Australian Government
Department of Climate Change, Energy, the Environment and Water



Capacity Investment Scheme (CIS) Tender 11: Wholesale Electricity Market (WEM) – Generation
Q&A Responses

This document provides a compilation of responses to de-identified questions received from Registered Proponents for CIS Tender 11: WEM – Generation (**Tender 11**). New Q&As are added to this document in chronological order and shaded in pale green. All Q&As are allocated to categories aligning with the Q&A form: Eligibility Criteria; Merit Criteria (MC) 1 – Financial value, system reliability and system benefits; MC 2 – Project deliverability and timeline; MC 3 – Organisational, resource, and financing capability; MC 4 – First Nations participation and benefits sharing; MC 5 – Social outcomes and community benefits sharing; Project Documents; and other.

All responses and correspondence by AEMO regarding the Q&A Process in Tender 11 are subject to the Tender Conditions set out in Section 6 of the Tender 11 Tender Guidelines (published 27 August 2026).

Important notice: Registered Proponents are reminded of Sections 6.5 (No representations), 6.6 (No warranty), 6.13 (Requests for clarification and further information) and 6.19 (Proponent to perform own due diligence) of the Tender Guidelines. AEMO and the Australian Government reserves its rights not to respond to any question or request. The responses provided are for information purposes only and neither AEMO nor the Australian Government make any warranties or representations with respect to the completeness, accuracy, adequacy or currency of the responses. The responses do not take into account individual circumstances and Registered Proponents should ensure they perform their own due diligence.

Version Release

Version	Release date	Changes
1	04/09/2026	Release 1 including 2 responses
2	23/09/2026	Release 2 including 2 responses
3	28/09/2026	Release 3 including 1 response
4	02/10/2026	Release 4 including 6 responses
5	09/10/2026	Release 5 including 2 responses
6	16/10/2026	Release 6 including 4 responses
7	20/10/2026	Release 7 including 2 responses

Project Bid Q&A

Q&A Release 1		Distributed 04/09/2026	
#	**Category**	**Question**	**Answer**
1	Eligibility Criteria	***Background*** Entity A is acting as bid coordinator and agent on behalf of a Project SPV and Entity B, who owns the Project SPV. Entity A has arrangements in place to acquire the Project SPV from Entity B, provided that the Project SPV is successful in the Tender Process and executes a CISA, alongside other conditions precedent. For the purposes of CIS Tender 11, the Project SPV is proposed to be nominated as the Proponent and Bid Entity in the Bid submission. ***Questions*** 1. If Entity A has signed and returned a letter of engagement with the Scheme Provider of the Developer Rating Scheme, would this satisfy EC11? If no, could Entity A be the Proponent with the Project SPV as the Bid Entity, and would that satisfy EC11? 2. If Entity A is not nominated as the Proponent nor has ownership of the Bid Entity at time of Bid submission, how should Entity A's capabilities, including organisational, financing and delivery	***Question 1:*** If Entity A is not the Proponent or a Related Body Corporate at the time of Bid submission, then Entity A's signed and returned letter of engagement with the Scheme Provider of the Developer Rating Scheme (DRS) would not satisfy the requirements of EC11, as outlined in the Tender Guidelines. If the Proponent is the Project SPV, then the Proponent or its Related Body Corporate (which may be Entity B in this scenario) would require a signed and returned letter of engagement with the Scheme Provider to satisfy EC11. If Entity A is nominated as the Proponent, then Entity A's signed and returned letter of engagement with the Scheme Provider would satisfy the requirements of EC11. However, Entity A would also need to satisfy all other applicable Eligibility Criteria in order to participate in the Tender. This includes EC2, which requires the Bid Entity to satisfy the applicable Bid Entity Criteria set out in Table 8 of the Tender Guidelines. Among other conditions, those criteria require that, prior to and at the execution of the Project Documents (including the CISA), the Bid Entity is either: • 100% owned by the Proponent; or • has the same Australian Holding Company as the Proponent, and is 100% owned by that Australian Holding Company (or, if not directly owned, all entities, trusts and trustees between the Bid Entity and the Proponent/Holding Company are 100%

