



**Australian  
Competition &  
Consumer  
Commission**

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Our Ref: 48218  
Contact Officer: Tess Macrae  
Contact Number: 03 9290 1835

{ 5 March 2012

Mr Paul Maguire  
Chief Executive  
Simply Energy  
Level 14  
644 Chapel Street  
South Yarra  
Victoria 3141

Dear Mr Maguire

**Third line forcing notifications N95726 & N95727 lodged by IPower 2 Pty Ltd & IPower Pty Limited**

I refer to the above third line forcing notifications lodged with the Australian Competition and Consumer Commission (the ACCC) on 16 February 2012. The notifications have been placed on the ACCC's public register.

IPower 2 Pty Ltd and IPower Pty Limited (through their partnership vehicle Simply Energy) propose to offer South Australian customers a 7% pay on time discount off electricity charges and a credit of 60cents/KWh for electricity that is generated by their solar panels that they do not use and is fed back into the electricity distribution network. The discount and credit will be offered on condition that the customer has purchased or will purchase solar panels from Disbury Holdings Pty Ltd.

Legal immunity conferred by the notifications commenced on 1 March 2012.

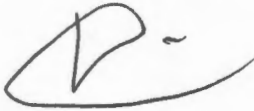
On the basis of the information that you have provided, it is not intended that further action be taken in this matter at this stage.

As with any notification, please note that the ACCC may act to remove the immunity afforded 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 Simply Energy will disclose all relevant terms and conditions to prospective clients.

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 Tess Macrae on (03) 9290 1835.

Yours sincerely



Dr Richard Chadwick  
General Manager  
Adjudication Branch

