



**ELECTRICITY INDUSTRY ACT 2000  
APPLICATION FOR AN ELECTRICITY RETAIL LICENCE**

**Electricity in a Box Pty Ltd  
(ACN 140 547 226)**

**RECORD OF DECISION**

**21 October 2020**

## **SUMMARY**

Pursuant to the provisions of section 19(1) of the Electricity Industry Act 2000 (Vic) (Industry Act) the Essential Services Commission (the commission) has granted Electricity in a Box Pty Ltd (ACN 140 547 226) (EIAB) a licence to sell electricity by retail in Victoria.

## **BACKGROUND**

### ***Requirement to obtain a Licence***

Section 16(1) of the Industry Act provides that a person must not engage in the generation of electricity for supply or sale or the transmission, distribution, supply or sale of electricity, unless the person is:

- (a) the holder of a licence authorising the relevant activity; or
- (b) is exempted from the requirement to obtain a licence in respect of the relevant activity.

### ***Entitlement to apply for a Licence***

Section 18(1) of the Industry Act provides that a person may apply to the commission for a licence authorising the person to sell electricity.

### ***The applicant***

On 30 July 2019 EIAB submitted an application to the commission for a licence authorising it to sell electricity in Victoria.

### ***The application***

Consistent with the requirements of the commission's 'Guidance Notes for Applications for Electricity Licences and the Transfer of Existing Electricity Licences', EIAB has provided the commission with comprehensive documentation supporting the application.

In particular, EIAB presented information to provide assurance concerning its technical capacity and its financial viability.

On 27 August 2020 the commission published a copy of the application and invited interested parties to make submissions in respect of the application.

The commission did not receive any submissions regarding the application.

## **FINANCIAL HARDSHIP POLICY**

The applicant has submitted its Hardship Policy for review and approval pursuant to section 43(1) of the Industry Act.

## **CONSIDERATION OF THE APPLICATION**

Section 19(1) of the Industry Act provides that the commission may grant or refuse the application for any reason it considers appropriate, having regard to the objectives of the commission under the provisions of the Industry Act and the Essential Services Commission Act 2001 (Vic) (Commission Act).

## **DECISION**

In accordance with section 19(1) of the Industry Act, and having regard to its objectives under the Commission Act and the Industry Act, the commission has decided to grant EIAB a licence to sell

electricity in Victoria, subject to conditions specified in the licence. The authorisation granted by the licence does not permit the sale of electricity through the wholesale market.

In accordance with section 45(1)(a) of the Industry Act and having regard to its objectives under the Commission Act and the Industry Act and the matters in section 45(2) of the Industry Act, the Commission approves EIAB's Hardship Policy.

**THE COMMON SEAL**  
**of the ESSENTIAL**  
**SERVICES COMMISSION**  
was affixed pursuant to the  
authority of the Commission  
on 21 October 2020

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Kate Symons  
**Chairperson**