Q&A Release 1	Distributed 04/09/2026	
# **Category**	**Question**	**Answer**
	track record, be presented and considered in the Bid?	directly or indirectly owned by the Proponent/Holding Company).
	3. At the time Entity A intends to acquire the Project SPV, after CISA execution, what notification should be provided and is an updated Warranties form required to be submitted?	***Question 2:*** The organisational capabilities of a Proponent and its key delivery partners to finance and deliver the Project are assessed under Merit Criterion 3, as outlined in Section 3.1 of the Tender Guidelines. If Entity A is identified as a key delivery partner for the Proponent of the Bid, and this relationship is evidenced in the submission, then the organisational capabilities of Entity A may be considered within the Merit Criterion 3 assessment. Under Merit Criterion 3, characteristics of higher merit Bids are generally where the Proponent demonstrates access to, or a clear pathway to secure, the required development funding to reach Financial Close and the Proponent presents a clear and credible pathway with detailed steps to finance the delivery of the Project. ***Question 3:*** If a Bid Entity enters into a CISA for the Project, it will be required to comply with the terms of the CISA. Clause 23 of the pro forma CISA sets out the requirements relating to the assignment of the Bid Entity's rights or obligations under the CISA and changes in control of the Project. Among other things, the Bid Entity may be required to obtain the Commonwealth's prior written consent. In considering whether to grant consent, the Commonwealth may require the Bid Entity to provide supporting information, documentation and evidence relevant to the matters specified in the CISA. Proponents should carefully review the applicable contractual provisions of the Proforma CISA, and are encouraged to seek independent legal advice.

Q&A Release 1		Distributed 04/09/2026	
#	**Category**	**Question**	**Answer**
2	Eligibility Criteria	In relation to Eligibility Criterion 11 and the requirement for the Proponent or a Related Body Corporate to have signed and returned a letter of engagement with the Scheme Provider, will there be a requirement or expectation that the Proponent, or a Related Body Corporate, needs to have completed the assessment and obtained a rating by the time Successful Proponents are announced or a CISA is executed? Does the progress towards obtaining a rating under the DRS influence a submission's assessment?	Eligibility Criterion 11 of CIS Tender 11 requires that the Proponent, or a Related Body Corporate must, at the time of the Bid submission, have signed and returned a letter of engagement with the Scheme Provider of the Developer Rating Scheme to obtain a rating. Progress towards obtaining a rating under the Developer Rating Scheme is not further assessed under CIS Tender 11. The above does not limit the Australian Government's right to select a Successful Proponent having regard to the information set out in Section 6.26(u) of the Tender Guidelines, which may include information concerning the Proponent or its Associates that is obtained by the Australian Government or AEMO through their own investigations.

Q&A Release 2		Distributed 23/09/2026	
#	**Category**	**Question**	**Answer**
3	Project Documents	We are preparing a Bid for a Hybrid Project where the co-located Project (generation asset) and Associated Project (storage asset) share a Connection Point. The Associated Project has a planned Commercial Operations Date ~12 months before the Project. We interpret clause 7.1(b) of the Proforma CISA as requiring the Associated Project to be installed and commissioned as a COD Condition, for the Hybrid Project to be submitted as an Assessed Hybrid Bid. Can you confirm that there is nothing preventing the Associated Project reaching COD prior to the Project, and on this basis, we may elect to submit our Project as an Assessed Hybrid?	Hybrid Projects may be submitted into CIS Tender 11 as either an Assessed Hybrid Project, or a Non-Assessed Hybrid Project, as outlined in Section 4.2 of the Tender Guidelines, and subject to satisfying all requirements outlined in the Tender Guidelines and Proforma CISA. Clauses 7.1(b) and 7.1(f) of the Proforma CISA, outlining additional COD Conditions which apply only to Assessed Hybrid Projects, require that the Associated Project is installed, commissioned and satisfies the requirements outlined in those clauses. There is no requirement that these COD Conditions be satisfied by a particular period of time in advance of the Project, so long as they are satisfied, along with all other applicable COD Conditions, at any time before the COD Sunset Date. Accordingly, subject to satisfying all other requirements of the Tender Guidelines and Proforma CISA, a Hybrid Project which has an Associated Project reaching COD approximately 12 months before the Project (generation asset) may be eligible to be submitted as an Assessed Hybrid Project Bid in Tender 11. The COD Target Date for a Hybrid Project Bid, submitted within Table 2 of the MC1 Returnable Schedule and used as the COD Target Date milestone in the CISA if a Bid is successful in Tender 11, must be the target COD of the Project (generation asset), not the earlier delivered Associated Project (storage asset).

