Economic Regulation Authority

Decision on electricity retail licence renewal application

EDL Pilbara Pty Ltd

19 August 2026

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Acknowledgement of Country

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We acknowledge their continuing connection to culture and community, their traditions and stories. We commit to listening, continuously improving our performance and building a brighter future together.

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1. Introduction

In accordance with section 26(1)(g) of the *Economic Regulation Authority Act 2003* (ERA Act), this document sets out the ERA's decision on EDL Pilbara Pty Ltd's electricity retail licence renewal application and the matters it considered in making its decision.

1.1 Decision

Pursuant to sections 9 and 19 of the *Electricity Industry Act 2004* (Electricity Industry Act), the Economic Regulation Authority has renewed electricity retail licence ERL16.

Subject to its terms and conditions, the licence authorises EDL Pilbara to continue selling electricity to its large use customer, in Maitland, Western Australia.[1]

The term of the renewed licence is 15 years, commencing 27 August 2026.

In accordance with section 23(1) of the Electricity Industry Act, the ERA will publish a notice of the renewal in the Government Gazette as soon as practicable.

[1] A large use customer consumes more than 160 megawatt hours of electricity per year.

2. Background

The ERA is satisfied that EDL Pilbara meets the regulatory requirements for renewal of its electricity retail licence.

2.1 Licence

Section 7(4) of the Electricity Industry Act requires a person to hold an electricity retail licence to sell electricity to customers.

The ERA first granted ERL16 to EDL Pilbara on 27 August 2011 for a term of 15 years, which is the maximum period permitted for grant or renewal of an electricity retail licence under the Electricity Industry Act.

On 9 July 2026, EDL Pilbara applied to the ERA to renew ERL16, for a further term of 15 years.

2.2 Public consultation

On 15 July 2026, the ERA published a notice on its website, inviting submissions from interested parties on the renewal application. No submissions were received during the 15-business day consultation period.

2.3 Assessment of application

The licence application guidelines on the ERA's website explain that the renewal of a licence is subject to the same financial, technical and public interest tests as the grant of a licence.

2.3.1 Financial and technical assessments

Under section 19(1) of the Electricity Industry Act, the ERA must renew a licence if it is satisfied that the licensee has and is likely to retain, or will acquire within a reasonable time after the renewal, and is then likely to retain, the financial and technical resources to undertake the activities authorised, or to be authorised, by the licence.

As part of its renewal application, EDL Pilbara provided audited financial statements for the past three financial years, interim management accounts to 30 June 2026, and a written declaration from its Chief Financial Officer that EDL Pilbara has, and is likely retain, the financial resources to undertake the activities authorised by the licence during the proposed renewal period.

EDL Pilbara also confirmed it has the technical resources required to undertake the activities authorised by the licence, stating that it has:

- Successfully and continuously performed these activities since the grant of the licence.
- Not had any material adverse change in its financial or technical resources which would undermine or impede its ability to undertake the activities.
- No plans to change its operations under the licence.

The ERA assessed the financial and technical information provided by the licensee. The ERA also considered EDL Pilbara's licence compliance history and noted that it has demonstrated a high level of compliance with its licence obligations.[2]

Based on its compliance history and the information provided in the renewal application, the ERA is satisfied that EDL Pilbara has, and is likely to retain, the financial and technical resources to continue to undertake the activities authorised by the licence for a further 15 years.

2.3.2 Assessment of public interest

In its assessment of public interest, the ERA has considered the matters set out in section 8(5) of the Electricity Industry Act, the matters set out in section 26(1) of the ERA Act, the outcome of the public consultation process and information provided by EDL Pilbara. The relevant matters set out in the Electricity Industry Act and ERA Act are detailed below in sections 2.3.3 and 2.3.4.

The interests of EDL Pilbara as a service provider and of EDL Pilbara's large use customer as a consumer are best served by EDL Pilbara continuing to be licensed, so that supply can be maintained (section 8(5)(d) of the Electricity Industry Act and sections 26(1) (b) and (d) of the ERA Act).

The ERA conducted public consultation on the licence renewal application and has stated in this decision the reasons for renewing ERL16 (section 26(2)(g) of the ERA Act).

The ERA is satisfied that renewal of EDL Pilbara's electricity retail licence ERL16, for a term of 15 years, would not be contrary to the public interest.

2.3.3 Electricity Industry Act 2004

Section 9 of the Electricity Industry Act requires that the ERA must not renew a licence unless it is satisfied that it would not be contrary to the public interest to do so. Section 9(2) of the Electricity Industry Act provides that, without limiting the other matters that may be taken into account, the ERA must take into account the matters referred to in section 8(5) of the Electricity Industry Act when determining whether the grant of the renewal would be contrary to the public interest. These matters are:

a. Environmental considerations.

b. Social welfare and equity considerations, including community service obligations.

c. Economic and regional development, including employment and investment growth.

d. The interests of customers generally or of a class of customers.

e. The interests of any licensee, or applicant for a licence, in respect of the area or areas to which the licence in respect of which the power exercised is exercised would apply.

f. The importance of competition in electricity industry markets.

[2] Performance audit reports and post-audit implementation plans for electricity licensees are available on the ERA's website (online).

g. The policy objectives of government in relation to the supply of electricity.

2.3.4 Economic Regulation Authority Act 2003

In making its decision, the ERA must also have regard to the matters set out in section 26(1) of the ERA Act:[3]

a. The need to promote regulatory outcomes that are in the public interest.

b. The long-term interests of consumers in relation to the price, quality and reliability of goods and services provided in relevant markets.

c. The need to encourage investment in relevant markets.

d. The legitimate business interests of investors and service providers in relevant markets

e. The need to promote competitive and fair market conduct.

f. The need to prevent abuse or monopoly or market power.

g. The need to promote transparent decision-making processes that involve public consultation.

2.4 Licence duration

The ERA has decided to renew ERL16 for 15 years.

Renewing ERL16 for a further 15 years will enable EDL Pilbara to continue to meet its contractual commitments to its customer.

The licence expiry date is 26 August 2041.

[3] The ERA has discretion to decide the weight it gives to each of the matters listed in section 26 of the ERA Act in making its decision.