



23 Marcus Clarke Street
Canberra ACT 2601

GPO Box 3131
Canberra ACT 2601

tel: (02) 6243 1111
exemptions@acc.gov.au

www.acc.gov.au

Our ref: AA1000643
Contact officer: Penny Bigham
Contact phone: 07 3052 1221

12 October 2023

Dear Interested Party

Australian Energy Market Operator Limited – Application for authorisation AA1000643 – Draft determination

The Australian Competition and Consumer Commission (the **ACCC**) has issued a draft determination in respect of the application for authorisation lodged by Australian Energy Market Operator (**AEMO**) on 7 June 2023.

For the reasons set out in its draft determination, the ACCC proposes to deny authorisation.

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

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 lodge your submission by **31 October 2023**. Submissions should be lodged via the web form accessible on the [public register](#) for this matter. Alternatively, if you would like to provide comments orally, please contact Penny Bigham 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 **26 October 2023** by email to exemptions@acc.gov.au.

Timetable

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

Indicative date	Stage in assessment process
7 June 2023	Lodgement of application and supporting submission.
13 June 2023	Public consultation process begins.
13 July 2023	Interim authorisation decision.
12 October 2023	Draft determination.
October 2023	Public consultation on draft determination including any conference if called.
Nov/Dec 2023	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 Penny Bigham on 07 3051 1221 or exemptions@acc.gov.au.

Yours sincerely



David Hatfield
Director
Competition Exemptions