



**ELECTRICITY INDUSTRY ACT 2000  
APPLICATION FOR ELECTRICITY GENERATION AND SALE LICENCE**

**Sun Spot 3 Pty Ltd (ACN 618 128 733)**

**RECORD OF DECISION**

**29 August 2023**

## **SUMMARY**

Pursuant to the provisions of section 19(1) of the Electricity Industry Act 2000 (Vic) (Industry Act) the Essential Services Commission (the commission) has granted Sun Spot 3 Pty Ltd (ACN 618 128 733) (Sun Spot 3) a licence to generate electricity for supply or sale, and to sell electricity at the Sun Spot 3 facility located at Wunghnu Victoria with a nameplate capacity of 93.5 MW.

## **BACKGROUND**

Section 16(1) of the Industry Act provides that a person must not engage in the generation of electricity for supply or sale or the transmission, distribution, supply or sale of electricity unless the person is:

- (a) the holder of a licence authorising the relevant activity;
- (b) is exempted from the requirement to obtain a licence in respect of the relevant activity; or
- (c) is the holder of a trial waiver in respect of the relevant activity.

Section 18(1) of the Industry Act provides that a person may apply to the commission for a licence authorising the person to generate electricity for supply or sale and to sell electricity.

On 31 March 2023, Sun Spot 3 submitted an application to the commission for a licence authorising it to generate electricity for supply or sale, and to sell electricity to the wholesale electricity market.

Consistent with the requirements of the commission's electricity generation licence application form and 'Guideline: Applications for electricity and gas industry licences', Sun Spot 3 provided the commission with necessary documentation supporting the application.

On 24 July 2023, the commission published a copy of the application, and invited interested parties to make submissions in respect of the application. The commission did not receive any submissions regarding the application.

## **CONSIDERATION OF THE APPLICATION**

Section 19(1) of the Industry Act provides that the commission may grant or refuse the application for any reason it considers appropriate, having regard to the objectives of the commission under the provisions of the Industry Act and the Essential Services Commission Act 2001 (Vic) (Commission Act).

## **DECISION**

The commission is satisfied that:

- Sun Spot 3 has the technical capacity to comply with the conditions of the licence to be granted; and
- Sun Spot 3 is a fit and proper person to hold a licence to generate electricity for supply or sale, and to sell electricity in Victoria.

In accordance with Section 19(1) of the Industry Act, and having regard to its objectives under the Commission Act and the Industry Act, the commission has decided to grant Sun Spot 3 a licence to generate electricity for supply or sale, and to sell electricity. The authorisation granted by the licence is limited to the generation of electricity at the Wunghnu Solar Farm facility located at Wunghnu Victoria, and the sale of electricity generated by this facility through the wholesale electricity market.

**THE COMMON SEAL**  
**of the ESSENTIAL**  
**SERVICES COMMISSION**  
was affixed pursuant to the  
authority of the commission  
on 29 August 2023

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Kate Symons  
**Chairperson**