



23 Marcus Clarke Street  
Canberra ACT 2601

Our ref: AA1000525  
Contact officer: Tanya Hobbs  
Contact phone: (02) 6243 1029

GPO Box 3131  
Canberra ACT 2601  
tel: (02) 6243 1111  
adjudication@acc.gov.au  
www.acc.gov.au

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## By email

Dear Madam or Sir

### **Darebin City Council & Ors – application for application for revocation of authorisation AA1000459 and substitution of AA1000525 – draft determination & interim authorisation**

The Australian Competition and Consumer Commission (the **ACCC**) has issued a draft determination in respect of the application for revocation of authorisation AA1000459 and substitution of AA1000525 lodged by Darebin City Council & Ors on 29 July 2020.

For the reasons set out in its draft determination, the ACCC proposes to grant authorisation for 11 years from the date on which the final authorisation is granted.

A copy of the ACCC's draft determination is attached and also available on the ACCC's [authorisations public register](#).

### **Amendment to the original application**

Darebin City Council & Ors have also submitted an amendment to the 29 July 2020 application. This amendment would allow for the addition and removal of local government councils without having to seek a variation to the authorisation from the ACCC, provided it would not result in the councils' annual aggregate consumption of electricity increasing to more than 1% of the total consumption in the Victorian market.

The ACCC will consider this proposed amendment in making a final decision about whether to grant authorisation.

### **Next steps**

Once the ACCC issues a draft determination, the Applicant 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 and/or the amended application, please lodge your submission by **18 September 2020**. Submissions should be emailed to [adjudication@acc.gov.au](mailto:adjudication@acc.gov.au) with the subject "AA1000525 – Darebin City Council & Ors – submission". If you prefer to make an oral submission, please contact Tanya Hobbs 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. Please see the ACCC's publication [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 pre-decision 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 are able to 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 **18 September 2020** by email to [adjudication@acc.gov.au](mailto:adjudication@acc.gov.au).

### Timetable

The ACCC will continue to progress its assessment of the application in a timely manner. An updated indicative timetable is set out below for your information.

| Indicative date              | Stage in assessment process                            |
|------------------------------|--|
| <b>29 July 2020</b>          | Lodgement of application and supporting submission.    |
| <b>5 August 2020</b>         | Public consultation process begins.                    |
| <b>14 August 2020</b>        | Closing date for submissions on interim authorisation. |
| <b>26 August 2020</b>        | Draft determination released.                          |
| <b>18 September 2020</b>     | Submissions on draft determination due.                |
| <b>October/November 2020</b> | Final determination.                                   |

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  
Adjudication