

Our Ref: AER25011844  
Contact Officer: James Moore  
Contact Phone: [REDACTED]

5 November 2025

Damian Soto  
Project Director  
Energy Bay  
Level 16/167 Macquarie Street  
Sydney NSW 2000

By email: [REDACTED]  
cc: [REDACTED]

Dear Damian Soto,

**Re: Notice of Acceptance of eligibility to register network exemption – 20 Amherst Drive Distribution Centre**

I refer to the application of The Trustee for Energy Bay Oscar Fund for eligibility to register network exemptions under the requirements of Appendix C of the [Network Exemptions Guideline](#) (Guideline) to create an embedded network at 20 Amherst Drive Distribution Centre at 20 Amherst Dr, Truganina VIC 3029.

We issue this Notice of Acceptance effective from 5 November 2025 and confirm that the Applicant is 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 1.12.1(e) of the 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, the [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 are eligible to register and hold network exemptions for the network at that particular site according to the appropriate activity class. Activity classes and their applicable conditions are detailed under Appendix A-1 of the [Guideline](#). The detailed conditions are set out in Appendix A-2.

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.

***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 relating to sites converted into an embedded network. These conditions concern:

- retaining consent records for a period of at least 2 years from the date of the application;
- 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 [Guideline](#).

If you have any further queries, or would like to discuss this further, please contact James Moore on [REDACTED].

Yours sincerely

[REDACTED]  
Sarah Pinchuck  
A/g Director  
Compliance and Enforcement

Sent by email on: 05.11.2025