



**ELECTRICITY INDUSTRY ACT 2000
APPLICATION FOR LICENCE TO GENERATE ELECTRICITY FOR SUPPLY OR
SALE AND TO SELL ELECTRICITY**

Lal Lal Wind Farms Nom Co Pty Ltd (ACN 625 768 774)

RECORD OF DECISION

SUMMARY

Pursuant to the provisions of section 19 of the *Electricity Industry Act 2000* (Industry Act) the Essential Services Commission (the commission) has granted Lal Lal Wind Farms Nom Co Pty Ltd (ACN 625 768 774) (**Lal Lal**) a licence to generate electricity at the Elaine Wind Farm and Yendon Wind Farm (the Lal Lal Wind Farms), 24 Duggan Lane, Lal Lal, Victoria 3352, and to sell the electricity generated at those facilities into the wholesale market.

BACKGROUND

Requirement to obtain a Licence

Section 16(1) of the Industry Act provides that a person must not engage in the generation of electricity for supply or sale 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 18 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.

The applicant

On 26 October 2018, Lal Lal submitted an application to the commission for a licence authorising it to generate electricity for supply or sale, and to sell electricity by wholesale.

The application

Consistent with the requirements of the commission's 'Guidance Notes for Applications for Electricity Licences', Lal Lal provided the commission with comprehensive documentation supporting the application.

In particular, Lal Lal presented information to provide a high level of assurance concerning its technical capacity.

On 30 January 2019, 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 19(1) of the Industry Act provides that, subject to subsections (2) and (3), 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:

- Lal Lal has the technical capacity to comply with the conditions of the licence to be granted; and
- Lal Lal is a fit and proper person to hold a licence to sell electricity in Victoria.

In accordance with section 19(1) of the Industry Act, and having regard to its objectives under the Industry Act and the Commission Act, the Commission has decided to grant Lal Lal a licence to generate electricity for supply or sale, and to sell electricity. The authorisation granted by the licence is limited to the generation of electricity at the Elaine Wind Farm and Yendon Wind Farm (the Lal Lal Wind Farms), 24 Duggan Lane, Lal Lal, Victoria 3352 and the sale of electricity generated by these facilities through the wholesale market.

**THE COMMON SEAL
of THE ESSENTIAL
SERVICES COMMISSION**
was affixed pursuant to the
authority of the Commission
on 13 March 2019

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A handwritten signature in blue ink, appearing to read "Ron Ben-David", written in a cursive style.

Dr Ron Ben-David
Chairperson

