



**ELECTRICITY INDUSTRY ACT 2000
APPLICATION FOR AN ELECTRICITY RETAIL LICENCE**

**Tesla Energy Ventures Australia Pty Ltd
(ACN 665 982 365)**

RECORD OF DECISION

17 April 2024

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 Tesla Energy Ventures Australia Pty Ltd (TEVA) (ACN 665 982 365) a licence to sell electricity by retail to customers in Victoria.

BACKGROUND

Requirement to obtain a Licence

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.

TEVA is not exempted from the requirement to obtain a licence in respect of the relevant activity.

Entitlement to apply for a Licence

Section 18(1) of the Industry Act provides that a person may apply to the commission for a licence authorising the person to sell electricity by retail.

The application

On 29 November 2023, TEVA submitted an application to the commission for a licence authorising it to sell electricity by retail to customers with aggregate annual consumption of up to 160 MWh of electricity in Victoria.

Consistent with the requirements of the commission's 'Guide to Applications for Electricity and Gas Industry Licences', TEVA has provided the commission with documentation supporting the application.

In particular, TEVA presented information to provide assurance concerning its technical capacity and its financial viability to undertake the relevant activity.

On 1 March 2024, the commission published a copy of the application, and invited interested parties to make submissions in respect of the application. The commission received 16 submissions.

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) (ESC Act).

DECISION

The commission is satisfied that TEVA:

- has the technical capacity to comply with the conditions of the licence to be granted;
- has the financial resources to carry out the licensed activities; and
- is a fit and proper person to hold a licence to sell electricity in Victoria.

In accordance with section 19(1) of the Industry Act, and having regard to its objectives under the ESC Act and the Industry Act, the commission has decided to grant TEVA a licence to sell electricity by retail in Victoria, subject to conditions specified in the licence.

THE COMMON SEAL
of the ESSENTIAL
SERVICES COMMISSION
was affixed pursuant to the
authority of the Commission
on 17 April 2024

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A handwritten signature in blue ink, appearing to read "Kate Symons", with a long horizontal flourish extending to the right.

Kate Symons
Chairperson