



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

**Mortlake South Wind Farm Pty Ltd (ACN 622 271 363)**

**RECORD OF DECISION**

**8 June 2022**

## **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 Mortlake South Wind Farm Pty Ltd (ACN 622 271 363) (Mortlake South Wind Farm) a licence to generate electricity for supply or sale, and to sell electricity at the Licensed Generation Facilities located near Mortlake, Victoria. The licence also authorises the transmission of electricity at the Licensed Generation Facilities to the Terang Terminal Station (other than through the Transmission Network).

At the time the licence was issued, the commission has formally written to MSWF pursuant to clause 13.4 of the licence requiring MSWF to provide information demonstrating technical capacity before it begins operation of the Battery Energy Storage System (BESS) Licensed Generation Facility.

## **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.

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 23 September 2021, Mortlake South Wind Farm Pty Ltd applied to the commission for a licence authorising it to generate electricity for supply or sale, to sell electricity to the wholesale electricity market and to transmit electricity through a connection line from the Licensed Generation Facilities to the Terang Terminal Station.

### **The application**

Consistent with the requirements of the commission's 'Guide to Applications for Electricity Industry and Gas Industry Licences', Mortlake South Wind Farm Pty Ltd provided the commission with necessary documentation supporting the application.

On 23 November 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:

- Mortlake South Wind Farm Pty Ltd has the technical capacity to comply with the conditions of the licence to be granted; and
- Mortlake South Wind Farm Pty Ltd is a fit and proper person to hold a licence to be granted.

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 Mortlake South Wind Farm

Pty Ltd a licence to generate electricity for supply or sale, and to sell electricity at the Licensed Generation Facilities located near Mortlake, Victoria. The licence also authorises the transmission of electricity at the Licensed Generation Facilities to the Terang Terminal Station (other than through the Transmission Network).

**THE COMMON SEAL**  
**of the ESSENTIAL**  
**SERVICES COMMISSION**  
was affixed pursuant to the  
authority of the commission  
on 10 June 2022

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Kate Symons  
**Chairperson**