

Energy industry penalty notice

Essential Services Commission Act 2001 (Vic) section 54G

To: Powershop Australia Pty Ltd
Level 15
357 Collins Street
MELBOURNE VIC 3000

Energy industry penalty notice number: 1-2021

1. This notice is dated 26 March 2021.
2. The Essential Services Commission alleges that Powershop Australia Pty Ltd (ACN 154 914 075) has engaged in conduct that constitutes an energy industry contravention within the meaning of section 54F of the Essential Services Commission Act 2001 (Vic). The nature, and a brief description of the alleged energy industry contravention are detailed in Schedule 1 to this energy industry penalty notice.
3. On 24 March 2021, the commission formed the belief that Powershop Australia Pty Ltd had engaged in the conduct that constitutes the alleged energy industry contravention.
4. The amount of the energy industry penalty is \$20,000 as provided by section 54I of the Essential Services Commission Act.

How to pay the energy industry penalty

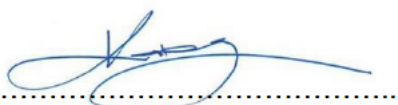
5. The \$20,000 energy industry penalty is payable by **30 April 2021**.
6. Powershop may pay the energy industry penalty by electronic funds transfer to the following account:

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| ██████████ | ██ |
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7. Please allow at least two business days for payment to be received and notify the commission once payment has been made.

What can Powershop do in response to this energy industry penalty notice?

8. Powershop can choose whether or not to pay this energy industry penalty notice.
9. If Powershop pays the amount of the energy industry penalty before the end of the time specified in this energy industry penalty notice, the Commission will not take relevant enforcement action in relation to the alleged energy industry contravention unless the energy industry penalty notice is withdrawn before the end of that time in accordance with section 54N of the ESC Act.
10. Powershop is entitled to disregard this energy industry penalty notice and to defend any proceedings relating to the alleged energy industry contravention.
11. If Powershop chooses not to pay this energy industry penalty, the commission may apply to the Supreme Court of Victoria for an order under section 54S of the Essential Services Commission Act 2001 (Vic).



Kate Symons
Chairperson
Essential Services Commission

Schedule 1 – Details of the conduct and alleged energy industry contravention

1. Powershop holds an electricity retail licence issued by the commission.
2. Section 23C(1) of the Electricity Industry Act 2000 provides that a licence to sell electricity is taken to include a condition requiring the licensee to offer to sell electricity to a renewable energy customer at the same tariffs and on the same terms and conditions that it would offer to the customer if the customer was not a renewable energy customer.
3. The commission has reason to believe that between 10 September 2019 and 31 December 2019, Powershop, under the brand Kogan Energy, contravened section 23C(1) of the Electricity Industry Act 2000 by not offering to sell electricity to renewable energy customers in the AusNet Services distribution area at the same tariffs and on the same terms and conditions that it offered to non-renewable energy customers in the AusNet Services distribution area under Kogan Energy Market Offer ID PO2119233MR.
4. Failure to comply with section 23C(1) of the Electricity Industry Act 2000 is a contravention of a prescribed condition of an energy licence in a prescribed circumstance under section 54F of the Essential Services Commission Act 2001, by reason of regulation 5 of the Essential Services Commission (Energy Industry Penalty Regime) Regulations 2016 (Vic), as applied by Schedule 1, Table 11, Item 1.
5. The applicable penalty amount is \$20,000.

Energy industry penalty notice

Essential Services Commission Act 2001 (Vic) section 54G

To: Powershop Australia Pty Ltd
Level 15
357 Collins Street
MELBOURNE VIC 3000

Energy industry penalty notice number: 2-2021

1. This notice is dated 26 March 2021.
2. The Essential Services Commission alleges that Powershop Australia Pty Ltd (ACN 154 914 075) has engaged in conduct that constitutes an energy industry contravention within the meaning of section 54F of the Essential Services Commission Act 2001 (Vic). The nature, and a brief description of the alleged energy industry contravention are detailed in Schedule 1 to this energy industry penalty notice.
3. On 24 March 2021, the commission formed the belief that Powershop Australia Pty Ltd had engaged in the conduct that constitutes the alleged energy industry contravention.
4. The amount of the energy industry penalty is \$20,000 as provided by section 54I of the Essential Services Commission Act.

How to pay the energy industry penalty

5. The \$20,000 energy industry penalty is payable by **30 April 2021**.
6. Powershop may pay the energy industry penalty by electronic funds transfer to the following account:

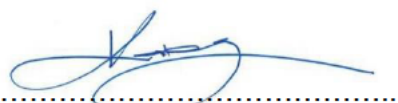
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7. Please allow at least two business days for payment to be received and notify the commission once payment has been made.

What can Powershop do in response to this energy industry penalty notice?

8. Powershop can choose whether or not to pay this energy industry penalty notice.

9. If Powershop pays the amount of the energy industry penalty before the end of the time specified in this energy industry penalty notice, the Commission will not take relevant enforcement action in relation to the alleged energy industry contravention unless the energy industry penalty notice is withdrawn before the end of that time in accordance with section 54N of the ESC Act.
10. Powershop is entitled to disregard this energy industry penalty notice and to defend any proceedings relating to the alleged energy industry contravention.
11. If Powershop chooses not to pay this energy industry penalty, the commission may apply to the Supreme Court of Victoria for an order under section 54S of the Essential Services Commission Act 2001 (Vic).



Kate Symons
Chairperson
Essential Services Commission

Schedule 1 – Details of the conduct and alleged energy industry contravention

1. Powershop holds an electricity retail licence issued by the commission.
2. Section 23C(1) of the Electricity Industry Act 2000 provides that a licence to sell electricity is taken to include a condition requiring the licensee to offer to sell electricity to a renewable energy customer at the same tariffs and on the same terms and conditions that it would offer to the customer if the customer was not a renewable energy customer.
3. The commission has reason to believe that between 10 September 2019 and 31 December 2019, Powershop, under the brand Kogan Energy, contravened section 23C(1) of the Electricity Industry Act 2000 by not offering to sell electricity to renewable energy customers in the AusNet Services distribution area at the same tariffs and on the same terms and conditions that it offered to non-renewable energy customers in the AusNet Services distribution area under Kogan Energy Market Offer ID PO2119234MR.
4. Failure to comply with section 23C(1) of the Electricity Industry Act 2000 is a contravention of a prescribed condition of an energy licence in a prescribed circumstance under section 54F of the Essential Services Commission Act 2001, by reason of regulation 5 of the Essential Services Commission (Energy Industry Penalty Regime) Regulations 2016 (Vic), as applied by Schedule 1, Table 11, Item 1.
5. The applicable penalty amount is \$20,000.

