



**Australian
Competition &
Consumer
Commission**

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Our Ref: C2004/1221

7 March 2005

Mr David Nemtzow
Director General,
Department of Energy, Utilities and Sustainability
GPO Box 3889,
Sydney NSW 2001

Dear Mr Nemtzow

**New South Wales Full Retail Competition (Metering) Derogations
Final Determination**

On 27 August 2004, the Australian Competition and Consumer Commission (ACCC) received applications for authorisation (Nos A90928, A90929, and A90930) of derogations from Chapter 7 of the National Electricity Code. The applications were made by the National Electricity Code Administrator (NECA) on behalf of the New South Wales Department of Energy, Utilities and Sustainability, under Part VII of the *Trade Practices Act 1974* (TPA). The stated purpose of the applications is to reinstate New South Wales's previous derogations from chapter 7 of the National Electricity Code regarding the metering arrangements in New South Wales.

Please find enclosed a copy of the ACCC's final determination, which outlines its analysis and views on the derogations. The ACCC proposes to authorise the derogations, subject to a condition of authorisation.

A person dissatisfied with the final determination may apply to the Australian Competition Tribunal for its review.

If you have any enquiries, please contact me on (03) 9290 1867, or Christopher Streets on (03) 9290 1894.

Yours sincerely

Sebastian Roberts
General Manager - Electricity

