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Our ref: AA1000445
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25/06/2019

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Dear Sir/Madam

Australian Energy Market Operator Limited application for re-authorisation AA1000445—interested party consultation

The Australian Competition and Consumer Commission (the ACCC) has received an application for re-authorisation from the Australian Energy Market Operator Limited (AEMO). The ACCC invites you to comment on the application. Please see pages 20-28 the ACCC's publication [Guidelines for authorisation of conduct \(non-merger\)](#) for a summary of the authorisation process and how to make a submission to the ACCC.

AEMO is seeking re-authorisation for Chapter 5 (Allocation, Reconciliation and Swing) and Chapter 6 (Compliance and Interpretation) of the Retail Market Procedures and the associated deeds. The Retail Market Procedures are the rules under which the gas retail market systems are operated in Western Australia, and the arrangements under them have been authorised since 2004. AEMO is seeking re-authorisation for a period of 10 years on substantially the same terms and in respect of substantially the same conduct as is currently authorised.

A full copy of the application for re-authorisation is available on the ACCC's website www.acc.gov.au/AuthorisationsRegister.

Request for submissions

The ACCC invites you to make a submission on the likely public benefits and effect on competition, or any other public detriment, from the proposed arrangements.

If you intend to provide a submission in relation to AEMO's application for re-authorisation, please do so by **15 July 2019**. Submissions should be emailed to adjudication@acc.gov.au with the subject 'AA1000445 – AEMO – submission'.

Alternatively, if you would like to provide comments orally, please contact Miriam Kolacz on (03) 9658 6476 to organise a suitable time.

Submissions, including oral submissions, will be placed on the ACCC's public register subject to any request for exclusion. Please see the ACCC's publication [Guidelines for excluding information from the public register](#).

Interim authorisation

The current authorisations granted to AEMO expire on 17 September 2019. In the event that the application for revocation and substitution is not finalised prior to this date, AEMO has requested interim authorisation to be granted to the arrangements.

The ACCC decides whether to grant interim authorisation on a case by case basis. Should an applicant request interim authorisation, the ACCC will usually consider a range of factors, including harm to the applicant and other parties if interim is or is not granted, possible benefit and detriment to the public, the urgency of the matter and whether the market would be able to return to substantially its pre-interim state if the ACCC should later deny authorisation.

If you wish to comment on AEMO's application for interim authorisation, please do so by **15 July 2019**.

Timetable

The ACCC will progress its assessment of the application in a timely manner. An indicative timetable is set out below for your information

13 June 2019	Lodgement of application and supporting submission.
25 June 2019	Public consultation process begins.
15 July 2019	Closing date for submissions from interested parties on interim authorisation and the substantive application.
29 July 2019	Applicant responds to issues raised in the public consultation process.
August/September 2019	ACCC decision regarding interim authorisation.
August/September 2019	Draft determination.
September/October 2019	Public consultation on draft determination including any conference if called.
October/November 2019	Final determination.

Please advise if you do not wish to make a submission at this time, but would like to be informed of the progress of the application at the draft and final determination stages. If you are able to please provide a nominated contact email address for future correspondence.

You can also forward this letter to any other party who may wish to make a submission to the ACCC regarding the application.

This letter has been placed on the ACCC's public register. If you wish to discuss any aspect of this matter, please do not hesitate to contact Miriam Kolacz on (03) 9658 6476 or adjudication@accc.gov.au.

Yours sincerely



Darrell Channing
Director
Adjudication Branch

List of interested parties consulted

AGL Sales Pty Limited

Agora Retail Pty Ltd

Alcoa Australia

Alinta Sales Pty Ltd

APT Facility Management Pty Ltd

APT Parmelia

ATCO Gas Australia Pty Ltd

Australian Energy Council

Australian Pipelines and Gas Association

DBP Transmission

Electricity Generation and Retail Corporation t/a Synergy

Energy Consumers Australia

Energy Networks Australia

Energy Users Association of Australia

Gas Trading Australia

Geraldton Brick Pty Ltd

IPower 2 Pty Limited & IPower Pty Limited t/a Simply Energy

Major Energy Users

NewGen Power Kwinana P/L

Origin Energy Retail Limited

Perth Energy Pty Ltd

Shell Energy Australia Pty Ltd

Wesfarmers Kleenheat Gas Pty Ltd