From: Mindy Lim

Sent: Tuesday, 11 June 2019 9:56 AM

To: Wang, David

Cc: Anna Sexton; Dalins, Marie; Black, Susie

Subject: HPE CM: RE: Application for Authorisation [AA1000439] - New Energy Tech

Consumer Code [DLM=Sensitive]

Follow Up Flag: Follow up Flag Status: Completed

Hi David

Hope you had a good long weekend, my apologies for the late reply.

Thank you for the update on the Application for Authorisation and we are pleased to hear of the progress to date.

As advised previously, the Industry Council is in the process of being formed, expected to comprise the BTM Working Group. The interim chair of the Industry Council has a very important role to play in the establishment of the governance framework of the NETCC and it is imperative that the correct candidate with the requisite set of skills is appointed.

Once it is established, we expect one of its first tasks will be to undertake a process to call for expressions of interests from parties, and ultimately determine the most appropriate administrator & steward to administer the NETCC.

The CEC is proposing to apply for these roles and we expect there may be other organisations who may also express an interest.

Regards Mindy

From: Wang, David

Sent: Thursday, 6 June 2019 4:41 PM

To: Mindy Lim

Cc: Anna Sexton; Dalins, Marie; Black, Susie

Subject: Application for Authorisation [AA1000439] - New Energy Tech Consumer Code [DLM=Sensitive]

Hi Mindy

Further to our call a few weeks ago, just emailing to provide an update on the progress of the above matter.

Timing

We have since received a number of submissions for which we had granted extensions past the published due date of 22 May 2019. We are currently processing these submissions and they will be published on the public register in due course.

We are hoping to provide you with more detailed feedback on the submissions received sometime next week.

Governance and Administration of the New Energy Tech Consumer Code

In the meantime we were wondering whether there has been any update or further progress on your end in terms of the proposed governance arrangements for the New Energy Tech Consumer Code (NETCC). Specifically, with reference to the draft Memorandum of Understanding agreed between the BTM Stakeholder Panel dated January 2019, we were wondering whether there has been any more clarity with respect to the composition of the Council and who is likely to be appointed Administrator for the NETCC.

We consider these are important considerations for the ACCC in assessing the claimed public benefits under the authorisation application, and any update on this issue would be much appreciated.

Please feel free to contact us if you have any questions or would like to discuss.

Kind Regards

David

David Wang

Assistant Director | Adjudication | Merger & Adjudication Review Division **Australian Competition & Consumer Commission** Level 17 | Casselden Place, 2 Lonsdale Street, Melbourne 3000



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