
From: Adrian Luke [REDACTED]
Sent: Tuesday, 16 June 2020 12:59 PM
To: Adjudication
Subject: CEC Code-AA1000514-Submission

To Whom It May Concern,

I write this email to express my concern about the CEC maintaining approval for Solar Retail Code of Conduct. Whilst a good idea in theory, in practise it has been another example of the CEC wielding their monopoly position as the industry (faux) regulators. The CEC Solar Retail Code of Conduct was initially a voluntary scheme where solar installers and retailers could elect to go through the process to value add their business. Some of the best solar providers in Australia joined up and gave this scheme credibility. Unfortunately the CEC have done what they have a track record of doing and taken the scheme and bastardised it to lock in future revenues. By lobbying state, federal and local governments to make it mandatory to be a holder of this new pretend accreditation it is now essentially mandatory to obtain and pay for it along with expensive software packages that the CEC deem compliant to meet the code.

In initial approval statement given by the ACCC stated this scheme had to be voluntary and now by any definition it is now not. In fact every man and his dog has it. Poor outcomes are still being experienced nation wide by solar consumers and the CEC have been as incompetent at managing these negative outcomes through their Solar Retailer Scheme as they have been through their management of installer accreditation. Essentially complaints come in with the advice of contact your supplier, then contact ACCC or Fair Trading. There a few token examples of taking the odd small operator to task but largely it is still Rafferty's Rules in the solar retail space.

Conflicts of interest.

The CEC have as corporate sponsors AGL and Origin both offer retail solar. Both in the industry are [REDACTED] using their retail pricing unavailable to other solar retailers to entice customers to their solar packages. There has even been anecdotal reports of solar installers submitting connection paperwork to energy retailers that sell solar and that information has been used to approach those customers and undercut or steal the sale. It seems to the casual observer if you are a corporate sponsor and a CEC Solar Retailer Code of Conduct holder you are given a Golden Ticket to do whatever you like. I severely doubt we will ever see the CEC biting the hands of their largest sponsors which goes to adding weight to the suspicion of conflicts of interest with the CEC administrating the scheme.

Value for Money.

My business is a member of Master Electricians, Smart Energy Council and previously NECA. All three of which have a code of conduct for their members. Having membership to those 3 organisations does not help me win jobs nor more importantly does either having or not having these memberships preclude us from tendering or pricing jobs. They do however offer value for my business through easy to access training, technical support, Australian Standards and business OH&S and HR support. These groups are not inexpensive to maintain membership in either time or money but they add to my business. The CEC unfortunately does none of these things. Their technical advice and knowledge is appalling. A recent upgrading of a hybrid battery qualification demonstrated that the person on the other end was clearly not qualified and had no real understanding on what they were evaluating. I wouldn't even consider employing them and here they are holding our (faux) CEC accreditation in their hands when our installers already hold real RTO accreditations and qualifications that came with great time and financial expense. Quite simply if we didn't have to deal with the CEC to access solar financial incentives we would not as they offer no tangible value to solar businesses. Their constant lobbying to make the CEC Solar Retailer Code of Conduct

compulsory to access tenders, state incentives is a clear and blatant abuse on how a voluntary industry code of conduct or industry representative body is meant to be managed and ran. The ACCC up till this point in time has also been complicit in facilitating this erroneous and dictatorial behaviour by approving the solar retail code of conduct.

The CEC are the only people within the industry that laud their own praises and I'm quietly confident this whole adjudication process will have revealed how [REDACTED] the CEC is amongst the solar industry for no other reason than not being competent in the roles they have claimed as their own within the industry. We have to pay for Grid Connect, Off Grid and Hybrid licensing (though technically we are accredited and licensed by state and RTO bodies to do this work legally) to access STC subsidisation which would be palatable if the organisation administering these schemes were competent. They are not and never have been and unless exposed to some competition in this space never will be. This is the ACCC's opportunity to put some correction into the market place, break the CEC's monopoly and make them perform in a competitive environment otherwise the ACCC will be just continue to be a complicit bystander to the continuing negative outcomes experienced by solar consumers as the CEC is incapable of impacting change at any level. Having to have, yet another mandatory faux accreditation to do what we have done successfully for the last 13 years is a bridge too far in my opinion.

A more real and tangible way of resolving/reducing negative solar consumer outcomes would be a more vigorous and independent post installation inspection regime. The 100% inspection regime in Tasmania has been the most beneficial way of bringing rampant retailer behaviour and poor installation techniques under control. This has levelled up the playing field for all solar retailers. Consumers may still be able to buy a cheaper lower quality components but the inspections assure consumers they at least will be installed to standard.

Fancy codes of conducts and other fluff and bubble schemes will in no way in my opinion replace boots on the ground inspections as the only real method to affect consistency of installation and reduce predatory behaviour. The CEC reject 100% inspections as they see the making of the Solar Retailer Code of Conduct mandatory as their next revenue stream as the STC's enter their value wind down phase.

Don't let this opportunity to affect a positive outcome for consumers and the industry pass the ACCC by remove the CEC's approval today

Kind regards

Adrian Luke



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