

## Annexures H: 87B Undertaking

Undertaking to the Australian Competition and Consumer Commission given by the applicant acquirer(s) for the purposes of section 87B

by

MidOcean Reef Bidco Pty Ltd (ABN 22 665 950 318)

- 1 This undertaking (the Undertaking) is given to the Australian Competition and Consumer Commission (the ACCC) by MidOcean Reef Bidco Pty Ltd (ABN 22 665 950 318) of 'Gateway' Level 20, 1 Macquarie Place, Sydney NSW 2000 under section 87B of the *Competition and Consumer Act 2010* (Cth) (the Act).
- 2 MidOcean Reef Bidco Pty Ltd has made an application for a merger authorisation pursuant to section 88 of the Act in respect of its proposed acquisition of Origin's energy markets business, an Australian integrated generation and retail company.
- 3 MidOcean Reef Bidco Pty Ltd hereby undertakes that it will not complete the acquisition the subject of the application referred to in paragraph 2 while the application is being considered by the ACCC.
- 4 This Undertaking comes into effect when:
  - (a) the Undertaking is executed by MidOcean Reef Bidco Pty Ltd, and
  - (b) the ACCC accepts the Undertaking so executed.
- 5 MidOcean Reef Bidco Pty Ltd acknowledges that the ACCC will make this Undertaking available for public inspection.

### EXECUTED AS AN UNDERTAKING

EXECUTED BY MidOcean Reef Bidco Pty Ltd, (ABN 22 665 950 318) pursuant to section 127 (1) of the *Corporations Act 2001* (Cth).

Signature of director



Signature of director



Name of director (print)



Name of director (print)



Date: 2 June 2023

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Accepted by the Australian Competition and Consumer Commission pursuant to section 87B of the Act:

And signed on behalf of the ACCC:

**Chairman**

**Date**

Name:

*Cass. J. Giddins*

Name:

Position: **Chair**

Position:

Date: **6 July 2023**

Date: