

## Electricity generation licence application form

### Purpose of this form

This form must be completed by persons applying to the Essential Services Commission (the commission) for a licence to authorise electricity generation in Victoria. Electricity generation includes battery energy storage systems.

### Basis for this form

Section 18 of the *Electricity Industry Act 2000* (the Industry Act) provides that a licence application must be made in a form approved by the commission. This is the form approved by the commission.

### Use of this form and the applicant's responsibilities

A licence application may be made by any legal person including, without limitation, individuals, incorporated associations, unit and other forms of trusts and corporations. Entities that are not a legal person (for example, an unincorporated joint venture or a partnership) cannot apply for a licence.

For the purpose of this application form, reference to the term "Officer" includes the applicant's directors and secretary, and other persons who make or participate in making decisions that affect a substantial part of the business (for example, Chief Executive Officer, Chief Financial Officer or General Manager).

The applicant should list the information requested in the spaces provided in this form and enclose additional information when required.

The applicant must take all reasonable steps to ensure the information provided in the application form is complete, true and correct.

An officer of the applicant is required to make a declaration to this effect in the application form. Failure to disclose information or misrepresent any matter relevant to such information may result in a licence not being issued or in the revocation of a licence later.

It is a criminal offence under section 61A of the *Essential Services Commission Act 2001* to provide the commission with false or misleading information or documentation.

The applicant is responsible for providing the commission with current, accurate and relevant documentation. It is the applicant's responsibility to make all reasonable inquiries to obtain the information requested by this form.

Providing accurate and relevant information and a complete application (answering all questions and providing all information) will assist in timely processing of an application. All applications are assessed on a case-by-case basis. If insufficient information is provided with an application, we will contact the applicant about the requirement for additional information to be submitted before the application is considered further.

## Prior reading

It is expected that the applicant has read our [Guideline: Applications for electricity and gas industry licences](#) before completing this form.

It is the applicant's responsibility to ensure its compliance with legal obligations when applying for a licence.

## Licence conditions

Section 20 of the Industry Act authorises the commission to issue licences subject to conditions as decided by the commission. Licences are published on our [website](#). We recommend the applicant familiarise itself with the relevant standard conditions and be confident that it can comply with those conditions prior to applying for a licence.

## Further information

The applicant should note that we may ask for further information, or to clarify the information that the applicant has already provided with the application.

## Consultation and confidentiality

We will consult with relevant government, industry and consumer groups on the licence application through a public consultation process. Applications and/or supporting information that is not confidential will be made available on our website.

If the applicant believes that any information provided as part of its application is confidential or commercially sensitive, it is the applicant's responsibility to clearly identify this information on those documents. The applicant should also provide a 'non-confidential' version of the application form and documents for publication on our website.

## How to lodge an application

The applicant may send the completed application form electronically (preferred) or in hard copy to:

**Electronically:**      [licences@esc.vic.gov.au](mailto:licences@esc.vic.gov.au)

**Hard copy:**                      Market Operations, Energy  
   Division Essential Services  
   Commission Level 8, 570  
   Bourke Street  
   Melbourne VIC 3000

### Large files

Applicants generally need to send us large files which is often not suitable via email. Please contact us at [licences@esc.vic.gov.au](mailto:licences@esc.vic.gov.au) to discuss alternative options to provide an application to the commission.

## Application fees and annual licence fees

The commission has the authority to set a licence application fee. Currently, there is no application fee.

Holding a licence incurs annual licence fees. Refer to the commission's [Guideline: Applications for electricity and gas industry licences](#) for more information regarding annual licence fees.

## 1. General Information – The Applicant

*The applicant must answer all questions in this section.*

### 1.1 Legal name of applicant

State the full legal name of the applicant. The applicant is the person who will be ~~generating electricity and/or~~ selling (wholesale) electricity that will be the subject of the licence.

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Name: Shell Energy Retail Pty Ltd

The Applicant Shell Energy Retail is applying for a wholesale electricity licence.

### 1.2 Legal identity of applicant

Provide the applicant's ABN and ACN (where relevant) and information about the applicant (for example, whether the applicant is a private limited company, trust, or joint venture).

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ABN: 87 126 175 460 (Shell Energy Retail Pty Ltd)

ACN: 126 175 460 (Shell Energy Retail Pty Ltd)

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**Type of entity:**

Australian Proprietary Company, Limited By Shares

**Attachment Reference:**

Attachment 1.2A – Certificate of Registration on Change of Name – Shell Energy Retail Pty Ltd

Attachment 1.2B - ASIC Company Summary - Shell Energy Retail Pty Ltd

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### 1.3 Contact details and address of the applicant

The applicant	
<b>Business address:</b> Level 30, 275 George Street, Brisbane	
State: QLD	Postcode: 4000
<b>Postal address (if different):</b> As above	
State:	Postcode:
<b>Full name of contact person:</b> Chantelle Pirlo	
Position title: Project Manager	
Telephone: [REDACTED]	Mobile: [REDACTED]
Email: [REDACTED]	

#### 1.4 Diagram of corporate and organisational structure

Attach a diagram illustrating the corporate structure, including details of any related companies within the meaning of the *Corporations Act 2001* and the organisational chart. Provide a diagram of the:

- Corporate structure (including any parent and related companies within the meaning of the *Corporations Act 2001*), and

Attachment reference: Attachment 1.4 A\_ Shell Energy Retail Corporate Structure CONFIDENTIAL

#### 1.5 The licence

***The applicant must answer all questions in this section.***

If the applicant is seeking for a licence to be issued by a certain date, identify this date. **Note: we do not undertake to issue the licence by this date.** The applicant should usually allow a minimum of eight to 10 weeks **once we consider the application to be complete.** An application is considered complete once we have all the information needed for the commission to make a decision. In other words, when we have no need to request further information from the applicant. This includes a public consultation period of four weeks (generally) as part of our consideration of licence applications.

##### Provide details on the following:

Date from which WHOLESALE licence is sought: 01/04/2024

Type of generation: Battery Energy Storage System (BESS)

Expected name plate capacity: 200 MW / 400 MWh

Location of generation facility: 280S Evans Road, Cranbourne West, VIC 3977

##### Details of how the generator will be connected to the network:

An augmentation of the existing 220kV Cranbourne Terminal Station will be undertaken to connect the BESS to the network. AEMO (in its role as Victorian network planner) will engage Ausnet Services to design, construct and commission the terminal station augmentation works.

The connection point of the BESS to the network is the terminal of the circuit breaker to be installed by Ausnet in Bay H, on Bus No.1 in the 220kV Cranbourne Terminal Station.

The applicant will design, construct, commission, own, operate and maintain 220kV connection infrastructure from the BESS to the terminal station. The new terminal station assets in Bay H will be owned and maintained by AusNet.

##### Offtake

Shell Energy Retail (SER) – Is an entity of Shell Energy. Shell Energy is Shell’s renewables and energy solutions business in Australia, helping its customers to decarbonise and reduce their environmental

footprint. SER provides all market trading and risk management activities in energy markets in respect of the CBESS. SER is obligated to comply with all relevant regulatory obligations under its contract with the Applicant.

**Attachment reference:** Attachment 2.1 F - CBESS Battery Storage Services Agreement (CONFIDENTIAL)

## 2. Technical capacity

*The applicant must answer all questions in this section.*

### 2.1 Experience and knowledge of the industry

Provide information about the human resources available to the applicant. This includes:

- a) The experience and qualifications of those employees outlined in the organisational chart (see 1.4b);

**Attachment reference:** Attachment 2.1A - SER Experience and Org Chart\_CONFIDENTIAL

- b) If the applicant will employ contractors or agents to assist with the licensed activities, the name of those contractors or agents, details about the experience of the contractors or agents in such operations and details of the processes in place to ensure the contractors or agents comply with the licence conditions, including relevant regulatory obligations

The Applicant will employ the following contractors to assist with the licensed activities:

Where the applicant is relying on a third party to provide staff and/or resources to meet the technical capacity requirements of the generation and wholesale licence, provide:

- c) the experience and qualifications of any relevant key employees who will manage those systems and processes;
- d) if the applicant will engage third parties to assist with the licensed activities, provide the following information in relation to each third party:
  - (i) the name of that third party
  - (ii) the scope of activities undertaken by the third party
  - (iii) details and copies of any agreements for the provision of services
  - (iv) details about the experience of the third party in relation to the activities that it will be undertaking, including any accreditations
  - (v) details of the processes in place to ensure the third party complies with the licensee's regulatory obligations.

Shell Energy Retail Pty Ltd will not employ contractors for the sale of wholesale electricity.

### 2.2 Risk management

- a) Provide confirmation and evidence that the applicant has identified the risks associated with electricity generation and wholesale operations. Additionally, provide evidence that the applicant has established, utilised and relied upon risk management systems and processes which are adequate, accurate and current to address those risks.
- b) Provide a copy of the applicant's risk management strategy. A statement should also be

provided (or supporting document must make it clear) whether the strategy has been developed in line with any Australian or International Standard (for example, ISO 31000:2018).

- c) Provide a copy of a risk register that identifies risks, controls and mitigations.

Shell Energy Retail acknowledges that an effective risk management and compliance program will result in it being able to demonstrate commitment to compliance with relevant laws, industry codes, organisational standards as well as standards of good corporate governance, ethics and community expectations. Shell Energy Retail follows Shell's Trading Risk Management plan which is in line with the Australian Standard AS/NZS ISO 31000:2009, however, this is a global trading plan that is confidential and not available for distribution.

To support this risk management section, the applicant has provided their BESS Operations Procedure and BESS Operations Action Matrix for the Rangebank BESS and also provided an example of their Riverina BESS which is located in NSW.

**Attachment reference:** Attachment 2.2 A - CBESS Operations Procedure (CONFIDENTIAL – Not for Publication on ESC website)

**Attachment reference:** Attachment 2.2 B - CBESS Operations Action Matrix (CONFIDENTIAL – Not for Publication on ESC website)

### **2.3 Registration with the Australian Energy Market Operator and generator performance standards**

Advise if the applicant will apply to register with the Australian Energy Market Operator (AEMO). If so, provide evidence of registration or exemption, or intending registration or exemption (for example, correspondence between the applicant and AEMO). If the applicant is not registering with AEMO, describe why that is the case.

Provide confirmation from AEMO that proposed negotiated generator performance standards will meet requirements for power system security and reliability under the National Electricity Rules.

Confirming Shell Energy Retail is a registered participant with AEMO. See attachment below in tab 2 Registered Participants, line 468) from [AEMO's Registered Participant's List](#) on their public website.

**Attachment reference:** Attachment 2.3 AEMO NEM Registration and Exemption List

### **2.4 Licences held in other jurisdictions**

If the applicant holds, or has previously held, electricity and/or gas licences or authorisations in other jurisdictions provide details. If a licence or authorisation previously held has been suspended or cancelled, provide details.

**Attachment reference:** Attachment 2.4 and 2.6 Shell Energy Retail and Associated Licenses (CONFIDENTIAL – Not for Publication on ESC website)

### **2.5 Previous unsuccessful licence applications in other jurisdictions**

Confirm whether the applicant has applied for an electricity or gas licence in another jurisdiction and not been issued with a licence or authorisation, provide details.

The Applicant has not been denied an electricity or gas licence in another jurisdiction.

### **2.6 Licences held by associates of the applicant**

If an associate (within the meaning of the Corporations Act 2001) holds an electricity or gas licence in Victoria or in other Australian jurisdiction, provide details.



Attachment reference: Attachment 2.4 and 2.6 Shell Energy Retail and Associated Licenses (CONFIDENTIAL – Not for Publication on ESC website)

## 2.7 Compliance management

- a) Provide evidence of compliance management which demonstrates how the compliance systems the applicant has (or will have) in place will ensure compliance with all the relevant regulatory obligations required by an electricity generation licence.

Please find attached a copy of the Cranbourne compliance register.

Attachment Reference: Attachment 2.7 AA Cranbourne BESS Compliance Register Not for Publication on ESC website

- b) Provide a copy of the applicant's compliance management strategy. A statement should also be provided (or supporting document must make it clear) whether the strategy has been developed in line with any Australian or International Standard (for example, AS ISO 19600:2015).

The applicant uses Shell Energy's Compliance Policy and Code of Conduct to formalise and document its approach to ensure that it, and its staff, comply with all applicable laws and regulation.

Shell Energy's ongoing national retailer authorisation and jurisdictional retail licences are contingent on the company successfully implementing and maintaining an effective compliance framework that reflects the Australian Standard AS3806-2006 Compliance Programs (the Standard).

The Policy attached is intended to focus on compliance outcomes and not necessarily process, however some attention to developing and embedding processes will be required.

Attachment reference: Attachment 2.7 A – Shell Energy Compliance Policy (CONFIDENTIAL)

Attachment reference: Attachment 2.7 B – Shell Energy Code of Conduct (CONFIDENTIAL)

## 2.8 Material agreements

Provide copies of agreements entered into, or intended to be entered into, by the applicant that are material to the undertaking of the electricity generation activity. Agreements that are material to the undertaking of the electricity generation activity may include:

- a) Connection agreements, such as a Generator Connection Agreement and Generator Project Agreement with a generation facility.
- b) Any contract concerning the construction and delivery of the project (sometimes commonly referred to as a Project Construction and Coordination Deed (PCCD) or Engineering, Procurement and Construction Agreement).
- c) Any Network Services Agreements.
- d) Any contracts concerning the managerial aspects of the activity (sometimes commonly referred to as a Management Services Agreement or Asset Management Agreement).
- e) Any contract concerning the ongoing operations and maintenance of the transmission assets (sometimes commonly referred to as an Operations and Maintenance Agreement).

- f) Any contract concerning the sale of electricity from the generator under a Power Purchase Agreement.

There are two business units under Shell Energy Retail: one that manages behind the meter (SGAs or sub -30MW projects) and one that manages grid-scale generators. Both business units are registered under AEMO Participant Shell Energy Retail. Confirming, this wholesale licence is for our grid scale 200MW Cranbourne (Rangebank) Battery and not SGA.

The BSSA previous supplied is the offtake agreement between Shell Energy Retail and the Cranbourne BESS Project Co Pty Ltd.

**Attachment Reference:** Attachment 2.1 F CBESS BSSA (offtake) CONFIDENTIAL Not for publication on ESC Website

### Engagement with Energy Safe Victoria

Provide details about the applicant's engagement with Energy Safe Victoria and any copies of correspondence regarding the proposed electricity generation facility.

Not applicable as only the registered intermediary with AEMO for the sale of wholesale electricity

### 2.9 Additional information

Provide any additional information the applicant considers relevant to the commission's assessment of the applicant's technical capacity.

Not applicable as only the registered intermediary with AEMO for the sale of wholesale electricity

## 3. Financial viability

### 3.1 Financial resources

The applicant must provide a statement that will be made available to the public during the consultation period that the applicant has the financial resources to commence and sustainably perform the relevant licensable activities.

Provide a statement to confirm that:

- a) the applicant is financially viable and has the financial resources to sustainably operate the electricity generation facilities, and
- b) the applicant will be a registered market participant with the Australian Energy Market Operator for its electricity generation activities, therefore subject to the prudential requirements under the National Electricity Rules.

The commission reserves the right to conduct a financial viability assessment and require the applicant to produce information and documents it considers appropriate to complete such an assessment.

#### RESPONSE

The Applicant is financially viable and has the financial resources to sell wholesale. The Applicant is current a registered market participant with the Australian Energy Market Operator and has been

subjected to the prudential requirements under the National Electricity Rules.

#### 4. Fit and proper person

***The applicant must answer all questions in this section.***

In deciding whether to grant or refuse a licence application, the commission will consider whether the applicant is a fit and proper person to hold a licence in Victoria.

The concept of a 'fit and proper person' is established by common law and takes its meaning from its context, from the activities in which the person is or will be engaged, and the ends to be served by those activities.

In considering whether an applicant is a fit and proper person, we will have regard to the applicant's honesty, integrity and reputation. These are relevant factors as they can inform an assessment of the likelihood of future conduct.

We will also consider the conduct of directors, office holders or any person with significant managerial duties or influence. We will also consider the conduct of related bodies corporate or entities that can exert control over the applicant.

- a) Have any directors of the applicant, directors of any entity that can exert control over the applicant, or any person with significant managerial responsibility or influence on the applicant:
- (i) been declared bankrupt,
  - (ii) had their affairs placed under administration,
  - (iii) been disqualified from managing a company,
  - (iv) been subject to debt judgements, or
  - (v) insolvency proceedings (including any administration, liquidation or receivership in connection with the affairs of a company)?

If yes, provide details:

##### **RESPONSE**

To the best of my knowledge and belief, having undertaken appropriate due diligence enquiries, no director of the Applicant, director of any entity that can exert control over the Applicant, or any person with significant managerial responsibility or influence on the Applicant has:

- (i) been declared bankrupt;
- (ii) had their affairs placed under administration;
- (iii) been disqualified from managing a company;
- (iv) been subject to debt judgments; or
- (v) been subject to insolvency proceedings (including administration, liquidation
- (vi) or receivership in connection with the affairs of a company)

- b) Has the applicant, any directors of the applicant, directors of any entity that can exert control over the applicant or any person with significant managerial responsibility or influence on the

applicant been prosecuted for any offences or had any enforcement action taken under any state, territory, Commonwealth or foreign legislation (including, but not limited to, the *Competition and Consumer Act 2010*, *Corporations Act 2001*, or the *Australian Securities and Investments Commission Act 2001*)?

If yes, provide details:

**RESPONSE**

To the best of my knowledge and belief, having undertaken appropriate due diligence enquiries, neither the Applicant, its directors, the directors of an entity that can exert control over the Applicant nor any persons with significant managerial responsibility or influence on the Applicant have, been prosecuted for an offence or had any enforcement action taken under any state, territory, Commonwealth or foreign legislation (including, but not limited to, the *Competition and Consumer Act 2010 (Cth)*, *Corporations Act 2001 (Cth)* and the *Australian Securities and Investments Commission Act 2001 (Cth)*).

- c) Has the applicant, any directors of the applicant, any related body corporate, or any person with significant managerial responsibility or influence on the applicant been involved in any material breaches of obligations regulated by the commission or any other regulator?

If yes, provide details:

**RESPONSE**

To the best of my knowledge and belief, having undertaken appropriate due diligence enquiries, neither the Applicant he applicant has not been involved in any material breaches.

- d) Has the applicant, any directors of the applicant, any related body corporate, or any person with significant managerial responsibility been under investigation in relation to its regulatory obligations or is currently bound by an enforceable undertaking?

If yes, provide details:

**RESPONSE**

The applicant, its related body corporate or any person with significant managerial responsibility or influence on the applicant have not been under investigation in relation to its regulatory obligations or is currently bound by an enforceable undertaking.

- e) Has the applicant, any related body corporate or any person with significant managerial responsibility or influence on the applicant, been refused a licence or authorisation, or had restricted, suspended or revoked any such licence or authorisation (in any jurisdiction)?

If yes, provide details:

**RESPONSE**

The applicant, its related body corporate or any person with significant managerial responsibility or influence on the applicant have not been refused a licence or authorisation, or had restricted suspended or revoked any such license.

- f) Provide any other information the applicant considers relevant to the commission's fit and

proper person assessment.

**Attachment reference:** Attachment 4 B – CBESS Fit and Proper Person

**Additional information**

Answer the following questions and, where the answer to any question is “no” (except for question b)), provide further detail.

a) Is the applicant a resident of, or does it have permanent establishment in, Australia?

Yes, the Applicant is a resident of and has a permanent establishment in Australia.

b) Is the applicant under external administration (as defined in the *Corporations Act 2001*) or under a similar form of administration under any laws applicable to it in any jurisdiction?

No, the Applicant is not under external administration (as defined in the *Corporations Act 2001*) or under a similar form of administration under any laws applicable to it in any jurisdiction.

c) Is the applicant immune from suit in respect of the obligations under the *Electricity Industry Act 2000*?

