



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

Kiata Wind Farm Pty Ltd (ABN 79 607 460 873)

RECORD OF DECISION

12 July 2017

SUMMARY

Pursuant to the provisions of section 19 of the *Electricity Industry Act 2000* (EIA) the Essential Services Commission (the Commission) has granted Kiata Wind Farm Pty Ltd (ABN 79 607 460 873) (KWF) a licence to generate electricity at the Kiata Wind Farm located approximately 50km northwest of Horsham in Victoria.

BACKGROUND

Requirement to obtain a Licence

Section 16(1) of the EIA provides that a person must not engage in the generation of electricity for supply or sale 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.

Entitlement to apply for a Licence

Section 18 of the EIA provides that a person may apply to the Commission for a licence authorising the person to generate electricity for supply or sale.

The applicant

On 20 January 2017, KWF submitted an application to the Commission for a licence authorising it to generate electricity for supply or sale.

On 24 April 2017, the Commission published a copy of the application, and invited interested parties to make submissions in respect of the application.

The application

Consistent with the requirements of the Commission's 'Guidance Notes for Applications for Electricity Licences', KWF provided the Commission with comprehensive documentation supporting the application.

In particular, KWF presented information to provide a high level of assurance concerning its financial viability and technical capacity.

CONSIDERATION OF THE APPLICATION

Section 19(1) of the EIA 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 EIA and the *Essential Services Commission Act 2001* (Vic) (ESCA).

DECISION

The Commission is satisfied that:

- KWF has the technical capacity to comply with the conditions of the licence to be granted; and
- KWF has the financial resources to sustainably operate the proposed generation facility in compliance with the conditions of the licence to be granted.

In accordance with section 19(1) of the EIA, and having regard to its objectives under the ESCA and EIA, the Commission has decided to grant KWF a licence to generate electricity for supply or sale.

THE COMMON SEAL
of THE ESSENTIAL
SERVICES COMMISSION
was affixed pursuant to the
authority of the Commission
on 12 July 2017

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Dr Ron Ben-David
Chairperson