



**GAS INDUSTRY ACT 2001
APPLICATION FOR A GAS RETAIL LICENCE**

**Agora Retail Pty Limited
(ACN 612 806 381)**

RECORD OF DECISION

6 March 2019

SUMMARY

Pursuant to section 26(1) of the *Gas Industry Act 2001 (Vic)* (GIA), the Essential Services Commission (the commission) has granted Agora Retail Pty Limited (ACN 612 806 381) (Agora Retail) a licence to sell gas by retail to customers in Victoria whose annual gas consumption is, or is likely to be, greater than 10 terajoules.

BACKGROUND

Requirement to obtain a licence

Section 22(2) of the GIA provides that a person must not engage in the sale of gas by retail, either as a principal or agent, unless the person –

- (a) is the holder of a licence authorising the sale of gas by retail; or
- (b) is exempt from the requirement to obtain a licence.

Entitlement to apply for a licence

Section 25 of the GIA provides that a person may apply to the commission for a licence authorising the person to sell gas by retail.

The application

In March 2018, Agora Retail applied to the commission for a licence to sell gas by retail to customers whose consumption is greater than 10 terajoules per annum.

Consistent with the requirements of the commission's 'Guidance Notes for Applications for Gas Licences', Agora Retail provided the commission with documentation supporting the application.

On 23 January 2019, the commission published a copy of the application, and invited interested parties to make submissions in respect of the application.

CONSIDERATION OF THE APPLICATION

Section 26(1) of the GIA provides that the commission may grant or refuse an application to sell gas for any reason it considers appropriate, having regard to the objectives of the commission under the provisions of the GIA and the *Essential Services Commission Act 2001 (Vic)* (ESCA).

DECISION

In accordance with section 26(1) of the GIA, and having regard to its objectives under the ESCA and GIA, the commission has decided to grant Agora Retail a licence to sell gas by retail subject to the conditions set out in the licence.

THE COMMON SEAL
of THE ESSENTIAL
SERVICES COMMISSION
was affixed pursuant to the
authority of the Commission
on 6 March 2019



Dr Ron Ben-David
Chairperson

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