

To whom it may concern,

I wish to provide comment on the AER's proposal to approve funding for HumeLink three years earlier than necessary for net benefits as modelled by the Integrated System Plan (ISP).

My expectation is that the AER enforce the letter of the law consistently, and protect consumer interests above corporate or political interests. However, it appears that the AER has not done this with regard to HumeLink.

As demonstrated in its response to the 27 February 2024 Question on Notice from Senator Ross Cadell, the AER acknowledges that consultation is required, but chose not to enforce this requirement for HumeLink. This is contrary to legal opinion provided by James Glissan AM ESM KC, namely that "The duty of the AER is to ensure that the Rules have been complied with both in the spirit and in the letter of the law."

Furthermore, Transgrid should be required to re-submit its Contingent Project Application on the grounds that they were ineligible to submit the one that AER is currently assessing.

The National Electricity Rules, Version 204 (the version in force on 21 December when Transgrid's application was made) states that, in order to to be eligible to submit a contingent project application, AEMO must first provide confirmation that the preferred option aligns with the optimal development path in the most recent ISP. However, AEMO failed to adhere to these rules by not conducting the mandated consultation process, while the AER has neither enforced the matter nor issued any form of waiver. This means that the update to the ISP has no proper legal standing, and reference should instead be made to the 2022 ISP.

Regards,  
Chris Angus