Q&A Release 2		Distributed 23/09/2026	
#	**Category**	**Question**	**Answer**
4	MC1 – Financial value, system reliability and system benefits	Please clarify whether the generation traces to be provided in the '4. Generation traces' tab of the MC1 Returnable Schedule should account for turbine availability losses, or whether they should be provided before any availability-related losses.	As described in Table 11 of the MC1 Returnable Schedule, the expected average output power should be provided for each half-hour interval. The AC output should be provided as measurable at the metering point that reflects the availability profile: • Exclusive of the export limit at Connection Point and degradation; • After accounting for losses between the point of generation and Connection Point e.g., plant losses and the losses considered for the power level given and renewable generation components; • Prior to any losses expected due to maintenance and/or outages; • Prior to any form of curtailment in the market; and • Prior to any impact from coupled storage or load traces. In the context of the above list, turbine availability losses may be considered as 'losses expected due to maintenance and/or outages'. Therefore, the generation traces should be provided prior to expected turbine availability losses.

Q&A Release 3		Distributed 28/09/2026	
#	**Category**	**Question**	**Answer**
5	Other: Bid Form	In registering for CIS Tender 11, we nominated a Bid Entity in the Registration Form. However, we now intend to nominate a different Bid Entity in the Bid Form for our Bid submission and EC2. Can ASL please confirm: 1. Can the Proponent nominate a different Bid Entity in the Bid Form under its existing registration, or does it need to submit a new registration identifying that Bid Entity? If a new registration is required, how should the existing registration be treated, given our understanding that only one registration may be made per Project? 2. Is a notification under Section 6.17 of the Tender Guidelines required in these circumstances, given the Bid has not yet been submitted?	1. As outlined in the CIS Tender 11 Registration Form, registration is intended to provide indicative Project and Proponent details, including Bid Entity. When completing the Bid Form, the Proponent may elect to nominate a Bid Entity that is different to the one nominated in the Project's Registration Form. There is no need to amend the previous Registration Form or submit a new registration for this Project. 2. A notification is not required under Section 6.17 of the Tender Guidelines, as this Tender Condition only applies during the Bid's Validity Period, which commences from the Bid Closing Date and Time as defined in the Tender Guidelines.

Q&A Release 4		Distributed 02/10/2026	
#	**Category**	**Question**	**Answer**
6	Other: Bid Form	In the Bid Form for CIS Tender 11, the first question in Section 5.6 states: *"Provide a description of any network limitations between the Project's Connection Point and the transmission network, as advised by Western Power or otherwise, under both system normal and N-1 conditions. Include whether these limitations relate to Project import or export, and outline any relevant demand conditions."* There is no word limit identified in the notes below the question. Please can ASL clarify if there is a word limit for the response to this question?	The response to the question identified in Section 5.6 of the Bid Form does not have a word limit. As identified in the drafting note underneath this question in the Bid Form, Proponents are only required to answer this question with a description of network limitations between the Project's Connection Point and the transmission network where the Project's connection voltage is below 330 kV.

Q&A Release 4		Distributed 02/10/2026	
#	**Category**	**Question**	**Answer**
7	MC5 – Social outcomes and community benefits sharing	In relation to Merit Criterion 5 assessment of commitments and evidence to support the use of Local Content, if payments are made to an Australian or New Zealand owned business, does that payment equate to 100% Local Content, even if the business purchases products from overseas suppliers?	Local Content is defined in Section 8 of the Tender Guidelines as "any good manufactured, service supplied, or resources produced within Australia and New Zealand". Local Content commitments support the development of local supply chain opportunities, such as renewable components and materials, local steel and investment and innovation in the local renewable energy supply chain. As such, Local Content commitments entered in the 'Local Supply Chain Input' tab of the MC4&5 Returnable Schedule must relate solely to the cost of "any goods manufactured, services supplied, or resources produced within Australia and New Zealand". Procurement from an Australian or New Zealand business where products, services or resources are manufactured, supplied or produced overseas does not constitute Local Content and cannot be entered as Local Content commitments for CIS Tender 11.
8	Eligibility Criteria	We are in the process of establishing a SPV for our project. This new SPV entity will be established prior to the CIS Bid submission date, however it is anticipated that not all of the project assets, land agreements, etc. will be transferred to the new SPV entity by Tender 11 Bid submission timing.	CIS Tender 11 Bid submissions must satisfy all Proponent and Project Eligibility Criteria, outlined in Table 7 of the Tender Guidelines. Proponents must propose one Bid Entity that complies with the requirements of EC2 and should also refer to the information contained in Section 6.23 of the Tender Guidelines regarding Bid Entities. To comply with EC2, a Bid Entity that is incorporated or existing prior to the Bid Closing Date and Time and proposed in the

