

## NATIONAL ENERGY RETAIL LAW

### DIVISION 5 OF PART 6

#### **ROLR NOTICE**

The Australian Energy Regulator (AER) has issued this Notice under section 136 of the National Energy Retail Law (NERL).

#### **RoLR Event**

A Retailer of Last Resort (RoLR) event has occurred in relation to GoEnergy Pty Ltd (ACN 097 708 104) with the registered participant identification 'COZERO' in the National Electricity Market. Prior to the issue of this notice, Go Energy Pty Ltd was an authorised electricity retailer for the purposes of Part 5 of the NERL with the authorisation identification TE12017.

The Australian Energy Market Operator (AEMO) suspended GoEnergy Pty Ltd from the National Electricity Market with effect from 12:00am, Australian Eastern Standard Time on Saturday 2 April 2016 (see attached suspension notice). The suspension of a retailer's right to acquire electricity from the wholesale market constitutes a RoLR event under section 122 of the NERL.

#### **Affected Fuels and Markets**

This Notice affects electricity customers in Queensland, New South Wales, the Australian Capital Territory and South Australia who purchased electricity from GoEnergy Pty Ltd. GoEnergy Pty Ltd has no electricity customers in Tasmania.

GoEnergy Pty Ltd also has electricity customers in Victoria, which are subject to Victoria's electricity retail regulatory regime. This notice has no effect in Victoria. Victorian customers of GoEnergy Pty Ltd can contact the Essential Services Commission of Victoria on (03) 9032 1372 or visit the website [www.esc.vic.gov.au](http://www.esc.vic.gov.au).

#### **Appointment of Designated RoLRs by notice under Section 132(2) of the NERL and Registered RoLRs Appointed as Designated RoLRs by operation of section 132(1) of the NERL**

On 1 April 2016, the AER appointed a designated RoLR, AGL Sales Pty Ltd (ACN 090 538 337) for small customers in New South Wales, and for small customers in Queensland's Energex distribution network for this RoLR event.

Where the AER has not appointed designated RoLRs, the default RoLR is taken under section 132(1) of the NERL to be appointed as the designated RoLR.

Schedule 1 specifies the allocation of GoEnergy Pty Ltd's customers to the designated RoLRs. The appointments take effect from 12:00am, Australian Eastern Standard Time on Saturday 2 April 2016.

### **Transfer date**

In accordance with section 140 of the NERL, customers of GoEnergy Pty Ltd will be deemed to have been transferred to the designated RoLR(s) set out in Schedule 1 with effect from 12:00am Australian Eastern Standard Time on Saturday 2 April 2016.

### **Revocation of GoEnergy Pty Ltd's electricity retailer authorisation**

Under section 142 of the NERL, the AER revokes GoEnergy Pty Ltd's electricity retailer authorisation (AER reference TE12017) with effect from the transfer date specified above. This means that, for the purposes of section 88 of the NERL, GoEnergy Pty Ltd must not engage in the activity of selling electricity to a person for premises in New South Wales, Queensland, the Australian Capital Territory, South Australia or Tasmania.

### **Requirements on GoEnergy Pty Ltd in relation to feed-in tariff customers**

Pursuant to section 136(3) of the NERL, the AER requires GoEnergy Pty Ltd to provide the designated RoLRs specified in Schedule 1 with details for the relevant distribution system of:

- all customers in receipt of a credit under the Solar Bonus Scheme in New South Wales
- all customers in receipt of a credit under the Solar Bonus Scheme in Queensland
- all customers in receipt of a credit under the feed-in scheme established under Division 3AB of Part 3 of the *Electricity Act 1996* of South Australia.
- All customers in receipt of a credit under an arrangement relating to the payment of a renewable energy premium under the *Electricity Feed-in (Renewable Energy Premium) Act 2008* of the Australian Capital Territory.

GoEnergy Pty Ltd must deliver this information electronically in an agreed format to the designated RoLRs specified in Schedule 1 on or before 5:00 pm Australian Eastern Standard Time on Friday, 22 April 2016.

For each customer in receipt of a credit under the relevant feed-in schemes, GoEnergy Pty Ltd must specify the customer's name, address, national meter identifier, the date on which the customer joined the relevant feed-in scheme, and the feed-in tariff amounts that were being credited to that customer under the relevant feed-in scheme prior to the transfer date. GoEnergy must notify the AER that this information has been provided to the designated RoLRs, within one business day of completion.

Failure by GoEnergy Pty Ltd or any insolvency official of GoEnergy Pty Ltd to comply with this RoLR Notice, the requirements of Part 6 of the NERL or the

requirements of the RoLR Procedures made by AEMO pursuant to the National Electricity Law is a breach of section 143(2)(a) of the NERL and may attract civil penalties. The maximum civil penalty for a natural person is \$20 000, and \$2000 for every day during which the breach continues. For a corporation, the penalties are \$100 000, and \$10 000 for every day during which the breach continues.

DATED: Saturday, 2 April 2016

James Cox

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James Cox  
Member  
Australian Energy Regulator

## **SCHEDULE 1 – Designated RoLRs and allocation of customers**

Note: The National Meter Identifier classification used to determine small and large customers in this schedule is the Market Settlement and Transfer Solution classification of small and large customers rather than the definition of small and large customers in the NERL.

### **AGL Sales Pty Ltd (090 538 337)**

Jurisdiction	Distribution zone	Participant identification	Registration type	Customer class
New South Wales	AusGrid	SOLARIS	Additional	Small
	Essential Energy	SOLARIS	Additional	Small
	Endeavour energy	SOLARIS	Additional	Small
Queensland	Energex	AGLQLD2	Additional	Small

### **AGL South Australia Pty Ltd (091 105 092)**

Jurisdiction	Distribution zone	Participant identification	Registration type	Customer class
South Australia	SA Power Networks	AGLE	Default	Small and large

### **Origin Energy Electricity Ltd (071 052 287)**

Jurisdiction	Distribution zone	Participant identification	Registration type	Customer class
New South Wales	Essential Energy	POWERCOR	Default	Large
	Endeavour energy	POWERCOR	Default	Large
	Ergon Energy	POWERCOR	Default	Small and large
ACT	Essential Energy	POWERCOR	Default	Small and large
Queensland	Energex	POWERCOR	Default	Large
	Ergon Energy	POWERCOR	Default	Small and large
	Essential Energy	POWERCOR	Default	Small and large
South Australia	Essential Energy	POWERCOR	Default	Small and large

### **EnergyAustralia Pty Ltd (086 014 968)**

Jurisdiction	Distribution zone	Participant identification	Registration type	Customer class
New South Wales	AusGrid	ENGYAUST	Default	Large

### **Icon Retail Investments Limited (074 371 207) and AGL ACT Retail Investments Pty Ltd (093 631 586) trading as ActewAGL Retail**

Jurisdiction	Distribution zone	Participant identification	Registration type	Customer class
ACT	ActewAGL Distribution	ACTEWAGL	Default	Small and large
New South Wales	ActewAGL Distribution	ACTEWAGL	Default	Small and large