



Our ref: AA1000623
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16 November 2022

By email

exemptions@acc.gov.au
www.accc.gov.au

Dear Interested Party

Pilbara ISOCo Limited's application for authorisation AA1000623 – interested party consultation

On 7 November 2022, the Australian Competition and Consumer Commission (the **ACCC**) received an application for authorisation from Pilbara ISOCo Limited (the **Applicant**). This letter is to invite you to comment. You are welcome to pass this letter on to others who may wish to make submissions.

The Applicant is the independent system operator (**ISO**) for the North-West Interconnected System, an electricity grid in Western Australia's Pilbara region. The Pilbara Regime is a specialist regulatory regime created by the Western Australia government to cover the access and use of certain covered electricity networks in the Pilbara region of Western Australia. The Pilbara Regime gives the ISO and various other persons powers and responsibilities in order to:

- facilitate access to the covered networks in order to promote competition in the generation and supply of electricity, and
- provide for the integrated operation of the various networks to maintain and power system security and reliability.

The Applicant is seeking authorisation¹ for itself and on behalf of three separate classes of current and future participants in the Pilbara Regime under the *Competition and Consumer Act 2010* (Cth). Authorisation would give it legal protection from competition laws to engage in any conduct that is required or permitted by the Pilbara Regime to allow for its implementation and facilitation. Further details of the proposed conduct are available in the application for authorisation.

The Applicant is seeking authorisation for a period of 10 years. A full copy of the application for authorisation is available on the ACCC's [authorisations public register](#).

Making a submission

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

If you intend to provide a submission, please do so by **7 December 2022**. If you wish to request an extension, please contact us on the details below as early as possible.

¹ For information about Authorisations, please see <https://www.accc.gov.au/business/exemptions/authorisation>

Submissions after the due date (or after any extension granted) may not be taken into account.

Please use the coversheet that accompanied this letter and email your submission to exemptions@acc.gov.au, with the subject 'AA1000623 – Pilbara Energy Networks – submission'. Alternatively, if you would like to provide comments orally, please contact Penny Bigham via the details at the end of this letter.

Your submission **will** be placed on the ACCC's [authorisations public register on the internet](#) unless you have made a request (with reasons) for us to exclude part or all of the submission from the public register. (see [Guidelines for Excluding Information from the Public Register for more information on how to make a request and how we assess requests](#)).


Timetable

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

Indicative date	Stage in assessment process
7 November 2022	Lodgement of application and supporting submission.
16 November 2022	Public consultation process begins.
7 December 2022	Closing date for submissions on interim authorisation.
January/February 2023	Draft determination.
February/March 2023	Public consultation on draft determination including any conference if called.
March/April 2023	Final determination.

This letter has been placed on the ACCC's public register. If you have any questions or wish to discuss any aspect of this matter, please do not hesitate to contact Penny Bigham on (07) 3052 1221 or exemptions@acc.gov.au.

Yours sincerely



Naomi Menon
Director
Competition Exemptions

Interested Party List

- Alinta Energy
- ATCO Australia
- Australian Energy Market Operator
- BHP
- Chamber of Commerce and Industry WA
- City of Karratha
- Economic Regulation Authority WA
- Energy Policy WA
- Fortescue Metals Group
- Horizon Power
- Pilbara Development Commission
- Rio Tinto
- Roy Hill/Hancock Prospecting
- Shire of Ashburton
- Shire of East Pilbara
- Town of Port Hedland
- TransAlta Energy Australia
- Department of Mines, Industry Regulation and Safety WA
- Woodside Energy