



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

**Pacific Blue Smart Communities Pty Ltd
ACN 151 241 673**

RECORD OF DECISION

26 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 Pacific Blue Smart Communities Pty Ltd (ACN 151 241 673) (Pacific Blue) a licence to generate electricity for supply or sale, and to sell electricity at the two battery energy storage systems (BESS) located in Dromana, Victoria, with a capacity of 1.99 MW and 0.45MW.

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:

- (a) is 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 generate electricity for supply or sale and to sell electricity (under subsections (1)(a) and (d)).

On 18 April 2023, Pacific Blue applied to the commission for a licence authorising it to generate electricity for supply or sale, and to sell electricity to the wholesale electricity market.

Consistent with the requirements of the commission's electricity generation licence application form and 'Guideline: Applications for electricity and gas industry licences', Pacific Blue 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) (Commission Act).

DECISION

The commission is satisfied that:

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

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 delegate of the commission has decided to grant Pacific Blue a licence to generate electricity for supply or sale, and to sell electricity. The authorisation granted by the licence is limited to the generation of electricity at the BESS located at Dromana, Victoria, and the sale of electricity generated by this facility through the wholesale electricity market.

THE COMMON SEAL
of the ESSENTIAL
SERVICES COMMISSION
was affixed pursuant to the
authority of the commission
on 26 September 2023

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Sitesh Bhojani
Acting Chairperson