



Our ref: A91205-A91207
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Dear Sir/Madam

**Rio Tinto & Ors application for minor variations of authorisations A91205-A91207—
determination and interim authorisation**

The Australian Competition and Consumer Commission (the **ACCC**) has issued a determination in respect of the application for minor variations of authorisations A91205-A91207 lodged by Rio Tinto & Ors on 20 September 2021.

Rio Tinto & Ors sought the minor variations under section 91A of the *Competition and Consumer Act 2010* (the **CCA**) to authorisations A91205-A91207 which authorised a number of electricity supply agreements involving the Boyne Island aluminium smelter. The minor variations are proposed to allow amendments to the relevant authorised agreements in response to the change to a five minute settlement period under the National Electricity Rules.

A copy of the ACCC's determination is attached, including a summary of its reasons. For the reasons set out in its determination, the ACCC has decided to grant authorisation to the minor variations. The ACCC's assessment is set out in Chapter 6 of its determination.

The ACCC has also grant interim authorisation to the minor variations. Interim authorisation commences immediately and remains in place until it is revoked or the date the ACCC's determination comes into effect or when the application for the minor variations is withdrawn.

Application for review

Pursuant to section 101 of the CCA, a person dissatisfied with this determination may apply to the Australian Competition Tribunal for its review. An application for review must be made within 21 days of the date of this determination; that is, on or before 19 November 2021. If no application to review is lodged by this date, the ACCC's determination will come into force on 20 November 2021.

An application for review of the ACCC's determination should be lodged directly with the Australian Competition Tribunal. The Australian Competition Tribunal is a separate body from the ACCC and is located within the Federal Court of Australia.

For further information about the process involved in reviewing decisions in the Australian Competition Tribunal please refer to the tribunal's website located at <http://www.competitiontribunal.gov.au/>.

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 Tanya Hobbs on 02 6243 1029.

Yours sincerely

Gavin Jones
Director
Competition Exemptions