

Our Ref: AER24009624
Contact Officer: Tom Soo
Contact Phone: [REDACTED]

3 December 2024

Mohammed Saif Khan
Project Manager – Solar Microgrids & Retail Operations
Microgrid Power

By email: [REDACTED]

Dear Mr Khan,

Re: Notice of Acceptance of eligibility to register network exemption – Albion Park Shopping Village

I refer to the application of Battista Enterprises Pty Ltd and Microgrid Power Pty Ltd (the **Applicants**) for eligibility to register network exemptions under the requirements of clause 4.9 of the AER Network Service Provider Registration Exemption Guideline (**Network Exemptions Guideline**) to create an embedded network at 4 Terry Street, Albion Park, NSW 2527.

I am writing to inform you that the application satisfactorily addresses the requirements of clause 4.9 of the Network Exemptions Guideline. We therefore issue this Notice of Acceptance effective from 2 December 2024 and confirm that the Applicants are now eligible to register the relevant network exemptions for publication on the AER's 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 Exemptions Guideline, an embedded network must not be created without the written consent of existing energy consumers who will be included within the proposed network.

In addition, clause 4.9.7 of the Network Exemptions 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 clause 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 Exemptions 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 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 Applicants must also comply with the conditions of clause 4.9 of the Network Exemptions 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
- the ability of metering arrangements to allow for access to retail competition.

For the full list of conditions, please refer to the Network Exemption Guideline.

If you have any further queries, or would like to discuss this further, please contact Tom Soo on

[REDACTED]

Yours sincerely

[REDACTED]

Sarah Pinchuck
A/g Director
Compliance and Enforcement

Sent by email on: 03.12.2024