



Our Ref: 61158
Contact Officer: Susan Faulbaum
Contact Phone: 08 8213 3463

13 June 2017

Mr Martin Burns
Chief Executive Officer
Positive Energy TM Pty Ltd
L3, 29 King William Street
Adelaide SA 5000

By email: b+ve@positiveenergy.energy

Dear Mr Burns

Positive Energy TM Pty Ltd application for electricity retailer authorisation

On 9 June 2017, the Australian Energy Regulator (AER) considered and approved Positive Energy TM Pty Ltd's (Positive) application for an electricity retailer authorisation in accordance with s.92 of the National Energy Retail Law (Retail Law).

The AER must grant an application for a retailer authorisation if an applicant has satisfied the entry criteria:

- a) the organisational and technical capacity criterion—the applicant must have the necessary organisational and technical capacity to meet the obligations of a retailer;
- b) the financial resources criterion—the applicant must have resources or access to resources so that it will have the financial viability and financial capacity to meet the obligations of a retailer; and
- c) the suitability criterion—the applicant must be a suitable person to hold a retailer authorisation.¹

In making its decision the AER is guided by the objective of the Retail Law.² The AER's decision is also informed by the assessment approach outlined in the AER's

¹ Retail Law, s. 90(1).

² The national energy retail objective is to 'promote efficient investment in and efficient operation and use of energy services for the long term interests of energy consumers with respect to price, quality, safety, reliability and security of supply of energy' (Retail Law, s.13).

Retailer Authorisation Guideline. The AER consulted on Positive's application and received one submission.³

The AER considers that Positive has demonstrated its capacity and suitability to operate as an energy retailer under the Retail Law. Positive is therefore authorised to sell electricity under the Retail Law, as it is adopted in each participating jurisdiction (identification number: **E17001**). Please note this letter constitutes the AER issuing Positive's electricity retailer authorisation under s. 96 of the Retail Law.

The AER will publish a notice about Positive's retailer authorisation on its website,⁴ and its details will also appear on the AER's public register of authorised retailers (on the AER's website).⁵

If you have any further queries, or would like to discuss this further, please contact Susan Faulbaum on 08 8213 3463.

Yours sincerely



Sarah Proudfoot
General Manager | Retail Markets

³ Retail Law, s.91.

⁴ Retail Law, s.96(2)(b).

⁵ Retail Law, s.119.