



**Australian
Competition &
Consumer
Commission**

Our Ref: C2013/298
Contact Officer: Anna Giannakos
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4 July 2013

23 Marcus Clarke Street
Canberra ACT 2601

Dear Sir/Madam

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Clean Energy Council Limited application for authorisation A91365 & A91366 – Draft determination

The Australian Competition and Consumer Commission (the ACCC) has issued a draft 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.

Please see the ACCC's publication [Authorisation process - the basics](#) for a summary of the authorisation process and how to make a submission to the ACCC.

The CEC is seeking 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.

Draft determination

A copy of the ACCC's draft determination and summary of its reasons is attached.

For the reasons set out in its draft determination, the ACCC proposes to grant authorisation for five years.

Next steps

Once the ACCC issues a draft determination, the Applicant or any interested party may make a written submission and/or request that the ACCC convene a 'pre-decision conference'.

If you wish to make a submission in response to the ACCC's draft determination, please lodge your submission by **18 July 2013**.

A pre-decision conference provides the opportunity for interested parties to make oral submissions in relation to the draft determination. Conferences are conducted informally and while legal or professional advisers are able to attend they are not entitled to participate in the discussion.

If you wish the ACCC to hold a pre-decision conference in relation to the draft determination you must notify the ACCC in writing by **18 July 2013**.

The ACCC will consider any submissions it receives, including any oral submissions made should a pre-decision conference be called, and will then release a final determination in relation to these applications.

Submissions will be placed on the ACCC's public register subject to any request for exclusion. Please see the ACCC's publication [Guidelines for excluding information from the public register](#).

Timetable

The ACCC will continue to progress its assessment of the application in a timely manner. An updated indicative timetable is set out below for your information.

Indicative date	Stage in assessment process
4 April 2013	Lodgement of application and supporting submission.
9 April 2013	Public consultation process begins.
4 July 2013	Draft determination.
18 July 2013	Submissions due on draft determination and last day to call a conference
September - October	Final determination.

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.

Yours sincerely



Richard Chadwick
General Manager
Adjudication Branch

**Applications for authorisation A91365 – A91366 Clean Energy Council Limited
List of interested parties – Draft 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 Electricial
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