



**Australian  
Competition &  
Consumer  
Commission**

Our Ref: C2013/298  
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25 September 2013

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Dear Sir/Madam

[www.accc.gov.au](http://www.accc.gov.au)

### **Clean Energy Council Limited application for authorisation A91365 & A91366 – Final determination**

The Australian Competition and Consumer Commission (the ACCC) has issued a final determination in respect of the application for authorisation lodged by Clean Energy Council Ltd (CEC) on 4 April 2013. The CEC lodged an amended Code on 29 May 2013 to address recommendations made by interested parties and the ACCC.

The CEC sought authorisation of a voluntary code of conduct for solar photovoltaic (PV) retail businesses (the Code). The Code aims to promote best practice measures and activities for retailers of solar PV systems. The Code does not replace existing regulations or legislation, or the CEC's accreditation program for solar PV system designers and installers.

A copy of the ACCC's determination is attached, including a summary of its reasons. For the reasons set out in its determination, the ACCC has decided to grant authorisation for five years. The ACCC's assessment is set out in the evaluation chapter of its determination.

#### **Application for review**

Pursuant to section 101 of the *Competition and Consumer Act 2010*, a person dissatisfied with this determination may apply to the Australian Competition Tribunal (the Tribunal) for its review. An application for review must be made within 21 days of the date of this determination; that is, on or before 16 October 2013. If no application to review is lodged by this date, the ACCC's determination will come into force on 17 October 2013.

An application for review of the ACCC's determination should be lodged directly with the Tribunal. The Tribunal is a separate body from the ACCC and is located within the Federal Court of Australia.

For further information about the process involved in reviewing decisions in the Tribunal please refer to the Tribunal's website located at <http://www.competitiontribunal.gov.au/>.

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 Anna Giannakos on (03) 9290 6920 or by email at [anna.giannakos@acc.gov.au](mailto:anna.giannakos@acc.gov.au).

Yours sincerely

A handwritten signature in blue ink, consisting of a stylized initial 'R' followed by a long horizontal line extending to the right.

Dr Richard Chadwick  
General Manager  
Adjudication Branch

**Applications for authorisation A91365 – A91366 Clean Energy Council Limited  
List of interested parties – Final determination**

ACT Government  
ActewAGL  
Advocacy Panel  
AGL  
AGL Solar  
Alinta Energy  
Allect Group  
Alternative Technologies Association  
Applied Environmental Solutions  
Aurora Energy  
Australian Chamber of Commerce and Industry  
Australian Council of Social Service  
Australian Industry Group  
Australian Power and Gas  
Australian Retailers Association  
Bethany Organisation  
Blue Mountains Solar  
Blue NRG  
Bradford Energy Solutions  
Breaze  
Brotherhood of St Laurence  
Cane Growers  
Carbon Markets  
Central Solar  
Choice  
Choice  
Clean Energy Consultants  
Clean Energy Regulator  
Clean Energy Solar  
Clean Green Power  
Click Energy  
Cola Solar  
Commonwealth Department of Climate Change and Energy  
Efficiency  
Conservation Council of South Australia  
Consumer Action Law Centre  
Consumer Utilities Advocacy Centre  
Corospark  
COTA Queensland  
COTA SA  
Council of Small Business Australia  
Council of Small Business of Australia  
Country Women's Association  
CS Energy

CSR  
Diamond Energy  
Dodo Power & Gas  
Earthsave  
Economic Regulatory Authority (WA)  
EcoSmart Solar  
Ecovation  
Electricity & Water Ombudsman New South Wales  
Electricity & Water Ombudsman Queensland  
Electricity & Water Ombudsman South Australia  
Electricity & Water Ombudsman Victoria  
Energy Consumer Council  
Energy Matters  
Energy Retailers Association of Australia  
Energy Users Association of Australia  
EnergyAustralia  
Ergon Energy  
Eris Mccarthy  
ERM Power  
Essential Energy  
Essential Services Commission of South Australia  
Essential Services Commission of Victoria  
Ethnic Communities Council of New South Wales  
Ethnic Communities Council of Victoria  
evolve energy  
Financial and Consumer Rights Council  
Go Energy  
Green Energy Trading  
Greenbank Environmental  
Independent Competition and Regulatory Commission  
Infigen Energy  
Infinite Energy  
Infinity Solar  
Ingenero  
Intergen  
IPART  
Juno Energy  
Kildonan Uniting Care  
Lumo Energy  
Major Energy Users  
Maxi Solar  
Metro Solar  
MJ COONAN ELECTRICAL  
Momentum Energy  
Moreland Energy Foundation Limited  
MSC SOLAR

Multiple Sclerosis Australia  
Natural Technology Systems  
Next Energy  
Office of the Tasmanian Economic Regulator  
Ombudsman Tasmania  
Ombudsman Western Australia  
One People HR  
Origin Energy  
Progressive Green  
Public Interest Advocacy Centre  
Qenergy  
Queensland Competition Authority  
Queensland Council of Social Service  
Rainey Electrical  
REC Agents Association  
Red Energy  
renewergy  
Restaurant and Catering Industry Association of Australia  
Sanctuary Energy  
Shine On  
Shopping Centre Council of Australia  
Si Clean Energy  
Simply Energy  
Skyline Solar  
Small Business NSW  
Solar Australia  
Solar Depot  
Solar Gain  
Solaray Energy Pty Ltd  
Solarlife  
Solaworx  
South Australian Council of Social Service  
South Australian Farmers Federation  
Springers  
St Kitts Associates  
St Luke's Anglicare  
St Vincent de Paul Society Victoria  
St Vincent de Pauls Society  
St Vincents Social Justice Committee  
Stanwell Corporation  
Sunergy Solar Water Wind  
Sungevity  
Sunshine Coast Solar/The Sun Works Solar Centres  
Suntrix  
Surpass Energy  
Tasmanian Council of Social Service

Tenants Union Victoria  
The Green Power Company  
Total Environment Centre  
Trina solar  
True Energy  
Truenergy  
Trust Power  
Uniting Care  
Uniting Care Community  
Uniting Communities  
Universe Solar  
Urban Energy  
Victorian Employers' Chamber of Commerce and Industry  
ZEN Technologies