



Special Commission of Inquiry Electricity Transactions

The Honourable Brian Tamberlin QC has been appointed as Special Commissioner to inquire into and report on all matters relating to the electricity transactions (occurring both before and after entering into those transactions), including:

1. Compliance with applicable laws, policies and practices;
2. The circumstances surrounding the resignation and appointment of directors of Eraring Energy and Delta Electricity in December 2010;
3. The value for money achieved for the State compared to the retention value of the assets to the State; and
4. The costs and benefits to the State of the electricity transactions, including potential risks and liabilities and the extent to which the transactions can deliver the stated objectives for entering into them; and
5. Any other related matters.

Further, the Commissioner is to inquire into and report on options for future action that could be undertaken to further the public interest in a competitive NSW electricity sector, including options to:

6. Address any issues identified in relation to the electricity transactions; and
7. Promote competitive electricity prices and ensure reliability of supply.

"Electricity transactions" refers to:

- A. The sale of the State-owned electricity retailers (EnergyAustralia, Integral Energy and Country Energy) by the NSW Government in 2010/11;
- B. The sale of the electricity trading rights of the State-owned generators (Eraring Energy and Delta West) by the NSW Government in 2010/11;
- C. The Cobbora coal mine development;
- D. The sale of the development sites suitable for power generation by the NSW Government, including at Marulan and Mt Piper in 2010/11; and
- E. The proposed sale of the electricity trading rights of State-owned generators (Macquarie Generation and Delta Coastal) that was not completed by the NSW Government.

The Commissioner is due to provide an initial report on or before 31 August 2011 and a final report on or before 31 October 2011.

In order to ensure that all relevant information is obtained, the Commissioner has been given the special powers under sections 22, 23 and 24 of the *Special Commissions of Inquiry Act 1983* (NSW).

An initial public sitting of the Inquiry will take place at 10.00 am on 23 May 2011 in Court 8A, Level 8, John Maddison Tower, 86-90 Goulburn Street, Sydney.

On that occasion, the process to be followed by the Commission will be outlined, including the means by which the Commission will inform itself in relation to the terms of reference.

Submissions to the Inquiry should be in writing and lodged with the Inquiry by 4 pm 17 June 2011. Submissions must comply with the Directions for Written Submissions which can be obtained by contacting Brad James, Executive Officer of the Inquiry at email address sciet@agd.nsw.gov.au.

Individuals or organisations who believe they are substantially and directly interested in any subject matter of the Inquiry are invited to contact Clare Miller, Solicitor to the Inquiry, in writing at the address below in order to inform the Inquiry of their interest, and the extent of assistance which they can provide to the Inquiry.

Any person who has information and material which is relevant to the Inquiry is invited to provide it directly to Brad James, Executive Officer, at the address specified below.

Any person wishing to contact the Inquiry may do so at the address below.

Special Commission of Inquiry
Electricity Transactions
PO Box A1150 SYDNEY SOUTH 1235
Phone: 9377 5502
E-mail: sciet@agd.nsw.gov.au