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13/04/2017

Dear Sir/Madam,

### **South Australian Chamber of Mines and Energy Application for authorisation A91567 & A91568 — interim and draft determinations**

The Australian Competition and Consumer Commission (the ACCC) has issued an interim determination and a draft determination in respect of the application for authorisation lodged by the South Australian Chamber of Mines and Energy on 4 January 2017.

Please see the ACCC's publication [Authorisation process - the basics](#) for a summary of the authorisation process and how to make a submission to the ACCC.

SACOME is seeking authorisation for 24 businesses to form a joint electricity purchasing group.

#### **Interim determination**

The Australian Competition and Consumer Commission (the ACCC) has decided to grant interim authorisation in respect of the application for authorisation lodged by SACOME on 4 January 2017. A copy of the ACCC decision is attached.

Interim authorisation protects the arrangements for which authorisation is sought from legal action under the relevant provisions of the *Competition and Consumer Act 2010* while the ACCC considers and evaluates the merits of the application.

As noted in the attached decision, the ACCC may review its decision on interim authorisation at any time. The ACCC's decision in relation to interim authorisation should not be taken to be indicative of whether or not final authorisation will be granted by the ACCC.

#### **Draft Determination**

A copy of the ACCC's draft determination and summary of its reasons is attached.

For the reasons set out in its draft determination, the ACCC proposes to grant authorisation for 11 years.

#### **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'.

If you wish to make a submission in response to the ACCC's draft determination, please lodge your submission by **4 May 2017**. "Submissions should be emailed to

[adjudication@accc.gov.au](mailto:adjudication@accc.gov.au) with the subject "A91567 & A91568 – South Australian Chamber of Mines and Energy – submission".

A pre-decision conference provides the opportunity for interested parties to 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 **27 April 2017**.

The ACCC will consider any submissions it receives, including any oral submissions made should a pre-decision conference be called, and will then release a final determination in relation to these applications.

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](#).

## 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>4 January 2017</b>	Lodgement of application and supporting submission.
<b>31 January 2017</b>	Public consultation process begins.
<b>13 April 2017</b>	ACCC decision regarding interim authorisation.
<b>13 April 2017</b>	Draft determination.
<b>May 2017</b>	Public consultation on draft determination including any conference if called.
<b>June 2017</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 Kaitlin Hanrahan on (03) 9290 1917.

Yours sincerely



Lyn Camilleri  
Director  
Adjudication