Q&A Release 4		Distributed 02/10/2026	
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		Both the existing entity and the SPV to be established will be 100% owned by the same Australian Holding Company (directly or indirectly). Would the new SPV entity satisfy the Eligibility Criteria of CIS Tender 11?	Proponent's Bid must satisfy the Bid Entity Criteria, set out in Table 8 of the Tender Guidelines, prior to execution of Project Documents (not necessarily at Bid Closing Date and Time). These criteria include the requirement that the Bid Entity must hold all the assets of the Project, as required by the terms of the Proforma CISA. Proponents are advised to carefully review the Tender Guidelines and Proforma CISA to inform their bid configuration, and if necessary, seek independent legal advice.
9	Project Documents	If a Proponent's Bid is successful in CIS Tender 11, and following which the capacity of the Project is reduced below the Nameplate Capacity provided in the Bid submission, what would be the implications of this?	In line with Section 5.5 of the Tender Guidelines, a Proponent is bound by its Bid and, if selected as a Successful Proponent, must enter (or procure that the Bid Entity enters) into Project Documents on the basis of the Bid, subject to any amendments agreed with the Australian Government. If any material changes in circumstances occur prior to the Tender 11 announcement of Successful Proponents, including changes to Project capacity or development plan impacting Project milestones, Proponents must promptly provide notification of the changes, in writing, through the Online Portal in accordance with Section 6.32 of the Tender Guidelines. If any material changes in circumstances occur following announcement of Successful Proponents, the Proponent must promptly notify the Australian Government of any material changes

Q&A Release 4	Distributed 02/10/2026		
#	**Category**	**Question**	**Answer**
			in circumstances, as outlined in Section 6.32 of the Tender Guidelines. Upon receipt of any notice pursuant to Section 6.32 of the Tender Guidelines, whether before or after announcement of Successful Proponents, the information provided may be assessed and then (without limitation to any other discretion or action) AEMO or the Australian Government (as applicable) may: a. terminate the further participation of that Proponent or Associate in the Tender Process; or b. invite the Proponent to amend its Bid accordingly. Proponents should also carefully review the Proforma CISA, including clause 10 (*Alterations to the Project*), to understand the requirements for any alteration to the Project's generating system.

Q&A Release 4		Distributed 02/10/2026	
#	**Category**	**Question**	**Answer**
10	Eligibility Criteria	With respect to the Developer Rating Scheme, the CIS Tender 11 Tender Guidelines Eligibility Criterion 11 requires that, at the time of Bid submission, the Proponent must have signed and returned to the Scheme Provider a letter of engagement with the Scheme Provider. Is this the only aspect of the Tender assessment of a Proponent's submission that relates to the DRS, or does the Tender 11 assessment consider the assessment completed by the DRS Scheme Provider?	Eligibility Criterion 11 of CIS Tender 11 requires that the Proponent, or a Related Body Corporate must, at the time of the Bid submission, have signed and returned a letter of engagement with the Scheme Provider of the Developer Rating Scheme to obtain a rating. Progress towards obtaining a rating under the Developer Rating Scheme, is not further assessed under CIS Tender 11, and the Scheme Provider's DRS assessment outcomes are not considered in developing the Recommended Bids for Tender 11, which follows the process outlined in Section 5.4 of the Tender Guideline. The above does not limit the Australian Government's right to select a Successful Proponent having regard to the information set out in Section 6.26(u) of the Tender Guidelines, which may include information concerning the Proponent or its Associates that is obtained by the Australian Government or AEMO through their own investigations.

