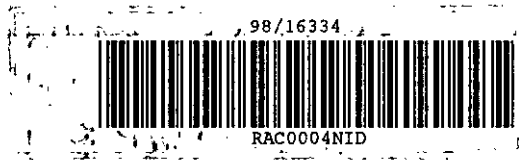
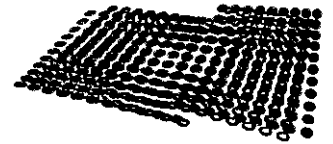


29 October 1998



EnergyAustralia



Mr. Anthony Englund
Australian Competition and Consumer Commission
PO Box 1199
Dickson ACT 2602

570 George Street
Sydney NSW 2000
Telephone 13 1525
+61 13 1525
Facsimile (02) 9269 2830

Address all mail to
GPO Box 4009
Sydney NSW 2001
Australia

Dear Mr. Englund,

Access Undertaking

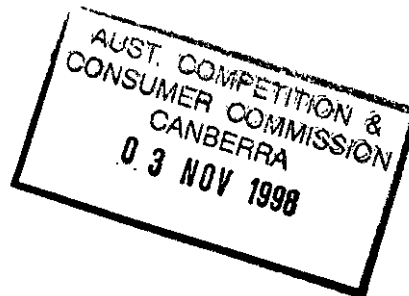
Thank you for your letter of 22 October 1998 concerning the requirement for EnergyAustralia to register an Access Undertaking with the ACCC.

Please find enclosed this undertaking together with the required applicable regulatory instruments.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'D. Shanahan'.

Denis Shanahan
A/General Manager - Network



**UNDERTAKING GIVEN TO THE AUSTRALIAN COMPETITION AND
CONSUMER COMMISSION UNDER SECTION 44ZZA OF THE
TRADE PRACTICES ACT 1974**

This undertaking is given by EnergyAustralia.

1. Effective date

This undertaking has effect from the date on which it is accepted by the Australian Competition and Consumer Commission (the *ACCC*).

2. Expiry date

This undertaking expires on 31 December 2010.

3. Interpretation

Words appearing in italics in this undertaking have the meaning given to them by Chapter 10 of the *National Electricity Code*.

4. Undertaking

On registration by *NEMMCO* as a *Network Service Provider*, EnergyAustralia undertakes to provide access to the *network services* of its *transmission networks* and *distribution networks* on the terms and conditions set out below.

5. Terms and conditions of connection and access

EnergyAustralia undertakes to maintain and make available its *networks* for access to the *network services*:

- (a) by *Code Participants* in accordance with the requirements of the *Code*¹; and
- (b) by all persons in accordance with:
 - (i) the *applicable regulatory instruments*; including:
 - the Electricity Supply Act 1995 (“ES Act”)²;
 - all regulations³ made and licences⁴ (“Licences”) issued under the ES Act;
 - the Independent Pricing and Regulatory Tribunal of NSW (IPART) Act 1992 (“IPART Act”)⁵;
 - all regulations and pricing determinations made under the IPART Act⁶;
 - all regulatory instruments applicable under the licences⁷; and
 - the Commercial Arbitration Act 1984⁸.

¹ It is understood that the National Electricity Code Administrator (NECA) has supplied a copy of the *Code* to the *ACCC*.

² It is understood that TransGrid will provide a copy of this instrument.

³ It is understood that TransGrid will provide a copy of this instrument.

⁴ A copy of EnergyAustralia’s Distributors Licence Conditions is annexed to this undertaking.

⁵ It is understood that TransGrid will provide a copy of this instrument.

⁶ It is understood that TransGrid will provide a copy of this instrument.

⁷ Copies of the following documents:

- Interim Guideline – Key Performance Indicators for Electricity Distributors and Retail Suppliers;
 - Electricity Industry Codes of Practice; and
 - Electricity Distributors’ & Retail Suppliers’ Licences Guidelines and Requirements Policy
- are annexed to this undertaking.

⁸ It is understood that TransGrid will provide a copy of this instrument.

(ii) *good electricity industry practice* and applicable *Australian Standards*.

6. Copies of amended documents

EnergyAustralia undertakes to provide the ACCC with an updated copy of an *applicable regulatory instrument* annexed to this undertaking whenever that instrument is amended.

7. Withdrawal or variation of undertaking

EnergyAustralia may, with the consent of the ACCC, withdraw or vary this undertaking at any time.

SIGNED

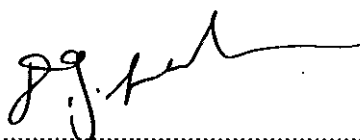
for EnergyAustralia
by its duly authorised representative
in the presence of:



Witness 29/10/98

H COLEBOURN

Name [please print]



Representative

D.J. SHANNON

Name [please print]

NSW

FILE CREATION REQUEST FORM

FILE NO.	DATE	OFFICER	BRANCH	X REF	INDEXER
CR98/231	03 NOV 98	PAUL BILYK	ELECTRICITY		CR 97/58.

TITLE

29/10

NEM ACCESS UNDERTAKING - Energy Australia Network

Staff may suggest a file title. Final construction and arrangement is the responsibility of REGISTRY PERSONNEL.

ADDITIONAL KEYWORDS - (do not include words which have been used in the file title)

ADDITIONAL KEYWORDS - Suggested by project staff