No, the Applicant is not immune from suit in respect of its obligations under the *Electricity Industry Act 2000* (VIC).

d) Is the applicant capable of being sued in its own name in a court of Australia?

Yes, the Applicant is capable of being sued in its own name in a court of Australia.

This wholesale licence application is initiated for the sole purpose for Shell Energy Retail to be the intermediary within Victoria as per ESC requirements. It is being initiated for the grid scale 200MW Cranbourne (Rangebank) BESS only.

## 5. Commission objectives

***The applicant must answer all questions in this section.***

In deciding whether to grant or refuse an electricity generation licence application, the commission must consider its objectives under the *Electricity Industry Act 2000* and the *Essential Services Commission Act 2001* (ESC Act).

Our primary objective under the ESC Act, when performing our functions and exercising our powers, is to promote the long-term interests of Victorian consumers. In seeking to achieve this objective, we must have regard to the price, quality, and reliability of essential services and the matters set out in section 8A to the extent they are relevant.

In seeking to achieve the objectives specified in section 8, the commission must have regard to the matters to the extent that they are relevant in any particular case.

Provide any information the applicant considers relevant to the commission's consideration of its objectives outlined in:

- Section 8 of the ESC Act (also see section 8A of the ESC Act); and
- Section 10 of the *Electricity Industry Act 2000*.

Response: The 200MW Cranbourne (Rangebank) BESS will assist in maintaining prices, quality and reliability through the following:

- i. Based on experiences in NSW and current wholesale market outcomes, the BESS will be charging through the middle of the day when solar PV and other renewable outputs are at their greatest. This will then be stored for discharging during the evening peak where demand is greatest and assist in lower wholesale energy prices.
- ii. Quality and reliability of the BESS are correlated. BESS technology are fast flexible dispatch assets which provides quality energy as and when required within the NEM. This subsequently provides power system reliability for managing supply and demand shortfalls when they are present in the power systems. The highly flexible BESS can achieve both when required.

8A Matters which the Commission must have regard to

(1) In seeking to achieve the objective specified in section 8, the Commission must have regard to the following matters to the extent that they are relevant in any particular case—

(a) efficiency in the industry and incentives for long term investment;

**Response:** The provision of a wholesale licence to the 200MW Cranbourne BESS will provide efficiency in the NEM using a flex storage asset where it can charge during the middle part of the day, where high renewable penetration is at times wasted as it cannot be stored and shifted for managing peak evening demands.

(b) the financial viability of the industry;

**Response:** With the introduction of more renewables into Victoria both AEMo and the Vic Gov using SECV

have identified a need for flexible storage assets that can store energy and be shifted to manage high prices and/or reliability issues when there are supply/demand shortfalls in the energy market. This alone with assist in the maintenance of financial viability of industry participants and customers.

(c) the degree of, and scope for, competition within the industry, including countervailing market power and information asymmetries;

**Response:** There is a greater need to transition from conventional generation to renewables. However, at present the battery storage segment in Victoria is currently highly concentrated by only a few organisations who own and operate BESS within Victoria. Therefore, the issuing of a wholesale licence will provide additional competition within the Vic wholesale market not only from an energy only perspective but also additional ancillary service offerings and non-market ancillary services.

(d) the relevant health, safety, environmental and social legislation applying to the industry;

**Response:** The asset management of the BESS will be conducted by Shell through its power operations division. They are associated with the 200MW Cranbourne BESS generation licence.

(e) the benefits and costs of regulation (including externalities and the gains from competition and efficiency) for—

(i) consumers and users of products or services (including low income and vulnerable consumers);

(ii) regulated entities;

(f) consistency in regulation between States and on a national basis;

(g) any matters specified in the empowering instrument.

**Response:** The application of the wholesale licence is concurrent with the application for Shell Energy Retail to be the registered intermediary via AEMO. Therefore, it is consistent with all other state and national requirements both from an intermediary but also technical perspective. The operation of the BESS within Victorian will provide benefits and lower costs to the Victorian wholesale market by providing more competition in the market and ancillary services. Additionally, being a flexible generation asset it will seek to charge during the lowest part of the day when renewables are at its greatest and store this energy to discharge over the evening peak to manage high priced periods and supply shortfalls.

