



Our ref: AA1000586  
Contact officer: Jaime Martin  
Contact phone: 03 9290 1477

15/12/2021

## By email

Dear Sir/Madam

### **Australian Energy Market Operator application for authorisation AA1000586 — draft determination**

The Australian Competition and Consumer Commission (the **ACCC**) has issued a draft determination, with conditions, in respect of the application for authorisation lodged by the Australian Energy Market Operator (**AEMO**) on behalf of itself, AEMO Industry Participants and Future AEMO Industry Participants on 15 October 2021.

For the reasons set out in its draft determination, the ACCC proposes to grant authorisation to enable AEMO and current and future industry participants to coordinate and share information relating to the maintenance of electricity systems for the purpose of ensuring their safe, secure and reliable operation, and minimise the risk of any outages, during the COVID-19 pandemic. The ACCC proposes to grant authorisation until 27 October 2022.

The proposed conditions require AEMO to regularly report to the ACCC about material decisions or arrangements discussed at industry coordination meetings, and for the immediate termination of any arrangements entered into upon the expiry of ACCC authorisation.

A copy of the ACCC's draft determination is enclosed, and is also available on the ACCC's [Authorisations Public Register](#).

## Next steps

Once the ACCC issues a draft determination, the applicants or any interested party may make a written submission and/or request that the ACCC convene a 'pre-decision conference'.

## Making a submission

If you wish to make a submission in response to the ACCC's draft determination, please lodge your submission by **Thursday, 27 January 2022**. Submissions should be emailed to [exemptions@acc.gov.au](mailto:exemptions@acc.gov.au) with the subject 'AA1000586 – AEMO – submission'. If you prefer to make an oral submission, please contact Jaime Martin via the details at the end of this letter.

The ACCC will consider any submissions it receives, including any oral submissions made at a pre-decision conference (should one be called - see below), and will then release a final determination in relation to this application.

Submissions will be placed on the ACCC's public register subject to any request for exclusion. See the ACCC's [Guidelines for excluding information from the public register](#).

## Optional pre-decision conference

In some cases, the applicant or an interested party requests that the ACCC convene a conference in relation to its draft determination. If a conference is called, it will be open to the applicant and interested parties to attend and make oral submissions in relation to the draft determination. Conferences are conducted informally and, while legal or professional advisers may attend, they are not entitled to participate in the discussion.

If you wish the ACCC to hold a pre-decision conference in relation to the draft determination, you must notify the ACCC in writing by **Thursday, 27 January 2022** by email to [exemptions@acc.gov.au](mailto:exemptions@acc.gov.au).

## Timetable

An indicative timetable for the ACCC's assessment is set out below.

Indicative Date	Stage in assessment process
15 October 2021	Lodgement of application and supporting submission, including request for interim authorisation.
27 October 2021	ACCC grants interim authorisation, and consultation on the substantive application for authorisation commences.
12 November 2021	Closing date for submissions from interested parties.
26 November 2021	Applicant's response to submissions due.
15 December 2021	ACCC draft determination.
January / February 2022	Public consultation on draft determination, including any conference if called.
February / March 2022	ACCC final determination.

This letter has been placed on the ACCC's public register. If you wish to discuss any aspect of this matter, please contact Ms Jaime Martin on 03 9290 1477 or via email to [exemptions@acc.gov.au](mailto:exemptions@acc.gov.au).

Yours sincerely



David Hatfield  
Director  
Competition Exemptions