



Victoria Government Gazette

No. S 35 Tuesday 25 January 2022
By Authority of Victorian Government Printer

Electricity Industry Act 2000

ELECTRICITY LICENCE EXEMPTION FOR SOUTHERN ALPINE RESORT MANAGEMENT BOARD

Order in Council

The Governor in Council under section 17 of the **Electricity Industry Act 2000** makes the following Order:

1. In this Order:

Electricity Distribution Code means the Electricity Distribution Code published by the Essential Services Commission and as amended from time to time;

Energy Retail Code means the Energy Retail Code published by the Essential Services Commission and as amended from time to time;

Residential customer means a customer who purchases electricity principally for personal, household or domestic use;

SARMB means the Southern Alpine Resort Management Board established under section 34(2) of the **Alpine Resorts (Management) Act 1997**.

2. SARMB is exempt from the requirement to obtain a licence under section 16 of the **Electricity Industry Act 2000** to generate electricity for supply or sale and distribute, sell and supply electricity under that Act, subject to the following conditions:

a. for the purposes of this exemption, SARMB may only generate electricity at the Mount Baw Baw Alpine Resort (MBBAR), 32 Currawong Road, Mount Baw Baw, VIC 3833 and the Lake Mountain Alpine Resort (LMAR), 1071 Lake Mountain Road, Marysville, VIC 3779;

b. for the purposes of this exemption, SARMB may only distribute, sell or supply electricity to non-residential customers:

i. at MBBAR and LMAR; and

ii. without limiting clause 2(b)(i), for use by or in connection with the communications tower located at GPS coordinates 37°30'13.7"S, 145°52'50.4"E;

c. SARMB must not sell or supply electricity to a residential customer;

d. SARMB must not take any action to prevent a customer, or prospective customer, from receiving or purchasing electricity from any licensed retailer of their choice, or to prevent the distribution, supply or sale of electricity to any customer or prospective customer by any licensed retailer;

e. the total output of electricity generated by SARMB for supply must not exceed 30 MW;

f. SARMB must comply with the Energy Retail Code as if it was a registered exempt person selling metered electricity to 10 or more small commercial/retail customers within the limits of a site it owns, occupies or operates;

g. SARMB must comply with all applicable provisions of the **Electricity Industry Act 2000**, the **Electricity Safety Act 1998**, the Electricity Distribution Code and other relevant laws, including any codes, procedures and guidelines that the Essential Services Commission may deem applicable from time to time;

h. the amount charged by SARMB for the sale and supply of electricity (and services related to the provision of electricity) must not exceed the total cost of supply, less any subsidisation of costs via grants or government contributions;

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- i. in setting any new or amended tariff in relation to the sale and supply of electricity, SARMB must have regard to:
 - i. historical, actual and forecast costs and minimising price increases from one billing period to the next; and
 - ii. the impact on customers of any new or amended tariffs prior to their introduction;
 - j. within three months of this order taking effect SARMB must make available on its website, clear and transparent information about the amount SARMB intends to charge for the sale and supply of electricity (and services related to the provision of electricity), as well as any terms and conditions;
 - k. at least 30 business days before any proposed price change, SARMB must make available on its website, clear and transparent information about the amount SARMB intends to charge for the sale and supply of electricity (and services related to the provision of electricity), as well as any terms and conditions;
 - l. SARMB must maintain documentation demonstrating how it has determined the charges for the sale and supply of electricity (and services related to the provision of electricity) in accordance with the conditions of this Order as well as its system for monitoring compliance with the conditions of this Order for a period of at least 7 years;
 - m. SARMB must provide, to the Minister or the Essential Services Commission, any information the Minister or the Essential Services Commission may reasonably require from time to time for the administration of this Order;
 - n. SARMB must enter into a customer dispute resolution scheme with the Energy and Water Ombudsman (Victoria) Ltd (ABN 57 070 516 175) within three months of this Order taking effect.
3. This Order will come into effect on the day it is published in the Government Gazette.

Dated 25 January 2022

Responsible Minister:

HON LILY D'AMBROSIO MP

Minister for Energy, Environment and Climate Change

ALEXANDRA DEBELJAKOVIC
Clerk of the Executive Council

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