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Our Ref: AER212341

Contact Officer: Jenny Li  
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17 March 2021

Garry Hendrix  
Senior Engineer, Sustainability & Technical Services  
ISPT Pty Ltd

By email: [GHendrix@ispt.net.au](mailto:GHendrix@ispt.net.au)

Dear Mr Hendrix,

**Re: Notice of Acceptance of eligibility to register network exemption – ISPT Pty Ltd – The Ponds Shopping Centre**

I refer to an application received from ISPT Pty Ltd as Trustee of ISPT Retail Property Trust / ABN 28 064 041 283 regarding its eligibility to register network exemptions under the requirements of section 4.9 of the Network Service Provider Registration Exemption Guideline (Network Exemption Guideline) to create an embedded network at The Ponds Shopping Centre, The Ponds NSW 2769.

I am writing to inform you that ISPT Pty Ltd's application satisfactorily addresses the requirements of section 4.9 of the Network Exemption Guideline. We therefore issue this Notice of Acceptance effective from 17 March 2021 and confirm that ISPT Pty 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 Network Exemption 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 network (affected energy consumers).<sup>1</sup> Parties intending to create such a network without the written consent of all affected energy consumers must meet the requirements stipulated in section 4.9 of the Network Exemption Guideline to be eligible for network exemption.

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<sup>1</sup> 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, section 4.9.7 of the Network Exemption 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 section 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 Exemption Guideline and are subject to the further conditions detailed in section 4 of the Network Exemption 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 section 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 Network Exemption Guideline.

If you have any further queries, or would like to discuss this further, please contact Jenny Li on (02) 9102 4074.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Susan Faulbaum', with a period at the end. The signature is written in a cursive style.

Susan Faulbaum  
Director  
Consumer and Markets

Sent by email on: 17.03.2021