

TO: Australian Energy Regulator Authorisations Team

RE: CER's Public Submission to the AER re 3P ENERGY PTY LTD's application for a authorised electricity retailer.

To the appropriate regulatory officer of the Australian Energy Regulator (AER).

Below is the Clear Energy Regulators approved public submission in respect of 3P ENERGY PTY LTD's application for an authorised electricity retailer lodged with the AER on 6 November 2020.

Public submission from the Clean Energy Regulator

The Australian Energy Regulator (AER) invited this submission from the Clean Energy Regulator (CER) with respect to an application, lodged on 6 November 2020, by 3P ENERGY PTY LTD (3P Energy) for an authorisation to become a retail electricity supplier.

The CER is responsible for administering various climate change laws, including the *Renewable Energy (Electricity) Act 2000* (the REE Act).

The REE Act establishes, amongst other things, a small-scale renewable energy scheme (the scheme) which allows for the creation of certificates, by registered persons, in relation to the installation of solar panel systems. These certificates, valued at between \$35 and \$40, are then purchased by liable entities to acquit their obligations under the REE Act. In administering this scheme, the CER has recourse to various options to ensure compliance with the scheme.

In part 5.1 (page 17) of 3P Energy's application it states that on 21 July 2017, P & N NSW Pty Ltd (P & N NSW) entered into an enforceable undertaking with the CER. The CER confirms that this undertaking was entered into under s 154Q of the REE Act. The undertaking was executed as P & N NSW was involved in the installation of 188 solar panel systems across Western Australia, New South Wales and South Australia. Each of these systems were suspected of having used solar panels that were not approved by the Clean Energy Council, as required by the legislation, and did not meet Australian standards.

The undertaking required P & N NSW to validate 178 solar panel systems with the relevant manufacturer to confirm that they had met the Australian standards and to rectify any non-compliant solar panels. In accordance with the undertaking, P & N NSW surrendered 1,058 certificates, relating to 10 solar panel systems that used non-compliant solar panels. A copy of the undertaking may be found [here](#).

As stated on page 17 of 3P Energy's application, Mr Satishkumar (Sam) Patel was the chief executive officer of P & N NSW at the time of the execution of the undertaking on 21 July 2017. The CER understands this is a similar executive position Mr Patel currently holds at 3P Energy.