



**ELECTRICITY INDUSTRY ACT 2000  
APPLICATION FOR AN ELECTRICITY RETAIL LICENCE**

**Acacia Energy Pty Ltd  
(ACN 636 514 415)**

**RECORD OF DECISION**

**16 December 2020**

## **SUMMARY**

Pursuant to the provisions of section 19(1) of the Electricity Industry Act 2000 (Vic) (Industry Act) the Essential Services Commission (the commission) has granted Acacia Energy Pty Ltd (ACN 636 514 415) (Acacia Energy) a licence to sell electricity by retail to large customers in Victoria.

## **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 or the transmission, distribution, supply or sale of electricity, 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.

Acacia Energy is not exempted from the requirement to obtain a licence in respect of the relevant activity.

### ***Entitlement to apply for a Licence***

Section 18(1) of the Industry Act provides that a person may apply to the commission for a licence authorising the person to sell electricity by retail.

### ***The applicant***

On 16 January 2020, Acacia Energy submitted an application to the commission for a licence authorising it to sell electricity by retail to large customers in Victoria.

### ***The application***

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

In particular, Acacia Energy presented information to provide assurance concerning its technical capacity and its financial viability to undertake the relevant activity.

On 15 October 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 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).

**DECISION**

The commission is satisfied that Acacia Energy:

- has the technical capacity to comply with the conditions of the licence to be granted;
- has the financial resources to carry out the licensed activities; and
- 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 Commission Act and the Industry Act, the commission has decided to grant Acacia Energy a licence to sell electricity 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 16 December 2020

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Kate Symons  
Chairperson

