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25 March 2022

Terry Zarosinski
Chief Financial Officer
DeGroup Pty Ltd
Level 12/100 Collins Street
Melbourne VIC 3000

By email: [REDACTED] CC: [REDACTED]

Dear Mr Zarosinski

Notice of Acceptance of eligibility to register network exemption for The Village Bacchus Marsh – 160-194 Main Street, Bacchus Marsh Victoria 3340

I refer to The Trustee for Bacchus Marsh Centre Trust's application for eligibility to register network exemptions, in accordance with the requirements set out in clause 4.9 of the *Network Service Provider Registration Exemption Guideline* (the **Guideline**), for an embedded network retrofit at The Village Bacchus Marsh, 160-194 Main Street, Bacchus Marsh Victoria 3340.

I am satisfied that the application satisfactorily addresses these requirements and therefore issue this Notice of Acceptance effective from 25 March 2022. The Trustee for Bacchus Marsh Centre Trust is now eligible to register the relevant network exemptions for publication on our public register of exemptions.

Eligibility for exemption in relation to conversions of existing networks

In accordance with condition 4.1.12.1 of the 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).¹ Parties intending to create such a network without the written consent of all affected energy consumers, must meet the requirements stipulated in clause 4.9 of the Guideline to be eligible for a network exemption.

In addition, clause 4.9.7 of the Guideline stipulates that a network must not be converted until the effective date specified in this notice.

¹ This condition applies wherever an exempt customer is eligible under State or Territory legislation to purchase energy from a retailer of their choice.

Parties who are issued with a Notice of Acceptance under clause 4.9 are eligible to register and hold network exemptions for the network at that site, according to the appropriate activity class. Activity classes are detailed under section 3 of the Guideline and are subject to the further conditions detailed in section 4.

Failure to observe the conditions of exemption may render an exemption invalid. Owning, controlling or operating 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 and may attract significant civil penalties.

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 Trustee for Bacchus Marsh Centre Trust must continue to comply with the conditions of clause 4.9 of the 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;
- avoidance of 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 the full list of conditions, please refer to the Guideline.

If you have any further queries, or would like to discuss this further, please contact Trinas Pitsakos on (03) 9290 1905.

Yours sincerely



Mila Sudarsono
Director (A/g), Compliance and Enforcement Branch

Sent by email on: 25 March 2022