



facsimile transmission

To Paul Bilyk **Date** 9 December 1998
Company Australian Competition & Consumer Commission **Fax No.** 02 6243 1260
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From Danielle Rowe **Fax No.** 61-3-9222-903 9222 9233
Tel. No. 61-3-9222-903 9222 9518
Subject Access Undertaking for the National Electricity Market
Number of pages including cover 3

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Dear Mr Bilyk,

As discussed we have signed the Access Undertaking required by the National Electricity to be signed and submitted to the ACCC prior to our operation in the National Electricity Market.

Please note that clause 5(b)(I) of the Undertaking states that there are documents to be submitted with the Undertaking and we have listed what they are. Due to the number of pages which would need to be faxed with the attachments I have put the original signed copy in the mail with the attachments. I expect that the attached signed Undertaking will be sufficient for you to inform Denis Buckland that you have received the Undertaking from us. However, if this is not suitable or you require a copy of our Distribution License or Distribution Code earlier, please let me know today and I will fax it all through to you.

Yours faithfully,

Danielle Rowe
Corporate Lawyer

**AUST. COMPETITION &
 CONSUMER COMMISSION
 CANBERRA
 14 DEC 1998**

United Energy Limited
 A.C.N. 064 651 029
 43-45 Centreway, Mt Waverley, 3149
 Locked Bag 13, Mt Waverley, Victoria, 3149



**UNDERTAKING GIVEN TO THE AUSTRALIAN COMPETITION AND
CUSTOMER COMMISSION UNDER SECTION 44ZZA OF THE TRADE
PRACTICES ACT 1974**

This undertaking is given by United Energy Limited, ACN 064 651 029

1. Effective date

This undertaking has effect from the date on which it is accepted by the Australian Competition and Consumer Commission (the ACCC).

2. Expiry date

This undertaking expires on 31 December 2010.

3. Interpretation

Words appearing in *Italics* in this undertaking have the meaning given to them by Chapter 10 on the *National Electricity Code*.

4. Undertaking

On registration by *NEMMCO* as a *Network Service Provider*, United Energy Limited undertakes to provide access to the *network services* on its *transmission networks* and *distribution networks* on the terms and conditions set out below.

5. Terms and conditions of connection and access

United Energy Limited undertakes to maintain and make available its *networks* for access to the *network services*:

- (a) by Code Participants in accordance with the requirements of the Code¹;
- (b) by all persons in accordance with:
 - (i) the *applicable regulatory instruments*, including:
 - United Energy Limited's Distribution Licence issued under the Electricity Industry Act 1993 ("Distribution Licence")²
 - the Distribution Code applicable to the terms of the Distribution Licence.
 - (ii) *good electricity industry practice* and applicable *Australian Standards*

¹ A copy of the Code will be supplied to the ACCC by NECA.

² A copy of this instrument is annexed to this undertaking.

6. Copies of amended documents

United Energy Limited undertakes to provide the ACCC with an updated copy of an applicable regulatory instrument annexed to this undertaking whenever that instrument is amended.

7. Withdrawal and variation of undertaking


United Energy Limited may, with the consent of the ACCC, withdraw or vary this undertaking at any time.

SIGNED

For United Energy Limited by its duly authorised representative in the presence of:


.....

Witness


.....

Representative

DANIELLE ROWE
.....

Name [please print]

HUGH GLEESON
GROUP MANAGER PLANNING & REGULATION
.....

Name [please print]