contact person on behalf of the applicant

Full Name:	Karina Size
Title:	Regulatory Affairs Compliance Officer, Enel Green Power Australia
Business Address:	Level 23.07, 100 Barangaroo Avenue, Sydney, New South Wales 2000
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#### 1.4 Diagram of the corporate and organisational structure

- a) The diagram outlining the corporate structure surrounding the applicant is shown in **Attachment 1 – Internal Experience and Corporate Structure**.
- b) The Applicant (Girgarre Solar Farm as trustee for Girgarre Solar Farm Pty Ltd) does not directly employ any staff. It relies on the expertise of staff within its parent companies. Enel Green Power Australia Pty Ltd employs the key personnel responsible for the ongoing operation and management of the Girgarre Solar Farm. An organisational chart showing the key management involved in the ongoing operation and maintenance of Girgarre Solar Farm is below.



#### 1.5 The licence

**Date from which the licence is sought:** 01 November 2023

**Type of generation:** Solar Energy

**Expected name plate capacity:** 93.31 MW

**Location of generation facility:** 1083 Mason Road Girgarre VIC 3625

**Details of how the generator will be connected to the network:** The point of connection for Girgarre Solar Farm to the shared network is at Powercor's Stanhope 66kV Substation distribution network, as depicted in Figure 1. Powercor's sub-transmission network connects to the transmission system at Ausnet's Shepparton 220/66kV Terminal Station (SHTS). The transmission network surrounding SHTS is shown in **Attachment 2 – Network Connection Diagrams**



## 2. Technical capacity

### 2.1 Experience and knowledge of the industry

#### a) Organisational experience

Enel S.p.A. is an Italian utility and multinational electricity and gas company and the parent company of Enel Green Power S.p.A, its multinational renewable energy subsidiary. Enel S.p.A. is one of Europe's largest utility companies and it is a publicly listed company on the Italian stock exchange.

**Enel Green Power Australia Pty Ltd** is a limited liability company under Australian law. It is 100% owned by Enel Green Power S.p.A. It manages the following assets and licensed activities:

- Bungala One Solar Farm in South Australia
- Bungala Two Solar Farm in South Australia
- Cohuna Solar Farm in Victoria
- Flat Rocks Wind Farm in Western Australian (under construction)
- Girgarre Solar Farm in Victoria (under construction)
- Electricity retail (through its subsidiary Enel Energy Australia)

The Applicant (Girgarre Solar Farm as trustee for Girgarre Solar Farm Pty Ltd) is a Special Purpose Vehicle (SPV) and does not employ any staff. The Applicant has an Asset Management Agreement (see **Attachment 12 - Asset Management Agreement - Girgarre SF**) with its parent company which outlines that the Applicant will rely on the parent company's organisational experience in operating renewable energy generation facilities.

#### b) Experience and qualifications of the key employees

The applicant has documented the qualifications of the key employees mentioned above in **Attachment 1 – Internal Experience and Corporate Structure**.

#### c) Contractors

##### Operation and maintenance contract

The Applicant has appointed Energy Solutions Pty Ltd (trading as Beon) as its Operations and Maintenance contractor, as per Operation and Maintenance Deed (**Attachment 16 - Operation and Maintenance Deed**).

##### Asset management agreement

The Applicant has appointed Enel Green Power Australia as its asset manager, as per the Asset Management Agreement (**Attachment 12 - Asset Management Agreement**). Enel Green Power Australia will be responsible for monitoring all O&M related contractors to ensure that all regulatory requirements relating to licenced activities.

##### Financially responsible market participant

The Applicant has appointed its related entity, Enel Energy Australia (EEA), as its intermediary and controller of the plant (**Attachment 3 - GSF and EEA Intermediary Agreement**). EEA is applying with AEMO to become the financially responsible market participant.

EEA currently holds a wholesale licence for Cohuna Solar Farm. As a wholly owned subsidiary of Enel Green Power Australia, EEA does not directly employ any staff, and rely on its parent company on the parent company's organisational experience in its operations (**Attachment 4 - EGPA to EEA Support Letter**).

### 2.2 Risk management

The Applicant has an implemented risk management strategy to ensure that potential risks are identified and the impact of the risk is assessed and managed. The strategy has been developed in



line with AS ISO 31000:2018, and requirements under the *Security of Critical Infrastructure Act 2018 (Commonwealth)*.

