

Level 17, Casselden 2 Lonsdale Street Melbourne VIC 3001 GPO Box 520 Tel: (03) 9290 1444

Tel: (03) 9290 1444 Fax: (03) 9290 1457

www.aer.gov.au

Our Ref: 201941

Contact Officer: Donna Bennetts
Contact Phone: (03) 9910 9567

13 May 2021

Robert Lewis AMP Capital Investors Ltd Level 3, 33 Alfred Street Sydney NSW 2000

By email: Robert.Lewis@ampcapital.com

cc: Ben.Thomas@winconnect.com.au cc: Kaniz.Sabah@winconnect.com.au

Dear Mr Lewis,

## Notice of Acceptance of eligibility to register network exemption – AMP Capital Investors Ltd – Marrickville Metro Shopping Centre – 34 Victoria Road, Marrickville NSW 2204

I refer to AMP Capital Investors Ltd's application for eligibility to register network exemptions under the requirements of clause 4.9 of the Network Service Provider Registration Exemption Guideline (the guideline) to create an embedded network at Marrickville Metro Shopping Centre, 34 Victoria Road, Marrickville NSW 2204.

I am writing to inform you that AMP Capital Investors Ltd's application satisfactorily addresses the requirements of clause 4.9 of the guideline. We therefore issue this Notice of Acceptance effective from 13 May 2021 and confirm that AMP Capital Investors Ltd is now eligible to register the relevant network exemptions for publication on the Australian Energy Regulator's (AER) public register of exemptions.

## Eligibility for exemption in relation to conversions of existing networks

In accordance with condition 4.1.12.1 of the guideline, an embedded / private network must not be created without the express written consent of existing energy consumers who will be included within the proposed embedded network (affected energy consumers). Parties intending to create such a network without the written consent of all affected energy consumers must meet the requirements stipulated in clause 4.9 of the guideline to be eligible for network exemption.

This condition applies wherever an exempt customer is eligible under State or Territory legislation to purchase energy from a retailer of their choice.

In addition, clause 4.9.7 of 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 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 clause 3 of the guideline and are subject to the further conditions detailed in clause 4 of the guideline.

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 applicant must also comply with the conditions of clause 4.9 of the 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; 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 Donna Bennetts on (03) 9910 9567.

Yours sincerely

Susan Faulbaum

Director, Compliance and Enforcement