

VICTORIAN POWER EXCHANGE PTY LTD

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Melbourne 3000
Australia



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Our Reference

Your Reference

28 October 1998



Mr Anthony Englund
Project Manager
ACCC
PO Box 1199
DICKSON ACT 2602

Dear Mr Englund

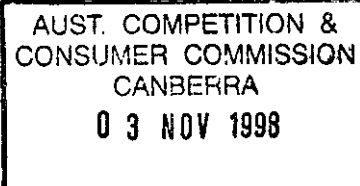
ACCESS UNDERTAKINGS

In relation to your letter dated 22 October 1998, please find attached VPX's access undertaking prepared in accordance with the ACCC's requirements.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Paul Pemberton'. The signature is fluid and cursive.

Paul Pemberton
CHIEF EXECUTIVE OFFICER



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

This undertaking is given by Victorian Power Exchange Pty Ltd (ACN 080 200 371)

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*, Victorian Power Exchange Pty Ltd undertakes to provide access to the *network services* of its *transmission networks* on the terms and conditions set out below.

5. Terms and conditions of connection and access

Victorian Power Exchange Pty Ltd 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 Industry Act 1993 ("EI Act")²;
 - all regulations made and licences issued under the EI Act³; and
 - (ii) *good electricity industry practice* and applicable *Australian Standards*.

¹ A copy of the *Code* will be supplied to the ACCC by NECA.

² A copy of this instrument is annexed to this undertaking.

³ Copies of the relevant instruments applicable to Victorian Power Exchange Pty Ltd and some of those applicable to the distribution *Network Service Providers* generally are annexed to this undertaking. Our understanding is that copies of those instruments applicable to particular distribution *Network Service Providers* will be provided by the relevant *Network Service Provider*.

6. Terms and conditions of connection and access

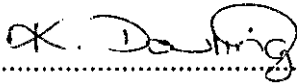
Victorian Power Exchange Pty Ltd undertakes to provide the ACCC with an updated copy of an *applicable regulatory instrument* annexed to this undertaking whenever that instrument is amended.

7. Withdrawal or variation of undertaking

Victorian Power Exchange Pty Ltd may, with the consent of the ACCC, withdraw or vary this undertaking at any time.

SIGNED

for Victorian Power Exchange Pty Ltd
by its duly authorised representative
in the presence of:



Witness

K M DOWLING

Name (please print)



Representative

P.E. PEMBERTON

Name (please print)

INDEX OF ANNEXURES

1. Electricity Industry Act 1993
2. Office of the Regulator-General Act 1994
3. Victorian Electricity Supply Industry Tariff Order made under section 158A of the Electricity Industry Act 1993
4. Wholesale Electricity Market and Transmission Licence Issued to Victorian Power Exchange
5. The Victorian System Code
6. VPX Approved Statement of Charges