



Our ref: AA1000660  
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Dear Interested Party

## **1Circle Pty Ltd (Business Renewables Buying Group) – application for authorisation AA1000660 – draft determination & interim authorisation**

The Australian Competition and Consumer Commission (the **ACCC**) has issued a draft determination in respect of the application for authorisation lodged by 1Circle Pty Ltd on behalf of the Business Renewables Buying Group (the **Group**) (together, the **Applicants**).

For the reasons set out in its draft determination, the ACCC proposes to grant authorisation to allow the Applicants to form a joint renewable energy buying group in which the Group pools their electricity demand and conducts a joint procurement and negotiation process for the supply of electricity and an equivalent quantity of large-scale generation certificates from renewable energy sources. The ACCC proposes to grant authorisation for 11 years.

A copy of the ACCC's draft determination is attached and also available on the ACCC's authorisations [public register](#).

### **Interim authorisation**

The ACCC has also granted interim authorisation to enable the Group to initiate the joint electricity procurement process while the ACCC completes its assessment of the substantive application. Interim authorisation does not extend to the Group members entering into agreements with suppliers of electricity services.

Interim authorisation protects the arrangements for which authorisation is sought from legal action under the relevant provisions of the *Competition and Consumer Act 2010* while the ACCC considers the substantive application. Interim authorisation remains in place until it is revoked or on the date the ACCC's final determination comes into effect.

### **Next steps**

Once the ACCC issues a draft determination, the applicant or any interested party may make a written submission and/or request that the ACCC convene a 'pre-decision conference'.

### **Making a submission**

If you wish to make a submission in response to the ACCC's draft determination, please do so by **15 March 2024**. Submissions should be lodged via the web form accessible on the [public register](#) for this matter. If you prefer to make an oral submission, please contact Andrew Ng via the details at the end of this letter.

The ACCC will consider any submissions it receives, including any oral submissions made at a pre-decision conference (should one be called - see below), and will then release a final determination in relation to this application.

Submissions will be placed on the ACCC's public register subject to any request for exclusion. Please see the ACCC's publication [Guidelines for excluding information from the public register](#).

### Optional pre-decision conference

In some cases the applicant or an interested party requests that the ACCC convene a pre-decision conference in relation to its draft determination. If a conference is called it will be open to the applicant and interested parties to attend and make oral submissions in relation to the draft determination. Conferences are conducted informally and while legal or professional advisers are able to attend they are not entitled to participate in the discussion.

If you wish the ACCC to hold a pre-decision conference in relation to the draft determination you must notify the ACCC in writing by **15 March 2024** by email to [exemptions@acc.gov.au](mailto:exemptions@acc.gov.au).

### Timetable

The ACCC will continue to progress its assessment of the application in a timely manner. An indicative timetable is set out below for your information.

Indicative date	Stage in assessment process
18 January 2024	Lodgement of application and supporting submission.
28 February 2024	ACCC decision on interim authorisation and draft determination.
February/March 2024	Public consultation on draft determination including any conference if called.
March/April 2024	Final determination.

This letter has been placed on the ACCC's public register. If you wish to discuss any aspect of this matter, please do not hesitate to contact Andrew Ng on (03) 9290 1414.

Yours sincerely



Tess Macrae  
Director  
Competition Exemptions