

Decision on Retail Licence Application for Griffin Energy Sales Pty Ltd

29 January 2008

Economic Regulation Authority



WESTERN AUSTRALIA

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DECISION

1. On 29 October 2007, Griffin Energy Sales Pty Ltd (Applicant) submitted an Application to the Economic Regulation Authority (Authority) for a Retail Licence for the sale of electricity to commercial and/or industrial customers, within the South West Interconnected System (SWIS) in Western Australia.
2. The Retail Licence Application was made pursuant to section 10 of the *Electricity Industry Act 2004 (Act)*.
3. Pursuant to section 49 of the Act, the Applicant also submitted to the Authority a standard form contract as part of its application for a Retail Licence for approval.
4. Pursuant to section 51 of the Act, the Authority approves a Standard Form Contract modified and resubmitted by the Applicant.
5. Pursuant to sections 9 and 19 of the Act, the Authority also approves the grant of a Retail Licence to the Applicant to supply electricity subject to, and in accordance with, the terms set out in the Retail Licence for a period of 15 years.

REASONS

1. On 13 December 2007, the Authority invited interested parties to provide submissions on the proposed retail standard form contract. The Authority received no submissions on the proposed retail standard form contract.
2. The Authority examined whether the standard form contract submitted by the Applicant met the requirements of the regulations in respect of such contracts and was not inconsistent with the Act or any other written law or any term, condition or provision of the Retail Licence.
3. The Authority recommended minor amendments to the Standard Form Contract submitted by the Applicant. The Applicant resubmitted a final standard form contract that included all the suggested amendments.
4. The Authority has therefore decided to approve the resubmitted Standard Form Contract of the Applicant.
5. The Authority has considered the Retail Licence Application and the advisers' assessment conducted for the purpose of the Retail Licence Application and is satisfied that the Applicant meets the requirements of section 19(1) of the Act.
6. Section 9 of the Act states that the Authority must not exercise a power conferred by Division 3 of the Act (general licensing provisions) unless the Authority is satisfied that it would not be contrary to the public interest to do so.
7. A notice seeking public submissions on the Retail Licence Application was published on the Authority's web site on 13 November 2007. The Authority did not receive any comments or objections to the grant of a retail licence to the Applicant.
8. In its consideration of the Application, the Authority considered the public interest, including the matters set out in section 8(5) of the Act as required by section 9(2).

The Authority is satisfied that approval of a retail licence to the Applicant would not be contrary to the public interest.

9. The Authority has therefore decided to grant an electricity retail licence to the Applicant for the sale of electricity to commercial and/or industrial customers within the SWIS for a period of 15 years.
10. As required by section 23(1) of the Act, the Authority will publish a notice of its approval of the Application in the *Government Gazette* as soon as is practicable.

LYNDON ROWE
CHAIRMAN