



**ELECTRICITY INDUSTRY ACT 2000
APPLICATION FOR AN ELECTRICITY RETAIL LICENCE**

**SEC Energy Pty Ltd
ACN 670 408 134**

RECORD OF DECISION

4 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 SEC Energy Pty Ltd (ACN 670 408 134) (SEC Energy) a licence to sell electricity by retail to customers in Victoria.

BACKGROUND

Requirement to obtain a Licence

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, unless the person is:

- (a) 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.

SEC Energy is not exempted from the requirement to obtain a licence in respect of the relevant activity.

Entitlement to apply for a Licence

Section 18(1)(d) of the EI Act provides that a person may apply to the commission for the issue of a licence authorising the person to sell electricity.

The application

On 3 September 2024, SEC Energy submitted an application to the commission for a licence authorising it to sell electricity by retail to business customers in Victoria, whose aggregate electricity consumption per annum, at a supply point is or is likely to be 40MWh and above.

Consistent with the requirements of the commission's 'Guide to applications for electricity and gas industry licences', SEC Energy has provided the commission with documentation supporting the application.

In particular, SEC Energy presented information to provide assurance concerning its technical capacity and its financial viability to undertake the relevant activity.

On 13 September 2024, the commission published a copy of the application, and invited interested parties to make submissions in respect of the application.

The commission received one non-confidential submission and four confidential 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 SEC Energy:

- has the technical capacity to comply with the conditions of the licence to be granted;
- has the financial resources to carry out the licensed activities; and
- is a fit and proper person to hold a licence to sell electricity in Victoria.

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 SEC Energy a licence to sell electricity by retail in Victoria, subject to conditions specified in the licence.

The authorisation granted by this licence does not permit the sale of electricity to residential customers nor small business customers.

THE COMMON SEAL
of the ESSENTIAL
SERVICES COMMISSION
was affixed pursuant to the
authority of the Commission
on 6 December 2024

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A handwritten signature in cursive script, appearing to read "Gerard Brody".

Gerard Brody
Chairperson