

12.09.18

Ben Stonehouse  
Australian Energy Regulator  
GPO Box 3131  
Canberra ACT 2601

Dear Ben

## Voluntary provision of tax information to the AER tax review

I refer to Warwick Anderson's letter to Tim Rourke as CEO of CitiPower, Powercor and United Energy (**the Businesses**) dated 17 August 2018.

The Businesses are pleased to assist the AER in its review of its current tax approach by providing the attached information, subject to the conditions set out below. We do not expect AER to have any concern with these conditions, but if we are mistaken, and any of these conditions are not acceptable to AER, please do not access the highly sensitive information that we are providing in good faith until we have agreed the basis of provision.

Specifically:

- AER will ensure that all of the information provided is treated as being highly confidential to the Businesses, regardless of whether or how the information is labelled as confidential;
- the information provided should be regarded as "exempt documents" under the Freedom of Information Act (Cth), noting further for the purpose of the equivalent Victorian legislation that any release of the information provided would impair the ability of AER to obtain similarly confidential information on a voluntary basis in the future;
- the information must not be used for any purpose other than the AER's tax review, and not disclosed to any person other than on a "need to know" basis for this sole purpose, unless the AER is mandatorily required by law to do otherwise and where reasonably possible notifies us in advance of any such mandatory requirement; and
- AER will, consistent with its previous practices, provide the Businesses with a reasonable period of time to review before publication any aggregated numerical analysis and associated commentary that includes the Businesses' confidential information in order to verify that confidential data from the Businesses cannot be individually identified, and if necessary make any changes that may be needed to ensure that confidential data from the Businesses cannot be individually identified.

The information provided today in respect of the CitiPower and Powercor distribution network is set out in the pdf document titled 'Voluntary tax info for VPN 12 Sept 18' which refers to a number of attachments which have also been provided.

If you have any questions about the information, or this letter, please do not hesitate to call me on [REDACTED].

Kind regards

Mark de Villiers  
Head of Regulatory Strategy and Pricing  
CitiPower, Powercor and United Energy