



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

**Active Utilities Retail Pty Ltd
ACN 606 139 931**

RECORD OF DECISION

23 July 2025

SUMMARY

Pursuant to the provisions of section 19(1) of the Electricity Industry Act 2000 (Vic) (EI Act) the Essential Services Commission (the commission) has granted Active Utilities Retail Pty Ltd (ACN 606 139 931) (Active Utilities Retail) a licence to sell electricity by retail to embedded network customers in Victoria.

BACKGROUND

Requirement to obtain a Licence

Section 16(1) of the EI 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;
- (b) is exempted from the requirement to obtain a licence in respect of the relevant activity; or
- (c) is the holder of a trial waiver in respect of the relevant activity.

Active Utilities Retail is not exempt from the requirement to obtain a licence in respect of the relevant activity.

Entitlement to apply for a Licence

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

The application

On 29 November 2024, Active Utilities Retail submitted an application to the commission for a licence authorising it to sell electricity by retail to embedded network customers in Victoria.

Consistent with the requirements of the commission's 'Guide to applications for electricity and gas industry licences', Active Utilities Retail has provided the commission with documentation supporting the application.

In particular, Active Utilities Retail presented information to provide assurance concerning its technical capacity and its financial viability to undertake the relevant activity.

On 7 April 2025, the commission published a copy of the application and invited interested parties to make submissions in respect of the application.

The commission received three non-confidential submissions regarding the application.

CONSIDERATION OF THE APPLICATION

Section 19(1) of the EI 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 EI Act and the Essential Services Commission Act 2001 (Vic) (ESC Act).

DECISION

The commission is satisfied that Active Utilities Retail:

- has the technical capacity to comply with the conditions of the licence to be granted;
- has the financial resources to carry out the licensed activities; and
- is a fit and proper person to hold a licence to sell electricity in Victoria.

In accordance with section 19(1) of the EI Act, and having regard to its objectives under the ESC Act and the EI Act, the commission has decided to grant Active Utilities Retail a licence to sell electricity by retail to embedded network customers in Victoria, subject to conditions specified in the licence.

**THE COMMON SEAL
of the ESSENTIAL
SERVICES COMMISSION**
was affixed pursuant to the
authority of the Commission
on 24 July 2025

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A handwritten signature in cursive script, reading "Gerard Brody".

Gerard Brody
Chairperson