



ELECTRICITY INDUSTRY ACT 2000

TRANSFER OF ELECTRICITY GENERATION AND SALE LICENCE

**Kiata Wind Farm Pty Ltd
(ACN 607 460 873)**

RECORD OF DECISION

23 February 2022

SUMMARY

In accordance with section 31(5) of the Electricity Industry Act 2000 (Vic) (Industry Act), the Essential Services Commission (the commission) has approved the transfer of the electricity generation and sale licence issued to Kiata Wind Farm Pty Ltd (ACN 607 460 873) to Kiata ProjectCo Pty Ltd (ACN 645 707 517). The commission also varied the conditions of the licence, pursuant to section 31(8) of the Industry Act, to reflect recent updates to standard conditions since the licence was first granted to the licensee.

BACKGROUND

Kiata Wind Farm Pty Ltd (Kiata) is the holder of an electricity generation licence that was issued on 12 July 2017.

On 28 January 2022, Kiata applied to the commission to transfer its electricity generation licence to Kiata ProjectCo Pty Ltd (Kiata ProjectCo), pursuant to section 31(1) of the Industry Act.

Section 31(5) of the Industry Act provides that the commission may approve, or refuse to approve, the application for any reason it considers appropriate, having regard to the objectives of the commission under the Industry Act and under the Essential Services Commission Act 2001. The commission was required to be satisfied that the proposed licensee has the technical capacity to comply with the conditions of the licence.

On 4 February 2022, the commission published a notice regarding the licence transfer application pursuant to section 31(4) of the Industry Act, inviting submissions until 18 February 2022. No submissions were received.

Section 31(8) of the Industry Act provides that the commission may decide that, upon the transfer of the licence, the conditions to which the licence is subject are varied as decided by the commission.

DECISION

The commission has decided, pursuant to section 31(5) of the Industry Act to transfer the electricity generation and sale licence from Kiata Wind Farm Pty Ltd (ACN 607 460 873) to Kiata ProjectCo Pty Ltd (ACN 645 707 517) with effect from 23 February 2022.

The commission also varied the conditions of the licence, pursuant to section 31(8) of the Industry Act, to reflect recent updates to standard conditions since the licence was first granted to the licensee.

THE COMMON SEAL
of the ESSENTIAL
SERVICES COMMISSION
was affixed pursuant to the
authority of the Commission
on 23 February 2022

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A handwritten signature in blue ink, appearing to read 'Kate Symons', is written over a horizontal line.

Kate Symons
Chairperson