



Electricity

**Licence**



## **Electricity Generation Licence**

Origin Energy Electricity Ltd

ACN 071 052 287

Issued by the South Australian Independent Industry Regulator on 23 March 2000.

Last varied by the Essential Services Commission on 8 August 2019.

## Variation history

Amendment number	Variation date	Reason	
1 (SAIIR)	23 March 2000		
2 (SAIIR)	11 September 2001		
ESCOSA03	1 May 2004		
ESCOSA04	28 June 2007		
ESCOSA05	24 June 2009	Transferred from Flinders Osborne Trading Pty Ltd (ACN 094 183 749) and Flinders Operating Services Pty Limited (ACN 094 130 837) to Origin Energy Electricity Ltd (ACN 071 052 287).	
ESCOSA06	8 August 2019	Licence varied to reflect amendments to the Act and update outdated references.	

## 1 Definitions and interpretation

- 1.1 Words appearing in bold like **this** are defined in part 1 of the schedule.
- 1.2 This licence must be interpreted in accordance with the rules set out in part 2 of the schedule.

## 2 Grant of licence

- 2.1 The **licensee** is licensed under Part 3 of the **Act**, and subject to the conditions set out in this licence, to generate electricity at the generating plant listed in the Annexure.

## 3 Term

- 3.1 This licence commences on the date it is issued and continues until:
- (a) it is surrendered by the **licensee** under section 29 of the **Act**; or
  - (b) it is suspended or cancelled by the **Commission** under section 37 of the **Act**; or
  - (c) the **licensee** ceases to be bound by the **Power Purchase Agreement**.

## 4 Compliance with codes

- 4.1 The **licensee** must:
- (a) comply with all applicable provisions of the **Electricity Transmission Code**, the **Electricity Distribution Code** and the **Electricity Metering Code**;
  - (b) comply with all applicable provisions of any other **Code** or **rule** made by the **Commission** from time to time, and
  - (c) notify the **Commission** if it commits a material breach of the **Electricity Transmission Code**, the **Electricity Distribution Code** or the **Electricity Metering Code** within 3 days after becoming aware of that breach.

## 5 Safety, reliability, maintenance and technical management plan

- 5.1 The **licensee** must:
- (a) prepare, maintain and periodically revise a safety, reliability, maintenance and technical management plan dealing with matters prescribed by **regulation**;
  - (b) obtain the approval of the **Technical Regulator**:
    - (i) to the plan (prior to commencement of the operation of the electricity generating plant to which the plan relates); and
    - (ii) to any revision of the plan;
  - (c) comply with the plan as approved from time to time in accordance with clause 5.1(b);
  - (d) undertake audits of its compliance with the plan from time to time and report the results of those audits to the **Technical Regulator**, in the form required by the **Technical Regulator**.



## 6 System controller and AEMO

- 6.1 The licensee must, following a request from AEMO provide to AEMO such documents and information as AEMO may reasonably require for the performance of its functions under the Act.
- 6.2 The licensee must comply with any directions given to it by the System Controller.

## 7 National electricity market

- 7.1 At all times during the term of this licence, the licensee must hold and comply with the conditions of any registration required under the National Electricity Rules granted by AEMO (or the person responsible for the granting of such registrations under the National Electricity Law or the National Electricity Rules).

## 8 Information to the Commission

- 8.1 The licensee must, from time to time, provide to the Commission, in a manner and form determined by the Commission:
- (a) details of the licensee's financial, technical and other capacity to continue the operations authorised by this licence; and
  - (b) such other information as the Commission may require from time to time.
- 8.2 The licensee must notify the Commission of any changes to its officers, and (if applicable) major shareholders, within 30 days of that change.

## 9 Operational and compliance audits

- 9.1 The licensee must undertake periodic audits of the operations authorised by this licence and of its compliance with its obligations under this licence and any applicable Codes in accordance with the requirements of Energy Industry Guideline No. 4 issued by the Commission.
- 9.2 The licensee must also conduct any further audits at a frequency and in a manner approved by the Commission.
- 9.3 The results of audits conducted under this clause must be reported to the Commission in a manner approved by the Commission.
- 9.4 The Commission may require the licensee to use an independent expert approved by the Commission to conduct audits under this clause.