Energy industry penalty notice

Essential Services Commission Act 2001 (Vic) section 54G

To: Powershop Australia Pty Ltd
Level 15
357 Collins Street
MELBOURNE VIC 3000

Energy industry penalty notice number: 3-2021

1. This notice is dated 26 March 2021.
2. The Essential Services Commission alleges that Powershop Australia Pty Ltd (ACN 154 914 075) has engaged in conduct that constitutes an energy industry contravention within the meaning of section 54F of the Essential Services Commission Act 2001 (Vic). The nature, and a brief description of the alleged energy industry contravention are detailed in Schedule 1 to this energy industry penalty notice.
3. On 24 March 2021, the commission formed the belief that Powershop Australia Pty Ltd had engaged in the conduct that constitutes the alleged energy industry contravention.
4. The amount of the energy industry penalty is \$20,000 as provided by section 54I of the Essential Services Commission Act.

How to pay the energy industry penalty

5. The \$20,000 energy industry penalty is payable by **30 April 2021**.
6. Powershop may pay the energy industry penalty by electronic funds transfer to the following account:

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7. Please allow at least two business days for payment to be received and notify the commission once payment has been made.

What can Powershop do in response to this energy industry penalty notice?

8. Powershop can choose whether or not to pay this energy industry penalty notice.

9. If Powershop pays the amount of the energy industry penalty before the end of the time specified in this energy industry penalty notice, the Commission will not take relevant enforcement action in relation to the alleged energy industry contravention unless the energy industry penalty notice is withdrawn before the end of that time in accordance with section 54N of the ESC Act.
10. Powershop is entitled to disregard this energy industry penalty notice and to defend any proceedings relating to the alleged energy industry contravention.
11. If Powershop chooses not to pay this energy industry penalty, the commission may apply to the Supreme Court of Victoria for an order under section 54S of the Essential Services Commission Act 2001 (Vic).



Kate Symons
Chairperson
Essential Services Commission

Schedule 1 – Details of the conduct and alleged energy industry contravention

1. Powershop holds an electricity retail licence issued by the commission.
2. Section 23C(1) of the Electricity Industry Act 2000 provides that a licence to sell electricity is taken to include a condition requiring the licensee to offer to sell electricity to a renewable energy customer at the same tariffs and on the same terms and conditions that it would offer to the customer if the customer was not a renewable energy customer.
3. The commission has reason to believe that between 1 January 2020 and 7 April 2020, Powershop, under the brand Kogan Energy, contravened section 23C(1) of the Electricity Industry Act 2000 by not offering to sell electricity to renewable energy customers in the AusNet Services distribution area at the same tariffs and on the same terms and conditions that it offered to non-renewable energy customers in the AusNet Services distribution area under Kogan Energy Market Offer ID PO2141319MR.
4. Failure to comply with section 23C(1) of the Electricity Industry Act 2000 is a contravention of a prescribed condition of an energy licence in a prescribed circumstance under section 54F of the Essential Services Commission Act 2001, by reason of regulation 5 of the Essential Services Commission (Energy Industry Penalty Regime) Regulations 2016 (Vic), as applied by Schedule 1, Table 11, Item 1.
5. The applicable penalty amount is \$20,000.

Energy industry penalty notice

Essential Services Commission Act 2001 (Vic) section 54G

To: Powershop Australia Pty Ltd
Level 15
357 Collins Street
MELBOURNE VIC 3000

Energy industry penalty notice number: 4-2021

1. This notice is dated 26 March 2021.
2. The Essential Services Commission alleges that Powershop Australia Pty Ltd (ACN 154 914 075) has engaged in conduct that constitutes an energy industry contravention within the meaning of section 54F of the Essential Services Commission Act 2001 (Vic). The nature, and a brief description of the alleged energy industry contravention are detailed in Schedule 1 to this energy industry penalty notice.
3. On 24 March 2021, the commission formed the belief that Powershop Australia Pty Ltd had engaged in the conduct that constitutes the alleged energy industry contravention.
4. The amount of the energy industry penalty is \$20,000 as provided by section 54I of the Essential Services Commission Act and regulation 5 of the Essential Services Commission (Energy Industry Penalty Regime) Regulations 2016 (Vic).

How to pay the energy industry penalty

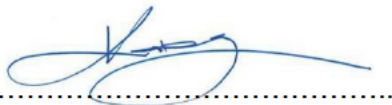
5. The \$20,000 energy industry penalty is payable by **30 April 2021**.
6. Powershop may pay the energy industry penalty by electronic funds transfer to the following account:

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7. Please allow at least two business days for payment to be received and notify the commission once payment has been made.

What can Powershop do in response to this energy industry penalty notice?

8. Powershop can choose whether or not to pay this energy industry penalty notice.
9. If Powershop pays the amount of the energy industry penalty before the end of the time specified in this energy industry penalty notice, the Commission will not take relevant enforcement action in relation to the alleged energy industry contravention unless the energy industry penalty notice is withdrawn before the end of that time in accordance with section 54N of the ESC Act.
10. Powershop is entitled to disregard this energy industry penalty notice and to defend any proceedings relating to the alleged energy industry contravention.
11. If Powershop chooses not to pay this energy industry penalty, the commission may apply to the Supreme Court of Victoria for an order under section 54S of the Essential Services Commission Act 2001 (Vic).



Kate Symons
Chairperson
Essential Services Commission

Schedule 1 – Details of the conduct and alleged energy industry contravention

1. Powershop holds an electricity retail licence issued by the commission.
2. Section 23C(1) of the Electricity Industry Act 2000 provides that a licence to sell electricity is taken to include a condition requiring the licensee to offer to sell electricity to a renewable energy customer at the same tariffs and on the same terms and conditions that it would offer to the customer if the customer was not a renewable energy customer.
3. The commission has reason to believe that between 10 September 2019 and 31 December 2019, Powershop, under the brand Kogan Energy, contravened section 23C(1) of the Electricity Industry Act 2000 by not offering to sell electricity to renewable energy customers in the Citipower distribution area at the same tariffs and on the same terms and conditions that it offered to non-renewable energy customers in the Citipower distribution area under Kogan Energy Market Offer ID PO2119683MR.
4. Failure to comply with section 23C(1) of the Electricity Industry Act 2000 is a contravention of a prescribed condition of an energy licence in a prescribed circumstance under section 54F of the Essential Services Commission Act 2001, by reason of regulation 5 of the Essential Services Commission (Energy Industry Penalty Regime) Regulations 2016 (Vic), as applied by Schedule 1, Table 11, Item 1.
5. The applicable penalty amount is \$20,000.

