



Our ref: AA100632
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11/01/2023

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By email

Dear Sir or Madam

Vintage Energy Ltd – application for authorisation AA100632—interested party consultation

The Australian Competition and Consumer Commission (the **ACCC**) is currently conducting a consultation process on an application for authorisation received from Vintage Energy Ltd (**Vintage**) on 22 December 2022.

This letter is to invite you to comment on the application.

Application for authorisation

Vintage, Metgasco Ltd and Bridgeport (Cooper Basin) Pty Ltd (collectively, the **Applicants**) seek authorisation to jointly market and give effect to supply agreements with customers with common terms and conditions (including price), relating to the supply of gas from the Odin gas field in the Queensland Cooper/Eromanga Basin. The Odin field is a neighbouring gas formation to the Vali Field, in relation to which the Applicants currently have authorisation for similar joint marketing arrangements. The Odin field is also owned by the Applicants pursuant to a joint venture agreement between them.

The Applicants seek authorisation for a period of 5 years to give effect to supply agreements with customers which may have gas supply terms of up to 15 years (i.e. up to and including 2043).

A copy of the application for authorisation is available on the ACCC's website www.acc.gov.au/AuthorisationsRegister.

Interim authorisation

The Applicants also seek interim authorisation to jointly market and give effect to provisions of gas supply agreements with common terms and conditions (including price) relating to the supply of gas from the Odin field. Any agreements entered into during this period would be subject to and conditional upon final authorisation by the ACCC of the application. Further details about the Applicants' request for interim authorisation are set out in the application.

The ACCC decides whether to grant interim authorisation on a case by case basis. In doing so, the ACCC will usually consider a range of factors, including: harm to the applicants and other parties if interim authorisation is, or is not, granted; possible benefit and detriment to the public; the urgency of the matter; and whether the market would be able to return to substantially its pre-interim authorisation state if the ACCC should later deny authorisation.

The authorisation process

Authorisation provides protection from legal action for conduct that may otherwise breach the competition provisions of the Competition and Consumer Act 2010 (Cth).

Broadly, the ACCC may grant authorisation if it is satisfied that the benefit to the public from the conduct outweighs any public detriment, including from a lessening of competition. The ACCC conducts a public consultation process to assist it to determine whether a proposed arrangement results in a net public benefit.

Request for submissions

The ACCC invites you to make a submission on the application for authorisation and/or the application for interim authorisation. In making your submission, please provide information and evidence about the likely public benefits, effects on competition and any public detriment that you consider will result from the proposed conduct.

If you intend to provide a submission on the substantive application and/or the interim authorisation, please do so by **25 January 2023**.

Submissions should be lodged via the web form accessible on the public register page for this matter. Alternatively, if you would like to provide comments orally, please contact Hannah Ransom via the details at the end of this letter.

Your submission will be placed on the ACCC's public register unless you request and provide reasons for us to exclude part or all of the submission from the public register (see the [Guidelines](#)).

Timetable

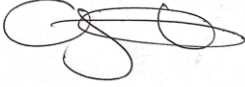
The ACCC will progress its assessment of the application in a timely manner. An indicative timetable is set out below, and an updated version (including any changes) is posted on the public register.

22 December 2022	Lodgement of application and supporting submission.
11 January 2023	Public consultation process begins.
25 January 2023	Closing date for submissions on interim and substantive authorisation.
February 2023	ACCC decision regarding interim authorisation.
February 2023	Applicant responds to issues raised in the public consultation process.
March/April 2023	Draft determination.
April 2023	Public consultation on draft determination including any conference if called.
May 2023	Final determination.

You can forward this letter to any other party who may wish to make a submission to the ACCC regarding the application.

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 Hannah Ransom on (02) 6243 1255 or by email at exemptions@acc.gov.au.

Yours sincerely

A handwritten signature in black ink, consisting of several overlapping loops and a horizontal stroke, positioned above the typed name.

Anthony Hilton
Director
Competition Exemptions Branch

List of parties consulted

Santos Ltd

Alinta energy Retail Sales Pty Ltd

Brickworks Ltd

AGL Energy Limited

Origin Energy Limited

Engie ANZ Group

Shell Australia

Adelaide Brighton Cement

APA Group

Epic Energy

Commonwealth Department of industry, Science, Energy and Resources

AEMO

AEMC

Australian Petroleum Production & Exploration Association

Australian Energy Council

Australian Gas Infrastructure Group

Queensland Department of Energy and Public Works