



ESSENTIAL SERVICES COMMISSION

**ELECTRICITY INDUSTRY ACT 2000
APPLICATION FOR ELECTRICITY GENERATION AND SALE LICENCE**

Apsu Power Pty Ltd (ACN 613 995 243)

RECORD OF DECISION

28 July 2021

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 Apsu Power Pty Ltd (ACN 613 995 243) a licence to generate electricity for supply or sale, and to sell electricity at the Apsu solar farm located at Numurkah, 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.

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 generate electricity for supply or sale and to sell electricity.

The applicant

On 15 December 2020, Apsu Power Pty Ltd submitted an application to the commission for a licence authorising it to generate electricity for supply or sale, and to sell electricity to the wholesale electricity market.

The application

Consistent with the requirements of the commission's 'Guide to Applications for Electricity Industry and Gas Industry Licences', Apsu Power Pty Ltd provided the commission with necessary documentation supporting the application.

Apsu Power Pty Ltd presented information to provide assurance concerning its technical capacity.

On 25 June 2021, 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:

- Apsu Power Pty Ltd has the technical capacity to comply with the conditions of the licence to be granted; and
- Apsu Power Pty Ltd is a fit and proper person to hold a licence to generate electricity for supply or sale, and to sell electricity in Victoria.

Section 19(3) of the Industry Act provides that the commission does not have to be satisfied as to the applicant's financial viability if the applicant is applying for a licence which includes a condition requiring compliance with the National Electricity Rules and the Rules include prudential requirements.

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 Apsu Power Pty Ltd a licence to generate electricity for supply or sale, and to sell electricity. This authorisation granted by the licence is limited to the generation of electricity at the Apsu solar farm located at Numurkah, Victoria, and the sale of electricity generated by this facility through the wholesale market.

THE COMMON SEAL
of the ESSENTIAL
SERVICES COMMISSION
was affixed pursuant to the
authority of the commission
on 28 July 2021

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Kate Symons
Chairperson