Energy industry penalty notice

Essential Services Commission Act 2001 (Vic) section 54G

To: Powershop Australia Pty Ltd
Level 15
357 Collins Street
MELBOURNE VIC 3000

Energy industry penalty notice number: 5-2021

1. This notice is dated 26 March 2021.
2. The Essential Services Commission alleges that Powershop Australia Pty Ltd (ACN 154 914 075) has engaged in conduct that constitutes an energy industry contravention within the meaning of section 54F of the Essential Services Commission Act 2001 (Vic). The nature, and a brief description of the alleged energy industry contravention are detailed in Schedule 1 to this energy industry penalty notice.
3. On 24 March 2021, the commission formed the belief that Powershop Australia Pty Ltd had engaged in the conduct that constitutes the alleged energy industry contravention.
4. The amount of the energy industry penalty is \$20,000 as provided by section 54I of the Essential Services Commission Act and regulation 5 of the Essential Services Commission (Energy Industry Penalty Regime) Regulations 2016 (Vic).

How to pay the energy industry penalty

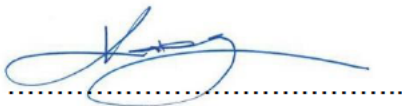
5. The \$20,000 energy industry penalty is payable by **30 April 2021**.
6. Powershop may pay the energy industry penalty by electronic funds transfer to the following account:

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7. Please allow at least two business days for payment to be received and notify the commission once payment has been made.

What can Powershop do in response to this energy industry penalty notice?

8. Powershop can choose whether or not to pay this energy industry penalty notice.
9. If Powershop pays the amount of the energy industry penalty before the end of the time specified in this energy industry penalty notice, the Commission will not take relevant enforcement action in relation to the alleged energy industry contravention unless the energy industry penalty notice is withdrawn before the end of that time in accordance with section 54N of the ESC Act.
10. Powershop is entitled to disregard this energy industry penalty notice and to defend any proceedings relating to the alleged energy industry contravention.
11. If Powershop chooses not to pay this energy industry penalty, the commission may apply to the Supreme Court of Victoria for an order under section 54S of the Essential Services Commission Act 2001 (Vic).



Kate Symons
Chairperson
Essential Services Commission

Schedule 1 – Details of the conduct and alleged energy industry contravention

1. Powershop holds an electricity retail licence issued by the commission.
2. Section 23C(1) of the Electricity Industry Act 2000 provides that a licence to sell electricity is taken to include a condition requiring the licensee to offer to sell electricity to a renewable energy customer at the same tariffs and on the same terms and conditions that it would offer to the customer if the customer was not a renewable energy customer.
3. The commission has reason to believe that between 10 September 2019 and 31 December 2019, Powershop, under the brand Kogan Energy, contravened section 23C(1) of the Electricity Industry Act 2000 by not offering to sell electricity to renewable energy customers in the Citipower distribution area at the same tariffs and on the same terms and conditions that it offered to non-renewable energy customers in the Citipower distribution area under Kogan Energy Market Offer ID PO2119684MR.
4. Failure to comply with section 23C(1) of the Electricity Industry Act 2000 is a contravention of a prescribed condition of an energy licence in a prescribed circumstance under section 54F of the Essential Services Commission Act 2001, by reason of regulation 5 of the Essential Services Commission (Energy Industry Penalty Regime) Regulations 2016 (Vic), as applied by Schedule 1, Table 11, Item 1.
5. The applicable penalty amount is \$20,000.

Energy industry penalty notice

Essential Services Commission Act 2001 (Vic) section 54G

To: Powershop Australia Pty Ltd
Level 15
357 Collins Street
MELBOURNE VIC 3000

Energy industry penalty notice number: 6-2021

1. This notice is dated 26 March 2021.
2. The Essential Services Commission alleges that Powershop Australia Pty Ltd (ACN 154 914 075) has engaged in conduct that constitutes an energy industry contravention within the meaning of section 54F of the Essential Services Commission Act 2001 (Vic). The nature, and a brief description of the alleged energy industry contravention are detailed in Schedule 1 to this energy industry penalty notice.
3. On 24 March 2021, the commission formed the belief that Powershop Australia Pty Ltd had engaged in the conduct that constitutes the alleged energy industry contravention.
4. The amount of the energy industry penalty is \$20,000 as provided by section 54I of the Essential Services Commission Act and regulation 5 of the Essential Services Commission (Energy Industry Penalty Regime) Regulations 2016 (Vic).

How to pay the energy industry penalty

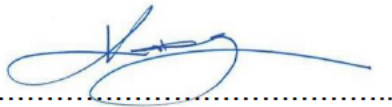
5. The \$20,000 energy industry penalty is payable by **30 April 2021**.
6. Powershop may pay the energy industry penalty by electronic funds transfer to the following account:

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|------------|------------|
| [REDACTED] | [REDACTED] |
| [REDACTED] | [REDACTED] |
| [REDACTED] | [REDACTED] |
| [REDACTED] | [REDACTED] |
| [REDACTED] | [REDACTED] |
| [REDACTED] | [REDACTED] |

7. Please allow at least two business days for payment to be received and notify the commission once payment has been made.

What can Powershop do in response to this energy industry penalty notice?

8. Powershop can choose whether or not to pay this energy industry penalty notice.
9. If Powershop pays the amount of the energy industry penalty before the end of the time specified in this energy industry penalty notice, the Commission will not take relevant enforcement action in relation to the alleged energy industry contravention unless the energy industry penalty notice is withdrawn before the end of that time in accordance with section 54N of the ESC Act.
10. Powershop is entitled to disregard this energy industry penalty notice and to defend any proceedings relating to the alleged energy industry contravention.
11. If Powershop chooses not to pay this energy industry penalty, the commission may apply to the Supreme Court of Victoria for an order under section 54S of the Essential Services Commission Act 2001 (Vic).



