



Australian
Competition &
Consumer
Commission

Our Ref: 50234
Contact Officer: Luke Griffin
Contact Number: 02 6243 1114

GPO Box 3131
Canberra ACT 2601
23 Marcus Clarke Street
Canberra ACT 2601
tel: (02) 6243 1111
fax: (02) 6243 1199
www.accc.gov.au

11 December 2012

Mr Adam Tesoriero
67 Cawarra Road
Carringbah NSW 2229

Dear Mr Tesoriero

Third line forcing notification N96281 lodged by SolarSwitch Pty Ltd

I refer to the above third line forcing notification lodged with the Australian Competition and Consumer Commission (the ACCC) on 22 November 2012. The notification has been placed on the ACCC's public register.

SolarSwitch Pty Ltd proposes to give or allow new residential purchasers of new Solar Systems a payment or credit based on the amount of electricity generated by that Solar System that is then fed back into the electricity distribution network, on condition that the customer signs up to up to or agrees to sign up to, a Retail Electricity Supply Agreement and a Feed-in Agreement with Diamond Energy Pty Ltd.

Legal protection conferred by the notification commenced on 6 December 2012.

On the basis of the information that you have provided it is not intended that further action be taken in this matter at this stage.

As with any notification, please note that the ACCC may act to remove the legal protection provided by the notification at a later stage if it is satisfied that the likely benefit to the public from the conduct will not outweigh the likely detriment to the public from the conduct.

This assessment has been made on the basis that SolarSwitch Pty Ltd and Diamond Energy Pty Ltd will disclose all relevant terms and conditions to prospective customers.

A copy of this letter has been placed on the ACCC's public register.

If you wish to discuss any aspect of this matter, please do not hesitate to contact Luke Griffin on (02) 6243 1114.

Yours sincerely

Dr Richard Chadwick
General Manager
Adjudication Branch