



Our ref: AA1000620  
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18 August 2022

By email

exemptions@acc.gov.au  
www.acc.gov.au

Dear Interested Party

## **Western Australian and Northern Territory LNG Producers application for revocation of authorisation AA1000396 and substitution of AA1000620 – interested party consultation**

On 10 August 2022, the Australian Competition and Consumer Commission (the **ACCC**) received an application for re-authorisation (revocation and substitution) from liquefied natural gas (LNG) producers Chevron, INPEX, Shell and Woodside (the **Applicants**). This letter is to invite you to comment. You are welcome to pass this letter on to others who may wish to make submissions.

The Applicants are seeking re-authorisation<sup>1</sup> under the *Competition and Consumer Act 2010* (Cth). Re-authorisation would give them legal protection from competition laws to continue to discuss, make and give effect to arrangements regarding the sequencing and timing of scheduled maintenance and associated shutdowns and outages at LNG facilities in Western Australia and the Northern Territory. The LNG facilities form part of the Gorgon, Wheatstone, Ichthys, Prelude, North West Shelf and Pluto LNG projects, each of which involves the subsea extraction of natural gas, its processing and conversion to LNG for export. The Applicants are seeking re-authorisation for 10 years. The current application relates to the same conduct previously authorised, except that the Applicants have requested the Condition in the original authorisation is removed.

A full copy of the application for re-authorisation is available on the ACCC's [authorisations public register](#).

### **Making a submission**

The ACCC invites you to make a submission on the application for re-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.

Further, the ACCC invites you to tell us about your experience of the conduct during the term of the previous authorisation. The ACCC is particularly interested in the public benefits and detriments you have observed as a result of the conduct to date.

If you intend to provide a submission, please do so by **9 September 2022**. 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.

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

Please use the coversheet that accompanied this letter and email your submission to [exemptions@acc.gov.au](mailto:exemptions@acc.gov.au), with the subject 'AA1000620 – Western Australian and Northern Territory LNG Producers – submission'. Alternatively, if you would like to provide comments orally, please contact Jack Foley 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
10 August 2022	Lodgement of application and supporting submission.
18 August 2022	Public consultation process begins.
9 September 2022	Closing date for submissions from interested parties.
October/November 2022	Draft determination.
October/November 2022	Public consultation on draft determination including any conference if called.
November/December 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 Jack Foley on (07) 3811 9294 or [exemptions@acc.gov.au](mailto:exemptions@acc.gov.au).

Yours sincerely



David Hatfield  
Director  
Competition Exemptions

## Interested Party List

- AEMC
- AEMO
- AEMO WA
- AER
- AGC
- AGL Wholesale Gas Limited
- Alinta Energy
- ALS
- Applus
- Australian Energy Council (incl ASAA, ENA, ERAA)
- Australian Gas Infrastructure Group
- Australian Gas networks (formerly Envestra)
- Australian Petroleum Production & Exploration Association (APPEA)
- Baker Hughes
- Commonwealth Department of Industry, Innovation and Science
- Compass (ESS)
- ConocoPhillips
- Contract Resources
- ECOLAB PTY LTD T/A NALCO CHAMPION
- Energy Networks Australia
- Enermech
- ERA
- ERAWA
- ERM Power
- Gas Trading Australia Pty Ltd
- INDUSTRIAL PLANT AND SERVICE AUSTRALIA PTY LTD
- Kleenheat and Evol LNG (Wesfarmers Chemicals, Energy and fertilisers)
- MITSUBISHI HEAVY INDUSTRIES LTD
- Monadelphous
- Northern Territory Department of Primary Industry and Resources
- Power and Water Corporation
- Qube
- Santos
- Schneider
- SIEMENS LTD
- SULZER AUSTRALIA PTY LTD
- Synergy WA Govt owned - generate electricity and sell elect and gas to customers
- UGL
- Ventia
- WA Department of Jobs, Tourism, Science and Innovation
- WA Generator forum