Kate Symons
Chairperson
Essential Services Commission

Schedule 1 – Details of the conduct and alleged energy industry contravention

1. Powershop holds an electricity retail licence issued by the commission.
2. Section 23C(1) of the Electricity Industry Act 2000 provides that a licence to sell electricity is taken to include a condition requiring the licensee to offer to sell electricity to a renewable energy customer at the same tariffs and on the same terms and conditions that it would offer to the customer if the customer was not a renewable energy customer.
3. The commission has reason to believe that between 1 January 2020 and 7 April 2020, Powershop, under the brand Kogan Energy, contravened section 23C(1) of the Electricity Industry Act 2000 by not offering to sell electricity to renewable energy customers in the Citipower distribution area at the same tariffs and on the same terms and conditions that it offered to non-renewable energy customers in the Citipower distribution area under Kogan Energy Market Offer ID PO2141325MR.
4. Failure to comply with section 23C(1) of the Electricity Industry Act 2000 is a contravention of a prescribed condition of an energy licence in a prescribed circumstance under section 54F of the Essential Services Commission Act 2001, by reason of regulation 5 of the Essential Services Commission (Energy Industry Penalty Regime) Regulations 2016 (Vic), as applied by Schedule 1, Table 11, Item 1.
5. The applicable penalty amount is \$20,000.

Energy industry penalty notice

Essential Services Commission Act 2001 (Vic) section 54G

To: Powershop Australia Pty Ltd
Level 15
357 Collins Street
MELBOURNE VIC 3000

Energy industry penalty notice number: 7-2021

1. This notice is dated 26 March 2021.
2. The Essential Services Commission alleges that Powershop Australia Pty Ltd (ACN 154 914 075) has engaged in conduct that constitutes an energy industry contravention within the meaning of section 54F of the Essential Services Commission Act 2001 (Vic). The nature, and a brief description of the alleged energy industry contravention are detailed in Schedule 1 to this energy industry penalty notice.
3. On 24 March 2021, the commission formed the belief that Powershop Australia Pty Ltd had engaged in the conduct that constitutes the alleged energy industry contravention.
4. The amount of the energy industry penalty is \$20,000 as provided by section 54I of the Essential Services Commission Act and regulation 5 of the Essential Services Commission (Energy Industry Penalty Regime) Regulations 2016 (Vic).

How to pay the energy industry penalty

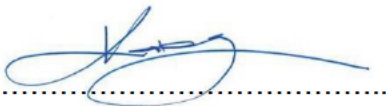
5. The \$20,000 energy industry penalty is payable by **30 April 2021**.
6. Powershop may pay the energy industry penalty by electronic funds transfer to the following account:

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7. Please allow at least two business days for payment to be received and notify the commission once payment has been made.

What can Powershop do in response to this energy industry penalty notice?

8. Powershop can choose whether or not to pay this energy industry penalty notice.
9. If Powershop pays the amount of the energy industry penalty before the end of the time specified in this energy industry penalty notice, the Commission will not take relevant enforcement action in relation to the alleged energy industry contravention unless the energy industry penalty notice is withdrawn before the end of that time in accordance with section 54N of the ESC Act.
10. Powershop is entitled to disregard this energy industry penalty notice and to defend any proceedings relating to the alleged energy industry contravention.
11. If Powershop chooses not to pay this energy industry penalty, the commission may apply to the Supreme Court of Victoria for an order under section 54S of the Essential Services Commission Act 2001 (Vic).



Kate Symons
Chairperson
Essential Services Commission

Schedule 1 – Details of the conduct and alleged energy industry contravention

1. Powershop holds an electricity retail licence issued by the commission.
2. Section 23C(1) of the Electricity Industry Act 2000 provides that a licence to sell electricity is taken to include a condition requiring the licensee to offer to sell electricity to a renewable energy customer at the same tariffs and on the same terms and conditions that it would offer to the customer if the customer was not a renewable energy customer.
3. The commission has reason to believe that between 10 September 2019 and 31 December 2019, Powershop, under the brand Kogan Energy, contravened section 23C(1) of the Electricity Industry Act 2000 by not offering to sell electricity to renewable energy customers in the Jemena distribution area at the same tariffs and on the same terms and conditions that it offered to non-renewable energy customers in the Jemena distribution area under Kogan Energy Market Offer ID PO2119685MR.
4. Failure to comply with section 23C(1) of the Electricity Industry Act 2000 is a contravention of a prescribed condition of an energy licence in a prescribed circumstance under section 54F of the Essential Services Commission Act 2001, by reason of regulation 5 of the Essential Services Commission (Energy Industry Penalty Regime) Regulations 2016 (Vic), as applied by Schedule 1, Table 11, Item 1.
5. The applicable penalty amount is \$20,000.

Energy industry penalty notice

Essential Services Commission Act 2001 (Vic) section 54G

To: Powershop Australia Pty Ltd
Level 15
357 Collins Street
MELBOURNE VIC 3000

Energy industry penalty notice number: 8-2021

1. This notice is dated 26 March 2021.
2. The Essential Services Commission alleges that Powershop Australia Pty Ltd (ACN 154 914 075) has engaged in conduct that constitutes an energy industry contravention within the meaning of section 54F of the Essential Services Commission Act 2001 (Vic). The nature, and a brief description of the alleged energy industry contravention are detailed in Schedule 1 to this energy industry penalty notice.
3. On 24 March 2021, the commission formed the belief that Powershop Australia Pty Ltd had engaged in the conduct that constitutes the alleged energy industry contravention.
4. The amount of the energy industry penalty is \$20,000 as provided by section 54I of the Essential Services Commission Act and regulation 5 of the Essential Services Commission (Energy Industry Penalty Regime) Regulations 2016 (Vic).

How to pay the energy industry penalty

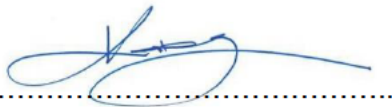
5. The \$20,000 energy industry penalty is payable by **30 April 2021**.
6. Powershop may pay the energy industry penalty by electronic funds transfer to the following account:

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7. Please allow at least two business days for payment to be received and notify the commission once payment has been made.

What can Powershop do in response to this energy industry penalty notice?

