

BETWEEN:

ECONOMIC REGULATION AUTHORITY

Applicant

and

ENERGY GENERATION AND RETAIL CORPORATION

Respondent

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**ORDER**

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Made by: DS Ellis (Presiding)

Date of Order: 21 February 2020

Where made: Perth

**THE WESTERN AUSTRALIAN ELECTRICITY REVIEW BOARD ORDERS THAT:**

Orders 1 to 3 of the Orders made on 20 December 2019 be amended as follows:

1. By ~~26~~<sup>1</sup> February 2020:
  - a. the Applicant do file and serve on the Respondent its case statement, setting out concisely the facts relied on by it, the issues it contends will arise and its principal contentions; and
  - b. the Applicant is to give discovery, in a numbered bundle, of the documents in its possession, power or control which were relied on by the Applicant in arriving at its conclusions about the conduct of the Respondent in the Applicant's draft confidential report titled 'Investigation into Synergy's pricing behaviour in the Wholesale Electricity Balancing Market for the period 31 March 2016 to 10 July 2017' dated 6 February 2019.
2. By ~~11~~<sup>6</sup> March 2020, the Applicant is to give discovery, in a numbered bundle, of any additional documents in its possession, power or control which are relied on by the Applicant in respect of its case statement referred to in Order 1(a).
3. By ~~8~~<sup>3</sup> April 2020, the Respondent do file and serve:

- a. any application for the determination of a preliminary issue by the Board (any such application being supported by all the materials upon which the Respondent proposes to rely in relation to the application); or
- b. any application with the Supreme Court of Western Australia in relation to these proceedings.



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DS Ellis  
Presiding Member  
Electricity Review Board