

Our Ref: AER212278/12862349
Your Ref: G21009
Contact Officer: Marie Dalins
Contact Phone: 03 9290 1893

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

23 December 2021

Mr Patrick Humphries
Director
Perpetual Energy Pty Ltd
Capita Building, 11/307 Queen Street
Brisbane QLD 4000

Dear Mr Humphries

Perpetual Energy Pty Ltd application for gas retailer authorisation

Pursuant to the delegation given to me by the Australian Energy Regulator (AER), I have assessed Perpetual Energy Pty Ltd's (**Perpetual Energy's**) application for a gas retailer authorisation and am satisfied that it complies with the requirements of s.92 of the National Energy Retail Law (Retail Law).

I advise that Perpetual Energy's application for gas retailer authorisation is approved.

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 Perpetual Energy's application and did not receive any submissions.³

The AER considers that Perpetual Energy has demonstrated its capacity and suitability to operate as an energy retailer under the Retail Law. Perpetual Energy is therefore authorised to sell gas under the Retail Law, as it is adopted in each participating jurisdiction (identification number:

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.

G21009. Please note this letter constitutes the AER issuing Perpetual Energy's gas retailer authorisation under s. 96 of the Retail Law.

The AER will publish a notice about Perpetual 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

Should Perpetual Energy commence selling to residential customers, it must ensure that it complies with section 43(2) of the Retail Law, which requires a retailer to develop a customer hardship policy and submit it to the AER for approval.

If you have any further queries, or would like to discuss this further, please contact Marie Dalins on 03 9290 1893.

Yours sincerely

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

Rowena Park
General Manager
Compliance and Enforcement Branch

Sent by email on: 23.12.2021

⁴ Retail Law, s.96(2)(b).

⁵ Retail Law, s.119.