8. Powershop can choose whether or not to pay this energy industry penalty notice.
9. If Powershop pays the amount of the energy industry penalty before the end of the time specified in this energy industry penalty notice, the Commission will not take relevant enforcement action in relation to the alleged energy industry contravention unless the energy industry penalty notice is withdrawn before the end of that time in accordance with section 54N of the ESC Act.
10. Powershop is entitled to disregard this energy industry penalty notice and to defend any proceedings relating to the alleged energy industry contravention.
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Kate Symons
Chairperson
Essential Services Commission

Schedule 1 – Details of the conduct and alleged energy industry contravention

1. Powershop holds an electricity retail licence issued by the commission.
2. Section 23C(1) of the Electricity Industry Act 2000 provides that a licence to sell electricity is taken to include a condition requiring the licensee to offer to sell electricity to a renewable energy customer at the same tariffs and on the same terms and conditions that it would offer to the customer if the customer was not a renewable energy customer.
3. The commission has reason to believe that between 10 September 2019 and 31 December 2019, Powershop, under the brand Kogan Energy, contravened section 23C(1) of the Electricity Industry Act 2000 by not offering to sell electricity to renewable energy customers in the Jemena distribution area at the same tariffs and on the same terms and conditions that it offered to non-renewable energy customers in the Jemena distribution area under Kogan Energy Market Offer ID PO2119686MR.
4. Failure to comply with section 23C(1) of the Electricity Industry Act 2000 is a contravention of a prescribed condition of an energy licence in a prescribed circumstance under section 54F of the Essential Services Commission Act 2001, by reason of regulation 5 of the Essential Services Commission (Energy Industry Penalty Regime) Regulations 2016 (Vic), as applied by Schedule 1, Table 11, Item 1.
5. The applicable penalty amount is \$20,000.

Energy industry penalty notice

Essential Services Commission Act 2001 (Vic) section 54G

To: Powershop Australia Pty Ltd
Level 15
357 Collins Street
MELBOURNE VIC 3000

Energy industry penalty notice number: 9-2021

1. This notice is dated 26 March 2021.
2. The Essential Services Commission alleges that Powershop Australia Pty Ltd (ACN 154 914 075) has engaged in conduct that constitutes an energy industry contravention within the meaning of section 54F of the Essential Services Commission Act 2001 (Vic). The nature, and a brief description of the alleged energy industry contravention are detailed in Schedule 1 to this energy industry penalty notice.
3. On 24 March 2021, the commission formed the belief that Powershop Australia Pty Ltd had engaged in the conduct that constitutes the alleged energy industry contravention.
4. The amount of the energy industry penalty is \$20,000 as provided by section 54I of the Essential Services Commission Act and regulation 5 of the Essential Services Commission (Energy Industry Penalty Regime) Regulations 2016 (Vic).

How to pay the energy industry penalty

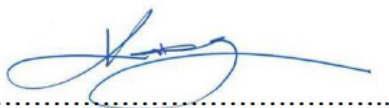
5. The \$20,000 energy industry penalty is payable by **30 April 2021**.
6. Powershop may pay the energy industry penalty by electronic funds transfer to the following account:

| | |
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| ██████████ | ██ |
| ██████████ | ██████████ |
| ████████████████████ | ██████████ |
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7. Please allow at least two business days for payment to be received and notify the commission once payment has been made.

What can Powershop do in response to this energy industry penalty notice?

8. Powershop can choose whether or not to pay this energy industry penalty notice.
9. If Powershop pays the amount of the energy industry penalty before the end of the time specified in this energy industry penalty notice, the Commission will not take relevant enforcement action in relation to the alleged energy industry contravention unless the energy industry penalty notice is withdrawn before the end of that time in accordance with section 54N of the ESC Act.
10. Powershop is entitled to disregard this energy industry penalty notice and to defend any proceedings relating to the alleged energy industry contravention.
11. If Powershop chooses not to pay this energy industry penalty, the commission may apply to the Supreme Court of Victoria for an order under section 54S of the Essential Services Commission Act 2001 (Vic).



Kate Symons
Chairperson
Essential Services Commission

Schedule 1 – Details of the conduct and alleged energy industry contravention

1. Powershop holds an electricity retail licence issued by the commission.
2. Section 23C(1) of the Electricity Industry Act 2000 provides that a licence to sell electricity is taken to include a condition requiring the licensee to offer to sell electricity to a renewable energy customer at the same tariffs and on the same terms and conditions that it would offer to the customer if the customer was not a renewable energy customer.
3. The commission has reason to believe that between 1 January 2020 and 7 April 2020, Powershop, under the brand Kogan Energy, contravened section 23C(1) of the Electricity Industry Act 2000 by not offering to sell electricity to renewable energy customers in the Jemena distribution area at the same tariffs and on the same terms and conditions that it offered to non-renewable energy customers in the Jemena distribution area under Kogan Energy Market Offer ID PO2141331MR.
4. Failure to comply with section 23C(1) of the Electricity Industry Act 2000 is a contravention of a prescribed condition of an energy licence in a prescribed circumstance under section 54F of the Essential Services Commission Act 2001, by reason of regulation 5 of the Essential Services Commission (Energy Industry Penalty Regime) Regulations 2016 (Vic), as applied by Schedule 1, Table 11, Item 1.
5. The applicable penalty amount is \$20,000.

Energy industry penalty notice

Essential Services Commission Act 2001 (Vic) section 54G

To: Powershop Australia Pty Ltd
Level 15
357 Collins Street
MELBOURNE VIC 3000

Energy industry penalty notice number: 10-2021

1. This notice is dated 26 March 2021.
2. The Essential Services Commission alleges that Powershop Australia Pty Ltd (ACN 154 914 075) has engaged in conduct that constitutes an energy industry contravention within the meaning of section 54F of the Essential Services Commission Act 2001 (Vic). The nature, and a brief description of the alleged energy industry contravention are detailed in Schedule 1 to this energy industry penalty notice.
3. On 24 March 2021, the commission formed the belief that Powershop Australia Pty Ltd had engaged in the conduct that constitutes the alleged energy industry contravention.
4. The amount of the energy industry penalty is \$20,000 as provided by section 54I of the Essential Services Commission Act and regulation 5 of the Essential Services Commission (Energy Industry Penalty Regime) Regulations 2016 (Vic).

How to pay the energy industry penalty

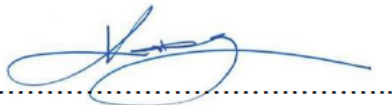
5. The \$20,000 energy industry penalty is payable by **30 April 2021**.
6. Powershop may pay the energy industry penalty by electronic funds transfer to the following account:

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| ██████████ | ██ |
| ██████████ | ██████████ |
| ████████████████████ | ██████████ |
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7. Please allow at least two business days for payment to be received and notify the commission once payment has been made.

