



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

**Y.E.S. Energy (SA) Pty Ltd
ACN 627 706 594**

RECORD OF DECISION

15 September 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 Y.E.S. Energy (SA) Pty Ltd (ACN 627 706 594)(Y.E.S. Energy) a licence to sell electricity generated at small generating units through the wholesale electricity market, subject to Y.E.S. Energy being registered with the Australian Energy Market Operator (AEMO) as a small generation aggregator.

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 sell electricity.

On 31 May 2023, Y.E.S. Energy submitted an application to the commission for a licence authorising it to sell electricity generated at small generating units through the wholesale electricity market, subject to Y.E.S. Energy being registered with the AEMO as a small generation aggregator.

Consistent with the requirements of the commission's electricity generation and wholesale licence application form and the 'Guideline: Applications for electricity industry and gas industry licences', Y.E.S. Energy provided the commission with necessary documentation supporting the application.

On 26 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) (ESC Act).

DECISION

The commission is satisfied that:

- Y.E.S. Energy has the technical capacity to comply with the conditions of the licence to be granted;
- Y.E.S. Energy is a fit and proper person to hold a licence to sell electricity generated at small generating units through the wholesale electricity market, subject to Y.E.S. Energy being registered with the AEMO as a small generation aggregator.

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 Y.E.S. Energy a wholesale licence to sell electricity generated at small generating units through the wholesale electricity market, 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 15 September 2023

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Kate Symons
Chairperson