

Our Ref: 213412  
Your Ref: 157 Fitzroy Street St Kilda  
Contact Officer: Mila Sudarsono  
Contact Phone: (03) 9658 6485

30 November 2021

Mr Prasad Dev  
Winconnect Pty Ltd, Project Engineer  
Suite 2.01, 12 Cato Street  
Hawthorn East VIC 3123

By email: [prasad.dev@winconnect.com.au](mailto:prasad.dev@winconnect.com.au)

Dear Mr Dev,

**Re: Notice of Acceptance of eligibility to register network exemption – Winconnect Pty Ltd – 157 Fitzroy Street St Kilda Victoria 3182**

I refer to the application of Winconnect Pty Ltd (**Winconnect**) to register a network exemption for the retrofitted embedded network at 157 Fitzroy Street, St Kilda on behalf of the site owner BCSP 401437.

I am writing to inform you that, based on the information before me, I am prepared to:

- (a) accept Winconnect's request to register a network exemption, and subsequently supplied supporting material, as an application pursuant to section 4.9 of the Network Service Provider Registration Exemption Guideline (**Network Exemption Guideline**), and
- (b) issue this Notice of Acceptance effective from 30 November 2021 and confirm Winconnect is now eligible to register the relevant network exemptions for publication on the Australian Energy Regulator's (**AER**) public register of exemptions

***Eligibility for exemption in relation to conversions of existing networks***

The Network Exemption Guideline requires that where an existing electricity distribution system is proposed to be converted to an embedded or exempt network, formal approval from the AER must be sought.

In accordance with condition 4.1.12.1 of the Network Exemption Guideline, an embedded / private network must not be created without the express written consent of existing energy consumers who will be included within the proposed network (affected energy consumers).<sup>1</sup> Parties intending to create such a network without the written consent of all affected energy consumers must meet the requirements stipulated in section 4.9 of the Network Exemption Guideline to be eligible for network exemption.

In addition, section 4.9.7 of the Network Exemption Guideline stipulates that a network must not be converted until the effective date specified in a notice issued by the AER.

Parties who are issued with a Notice of Acceptance under section 4.9 are eligible to register and hold network exemptions for the network at that particular site according to the appropriate activity class. Activity classes are detailed under section 3 of the Network Exemption Guideline and are subject to the further conditions detailed in section 4 of the Network Exemption Guideline.

Failure to observe the conditions of exemption may render an exemption invalid. Owning, controlling or operating a network without registration with the Australian Energy Market Operator or holding a valid exemption from the AER constitutes a breach of section 11(2) of the National Electricity Law.

***Additional conditions applicable to the network exemption class(es) registered***

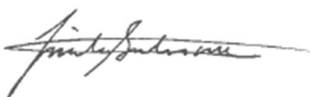
In addition to the conditions usually applicable to the network exemption class(es) held in relation to the embedded network at this site, the Applicant must also comply with the conditions of section 4.9 of the Network Exemption Guideline. These conditions concern:

- retaining consent records for a period of at least 2 years;
- facilitating the continuation of a customer's energy contract with their current retailer;
- maintaining a customer's direct connection to the registered distributor;
- offer matching;
- avoidance of duplicated network charges;
- liability of the costs of metering/network changes; and
- the ability of metering arrangements to allow for access to retail competition.

For the full list of conditions, please refer to the Network Exemption Guideline.

If you have any further queries, or would like to discuss this further, please contact me on (03) 9658 6485.

Yours sincerely,



Mila Sudarsono  
Director (A/g), Compliance and Enforcement Branch

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<sup>1</sup> This condition applies wherever an exempt customer is eligible under State or Territory legislation to purchase energy from a retailer of their choice.