What can Powershop do in response to this energy industry penalty notice?

8. Powershop can choose whether or not to pay this energy industry penalty notice.
9. If Powershop pays the amount of the energy industry penalty before the end of the time specified in this energy industry penalty notice, the Commission will not take relevant enforcement action in relation to the alleged energy industry contravention unless the energy industry penalty notice is withdrawn before the end of that time in accordance with section 54N of the ESC Act.
10. Powershop is entitled to disregard this energy industry penalty notice and to defend any proceedings relating to the alleged energy industry contravention.
11. If Powershop chooses not to pay this energy industry penalty, the commission may apply to the Supreme Court of Victoria for an order under section 54S of the Essential Services Commission Act 2001 (Vic).



Kate Symons
Chairperson
Essential Services Commission

Schedule 1 – Details of the conduct and alleged energy industry contravention

1. Powershop holds an electricity retail licence issued by the commission.
2. Section 23C(1) of the Electricity Industry Act 2000 provides that a licence to sell electricity is taken to include a condition requiring the licensee to offer to sell electricity to a renewable energy customer at the same tariffs and on the same terms and conditions that it would offer to the customer if the customer was not a renewable energy customer.
3. The commission has reason to believe that between 10 September 2019 and 31 December 2019, Powershop, under the brand Kogan Energy, contravened section 23C(1) of the Electricity Industry Act 2000 by not offering to sell electricity to renewable energy customers in the Powercor distribution area at the same tariffs and on the same terms and conditions that it offered to non-renewable energy customers in the Powercor distribution area under Kogan Energy Market Offer ID PO2119687MR.
4. Failure to comply with section 23C(1) of the Electricity Industry Act 2000 is a contravention of a prescribed condition of an energy licence in a prescribed circumstance under section 54F of the Essential Services Commission Act 2001, by reason of regulation 5 of the Essential Services Commission (Energy Industry Penalty Regime) Regulations 2016 (Vic), as applied by Schedule 1, Table 11, Item 1.
5. The applicable penalty amount is \$20,000.

Energy industry penalty notice

Essential Services Commission Act 2001 (Vic) section 54G

To: Powershop Australia Pty Ltd
Level 15
357 Collins Street
MELBOURNE VIC 3000

Energy industry penalty notice number: 11-2021

1. This notice is dated 26 March 2021.
2. The Essential Services Commission alleges that Powershop Australia Pty Ltd (ACN 154 914 075) has engaged in conduct that constitutes an energy industry contravention within the meaning of section 54F of the Essential Services Commission Act 2001 (Vic). The nature, and a brief description of the alleged energy industry contravention are detailed in Schedule 1 to this energy industry penalty notice.
3. On 24 March 2021, the commission formed the belief that Powershop Australia Pty Ltd had engaged in the conduct that constitutes the alleged energy industry contravention.
4. The amount of the energy industry penalty is \$20,000 as provided by section 54I of the Essential Services Commission Act and regulation 5 of the Essential Services Commission (Energy Industry Penalty Regime) Regulations 2016 (Vic).

How to pay the energy industry penalty

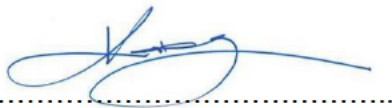
5. The \$20,000 energy industry penalty is payable by **30 April 2021**.
6. Powershop may pay the energy industry penalty by electronic funds transfer to the following account:

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| ██████████ | ██ |
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7. Please allow at least two business days for payment to be received and notify the commission once payment has been made.

What can Powershop do in response to this energy industry penalty notice?

8. Powershop can choose whether or not to pay this energy industry penalty notice.
9. If Powershop pays the amount of the energy industry penalty before the end of the time specified in this energy industry penalty notice, the Commission will not take relevant enforcement action in relation to the alleged energy industry contravention unless the energy industry penalty notice is withdrawn before the end of that time in accordance with section 54N of the ESC Act.
10. Powershop is entitled to disregard this energy industry penalty notice and to defend any proceedings relating to the alleged energy industry contravention.
11. If Powershop chooses not to pay this energy industry penalty, the commission may apply to the Supreme Court of Victoria for an order under section 54S of the Essential Services Commission Act 2001 (Vic).



Kate Symons
Chairperson
Essential Services Commission

Schedule 1 – Details of the conduct and alleged energy industry contravention

1. Powershop holds an electricity retail licence issued by the commission.
2. Section 23C(1) of the Electricity Industry Act 2000 provides that a licence to sell electricity is taken to include a condition requiring the licensee to offer to sell electricity to a renewable energy customer at the same tariffs and on the same terms and conditions that it would offer to the customer if the customer was not a renewable energy customer.
3. The commission has reason to believe that between 10 September 2019 and 31 December 2019, Powershop, under the brand Kogan Energy, contravened section 23C(1) of the Electricity Industry Act 2000 by not offering to sell electricity to renewable energy customers in the Powercor distribution area at the same tariffs and on the same terms and conditions that it offered to non-renewable energy customers in the Powercor distribution area under Kogan Energy Market Offer ID PO2119688MR.
4. Failure to comply with section 23C(1) of the Electricity Industry Act 2000 is a contravention of a prescribed condition of an energy licence in a prescribed circumstance under section 54F of the Essential Services Commission Act 2001, by reason of regulation 5 of the Essential Services Commission (Energy Industry Penalty Regime) Regulations 2016 (Vic), as applied by Schedule 1, Table 11, Item 1.
5. The applicable penalty amount is \$20,000.

Energy industry penalty notice

Essential Services Commission Act 2001 (Vic) section 54G

To: Powershop Australia Pty Ltd
Level 15
357 Collins Street
MELBOURNE VIC 3000

Energy industry penalty notice number: 12-2021

1. This notice is dated 26 March 2021.
2. The Essential Services Commission alleges that Powershop Australia Pty Ltd (ACN 154 914 075) has engaged in conduct that constitutes an energy industry contravention within the meaning of section 54F of the Essential Services Commission Act 2001 (Vic). The nature, and a brief description of the alleged energy industry contravention are detailed in Schedule 1 to this energy industry penalty notice.
3. On 24 March 2021, the commission formed the belief that Powershop Australia Pty Ltd had engaged in the conduct that constitutes the alleged energy industry contravention.
4. The amount of the energy industry penalty is \$20,000 as provided by section 54I of the Essential Services Commission Act and regulation 5 of the Essential Services Commission (Energy Industry Penalty Regime) Regulations 2016 (Vic).