Please see attached Enel Green Power Australia's risk management strategy (**Attachment 5 - Risk Management Strategy**) and Girgarre Solar Farm's risk register (**Attachment 6 - Risk Register**).

### 2.3 Registration with the AEMO

The Applicant has appointed a related entity, Enel Energy Australia, as its intermediary for the purpose of the registration of Girgarre Solar Farm with AEMO. Please see attached:

- Intermediary agreement between Enel Energy Australia and the applicant (**Attachment 3 - GSF and EEA Intermediary Agreement**). This agreement has been sent to AEMO as evidence of EEA's consent to act as the intermediary of the Applicant.
- Correspondence between AEMO and Enel Energy Australia regarding the registration of Girgarre Solar Farm and AEMO acceptance of general performance standards (GPS) (**Attachment 7 - AEMO Registration Evidence**)

### 2.4 Licences held in other jurisdictions

The applicant does not hold any licence in any other jurisdiction.

### 2.5 Previous unsuccessful licence applications in other jurisdictions

Not applicable.

### 2.6 Licences held by associates of the applicant

The applicant's associated entities hold the following electricity licence in Australia.

Entity	Licence	Jurisdiction
Enel Energy Australia Pty Ltd	Electricity Retail Licence Electricity Wholesale Licence	Victoria
Cohuna Solar Farm Pty Ltd as trustee for the Cohuna Solar Farm Trust	Electricity Generation Licence	Victoria
Bungala One Operations Pty Ltd as trustee for the Bungala One Operations Trust	Electricity Generation Licence	South Australia
Bungala Two Operations Pty Ltd as trustee for the Bungala Two Operations Trust	Electricity Generation Licence	South Australia

### 2.7 Compliance management

The Applicant has established a compliance management strategy that is in line with ISO 37301:2021. Please see (**Attachment 8 - Compliance Framework**).

### 2.8 Material Agreements

The following attachments are the agreements requested in section 2.8 of the electricity licence application:

- Attachment 9 - Negotiated Connection Contract Girgarre SF**



- b) **Attachment 10 - Girgarre EPC Deed with Energy Solutions**
- c) **Attachment 11 - Generator Deed Girgarre SF**
- d) **Attachment 12 - Asset Management Agreement - Girgarre SF** (signed 16/03/2023)
- e) **Attachment 13 - Electricity and Environmental Products Confirmation** (Power purchase agreement)
- f) **Attachment 14 - ISDA 2002 Master Agreement and Schedule** (Power purchase agreement)
- g) **Attachment 16 - Operation and Maintenance Deed**

### **2.9 Engagement with Energy Safe Victoria**

The applicant has begun ongoing communication with Energy Safe Victoria (ESV) as seen in **(Attachment 15 - Correspondence with ESV regarding GSF)**. The purpose of this contact is to ensure that the correct safety procedures and protocols are being established for the ongoing operation and maintenance at Girgarre Solar Farm.

## **3. Financial viability**

### **3.1 Public statement on financial viability**

The applicant is financially viable and has secured financial arrangements to support the construction and operation of Girgarre Solar Farm.

The applicant will appoint its related entity, Enel Energy Australia, as its intermediary (**Attachment 3 - GSF and EEA Intermediary Agreement**) and the financially responsible market participant for Girgarre Solar Farm with AEMO. Enel Energy Australia is already a market participant for Cohuna Solar Farm and is subject to AEMO's prudential requirements under the National Electricity Rules.



#### 4. Fit and proper person

- a) *Have any directors of the applicant, directors of any entity that can exert control over the applicant, or any person with significant managerial responsibility or influence on the applicant:*
- i. *Been declared bankrupt*
  - ii. *Had their affairs placed under administration,*
  - iii. *Been disqualified from managing a company,*
  - iv. *Been subject to debt judgements, or*
  - v. *Insolvency proceedings (including any administration, liquidation or receivership in connection with the affairs of a company)?*

No

- b) *Has the applicant, any directors of the applicant, directors of any entity that can exert control over the applicant or any person with significant managerial responsibility or influence on the applicant been prosecuted for any offences or had any enforcement action taken under any state, territory, Commonwealth or foreign legislation (including, but not limited to, the Competition and Consumer Act 2010, Corporations Act 2001, or the Australian Securities and Investments Commission Act 2001)?*

