



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

Victorian Big Battery Pty Ltd (ACN 644 584 421)

RECORD OF DECISION

26 May 2021

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 Victorian Big Battery Pty Ltd (ACN 644 584 421) a licence to generate electricity for supply or sale, and to sell electricity at the Victorian Big Battery located at Atkinsons Road, Moorabool 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; or
- (b) is 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 generate electricity for supply or sale and to sell electricity.

The applicant

On 5 March 2021, Victorian Big Battery Pty Ltd 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.

The application

Consistent with the requirements of the commission's 'Guide to Applications for Electricity Industry and Gas Industry Licences', Victorian Big Battery Pty Ltd provided the commission with necessary documentation supporting the application.

In particular, Victorian Big Battery Pty Ltd presented information to provide assurance concerning its technical capacity.

On 9 April 2021, 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:

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

Section 19(3) of the Industry Act provides that the commission does not have to be satisfied as to the applicant's financial viability if the applicant is applying for a licence which includes a condition requiring compliance with the National Electricity Rules and the Rules include prudential requirements.

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 Victorian Big Battery Pty Ltd a licence to generate electricity for supply or sale, and to sell electricity. This authorisation granted by the licence is limited to the generation of electricity at the Victorian Big Battery located at Atkinsons Road, Moorabool Victoria, and the sale of electricity generated by this facility through the wholesale market.

THE COMMON SEAL
of the **ESSENTIAL**
SERVICES COMMISSION
was affixed pursuant to the
authority of the commission
on 9 June 2021

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Kate Symons
Chairperson

