

Decision

In accordance with section 32 of the *Electricity Reform Act 2000* (the ER Act), the Utilities Commission (the Commission) has varied the three electricity generation licences held jointly by Eni Australia Limited (Eni) (as agent) and Eni New Energy Batchelor Pty Ltd (ENEB), Eni New Energy Katherine Pty Ltd (ENEK) and Eni New Energy Manton Dam Pty Ltd (ENEMD) (collectively, the principals).

On application from Eni, the Commission has removed the expiry date previously contained within the licences. The Commission has also updated the conditions of the licences to be consistent with the standard licence conditions published in the Review of the Northern Territory Electricity Supply Licensing Regime (Stage 2) – Decision Paper (licensing review stage 2 Decision Paper). The varied licences are identical to the standard generation licence conditions and have no additional or amended licence provisions.

Background

In May 2022, Eni (acting as agent) submitted an application to the Commission for three generation licences, with each to be jointly held with a different principal. The licences were requested to each cover an individual power station, namely, the Batchelor Solar Farm power station, Katherine Solar power station and Manton Dam Solar Farm power station. At the time of application, these power stations were covered by one licence held by Eni.

In July 2022, the Commission granted the three requested generation licences to Eni and the principals with an expiry date of 30 June 2023, as the arrangement was intended to be short term. In March 2023, on request from Eni, the Commission extended the expiry date of the varied generation licences to 30 June 2025.

In January 2024, the Commission released its licensing review stage 2 Decision Paper, which includes new standard licence conditions and implementation of a new licence template.

In December 2024, Eni requested the three generation licences be varied to remove the expiry date, with all other conditions remaining the same. The change would ensure that no further requests for variation would need to be submitted by Eni to extend the expiry date.

Assessment

Eni as agent, and ENEB, ENEK and ENEMD, as principals, are jointly and severally liable to meet the requirements imposed under the licence, pursuant to section 17(2) of the ER Act. The Commission considers there has been no material change in the legal obligations applicable to Eni through the issue of the licences or the subsequent variations to extend or remove the expiry date, and no concerns with the Eni licensing arrangements have been raised with the Commission since the licences were granted. The standard licence conditions and licence template have been consulted on as part of the Commission's licensing review. On this basis, the Commission decided not to undertake further public consultation.

The Commission, having regard to the relevant provisions of the ER Act, and the general factors specified in section 6(2) of the *Utilities Commission Act 2000*, has therefore approved Eni's application.