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08 April 2024

Ms Nevenka Codevelle  
Executive General Manager  
AEMO Services Ltd  
Email: [nevenka.codevelle@aemoservices.com.au](mailto:nevenka.codevelle@aemoservices.com.au)

Dear Ms Codevelle

**Re: Updated tender rules with respect to long-term energy supply agreements**

Thank you for consulting with the Australian Energy Regulator (AER) on your updated tender rules with respect to long-term energy supply agreements (LTES agreements) as required under section 47(6) of the *Electricity Infrastructure Investment Act 2020 (NSW)* (EII Act). We also appreciate the opportunity to consult with AEMO Services Ltd staff.

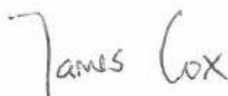
We understand the updated tender rules submitted on 19 March 2024:

- introduce flexibility for the Consumer Trustee on some aspects of the tender rules to administer tenders in a practical manner while maintaining consistency with the EII framework,
- better clarify the roles of AEMO Services Ltd and EnergyCo,
- allow for flexibility in the eligibility and merit criteria applied and order in which they are applied, to simplify administration of the LTESA and national Capacity Investment Scheme tender to be run at the same time, later this year,
- and improve the clarity of the tender rules.

We have reviewed the updated tender rules and consider that they address the items prescribed in sections 47(5)(a)–(e) of the EII Act and EII Regulation 29, serve to improve the tender administration process and promote participation in the competitive tenders.

We would like to thank staff from AEMO Services Ltd for consulting with us on the proposed tender rule changes, and the engagement of your team. We look forward to working with AEMO Services Ltd in the future.

Yours sincerely,



Jim Cox  
**Deputy Chair**  
Australian Energy Regulator