Q&A Release 4		Distributed 02/10/2026	
#	**Category**	**Question**	**Answer**
11	Other: Confidentiality	To support our Bid submission for CIS Tender 11, we request clarification on how commercially sensitive information, including technical and performance specifications of equipment and design parameters is managed. Please clarify how confidential and commercially sensitive information provided as part of the Bid submission is treated to protect confidentiality and whether a project-specific NDA (or equivalent confidentiality arrangement) would be considered before we provide such information in our Bid submission?	Proponents should refer to Sections 6.9 (*Intellectual Property Rights*) and 6.20 (*Bids commercial-in-confidence*) of the Tender Guidelines. Information submitted as part of a Bid, including technical and commercial information, will be treated as confidential and will not be disclosed outside the Australian Government and AEMO unless that disclosure is for a purpose permitted in Section 6.20. A Proponent (or other relevant person) will retain ownership of any IP Rights subsisting in respect of each Bid document it submits. AEMO, or the Australian Government, does not propose to enter into Project-specific NDAs or separate confidentiality arrangements with Proponents (or any other relevant person) in relation to information submitted through the Online Portal. Proponents and their suppliers should therefore consider the relevant provisions of the Tender Guidelines, before submitting information as part of a Bid.

Q&A Release 5		Distributed 09/10/2026	
#	**Category**	**Question**	**Answer**
12	Eligibility Criteria	Is a Project that has a Power Purchase Agreement (PPA) with a Government Trading Enterprise, such as Synergy or Water Corporation, eligible under requirements of EC8?	Contracts with state-owned corporations or Government Trading Enterprises (GTEs) such as Synergy and Water Corporation WA do not constitute contracts with the Australian Government or WA Government for the purposes of EC8 under CIS Tender 11. As such, a project that has entered into a PPA or bilateral contract with a state-owned corporation or GTE may still satisfy Eligibility Criterion 8. Proponents should also consider the Proforma CISA and note PPAs must meet the requirements in clause 15.1 to qualify as an Eligible Bilateral Contract to be included in the net operational revenue calculations for the project. As part of their Bid submission, Proponents are encouraged to provide evidence of progress in securing offtake agreements to support the proposed revenue strategy and pathway to financial close for the project, assessed under Merit Criterion 3.

Q&A Release 5		Distributed 09/10/2026	
#	**Category**	**Question**	**Answer**
13	Other: Bid form	Our project includes transmission lines that span roadways. We understand that easement agreements with Western Power for the land parcels covering these roads are not required. Noting this, should these parcels of land be listed in the Real Property Returnable Schedule? If so, how should this land be described in the Returnable Schedule in relation to “Status of tenure”.	As part of the Bid submission, Proponents should identify all parcels of land required to deliver the project in the Real Property Returnable Schedule (RS). This includes land parcels for which the Proponent considers no tenure rights are required. In completing the Real Property RS, Proponents should: 1. List <u>all</u> land parcels required to deliver the Project; 2. For any land parcels where the Proponent considers land tenure rights (e.g., an easement or lease agreement) are not required: a) put "N/A" for Column F (*Documents evidencing property arrangement*); b) leave Column G, H (*Parties to document*) and I (*Relationship between interest holder and Proponent*) blank; and c) populate Column S (*Details of issues securing tenure*) with the Proponent's rationale and evidence substantiating why land tenure rights are not required. Evidence that the Proponent or Bid Entity (if different) holds appropriate land tenure, or the most recent documentation that substantiates progress towards securing land tenure rights for the Project site and connection route, is also requested as part of the Bid submission in Section 6.2 of the Bid Form. Such evidence may include a lease agreement, easement, option to purchase agreement or contract of sale.

Q&A Release 6		Distributed 16/10/2026	
#	**Category**	**Question**	**Answer**
14	Other: Bid Form	The Bid submission requests an upload of a supporting document where we have selected that the expected operational guarantee life of our Project exceeds the economic life, as listed in AEMO's 2025 Final IASR workbook. What supporting documentation is expected to be provided here?	As part of the Bid submission, within Section 5.3.1 *Expected Operational Guarantee Life* of the Bid Form, Proponents are required to upload a supporting document where 'Yes (expected operational guarantee life exceeds economic life)' is selected. The economic life for the Project can be taken from the '*Lead time and project life'* tab of AEMO's 2025 Final IASR workbook. Supporting documentation may include extracts from OEM reports (e.g. Site Assessment Report) that identify the Project design life, OEM warranty documentation with the performance and/or product warranty duration from the supplier identified, and/or O&M and asset management agreements.
15	MC3 – Organisational, resource, and financing capability	For the Bid submission, are three comparable projects required to be entered in Section 7.1 *Track record* of the Bid Form, or can we just enter two projects?	Details of comparable projects, provided in Section 7.1 of the Bid form, support the assessment of track record under Merit Criterion 3 for both the Proponent and its key delivery parters (contractors and suppliers) involved in the Project. If the Proponent does not have a third comparable project to provide details for, then the Proponent may elect to enter 'n/a' for the third example project or provide information for a comparable project delivered by a key delivery partner involved in the project for which a Bid has been submitted. Higher merit Bids, under Merit Criterion 3, will demonstrate strong credentials and a track record for the Proponent and/or its key delivery partners in successfully delivering comparable projects (scale, complexity, jurisdiction, technology), with strong health and safety management.

