



Our ref: AA1000558
Contact officer: Nissa Burns
Contact phone: 03 9910 9558

11/08/2021

By email

Dear Sir/Madam

Equinix and others application for authorisation AA1000558 — final determination

The Australian Competition and Consumer Commission (the **ACCC**) has issued a final determination in respect of the application for authorisation lodged by Equinix (Australia) Enterprises Pty Ltd (**Equinix**) and others on 15 June 2021.

Equinix, HSBC, Nike Australia Pty Limited, Goldman Sachs and H&M sought authorisation to conduct a joint procurement process for an aggregated hedged volume of electricity and equivalent volume of Green Products from a solar or wind electricity generation facility connected, or to be connected, to the National Electricity Market, likely in New South Wales (Facility).

For the reasons set out in its determination, the ACCC has decided to grant authorisation for 24 years, until 30 September 2045.

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

Application for review

Pursuant to section 101 of the *Competition and Consumer Act 2010 (Cth)*, 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 1 September 2021. If no application to review is lodged by this date, the ACCC's determination will come into force on 2 September 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 Nissa Burns on 03 9910 9558.

Yours sincerely

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

Jaime Martin
A/g Director
Competition Exemptions