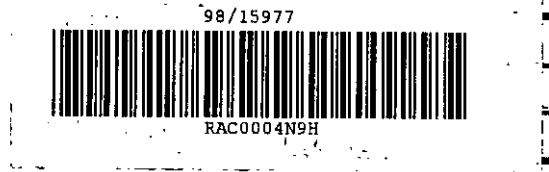


ETSA Utilities

The South Australian electricity distribution company

26 October 1998



Mr Anthony Englund
Australian Competition and Consumer Commission
Level 6
5 Challis Street
Dickson ACT 2602

Dear Mr Englund,

ACCESS UNDERTAKING

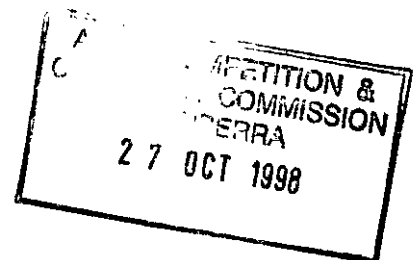
Please find enclosed ETSA Utilities' access undertaking to the ACCC.

If you need any further details please call me on 08 8404 5012.

Yours Faithfully

A handwritten signature in black ink, appearing to read 'Richard Sibly'.

Richard Sibly
Regulation Department



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

This undertaking is given by name of ETSA Utilities Pty Ltd (ACN 082 711 895)

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 of the *National Electricity Code*.

4. Undertaking

On registration by *NEMMCO* as a *Network Service Provider*, ETSA Utilities Pty Ltd undertakes to provide access to the *network services* of its *distribution networks* on the terms and conditions set out below.

5. Terms and conditions of connection and access

ETSA Utilities Pty Ltd 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 *Code*¹;
- (b) by all persons in accordance with:
 - (i) the *applicable regulatory instruments*, including:
 - the *Electricity Act 1996*²;
 - all Regulations made under the *Electricity Act 1996*³;
 - all licences issued under the *Electricity Act 1996*⁴.

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

² A copy of this instrument will be provided by ETSA Transmission Corporation.

³ Copies of these instruments (including the *Electricity (General) Regulations 1997* and the *Electricity (Principles of Vegetation Clearance) Regulations 1996*) will be provided by ETSA Transmission Corporation.

⁴ A copy of the Distribution Licence applicable to ETSA Utilities Pty Ltd is annexed to this undertaking. A copy of the Transmission Licence applicable to ETSA Transmission Corporation will be provided by ETSA Transmission Corporation.

- a Ministerial Direction pursuant to section 6 of the *Public Corporations Act 1993*⁵

and

- (ii) *good electricity industry practice* and applicable *Australian Standards*.

6. Copies of amended documents

ETSA Utilities Pty Ltd undertakes to provide the ACCC with an updated copy of an *applicable regulatory instrument* annexed to this undertaking whenever that instrument is amended.

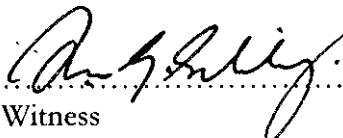
7. Withdrawal and variation of undertaking


ETSA Utilities Pty Ltd may, with the consent of the ACCC, withdraw or vary this undertaking at any time.

SIGNED

For **ETSA UTILITIES PTY LTD**

by its duly authorised representative in
the presence of:


.....
Witness


.....
Representative

R H G SIBLY
.....
Name [please print]

B SCASELLA
.....
Name [please print]

⁵ A copy of this instrument will be provided by ETSA Transmission Corporation.

SA

FILE CREATION REQUEST FORM

FILE NO.	DATE	OFFICER	BRANCH	X REF	INDEXER
CR98/213	03 Nov 98	PAUL BILYK	ELECTRICITY	CR97/58	

TITLE

26/10

NEW ACCESS UNDERTAKING ETSA UTILITIES

Staff may suggest a file title. Final construction and arrangement is the responsibility of REGISTRY PERSONNEL.

ADDITIONAL KEYWORDS - (do not include words which have been used in the file title)

ADDITIONAL KEYWORDS - Suggested by project staff