

Our Ref: AER212449
Your Ref: E24001

Level 25,
32 Turbot Street
Brisbane QLD 4000
www.aer.gov.au

12 April 2024

Mr Matthew Blundell
Director
ERC Energy Pty Ltd
18/21 Nicklin Way
Buddina, QLD, 4575

Dear Mr Blundell

ERC Energy application for electricity retailer authorisation

On 5 April 2024, the Australian Energy Regulator (AER) considered and approved ERC Energy Pty Ltd.'s (ERC Energy) application for an electricity retailer authorisation in accordance with s.92 of the National Energy Retail Law (Retail Law).

The AER must grant an application for a retailer authorisation if an applicant has satisfied the entry criteria:

- a) the organisational and technical capacity criterion—the applicant must have the necessary organisational and technical capacity to meet the obligations of a retailer;
- b) the financial resources criterion—the applicant must have resources or access to resources so that it will have the financial viability and financial capacity to meet the obligations of a retailer; and
- c) the suitability criterion—the applicant must be a suitable person to hold a retailer authorisation.¹

In making its decision the AER is guided by the objective of the Retail Law.² The AER's decision is also informed by the assessment approach outlined in the AER's Retailer Authorisation Guideline. The AER consulted on ERC Energy's application and received one submission.³

The AER considers ERC Energy has demonstrated its capacity and suitability to operate as an energy retailer under the Retail Law. ERC Energy is therefore authorised to sell electricity under the Retail Law, as it is adopted in each participating jurisdiction (identification number: **E24001**). Please note this letter constitutes the AER issuing ERC Energy's electricity retailer authorisation under s. 96 of the Retail Law.

The AER will publish a notice about ERC Energy's retailer authorisation on its website,⁴ and its details will also appear on the AER's public register of authorised retailers (on the AER's website).⁵

¹ Retail Law, s. 90(1).

² The national energy retail objective is to 'promote efficient investment in and efficient operation and use of energy services for the long-term interests of energy consumers with respect to price, quality, safety, reliability and security of supply of energy' (Retail Law, s.13).

³ Retail Law, s.91.

As an authorised retailer, under section 43(2) of the Retail Law, a retailer must, within three months of being granted a retailer authorisation, develop a customer hardship policy and submit it to the AER for approval. Therefore, ERC Energy's hardship policy must be submitted to the AER no later than 5 July 2024.

Since 1 May 2023, retailers have obligations in relation to family violence. These are set out in the Retail Rules. Among these is an obligation to have a family violence policy published in an easily accessible location on a retailer's website

Yours sincerely

A handwritten signature in blue ink, appearing to read 'R Park', is positioned below the text 'Yours sincerely'.

Rowena Park
General Manager
Compliance and Enforcement Branch

Sent by email on: 12.04.2024

⁴ Retail Law, s.96(2)(b),

⁵ Retail Law, s.119.