



Gas Act 2000

Notice of Renewal

GAS RETAIL LICENCE

issued to

TAS GAS RETAIL PTY LTD
(ACN 110 370 726)

9 August 2013

BACKGROUND

Pursuant to the *Gas Act 2000* (the Act), the Regulator is responsible for administering the Tasmanian licensing system for gas entities.

The Regulator has the authority to consider and determine licence applications, and can refuse or issue licences to retail or distribute gas in the State of Tasmania.

Tas Gas Retail Pty Ltd (ACN 110 370 726) (TGR Pty Ltd) is the holder of a gas retail licence which is due to expire on 21 August 2013. The Regulator received a written request from TGR Pty Ltd on 27 May 2013, applying for the renewal of its licence.

CONSIDERATION OF RENEWAL OF LICENCE

Section 26 of the Act states:

- “(3) Subject to this Division and the conditions of the licence, the Regulator must, on receipt of an application in accordance with this section, renew a licence unless satisfied that the applicant –
- (a) has been guilty of a material contravention of a requirement imposed by or under this Act or any other Act in connection with the operations authorised by the licence such that the licence should not be renewed; or
 - (b) is no longer for any reason entitled to the issue of the licence.
- (4) An application for renewal of a licence must be made, in writing, to the Regulator at least 3 months, but not more than 6 months, before the end of the term of the licence.”

Under the Act, the Regulator may only issue a gas licence if satisfied that the applicant can meet the requirements of the Act. Section 24(2) of the Act provides that:

“Subject to this section, the Regulator may issue a licence only if satisfied that –

- (a) the applicant is a body corporate or a partnership of 2 or more bodies corporate; and
- (b) the applicant is suitable to hold the licence; and
- (c) in the case of a licence authorising the operation of a distribution system, the Director of Gas Safety has provided a certificate that, in his or her opinion, the system has (or the proposed system will have) the necessary capacity for distributing gas safely; and
- (d) ...
- (e) in the case of a licence authorising other operations for which a licence is required under the regulations, the applicant meets any special requirements imposed by the regulations for the holding of the licence; and

- (f) in the case of a licence of any class, the grant of the licence would be consistent with criteria (if any) prescribed by the regulations for a licence of the relevant class.”

In regards to subsection 26(3)(a), the Regulator is not aware that the applicant is guilty of a material contravention of a requirement under the Act, or any other Act, in connection with the operations authorised by the licence such that the licence should not be renewed

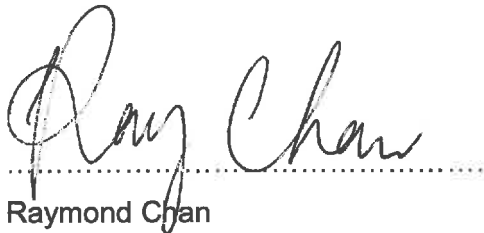
In regards to subsection 26(3)(b), in considering whether to renew a gas retail licence, the Regulator takes into account the same considerations as when issuing a new licence. From the information provided by TGR Pty Ltd for its initial and its renewal applications, and over the course of the licence term, the Regulator is satisfied that TGR Pty Ltd still meets the requirements of the Act and is entitled to the issue of the licence.

REGULATOR'S DECISION

After considering TGR Pty Ltd's application, the Regulator is satisfied that the renewal of the gas retail licence held by TGR Pty Ltd is consistent with the Act.

The Regulator decides to renew the gas retail licence of TGR Pty Ltd for a further 10 years effective on 21 August 2013.

The electronic copy of the renewed licence has been placed in the Public Register which is on the Regulator's website at www.economicregulator.tas.gov.au.



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Raymond Chan

DELEGATE OF THE REGULATOR

9 August 2013