



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

**Latrobe Valley BESS Pty Ltd (ACN 648 205 127) as trustee
for Latrobe Valley BESS Project Trust (ABN 50 189 446
775)**

RECORD OF DECISION

12 December 2024

SUMMARY

Pursuant to the provisions of section 19(1) of the Electricity Industry Act 2000 (Vic) (EI Act) the Essential Services Commission (the commission) has granted Latrobe Valley BESS Pty Ltd (ACN 648 205 127) as trustee for Latrobe Valley BESS Project Trust (ABN 50 189 446 775) (LVB) a licence to generate electricity for supply or sale at the Latrobe Valley Battery Energy Storage System (Latrobe Valley BESS). The Latrobe Valley BESS is located in the vicinity of Morwell, Victoria and has a total nameplate capacity of 100 MW.

BACKGROUND

Section 16(1) of the EI 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 by retail 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)(a) of the EI Act provides that a person may apply to the commission for a licence authorising the person to generate electricity for supply or sale (under subsections (1)(a) and (d)).

On 5 September 2024, LVB applied to the commission for a licence authorising it to generate electricity for supply or sale.

Consistent with the requirements of the commission's electricity generation licence application form and 'Guideline: Applications for electricity and gas industry licences', LVB provided the commission with necessary documentation supporting the application.

On 17 October 2024, 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 EI 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 EI Act and the Essential Services Commission Act 2001 (Vic) (ESC Act).

DECISION

The commission is satisfied that:

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

In accordance with Section 19(1) of the EI Act, and having regard to its objectives under the ESC Act and the EI Act, the commission has decided to grant LVB a licence to generate electricity for supply or sale. The authorisation granted by the licence is limited to the generation of electricity at the Latrobe Valley BESS located in the vicinity of Morwell, Victoria.

THE COMMON SEAL
of the ESSENTIAL
SERVICES COMMISSION
was affixed pursuant to the
authority of the commission
on 17 December 2024

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A handwritten signature in black ink, which appears to read "Gerard Brody". The signature is written in a cursive, flowing style.

Gerard Brody
Chairperson