Q&A Release 6		Distributed 16/10/2026	
#	**Category**	**Question**	**Answer**
16	MC5 – Social outcomes and community benefits sharing	We have not yet formalised our Project's commitments with the relevant local suppliers and community and therefore cannot confirm the exact amount that will be the local content spend for the purposes of Merit Criterion 5. With regards to completing the MC4&5 Returnable Schedule, please advise if we are to put our best estimate for local content commitments (that will not be binding and to be updated following CISA execution) or insert zero until such time that we can confirm what the exact amount will be?	A Proponent's Bid, including all commitments included in Returnable Schedules, is binding in accordance with Section 6.27 of the Tender Guidelines. Commitments provided in the MC4&5 Returnable Schedule will be incorporated into the CISA Schedule 2A and 2B for Successful Proponents invited to enter into the Project Documents with the Commonwealth, subject to any amendments agreed with the Australian Government (see section 5.5 of the Tender Guidelines). These commitments will be subject to contractual monitoring and enforcement regimes under the CISA. Proponents should therefore only provide commitments in the MC4&5 Returnable Schedule that they are able to commit to at the time of Bid submission, given the binding nature of the Bid. Within Bid Form responses and attached evidence, Proponents should demonstrate their Project's proposed social outcomes and community benefits sharing approaches to support the Merit Criterion 5 assessment. This includes evidence of community co-design of shared benefits and how supplier or community engagement has informed decisions. All additional information provided in the Bid Form and supporting attachments will be incorporated into a holistic assessment of MC4 and MC5 alongside commitments provided in the MC4&5 Returnable Schedule.

Q&A Release 6		Distributed 16/10/2026	
#	**Category**	**Question**	**Answer**
17	Warranties Form	Regarding the execution page in the Warranties Form, there does not appear to be a way to enter the execution details and provide signatures in SmartyGrants. Can you advise how to proceed?	The Warranties Form is to be completed on the Online Portal and executed by the Proponent confirming matters in connection with the Proponent, the Bid Entity, their Associates and this Tender Process. Once the Proponent has completed the Warranties Form on the Online Portal, please review and submit the form via the Online Portal. Following submission, the Proponent will receive an email with a PDF version of the completed form. The Proponent can also download the PDF version of the completed form from the Online Portal. Please insert any necessary execution details in the PDF version, including Proponent details as relevant, execute the PDF version of the form and upload it as part of the Bid Form. Please ensure when executing the Warranties Form that: 1. the Proponent's name and ABN are included, including trust details where the Proponent executing in its capacity as trustee of a trust; 2. the execution page is dated; 3. it is signed by duly authorised officer(s) of the Proponent in accordance with section 127 of the *Corporations Act 2001* (Cth); 4. the capacity of each signatory (e.g. director/company secretary) is correctly noted; and 5. the Proponent's name, ABN, trust details (if applicable) and signatories correctly correspond with ASIC's public registers and the Australian Business Register.