S. 8A inserted by No. 15/2008 s. 5.

(2) Without derogating from section 8 or subsection (1), the Commission must also when performing its functions and exercising its powers in relation to a regulated industry do so in a manner that the Commission considers best achieves any objectives specified in the empowering instrument.

**Response:** The granting of a wholesale electrical licence to Shell Energy Retail as intermediary for the 200MW Cranbourne BESS will support the Commission in performing its functions and exercising its powers, the objective of the Commission is to promote the long term interests of Victorian consumers. This as mentioned above namely will be achieved through the following:

- Ability to charge during the middle part of the day when renewables are at their greatest and store this energy for discharging during the high demand, low renewable evening peaks
- The evening peaks tend to be the highest priced periods of the day, thus having a flexible asset such as battery storage, Shell will time shift the stored energy for the high demand periods
- The BESS is a large 400MWh (2hr) BESS, this will significantly support AEMO in managing quality and reliability within the power system especially during reserve shortfall periods.

Section 10 Objectives of the Commission

The objectives of the Commission under this Act are—

- (a) to the extent that it is efficient and practicable to do so, to promote a consistent regulatory approach between the electricity industry and the gas industry; and
- (b) to promote the development of full retail competition; and
- (c) to promote protections for customers, including in relation to assisting customers who are facing payment difficulties

**Response:** As mentioned in response to S.8A (above), the granting of a wholesale electrical licence to Shell Energy Retail as intermediary for the 200MW Cranbourne BESS will support the Commission in performing its functions and exercising its powers, the objective of the Commission is to promote the long term interests of Victorian consumers. This as mentioned above namely will be achieved through the following:

- Ability to charge during the middle part of the day when renewables are at their greatest and store this energy for discharging during the high demand, low renewable evening peaks
- The evening peaks tend to be the highest priced periods of the day, thus having a flexible asset such as battery storage, Shell will time shift the stored energy for the high demand periods
- The BESS is a large 400MWh (2hr) BESS, this will significantly support AEMO in managing quality and reliability within the power system especially during reserve shortfall periods.



## 6. Statutory declaration

All the information provided in this application and attached documents for an electricity generation licence must be true and correct and must be verified by a statutory declaration. This statutory declaration must be made by the applicant (where the applicant is an individual) or a director of the applicant (where the applicant is a corporation) and must be made in accordance with the requirements of the *Oaths and Affirmations Act 2018*.

An example statutory declaration form can be found [here](#). Information for authorised witnesses can be found [here](#).

The statutory declaration must address the following:

- a) identification of the declarant's position and/or role with the applicant
- b) that the declarant believes the information provided in the application to be true and correct
- c) that the declarant believes the applicant has the financial resources to commence and operate the activities the subject of the licence.

I ..... [REDACTED] .....

of [REDACTED]

make the following statutory declaration under the *Oaths and Affirmations Act 2018* (Victoria):

- a) That I am the director of **Shell Energy Retail Pty Ltd**
- b) The information provided in this application (including any attachments) to the Essential Services Commission for an electricity generation licence is true and correct

and I make this declaration conscientiously believing these matters to be true and knowing that making a statutory declaration that I know to be untrue is an offence.

I make it knowing that making a statutory declaration that I know to be untrue is an offence.

Date: ... 8<sup>th</sup> February 2024

Signature: ..... [Handwritten Signature]



(signature of person making this statutory declaration in the presence of the authorised statutory declaration witness)

Declared at: BRISBANE on 8<sup>th</sup> FEBRUARY 2024

**Witness**

I am an authorised statutory declaration witness and I sign this document in the presence of the person making the declaration:

[Signature]

[signature of authorised statutory declaration witness]

on [date] [full name and personal or professional address of authorised statutory declaration witness in legible writing, typing or stamp]

8<sup>th</sup> February 2024 at Brisbane.

[qualification as an authorised statutory declaration witness]

MIEAUST NER 2461433

A person authorised under section 30(2) of the Oaths and Affirmations Act 2018 to witness the signing of a statutory declaration.