

Ms Sarah Proudfoot
General Manager, Consumer and Markets
Australian Energy Regulator
GPO Box 520
Melbourne VIC 3001
AER REF:64334

Dear Madam,

I am a concerned owner of a Unit at the Cairns Beach Resort 129 Oleander St, Holloways Beach, Queensland, PC 4878. (CBR) I wish to register my strong objection of the granting of a Retail Energy licence to Blue Aurora Pty. Ltd. for the following reasons.

- I have never entered into a contract of any kind with Blue Aurora Pty. Ltd. and I have never and do not give them "Explicit informed consent" to supply and sell electricity to my apartment in the CBR. I therefore object to AER providing Blue Aurora Pty. Ltd. and granting them a Retail Energy licence
- The Cairns Beach Resort Body Corporate Committee have formally advised Blue Aurora P/L that there is no contract or agreement in place either written or implied to utilise CBR BC Infrastructure to sell electricity to Unit owners at the CBR.
- The Electricity supply matter is currently under legal review and jurisdiction between Blue Aurora P/L Solicitors and CBR BC Solicitors so any decision by AER should be cancelled suspended or deferred until such time as the matter has been resolved or finalised..
- Blue Aurora P/L and their solicitors have refused to provide CBR BC with any documents, Invoices contracts or other relevant documentation to the supply of electricity to the CBR.
- Blue Aurora P/L are in violation to their Contractual obligations to CBR BC under the terms of both their Caretaker Agreement and Letting agreements.
- I believe the majority of CBR BC are fundamentally opposed to Blue Aurora utilising CBR BC infrastructure for profit and not being transparent to the CBR BC.
- Due to the complexities of the of the situation with governance of the matter falling within the confines of Contractual and Statute laws, BCCM, RTA, NER and AER the matter is complex. However underlying the root cause is failure to be transparent and the regulation by BCCM stating that One Lot owner cannot sell utility services to other lot owners.
- Contractually under Blue Aurora P/L contractual obligations with CBR BC Blue Aurora cannot profit from the operations at CBR and the granting of a licence by AER would be seen as aiding an unlawful activity.
- The Strata Managers for Cairns Beach Resort TCM Strata have recently released an Explanatory letter to all Lot owners in relation to electricity matters stating "**Accordingly, our client is an "Embedded Network Operator" which has been confirmed by the Body Corporate Community Management Office"** The Body Corporate Community Management Office would **NEVER** authorise a **Embedded Network Operator** as it is not their jurisdiction. I believe this falls within the Scope of the AER

Cheers

Concerned Unit Owner CBR Holloways Beach