How to pay the energy industry penalty

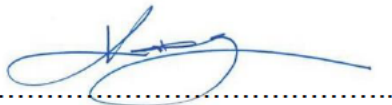
5. The \$20,000 energy industry penalty is payable by **30 April 2021**.
6. Powershop may pay the energy industry penalty by electronic funds transfer to the following account:

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| ██████████ | ██ |
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| ██████████ | ██ |
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7. Please allow at least two business days for payment to be received and notify the commission once payment has been made.

What can Powershop do in response to this energy industry penalty notice?

8. Powershop can choose whether or not to pay this energy industry penalty notice.
9. If Powershop pays the amount of the energy industry penalty before the end of the time specified in this energy industry penalty notice, the Commission will not take relevant enforcement action in relation to the alleged energy industry contravention unless the energy industry penalty notice is withdrawn before the end of that time in accordance with section 54N of the ESC Act.
10. Powershop is entitled to disregard this energy industry penalty notice and to defend any proceedings relating to the alleged energy industry contravention.
11. If Powershop chooses not to pay this energy industry penalty, the commission may apply to the Supreme Court of Victoria for an order under section 54S of the Essential Services Commission Act 2001 (Vic).



Kate Symons
Chairperson
Essential Services Commission

Schedule 1 – Details of the conduct and alleged energy industry contravention

1. Powershop holds an electricity retail licence issued by the commission.
2. Section 23C(1) of the Electricity Industry Act 2000 provides that a licence to sell electricity is taken to include a condition requiring the licensee to offer to sell electricity to a renewable energy customer at the same tariffs and on the same terms and conditions that it would offer to the customer if the customer was not a renewable energy customer.
3. The commission has reason to believe that between 1 January 2020 and 7 April 2020, Powershop, under the brand Kogan Energy, contravened section 23C(1) of the Electricity Industry Act 2000 by not offering to sell electricity to renewable energy customers in the Powercor distribution area at the same tariffs and on the same terms and conditions that it offered to non-renewable energy customers in the Powercor distribution area under Kogan Energy Market Offer ID PO2141342MR.
4. Failure to comply with section 23C(1) of the Electricity Industry Act 2000 is a contravention of a prescribed condition of an energy licence in a prescribed circumstance under section 54F of the Essential Services Commission Act 2001, by reason of regulation 5 of the Essential Services Commission (Energy Industry Penalty Regime) Regulations 2016 (Vic), as applied by Schedule 1, Table 11, Item 1.
5. The applicable penalty amount is \$20,000.

Energy industry penalty notice

Essential Services Commission Act 2001 (Vic) section 54G

To: Powershop Australia Pty Ltd
Level 15
357 Collins Street
MELBOURNE VIC 3000

Energy industry penalty notice number: 13-2021

1. This notice is dated 26 March 2021.
2. The Essential Services Commission alleges that Powershop Australia Pty Ltd (ACN 154 914 075) has engaged in conduct that constitutes an energy industry contravention within the meaning of section 54F of the Essential Services Commission Act 2001 (Vic). The nature, and a brief description of the alleged energy industry contravention are detailed in Schedule 1 to this energy industry penalty notice.
3. On 24 March 2021, the commission formed the belief that Powershop Australia Pty Ltd had engaged in the conduct that constitutes the alleged energy industry contravention.
4. The amount of the energy industry penalty is \$20,000 as provided by section 54I of the Essential Services Commission Act and regulation 5 of the Essential Services Commission (Energy Industry Penalty Regime) Regulations 2016 (Vic).

How to pay the energy industry penalty

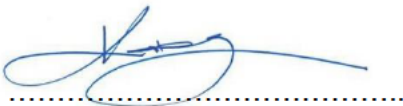
5. The \$20,000 energy industry penalty is payable by **30 April 2021**.
6. Powershop may pay the energy industry penalty by electronic funds transfer to the following account:

| | |
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| ██████████ | ██ |
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| ████████████████████ | ██████████ |
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7. Please allow at least two business days for payment to be received and notify the commission once payment has been made.

What can Powershop do in response to this energy industry penalty notice?

8. Powershop can choose whether or not to pay this energy industry penalty notice.
9. If Powershop pays the amount of the energy industry penalty before the end of the time specified in this energy industry penalty notice, the Commission will not take relevant enforcement action in relation to the alleged energy industry contravention unless the energy industry penalty notice is withdrawn before the end of that time in accordance with section 54N of the ESC Act.
10. Powershop is entitled to disregard this energy industry penalty notice and to defend any proceedings relating to the alleged energy industry contravention.
11. If Powershop chooses not to pay this energy industry penalty, the commission may apply to the Supreme Court of Victoria for an order under section 54S of the Essential Services Commission Act 2001 (Vic).



Kate Symons
Chairperson
Essential Services Commission

Schedule 1 – Details of the conduct and alleged energy industry contravention

1. Powershop holds an electricity retail licence issued by the commission.
2. Section 23C(1) of the Electricity Industry Act 2000 provides that a licence to sell electricity is taken to include a condition requiring the licensee to offer to sell electricity to a renewable energy customer at the same tariffs and on the same terms and conditions that it would offer to the customer if the customer was not a renewable energy customer.
3. The commission has reason to believe that between 10 September 2019 and 31 December 2019, Powershop, under the brand Kogan Energy, contravened section 23C(1) of the Electricity Industry Act 2000 by not offering to sell electricity to renewable energy customers in the United Energy distribution area at the same tariffs and on the same terms and conditions that it offered to non-renewable energy customers in the United Energy distribution area under Kogan Energy Market Offer ID PO2119700MR.
4. Failure to comply with section 23C(1) of the Electricity Industry Act 2000 is a contravention of a prescribed condition of an energy licence in a prescribed circumstance under section 54F of the Essential Services Commission Act 2001, by reason of regulation 5 of the Essential Services Commission (Energy Industry Penalty Regime) Regulations 2016 (Vic), as applied by Schedule 1, Table 11, Item 1.
5. The applicable penalty amount is \$20,000.