No

- c) *Has the applicant, any directors of the applicant, any related body corporate, or any person with significant managerial responsibility or influence on the applicant been involved in any material breaches of obligations regulated by the commission or any other regulator?*

No

- d) *Has the applicant, any directors of the applicant, any related body corporate, or any person with significant managerial responsibility been under investigation in relation to its regulatory obligations or is currently bound by an enforceable undertaking?*

No

- e) *Has the applicant, any related body corporate or any person with significant managerial responsibility or influence on the applicant, been refused a licence or authorisation, or had restricted, suspended or revoked any such licence or authorisation (in any jurisdiction)?*

No

#### Additional information

*Answer the following questions and, where the answer to any question is "no" (except for question b)), provide further detail.*

- a) *Is the applicant a resident of, or does it have permanent establishment in, Australia?*
- Yes
- b) *Is the applicant under external administration (as defined in the Corporations Act 2001) or under a similar form of administration under any laws applicable to it in any jurisdiction?*
- No
- c) *Is the applicant immune from suit in respect of the obligations under the Electricity Industry Act 2000?*

No



d) *Is the applicant capable of being sued in its own name in a court of Australia?*

Yes

## 5. Commissions objectives

### Price, efficiency and competition

Deploying Girgarre Solar Farm will increase the amount of available generation capacity on the Victorian grid. This would increase competition, which would put downward pressure on electricity price in Victoria.

### Quality

The Applicant has secured a connection agreement with Powercor which requires the plant to operate to within quality standards that are consistent with the Generator performance Standards specified in the National Electricity Rules. The applicant secured this connection agreement by demonstrating that its power system is adequate to meet these requirements.

### Reliability of supply

Operating the Girgarre Solar Farm would improve reliability of supply in Victoria by:

- increasing the overall amount of generating capacity available in Victoria
- diversifying the types of generation available in the Victorian network
- diversifying the range of locations generation is available on the Victorian network.

### Health, safety, environmental and social legislation

Enel Green Power Australia has developed Health, Safety and Environmental requirements for all of its projects in Australia, including Girgarre. The Applicant will closely monitor the implementation of these requirements by its contractors.

### Consistency in regulation between States

The National Electricity Rules provide consistent regulation across all states in the National Energy Market which the Girgarre Solar Farm will comply with in line with the conditions of its registration with AEMO. Granting a licence for the applicant to operate Girgarre Solar Farm is not in conflict with the consistency in regulation between states.

### Benefits and costs of regulation for consumers

As previously discussed, granting a licence to the applicant to operate the Girgarre Solar Farm will cost-effectively reduce electricity prices and overall energy costs for all consumers, including vulnerable and low-income consumers, through increased competition.

Cost-effectively increasing the amount of renewable generation capacity available on the Victorian grid will help reduce the financial cost to consumers associated with transitioning the grid to a more carbon-constrained global economy.

Finally, the Girgarre Solar Farm will also reduce negative externalities for consumers by reducing local air pollution caused by fossil fuel generators, and reduce externalities associated with anthropogenic climate change.

### Benefits and costs of regulation for regulated entities

Granting the Applicant a licence to operate as a generator will help retailers access low-cost generation capacity, which will help reduce their operating costs.





## Table of attachments

**All attachments are provided as commercial-in-confidence**

Attachment 1 – Internal Experience and Corporate Structure

Attachment 2 - Network Connection Diagrams

Attachment 3 - GSF and EEA Intermediary Agreement

Attachment 4 - EGPA to EEA Support Letter

Attachment 5 - Risk Management Strategy

Attachment 6 - Risk Register

Attachment 7 - AEMO Registration Evidence - Response to Process Access Standards

Attachment 8 - Compliance Framework

Attachment 9 - Negotiated Connection Contract Girgarre SF

Attachment 10 - Girgarre EPC Deed with Energy Solutions

Attachment 11 - Generator Deed Girgarre SF

Attachment 12 - Asset Management Agreement - Girgarre SF

Attachment 13 - Electricity and Environmental Products Confirmation

Attachment 14 - ISDA 2002 Master Agreement and Schedule

Attachment 15 – Initial correspondence with ESV regarding GSF

Attachment 16 – Operation and Maintenance Deed