

Our Ref: AER201072
Your Ref: E20009
Contact Officer: Marie Dalins
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20 November 2020

Elliot Hayes
Managing Director
Smart Energy Retail Pty Ltd
3/10 Brigantine Street,
Byron Bay, NSW, 2481

By email: elliott@smartenergygroup.com.au

Dear Mr Hayes

Smart Energy Retail Pty Ltd application for electricity retailer authorisation

Pursuant to the delegation given to me by the Australian Energy Regulator (AER), I have assessed Smart Energy Retail Pty Ltd's (Smart Energy's) application for an electricity retailer authorisation and am satisfied that it complies with the requirements of s.92 of the National Energy Retail Law (Retail Law).

I advise that Smart Energy's application for electricity retailer authorisation is approved.

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.⁵

In making its decision the AER is guided by the objective of the Retail Law.⁶ The AER's decision is also informed by the assessment approach outlined in the AER's Retailer Authorisation Guideline. The AER consulted on Smart Energy's application and received one submission from Smartest Energy.⁷

⁵ Retail Law, s. 90(1).

⁶ 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).

⁷ Retail Law, s.91.

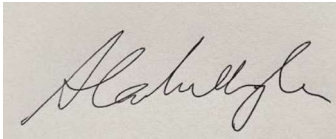
The AER considers that Smart Energy has demonstrated its capacity and suitability to operate as an energy retailer under the Retail Law. Smart Energy is therefore authorised to sell electricity under the Retail Law, as it is adopted in each participating jurisdiction (identification number: **E20009**). Please note this letter constitutes the AER issuing Smart Energy's electricity retailer authorisation under s. 96 of the Retail Law.

The AER will publish a notice about Smart Energy's retailer authorisation on its website,⁸ and its details will also appear on the AER's public register of authorised retailers (on the AER's website).⁹

As an authorised retailer, under section 43(2) of the Retail Law, a retailer must, within three months of being granted a retailer authorisation, develop a customer hardship policy and submit it to the AER for approval. Therefore Smart Energy's hardship policy must be submitted to the AER no later than 20 February 2020.

If you have any further queries, or would like to discuss this further, please contact Marie Dalins on 03 9290 1893.

Yours sincerely

A handwritten signature in black ink on a light-colored background. The signature is cursive and appears to read 'A. Gulbenkoglou'.

Arek Gulbenkoglou
Acting General Manager
Consumers and Markets Branch

⁸ Retail Law, s.96(2)(b),

⁹ Retail Law, s.119.