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5 May 2022

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Dear Interested Party

LGA Procurement Application for authorisation AA1000611 – Interested party consultation

On 26 April 2022, the Australian Competition and Consumer Commission (ACCC) received an application for authorisation from LGCS Pty Ltd as Trustee for the LGCS Trust (No 1), trading as LGA Procurement. This letter is to invite you to comment. You are welcome to pass this letter on to others who may wish to make submissions.

LGA Procurement is seeking authorisation¹ under the *Competition and Consumer Act 2010* (Cth) on behalf of itself, 64 local government councils in South Australia and 7 associated local government entities (together, the Participating Entities).

Authorisation would give legal protection from competition laws and allow the Participating Entities to pool their individual electricity demand, place a single tender into the market calling for proposals for the supply of retail electricity services, and accredited renewable electricity and unspecified electricity from an electricity retailer. Each of the Participating Entities would undertake their own governance process to make a final decision as to whether to award the tender to the preferred tenderer.

LGA Procurement is seeking authorisation for 15 years. A full copy of the application for authorisation is available on the ACCC's [authorisations public register](#).

Interim authorisation

LGA Procurement also seeks interim authorisation, to enable it to issue the request for tender to the market for the Proposed Conduct, to facilitate the tender process and the negotiation of the terms and conditions of the electricity supply agreement(s). LGA Procurement will not award the tender unless and until final authorisation is granted.

Making a submission

The ACCC invites you to make a submission on the application for authorisation. In making your submission, please provide information, evidence and views about the likely public benefits, effects on competition and any other public detriment that you consider will result from the proposed conduct.

If you intend to provide a submission in relation to **interim authorisation**, please do so by **12 May 2022**. Extensions are not normally granted for submissions on interim authorisation.

If you intend to provide a submission in relation to the **substantive application**, please do so by **30 May 2022**. If you wish to request an extension, please contact us on the details

¹ For information about Authorisations, please see <https://www.accc.gov.au/business/exemptions/authorisation>

below as early as possible. Submissions after the due date (or after any extension granted) may not be taken into account.

Please email your submission to exemptions@acc.gov.au, with the subject 'AA1000611 – LGA Procurement – Submission'. Alternatively, if you would like to provide comments orally, please contact Elizabeth Batten via the details at the end of this letter.

Your submission **will** be placed on the ACCC's [authorisations public register on the internet](#) unless you have made a request (with reasons) for us to exclude part or all of the submission from the public register. (see [Guidelines for Excluding Information from the Public Register for more information on how to make a request and how we assess requests](#)).

Timetable

The ACCC will progress its assessment of the application in a timely manner. An indicative timetable is set out below for your information, and an up-to-date version (including any changes) will be posted on the public register.

Indicative date	Stage in assessment process
26 April 2022	Lodgement of application and supporting submission.
5 May 2022	Public consultation process begins.
12 May 2022	Closing date for submissions on interim authorisation.
May 2022	ACCC decision regarding interim authorisation.
30 May 2022	Closing date for submissions from interested parties.
June 2022	Applicant responds to issues raised in the public consultation process.
June 2022	Draft determination.
July 2022	Public consultation on draft determination including any conference if called.
August 2022	Final determination.

This letter has been placed on the ACCC's public register. If you have any questions or wish to discuss any aspect of this matter, please do not hesitate to contact Elizabeth Batten on (02) 6243 1359 or exemptions@acc.gov.au.

Yours sincerely

A handwritten signature in blue ink that reads "DChanning". The signature is stylized with a large, sweeping flourish at the end.

Darrell Channing
Director
Competition Exemptions

Interested Party List

- 1st Energy Pty Ltd
- AGL Energy Limited
- Alinta Energy
- Aurora Energy
- Australian Chamber of Commerce and Industry
- Australian Energy Council
- Australian Energy Market Commission
- Australian Energy Market Operator
- Australian Renewable Energy Agency
- Clean Energy Council
- Clean Energy Finance Corporation
- Cova U Pty Ltd
- CS Energy
- Department of Agriculture, Water and the Environment
- Department of Industry, Science, Energy and Resources
- Diamond Energy
- Elysian Energy
- Energy Australia
- Energy Consumers Australia
- Energy Efficiency Council
- Energy Networks Australia
- Energy Users Association of Australia
- Engie
- Enova Energy
- ERM Power
- Future X Power
- Intergen
- Major Energy Users
- Meridian Energy
- Momentum Energy
- Next Business Energy Pty Ltd
- OC Energy Pty Ltd
- Origin Energy
- Pooled Energy
- Powerdirect
- Powershop Australia
- QEnergy
- Red Energy and Lumo Energy
- Renewables SA
- SA Power Networks
- Sanctuary Energy
- Simply Energy
- Sumo Power
- Sunset Power (Delta Electricity)
- Treasury
- Vocus Group (M2/Dodo)