



Our ref: AA1000525
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5/08/2020

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Dear Sir/Madam

Darebin City Council & Ors - application for revocation of authorisation AA1000459 and substitution of AA1000525 – interested party consultation

On 29 July 2020, the Australian Competition and Consumer Commission (the **ACCC**) received an application for revocation and substitution from Darebin City Council & Ors. This letter is to invite you to comment. You are welcome to pass this letter on to others who may wish to make submissions.

Darebin City Council & Ors are seeking revocation and substitution under the *Competition and Consumer Act 2010* (Cth) to alter authorisation AA1000459 granted on 31 January 2020¹. Authorisation AA1000459 was granted to allow Victorian local councils which are parties to the authorisation to pool their electricity demand and place a single tender calling for proposals for the supply of retail electricity services and renewable energy certificates (i.e. Large Scale Generation Certificates) from an electricity retailer.

The alterations to the authorisation sought in the current application for revocation and substitution would:

- add three new councils to the group
- remove four councils and Municipal Association of Victoria, who no longer wish to participate in the arrangements, from the group
- replace Municipal Association of Victoria as leading procurement organisation to conduct the tender process with Darebin City Council.

Darebin City Council & Ors are seeking authorisation for the amended arrangements for eleven years. A full copy of the application for revocation and substitution is available on the ACCC's [authorisations public register](#).

Interim authorisation

Darebin City Council & Ors have also requested interim authorisation to allow them to conduct the tender process, and negotiate the terms and conditions of their electricity supply agreements, prior to the ACCC's final determination in relation to the substantive application for authorisation. Interim authorisation is sought because the Participating Councils wish to

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

issue the request for tender in late August/early September 2020. Darebin City Council 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 revocation and substitution. 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, please do so by **28 August 2020**. If you wish to request an extension, please contact us on the details below as early as possible. Submissions after the due date (or after any extension granted) may not be taken into account. Submissions in relation to interim authorisation should be provided by **14 August 2020**. Extensions are not normally granted for submissions on interim authorisation.

Please note the confidentiality or otherwise of your submission and email your submission to adjudication@acc.gov.au, with the subject 'AA1000525 – Darebin City Council & Ors – submission'. 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
29 July 2020	Lodgement of application and supporting submission.
5 August 2020	Public consultation process begins.
14 August 2020	Closing date for submissions on interim authorisation.
August 2020	ACCC decision regarding interim authorisation.
28 August 2020	Closing date for submissions from interested parties.
September 2020	Applicant responds to issues raised in the public consultation process.
September 2020	Draft determination.
October 2020	Public consultation on draft determination including any conference if called.
November-December 2020	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 Tanya Hobbs on 02 6243 1029 or adjudication@acc.gov.au.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'G Jones', with a long horizontal flourish extending to the right.

Gavin Jones
Director
Adjudication

Interested Party List

1st Energy Pty Ltd
ActewAGL
AEMC
AEMO
Alinta Energy
Australian Energy Council
Blue NRG
Amaysim
Change Energy
Cleantech Energy
Cova U Pty Ltd
CS Energy
Department of Treasury
Diamond Energy
Energy Consumers Australia
Energy Locals
Engie
Enova Energy
ERM Power
Horizon Power
Intergen
Lumo
M2 Energy
Meridian Energy
Momentum Energy
Next Business Energy Pty Ltd
OC Energy Pty Ltd
Origin People
Powerdirect
Powershop
QEnergy
Red Energy
Sanctuary Energy
Simply Energy
Snowy Hydro
Sumo Power
Sunset Power (Delta Electricity)
Tango Energy Pty Ltd
Vocus Group (Dodo)