## 10 Compatibility

- 10.1 The licensee must not cause Osborne Cogeneration Pty Ltd (ACN 072 027 331) to do anything to Osborne Cogeneration Pty Ltd's electricity generating plant which will affect the compatibility of that plant with any distribution network or transmission network so as to prejudice public safety or the security of the power system of which that electricity generating plant forms a part.

## 11 Compliance with laws

- 11.1 The licensee must comply with all applicable laws.

## 12 Switching Manual

- 12.1 The licensee must:
- (a) prepare and maintain an internal switching manual in accordance with the **regulations**; and
  - (b) comply with any other requirements relating to switching prescribed in the **regulations**.

## 13 Variation

- 13.1 This licence may only be varied in accordance with section 27 of the **Act**.

## 14 Transfer

- 14.1 This licence may only be transferred in accordance with section 28 of the **Act**.

This licence was issued by the Industry Regulator on 23 March 2000 and last varied by the Commission on 8 August 2019.

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ESSENTIAL SERVICES )  
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presence of: )



Phil Phore  
Commissioner

8 August 2019  
Date

## Schedule: Definitions and Interpretation

### 1. Definitions

In this licence:

**Act** means the *Electricity Act 1996* (SA);

**AEMO** means the Australian Energy Market Operator Ltd (ACN 072 010 327);

**business day** means a day on which banks are open for general banking business in Adelaide, excluding a Saturday or Sunday;

**Code** means any code made by the **Commission** under section 23 of the **ESC Act** from time to time;

**Commission** means the Essential Services Commission established under the **ESC Act**;

**distribution network** has the meaning given to that term under the **Act**;

**Electricity Distribution Code** means the code of that name made by the **Commission** under section 28 of the **ESC Act** which regulates connections to a **distribution network** and the supply of electricity by distributors;

**Electricity Metering Code** means the code of that name made by the **Commission** under section 28 of the **ESC Act** which regulates the installation, maintenance and testing of meters;

**Electricity Transmission Code** means the code of that name made by the **Commission** under section 28 of the **ESC Act**;

**ESC Act** means the *Essential Services Commission Act 2002* (SA);

**generator** means a holder of a licence to generate electricity granted under Part 3 of the **Act**;

**Industry Regulator** means the South Australian Independent Industry Regulator under the **Industry Regulator Act**;

**Industry Regulator Act** means the *Independent Industry Regulator Act 1999* (SA);

**Licensee** means Origin Energy Electricity Ltd (ACN 071 052 287);

**National Electricity Rules** has the meaning given to that term under the **National Electricity Law**;

**National Electricity Law** means the *National Electricity Law* referred to in the *National Electricity (South Australia) Act 1996* (SA);

**officer** means a director or secretary;

**Osborne Power Station** means the electricity generating plant listed in the Annexure;

**Power Purchase Agreement** means the Power Purchase Agreement entered into between ETSA Corporation and Osborne Cogeneration Pty Limited dated 4 June 1996 (as amended or otherwise affected by subsequent agreement from time to time);

**regulation** means a regulation made under the **Act**

**rule** means any rule issued by the **Commission** under section 28 of the *Essential Services Commission Act*;



**System Controller** means the person licensed under Part 3 of the **Act** to exercise system control over a power system;

**transmission network** has the meaning given to that term under the **Act**.

## 2. Interpretation

In this licence, unless the context otherwise requires:

- (a) headings are for convenience only and do not affect the interpretation of this licence;
- (b) words importing the singular include the plural and vice versa;
- (c) words importing a gender include any gender;
- (d) an expression importing a natural person includes any company, partnership, trust, joint venture, association, corporation or other body corporate and any governmental agency;
- (e) a reference to a person includes that person's executors, administrators, successors, substitutes (including, without limitation, persons taking by novation) and permitted assigns;
- (f) a reference to any statute, regulation, proclamation, order in council, ordinance or by-law includes all statutes, regulations, proclamations, orders in council, ordinances or by-laws varying, consolidating, re-enacting, extending or replacing them and a reference to a statute includes all regulations, proclamations, orders in council, ordinances, by-laws and determinations issued under that statute;
- (g) a reference to a document or a provision of a document includes an amendment or supplement to, or replacement or novation of, that document or that provision of that document;
- (h) an event which is required under this licence to occur on or by a stipulated day which is not a **business day** may occur on or by the next **business day**.



## ANNEXURE

### 1. Osborne Power Station



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