

8 March 2016

Mr Bryan Green MP  
Leader of the Opposition  
Parliament House  
Hobart TAS 7000

Dear Mr Green,

### **Right to Information Request - 9 February 2016**

I refer to your request pursuant to the *Right to Information Act 2009* (RTI Act) received on 9 February 2016 by Hydro Tasmania.

I am authorised to make decisions on behalf of Hydro Tasmania in respect of applications for information under the RTI Act.

#### **1. Your Request**

Your request was for:

1. A copy of all information produced between 1 June 2015 and 9 February 2016 including advice, reports, briefing notes, financial modelling as well as any correspondence regarding power rationing of industrial users in Tasmania
2. A copy of all information produced between 1 June 2015 and 9 February 2016 including advice, reports, briefing notes, financial modelling as well as any correspondence regarding buyback of power contracts in Tasmania
3. A schedule of documents produced between 1 June 2015 and 9 February 2016 including advice, reports, briefing notes, financial modelling as well as any correspondence related to planning for power rationing.

(Collectively “the Request”)

#### **2. Determination and Reasons for Determination of Request**

I have undertaken a search of the information held by Hydro Tasmania and its subsidiaries to locate any records that may be relevant to the Request and have determined as follows.

##### **2.1 Information relevant to the Request Part 1**

Hydro Tasmania does not have any information on ‘power rationing of industrial users in Tasmania’. Hydro Tasmania does not have the authority to ration power; that is the jurisdiction of the Australian Energy Market Operator under the National Electricity Rules.

##### **2.2 Information relevant to the Request Part 2**

It has come to my attention that in relation to the information relevant to Part 2 of the request, Hydro Tasmania is required to consult with other parties on the disclosure of that information. We will seek advice from them in accordance with the

requirements of section 37 of the RTI Act. This process has delayed us being able to provide the information at this time.

Under section 15 (5) of the RTI Act, Hydro Tasmania is afforded a further 20 working days to determine this section of the request. We trust that we will not need this period to receive the advice from the other parties and make the determination. However, it is necessary that we advise you of the extended period.

### **2.3 Information relevant to the Request Part 3**

Hydro Tasmania does not have any information related to 'planning for power rationing'. Hydro Tasmania does not have the authority to ration power; that is the jurisdiction of the Australian Energy Market Operator under the National Electricity Rules.

### **3. Review of Rights**

You are entitled under Section 43 of the RTI Act to apply for a review of the decision made under Parts 2 or 4 of the determination.

Any request for such a review should be made in writing within twenty (20) working days of receiving this letter and addressed to:

Mr S Davy  
Chief Executive Officer  
Hydro Tasmania  
4 Elizabeth Street  
HOBART TAS 7000

Should you have any questions on the information provided please contact the undersigned.

This request is now considered closed.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Alan W. Evans', with a large, sweeping flourish extending to the left.

Alan W. Evans  
Right to Information Officer & Corporation Secretary  
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