

Our Ref: AER25011090  
Contact Officer: Tom Soo  
Contact Phone: [REDACTED]

3 June 2025

Douw de Kock  
Chief Executive Officer  
RMS Utilities Pty Ltd  
1207/9 Yarra Street  
South Yarra VIC 3141

By email: [REDACTED]

Dear Douw de Kock,

**Re: Notice of Acceptance of eligibility to register network exemption – Somerton Distribution Centre**

I refer to the application of The Trustee for Energy Bay Oscar Fund and Stockland Trust Management Ltd (the **Applicants**), lodged by RMS Utilities Pty Ltd as the authorised agent, for eligibility to register a network exemption under the requirements of clause 4.9 of the Network Service Provider Registration Exemption Guideline (**Network Exemptions Guideline**) to create an embedded network at Somerton Distribution Centre at 20-50 Fillo Drive, Somerton VIC 3062 (the **Site**).

I am writing to inform you that the application satisfactorily addresses the requirements of clause 4.9. We therefore issue this Notice of Acceptance effective from 3 June 2025 and confirm that the Applicants are now eligible to register the relevant network exemption 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 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. 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 refer to the [Network Exemptions Guideline](#).

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

[REDACTED]

Yours sincerely

[REDACTED]

Mila Sudarsono  
Director  
Compliance and Enforcement

Sent by email on: 03.06.2025