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1 November 2018

Mr Mike Cirino  
Managing Director  
PowerHub Pty Ltd  
10/541 Boundary Street  
Spring Hill QLD 4000

By email: [mike.cirino@powerhub.net.au](mailto:mike.cirino@powerhub.net.au)

Dear Mr Cirino

**Notice of Acceptance of eligibility to register network exemption – PowerHub Pty Ltd and Eureka Group Holdings Ltd**

I refer to your application submitted on 22 August 2018 on behalf of **PowerHub Pty Ltd** (ABN 27 618 362 888) and **Eureka Group Holdings Ltd** (ABN 15 097 241 159), for eligibility to register a network exemption under section 4.9 of the Network Service Provider Registration Exemption Guideline (Network Exemption Guideline) for the proposed creation of an embedded network at **Eureka Care Communities Wynnum, 40 Federation Street, Wynnum West QLD 4178**.

I am writing to inform you that your application satisfactorily addresses the requirements of section 4.9.7 of the Network Exemption Guideline. We therefore issue this Notice of Acceptance effective from 1 November, 2018 and confirm that you are now eligible to register the relevant network exemption(s) for publication on the Australian Energy Regulator (AER) public register of exemptions.

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

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.

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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.

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 this notice.

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 further conditions detailed in section 4 of the Network Exemption Guideline.

Failure to observe these conditions may render an exemption invalid. Owning, operating or controlling a network without registration with the Australian Energy Market Operator (AEMO) 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;
- avoiding 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 more details on these conditions please refer to the Network Exemption Guideline.

If you have any further queries, or would like to discuss this further, please contact Ms Danielle Coronel on (03) 9290 1469.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Susan Faulbaum', with a large, stylized initial 'S'.

Susan Faulbaum

Director, Consumer and Markets