

IN THE WESTERN AUSTRALIAN ELECTRICITY REVIEW BOARD

No.1 of 2019

B E T W E E N :

ECONOMIC REGULATION AUTHORITY

Applicant

and

ELECTRICITY GENERATION AND RETAIL CORPORATION TRADING AS
SYNERGY

Respondent

DIRECTION

Date of Document: 14 November 2022

Place: Perth

The Electricity Review Board orders and directs that:

1. Orders 4, 5 and 6 of the Directions made 10 May 2021 are to be deleted and replaced with the following:

4. Prior to publication of the Board's reasons for decision in the Preliminary Hearing, the Board shall provide a copy of its reasons to the parties (**Embargoed Reasons**).

5. Each party is permitted to brief the following individuals (or individuals acting in those positions) in respect of the Embargoed Reasons (including the provision of an unredacted copy of Embargoed Reasons):

a) the Premier of Western Australia;

- b) the Treasurer of Western Australia;
- c) the Under Treasurer of Western Australia;
- d) the Western Australian Minister for Energy;
- e) any staff of the office of each of the individuals listed in (a) to (d) above that those individuals consider necessary and appropriate;
- f) the Coordinator of Energy, currently Mr Jai Thomas, or the person occupying that position; and
- g) any staff from Energy Policy WA that the Coordinator of Energy considers necessary and appropriate.

6. Prior to any party briefing an individual in accordance with Order 5 of these directions, including provision of the Embargoed Reasons, the briefing party must obtain confirmation from the individual that it will keep the existence and contents of the Embargoed Reasons, and any communications in respect of the Embargoed Reasons, confidential.

6A. Following notification by the parties of the Confidential Material, and subject to any further directions the Board may make (including as to the filing of materials that explain the basis for the identification of information as Confidential Material), the Board will publish a version of its reasons for its decision in which the Confidential Material has been redacted.

2. Order 7 of the of the Directions made 10 May 2021 is amended to refer to "17 February 2021" rather than "1 February 2021".

3. A new Order 14A is inserted into the Orders dated 20 December 2019 which states:

14A. Notwithstanding Orders 8 to 14 of these Orders, a party may retain Confidential Information where necessary to comply with its obligations under the *State Records Act 2000* (WA) or any similar legislative requirement.

4. A new Order 10A is inserted into the Orders dated 17 February 2021 which states:

14A. Notwithstanding Orders 3 to 10 of these Orders, a party may retain Confidential Information where necessary to comply with its obligations under the *State Records Act 2000* (WA) or any similar legislative requirement.

5. Schedule 1 of the Orders dated 20 December 2019 is deleted and replaced with Schedule 1 attached to these Orders.

6. Schedule 1 of the Orders dated 17 February 2021 is deleted and replaced with Schedule 1 attached to these Orders.



Presiding Member
Electricity Review Board

Schedule 1 – Approved Persons

Persons approved to receive Confidential Information:

1. Matthew Knox, MinterEllison
2. Lauren Zambotti, MinterEllison
3. Angus Paterson, MinterEllison
4. Michael Myers, MinterEllison
5. Simon Adams, Squire Patton Boggs
6. Caroline Brown, Squire Patton Boggs
7. Jessica Tomlinson, Squire Patton Boggs
8. Ben Williams, Squire Patton Boggs
9. Justin Ashley, Synergy
10. Mark Chambers, Synergy
11. Carole Clare, Synergy
12. Jade Concei, Synergy
13. Jason Froud, Synergy
14. Rhiannon Bedola, Synergy
15. Brad Huppatz, Synergy
16. Yanqiu Lou, Synergy
17. Dominic Regnard, Synergy
18. Genevieve Teo, Synergy
19. Rudolf Vorster, Synergy
20. the Chief Executive Officer and Executive General Managers of Synergy
21. the Board of Directors of Synergy
22. Governing Body of the Economic Regulation Authority
23. Secretariat of the Economic Regulation Authority
24. Any legal practitioner:
 - 24.1 employed by a Party; or

- 24.2 of a legal practice firm retained by a Party for the purposes of the conduct of these proceedings
- 25. any independent expert retained by a Party for the purposes of the conduct of these proceedings
- 26. any counsel retained by a Party for the purposes of the conduct of these proceedings
- 27. any administrative or secretarial support of the persons or class of persons listed above
- 28. any other appropriate persons as agreed by the parties and notified to the Board