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31 July 2015

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Charles Wright
Director/Operations manager
Puma Energy (Australia) Pty Ltd
Level 7, 207 Kent Street
Sydney NSW 2000

By email: charles.wright@pumaenergy.com

Dear Mr Wright

Puma Energy (Australia) Pty Ltd application for electricity individual exemption

I refer to Puma Energy (Australia)'s (Puma's) application of 23 June 2015 for an individual exemption under the National Energy Retail Law (Retail Law) to sell electricity to BP Australia Pty Ltd (BP) at Lot 846, Kirra Street, Brisbane.

I am writing to inform you that the Australian Energy Regulator (AER) has considered Puma's application for an individual exemption and that it decided, on 31 July 2015, to grant the individual exemption in accordance with s.110 of the Retail Law.

In accordance with the National Energy Retail Rules, the AER has published the application on its website, and sought submissions from interested parties. The AER did not receive any submissions in response to Puma's application.

The AER has considered the policy principles relating to exempt selling in s. 114 of the Retail Law, being:

- regulatory arrangements for exempt sellers should not unnecessarily diverge from those applying to retailers,
- exempt customers, should, as far as practicable, be afforded the right to a choice of retailer in the same way comparable retail customers in the same jurisdiction have that right,
- exempt customers, should, as far as practicable, not be denied customer protections afforded to retail customers under this Law and Rules.

In making its decision, the AER is guided by the objective of the Retail Law, the exempt seller factors, the customer related factors, and the assessment approach outlined in the AER's Exempt Selling Guideline.

The AER is satisfied that Puma should be exempt from the requirement to hold a national retailer authorisation for the Kirra Street industrial site, having regard to the considerations outlined above. If Puma wishes to change the way it sells electricity it should contact the AER as it may not be covered by this exemption and may need to apply for an authorisation or another exemption.

The exemption is subject to your acceptance of the conditions set out at Appendix A of the attached Instrument of Exemption. Puma must advise the AER in writing, by **31 August 2015**, whether it accepts these conditions.

If you have any further queries, or would like to discuss this further, please contact Fiona Cameron on 08 8213 3434.

Yours sincerely

A handwritten signature in black ink, appearing to read 'S Proudfoot', written in a cursive style.

Sarah Proudfoot
General Manager, Retail Markets

Instrument of Exemption

INDIVIDUAL EXEMPTION FROM THE REQUIREMENT TO HOLD A RETAILER AUTHORISATION

DATE OF ISSUE: 31 July 2015

FORM OF ENERGY: Electricity

Pursuant to section 110 of the National Energy Retail Law, the Australian Energy Regulator on 31 July 2015 decided to grant Puma Energy (Australia) Pty Ltd (ACN 147 981 020) an exemption from the requirement to hold a retailer authorisation under section 88 of the National Energy Retail Law, subject to certain conditions (see Appendix A). This exemption applies only to the sale of electricity at Lot 846, Kirra Street, Brisbane, Queensland.

Appendix A – Conditions

The following conditions apply under rule 153 of the National Energy Retail Rules to the sale of energy to exempt customers by exempt persons. These conditions are based on the retail customer protections provided under the National Energy Retail Law.

Condition 1 – Obligation to supply

1. An exempt person cannot refuse to sell energy to a customer within the site described by this exemption except in accordance with relevant disconnection provisions.
2. An exempt person cannot refuse to sell energy to a customer on the basis that the customer owes the exempt person outstanding amounts from a previous account. The exempt person can include in a new account any outstanding amounts owed on a previous account (except where the unpaid amounts are for other premises for which the customer has an ongoing contract with the exempt person).

Condition 1A – Change in energy selling activities

1. The exempt person must inform the Australian Energy Regulator if it changes its energy selling activities to expand the sale of energy to any customer other than the exempt customer at Lot 846, Kirra Street, Brisbane, Queensland.
2. This exemption does not cover any such change to the exempt person's energy selling activities.

Condition 3 - Dispute resolution

1. In the event of a dispute concerning the sale of energy to the exempt customer the exempt person must:
 - a. make reasonable endeavours to resolve the dispute, and
 - b. advise the exempt customer of any right that the exempt customer has to access the energy Ombudsman scheme or any other relevant external dispute resolution body in the state or territory in which the exempt customer is located.

Condition 4 - Continuity of supply

1. An exempt person must notify the exempt customer and the AER immediately if they are (or expect to be) disconnected, or there is any likelihood that they will be unable to continue selling energy.