Q&A Release 7		Distributed 20/10/2026	
#	**Category**	**Question**	**Answer**
18	Project Documents	We note Eligible Bilateral Contracts (under 15.1(a)(i) of the Proforma CISA) are defined by 3 limbs, one of which is a fixed for floating structure. However, we understand a large portion of contracts in the WEM are fixed priced (rather than a CFD) and on that basis we expect a number of new PPAs may not satisfy the definition of an Eligible Bilateral Contract. As such can you please clarify: 1. is it intended that fixed-price PPAs be treated as ineligible Bilateral Contracts for the purposes of the CISA, and 2. Should the Floor and Ceiling CISA Bid Variables be formulated against a trading interval reference price rather than a fixed PPA price?	1. A Bilateral Contract must meet all of the requirements in clause 15.1(a) of the Proforma CISA, including the fixed-for-floating price structure, to be an Eligible Bilateral Contract. However, under clause 15.1(c) the Commonwealth may, at its discretion, waive any of these requirements, including on request by the Project Operator when notifying the contract under clause 15.2(a). Any waiver request will be assessed on its individual merits, and Proponents should not assume a waiver will be granted for any particular contract or contract structure. Proponents should carefully review the applicable contractual provisions of the Proforma CISA, and are encouraged to seek independent legal advice. Further guidance on eligible wholesale contracts in the CIS can be found on the DCCEEW website. 2. Proponents are responsible for determining their Bid Variables and should do so having regard to their Project's forecast net operational revenue over the Support Period, including any contracted revenue arrangements. Proponents should aim to structure their Bid Variables in a way that is both competitive and sufficient to enable the Project to achieve Financial Close, considering the Project's financing structure and realistic expectations of debt and/or equity requirements. The Proforma CISA sets out how revenue from Eligible Bilateral Contracts is treated in calculating the Project's net operational revenue, and CISA revenue support payments. The eligibility of any proposed contract as an Eligible Bilateral Contract will not be assessed as part of this Tender Process.

Q&A Release 7		Distributed 20/10/2026	
#	**Category**	**Question**	**Answer**
19	Eligibility Criteria	Regarding EC2 and the Bid Entity Criteria, under a scenario where the Proponent intends to acquire an existing project entity after Bid submission and prior to Project Documents being executed, can you please clarify: 1. Does the Bid Entity specified in the Bid submission need to be owned by the Proponent at the time of Bid submission? 2. Would a Bid be eligible if the existing project entity (to be acquired) is nominated as the Bid Entity in the Bid submission, provided the requirements under Section 6.27 of the Tender Guidelines are met for a binding bid, and ownership requirements are to be satisfied prior to execution of Project Documents (if successful in the tender)?	1. Proponents must propose one Bid Entity that complies with the requirements of EC2 and should also refer to the information contained in Section 6.23 of the Tender Guidelines regarding Bid Entities. Where the Bid Entity is proposed in the Proponent's Bid, then under EC2 it must comply with the Bid Entity Criteria set out in Table 8 of the Tender Guidelines prior to execution of the Project Documents *but not necessarily at Bid Closing Date and Time*. These criteria include the requirement that the Bid Entity must hold all the assets of the Project, as required by the terms of the Proforma CISA, and requirements for ownership of the Bid Entity. 2. Provided the requirements above are satisfied, a Proponent may nominate a Bid Entity in its Bid submission for which it is not the current legal owner. However, as identified, ownership is a factor that may be relevant for compliance with Section 6.27 of the Tender Guidelines. Ownership of the Project, or ownership of the entity which owns the Project, by the Proponent at the Bid Closing Date and Time may be considered a factor which is indicative of a binding Bid. Yet it is not a mandatory requirement that the acquisition to affect that ownership must have reached completion by the Bid Closing Date and Time. In those circumstances, the Proponent must ensure that the Bid remains compliant with the requirements of section 6.27 of the

Q&A Release 7	Distributed 20/10/2026		
#	**Category**	**Question**	**Answer**
			Tender Guidelines, including that the Bid and any transaction upon which the Bid is reliant: • does not contain any conditions which prevent the Proponent's Bid from constituting an offer open for acceptance from the time the Bid is submitted for the duration of the Validity Period; and • is consistent with the conclusion that the Bid Entity is (or will be) prepared to enter into the final Project Documents, as set out in the Bid, at any time during the Validity Period. As identified, EC2 requires the Bid Entity to be compliant with certain ownership requirements in advance of, and at, execution of the Project Documents. This would necessitate completion of any contingent transactions relating to ownership prior to that date. Proponents are advised to carefully review the Tender Guidelines and Proforma CISA to inform their bid configuration, and if necessary, seek independent legal advice.

Acknowledgement of Country

We acknowledge the Traditional Custodians of Australia and their continuing connection to land and sea, waters, environment and community. We pay our respects to the Traditional Custodians of the lands we live and work on, their culture, and their Elders past and present.

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