



**ELECTRICITY INDUSTRY ACT 2000  
VARIATION TO ELECTRICITY GENERATION AND SALE LICENCE**

**AGL HP1 Pty Limited (ACN 080 429 901) & AGL HP2 Pty  
Ltd (ACN 080 810 546) & AGL HP3 Pty Limited (ACN 080  
735 815), (together “AGL Hydro Partnership”)**

**RECORD OF DECISION**

**26 October 2022**

## SUMMARY

In accordance with section 29(1)(b) of the Electricity Industry Act 2000 (Vic) (**EI Act**) the Essential Services Commission (**the commission**) has varied the licence to generate electricity for supply and sale issued to AGL HP1 Pty Ltd & AGL HP2 Pty Ltd & AGL HP3 Pty Limited, (together, “AGL Hydro Partnership”). The variation adds Yarrowonga Power Station as a licenced generation facility and includes variations to generally update the licence, including clauses with respect to variation, revocation, ongoing technical capacity, compliance with regulatory instruments, provision of information and review.

## BACKGROUND

AGL Hydro Partnership currently holds an electricity generation and sale licence issued by the commission on 18 December 1997.

On 6 July 2022, AGL Hydro Partnership requested to vary its licence to include Yarrowonga Power Station as a licenced generation facility. This request for variation was made on the basis that AGL Hydro Partnership identified, during due diligence undertaken by parent company AGL Energy Limited (ACN 076 691 481), that generation for supply or sale at the Yarrowonga Power Station was not licensed nor exempt from being licensed in Victoria.

As part of considering this variation request the commission proposed other variations to the licence for consistency with more recent licences issued by the commission; including variations in relation to clauses with respect to variation, revocation, ongoing technical capacity, compliance with regulatory instruments, provision of information and review.

## CONSIDERATION OF THE VARIATION REQUEST

In accordance with section 29(1)(b) of the EI Act the commission and a licensee may vary a licence by agreement. Variation of a licence requires the commission to have regard to its objectives under section 10 of the EI Act and section 8 of the Essential Services Commission Act 2001.

While AGL Hydro Partnership proposed the variation to its licence in relation to the Yarrowonga Power Station, on 12 October 2022, it was provided with additional variations to the licence proposed by the commission. AGL Hydro Partnership consented to the proposed variations to its licence.

## DECISION

The commission has decided, pursuant to 29(1)(b) of the EI Act, to vary by agreement, the electricity generation and sale licence issued to AGL Hydro Partnership. The variation licenses generation for supply or sale at the Yarrowonga Power Station and varies clauses for consistency with more recent licences issued by the commission, including variations to clauses with respect to variation, revocation, ongoing technical capacity, compliance with regulatory instruments, provision of information and review.

**THE COMMON SEAL**  
**of the ESSENTIAL**  
**SERVICES COMMISSION**  
was affixed pursuant to the  
authority of the commission  
on 27 October 2022



A handwritten signature in blue ink, appearing to be "Kate Symons", written over a horizontal line.

Kate Symons  
**Chairperson**