Energy industry penalty notice

Essential Services Commission Act 2001 (Vic) section 54G

To: Powershop Australia Pty Ltd
Level 15
357 Collins Street
MELBOURNE VIC 3000

Energy industry penalty notice number: 14-2021

1. This notice is dated 26 March 2021.
2. The Essential Services Commission alleges that Powershop Australia Pty Ltd (ACN 154 914 075) has engaged in conduct that constitutes an energy industry contravention within the meaning of section 54F of the Essential Services Commission Act 2001 (Vic). The nature, and a brief description of the alleged energy industry contravention are detailed in Schedule 1 to this energy industry penalty notice.
3. On 24 March 2021, the commission formed the belief that Powershop Australia Pty Ltd had engaged in the conduct that constitutes the alleged energy industry contravention.
4. The amount of the energy industry penalty is \$20,000 as provided by section 54I of the Essential Services Commission Act and regulation 5 of the Essential Services Commission (Energy Industry Penalty Regime) Regulations 2016 (Vic).

How to pay the energy industry penalty

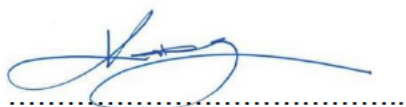
5. The \$20,000 energy industry penalty is payable by **30 April 2021**.
6. Powershop may pay the energy industry penalty by electronic funds transfer to the following account:

| | |
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| ██████ | ██ |
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7. Please allow at least two business days for payment to be received and notify the commission once payment has been made.

What can Powershop do in response to this energy industry penalty notice?

8. Powershop can choose whether or not to pay this energy industry penalty notice.
9. If Powershop pays the amount of the energy industry penalty before the end of the time specified in this energy industry penalty notice, the Commission will not take relevant enforcement action in relation to the alleged energy industry contravention unless the energy industry penalty notice is withdrawn before the end of that time in accordance with section 54N of the ESC Act.
10. Powershop is entitled to disregard this energy industry penalty notice and to defend any proceedings relating to the alleged energy industry contravention.
11. If Powershop chooses not to pay this energy industry penalty, the commission may apply to the Supreme Court of Victoria for an order under section 54S of the Essential Services Commission Act 2001 (Vic).



Kate Symons
Chairperson
Essential Services Commission

Schedule 1 – Details of the conduct and alleged energy industry contravention

1. Powershop holds an electricity retail licence issued by the commission.
2. Section 23C(1) of the Electricity Industry Act 2000 provides that a licence to sell electricity is taken to include a condition requiring the licensee to offer to sell electricity to a renewable energy customer at the same tariffs and on the same terms and conditions that it would offer to the customer if the customer was not a renewable energy customer.
3. The commission has reason to believe that between 10 September 2019 and 31 December 2019, Powershop, under the brand Kogan Energy, contravened section 23C(1) of the Electricity Industry Act 2000 by not offering to sell electricity to renewable energy customers in the United Energy distribution area at the same tariffs and on the same terms and conditions that it offered to non-renewable energy customers in the United Energy distribution area under Kogan Energy Market Offer ID PO2119698MR .
4. Failure to comply with section 23C(1) of the Electricity Industry Act 2000 is a contravention of a prescribed condition of an energy licence in a prescribed circumstance under section 54F of the Essential Services Commission Act 2001, by reason of regulation 5 of the Essential Services Commission (Energy Industry Penalty Regime) Regulations 2016 (Vic), as applied by Schedule 1, Table 11, Item 1.
5. The applicable penalty amount is \$20,000.

Energy industry penalty notice

Essential Services Commission Act 2001 (Vic) section 54G

To: Powershop Australia Pty Ltd
Level 15
357 Collins Street
MELBOURNE VIC 3000

Energy industry penalty notice number: 15-2021

1. This notice is dated 26 March 2021.
2. The Essential Services Commission alleges that Powershop Australia Pty Ltd (ACN 154 914 075) has engaged in conduct that constitutes an energy industry contravention within the meaning of section 54F of the Essential Services Commission Act 2001 (Vic). The nature, and a brief description of the alleged energy industry contravention are detailed in Schedule 1 to this energy industry penalty notice.
3. On 24 March 2021, the commission formed the belief that Powershop Australia Pty Ltd had engaged in the conduct that constitutes the alleged energy industry contravention.
4. The amount of the energy industry penalty is \$20,000 as provided by section 54I of the Essential Services Commission Act and regulation 5 of the Essential Services Commission (Energy Industry Penalty Regime) Regulations 2016 (Vic).

How to pay the energy industry penalty

5. The \$20,000 energy industry penalty is payable by **30 April 2021**.
6. Powershop may pay the energy industry penalty by electronic funds transfer to the following account:

| | |
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| ██████████ | ██ |
| ██████████ | ██████████ |
| ████████████████████ | ██████████ |
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7. Please allow at least two business days for payment to be received and notify the commission once payment has been made.

What can Powershop do in response to this energy industry penalty notice?

8. Powershop can choose whether or not to pay this energy industry penalty notice.
9. If Powershop pays the amount of the energy industry penalty before the end of the time specified in this energy industry penalty notice, the Commission will not take relevant enforcement action in relation to the alleged energy industry contravention unless the energy industry penalty notice is withdrawn before the end of that time in accordance with section 54N of the ESC Act.
10. Powershop is entitled to disregard this energy industry penalty notice and to defend any proceedings relating to the alleged energy industry contravention.
11. If Powershop chooses not to pay this energy industry penalty, the commission may apply to the Supreme Court of Victoria for an order under section 54S of the Essential Services Commission Act 2001 (Vic).



Kate Symons
Chairperson
Essential Services Commission

Schedule 1 – Details of the conduct and alleged energy industry contravention

1. Powershop holds an electricity retail licence issued by the commission.
2. Section 23C(1) of the Electricity Industry Act 2000 provides that a licence to sell electricity is taken to include a condition requiring the licensee to offer to sell electricity to a renewable energy customer at the same tariffs and on the same terms and conditions that it would offer to the customer if the customer was not a renewable energy customer.
3. The commission has reason to believe that between 1 January 2020 and 7 April 2020, Powershop, under the brand Kogan Energy, contravened section 23C(1) of the Electricity Industry Act 2000 by not offering to sell electricity to renewable energy customers in the United Energy distribution area at the same tariffs and on the same terms and conditions that it offered to non-renewable energy customers in the United Energy distribution area under Kogan Energy Market Offer ID PO2141348MR.
4. Failure to comply with section 23C(1) of the Electricity Industry Act 2000 is a contravention of a prescribed condition of an energy licence in a prescribed circumstance under section 54F of the Essential Services Commission Act 2001, by reason of regulation 5 of the Essential Services Commission (Energy Industry Penalty Regime) Regulations 2016 (Vic), as applied by Schedule 1, Table 11, Item 1.
5. The applicable penalty amount is \$20,000.