# Annual Energy Acquisition Statement for Relevant Entities 2022

Version 1.6 – 21 February 2023

## Instructions

## This statement must be completed by each relevant entity and lodged with the Essential Services Commission (the commission) on or before 30 April 2023.

## Pursuant to section 33 of the Victorian Energy Efficiency Target Act 2007 (the VEET Act), this statement must be audited prior to submitting to the commission. For information on the commission’s audit requirements, please refer to the Relevant Entity Guide, available at: [www.esc.vic.gov.au/veu-energy-retailers](http://www.esc.vic.gov.au/veu-energy-retailers).

## The greenhouse gas reduction rate for electricity (RE) and the greenhouse gas reduction rate for gas (RG) for the 2022 compliance year were published in the Victorian Government Gazette on 14 December 2021.

**Please submit completed forms and attachments by email.**

**The Commission can be contacted by:**

Email: veu@esc.vic.gov.au

Phone: 03 9032 1300

**Note: Please do not submit forms by fax or post.**

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| Office use only |
| Year to which statement applies: | 1 January 2022 to 31 December 2022 |
| Relevant entity name: | Enter text. |
| Date received:  | Enter text. |
| Shortfall payment amount: | Enter text. |
| Shortfall penalty statement reference no: | Enter text. |

Legislative reference

The sections below detail the legislative reference in the VEET Act and the Victorian Energy Efficiency Target Regulations 2018 (the VEET Regulations) which are relevant to determining the liability of relevant entities under the VEET Act and the consequences of failing to meet the VEET Act’s stated requirements.

Copies of the VEET Act, the VEET Regulations and the Victorian Energy Efficiency Target Guidelines (the VEET guidelines) are available at [www.esc.vic.gov.au/veu-legislation](http://www.esc.vic.gov.au/veu-legislation).

Section 3 of the VEET Act and Regulation 40 of the VEET Regulations, detailed below, are the relevant legislative references and rules with respect to determining the types of acquisitions of electricity and gas which are deemed to be scheme acquisitions and determining the persons who are relevant entities.

### The VEET Act, Section 3: Definition of a scheme acquisition

Scheme acquisition means the purchase for on-sale to a prescribed customer or prescribed class of customers in Victoria of:

1. **electricity** from the Australian Energy Market Operator (AEMO) or a person or body prescribed for the purposes of this paragraph but does not include any acquisition of electricity by AEMO
2. **gas** from a producer, storage provider or interconnected pipeline operator (within the meaning of the National Gas Rules) or from AEMO or a person or a body prescribed for the purposes of this paragraph but does not include any acquisition of gas by AEMO.

### The VEET Act, Section 3: Definition of a relevant entity

Under section 3 of the VEET Act, a relevant entity is defined as a person:

* who sells either electricity or gas, or both electricity and gas, to customers, and
* who makes a scheme acquisition in connection with the sale of either electricity or gas, or the sale of both electricity and gas, to customers, and
* who:
	+ - has 5,000 or more customers to whom either electricity or gas is, or both electricity and gas are, sold to in Victoria, or
		- makes a scheme acquisition of 30,000 MWh or more of electricity, or
		- makes a scheme acquisition of 350,000 GJ or more of gas.

### VEET Regulations, Regulation 40: Scheme acquisition

For the purpose of the definition of scheme acquisition in section 3 of the VEET Act, all customers of gas and/or electricity in Victoria are prescribed customers.

Pursuant to section 33 of the VEET Act, a relevant entity that makes a scheme acquisition of electricity and/or gas is liable to surrender Victorian energy efficiency certificates (VEECs) under the VEET Act.

Section 33 of the VEET Act sets out the:

* requirements that a relevant entity must lodge an annual energy acquisition statement (AEAS) each year on or before 30 April in the following year
* details required to be included in the AEAS
* requirement that the AEAS be audited by an independent third party before it is given to the commission.

Under section 36 of the VEET Act, the commission may issue a shortfall statement (including a shortfall penalty) to a relevant entity if there are reasonable grounds to believe that the relevant entity is in breach of section 27. Section 37 provides the commission with powers to seek payment of the penalty if not paid.

Section 69 of the VEET Act provides for penalties (60 penalty units for individuals and 240 penalty units for body corporate) if a person fails to provide a specified document as required under the VEET Act.

## Information to help you identify scheme acquisitions

* Pursuant to section 3 of the VEET Act, acquisitions by AEMO are not scheme acquisitions.
* For the 2022 compliance year, scheme acquisitions are those acquired by a person or body from AEMO.
* The AEMO (electricity) settlement data gives the total electricity acquisition at all relevant Transmission Network Identifiers (TNIs). The AEMO (gas) settlement data gives the total gas acquisitions for relevant entities. The AEMO wholesale acquisitions data contains mass market data that includes both residential and non-residential customer acquisitions. Relevant entities are required to include both residential and non-residential customer acquisitions in this AEAS.
* Any acquisitions of non-residential customers that are scheduled activity premises (other than those premises which are a prescribed customer, and which are not eligible for a liability exemption) are to be subtracted from the scheme acquisitions in this AEAS.
* Electricity and gas purchased outside the 2022 calendar year is not a liable acquisition for 2022. Relevant entities should not report residential and non-residential customer energy acquisitions made outside the calendar year.
* Acquisitions from an electricity retailer where the electricity retailer is a registered market customer are generally not liable. Where in doubt as to the status of the retailer, the commission recommends contacting your electricity supplier to identify the relevant entity.
* Any electricity that is exported to other states or electricity that is not purchased through AEMO is not considered as a scheme acquisition and will not attract liabilities for VEECs. Specifically, this refers to acquisitions settled through the VRCA node. Any gas that is exported to other states will not attract a liability for VEECs.

## Hints on completing the scheme acquisition tables

* Wholesale acquisition to supply a region, where the amount of electricity and gas acquired can be identified through AEMO settlement data, can be reported as a single transaction, in preference to reporting against each separately read meter within the supply region.
* Single line diagrams of the electricity supply arrangements can often assist in determining the nature and point of liability.

Where in doubt about pursuing the best strategy to report a liability, contact the commission by email at veu@esc.vic.gov.au or by phone at (03) 9032 1300.

Company contact details

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| Section A – Company contact details |
| 1. Company registered name
 | Enter text. |
| 1. Trading name (if different)
 | Enter text. |
| 1. ABN
 | Enter text. |
| 1. ACN
 | Enter text. |
| 1. Company postal address
 | Enter text. |
| State | Please select state. | Postcode | Enter text. |
| 1. Primary contact
 |
| Title | Please select title. |
| Name | Enter text. |
| Position | Enter text. |
| Phone | Enter text. |
| Fax | Enter text. |
| Mobile | Enter text. |
| Email | Enter text. |
| 1. Chief Executive Officer (or equivalent)
 |
| Title | Please select title. |
| Name | Enter text. |
| Position | Enter text. |
| Phone | Enter text. |
| Fax | Enter text. |
| Mobile | Enter text. |
| Email | Enter text. |
| 1. Was there a change in ownership or a merger in respect of the company in the calendar year?
 | Yes/NoIf yes, please enter text here. |
| On date: | Select date. |
| 1. Was there a change in respect of the company’s electricity supply arrangements in the calendar year?
 | Yes/NoIf yes, please enter text here. |

Scheme acquisitions

Details of all scheme acquisitions must be reported. The following forms allow relevant entities to provide details of any scheme acquisition.

The electricity and gas acquisitions to be reported are for prescribed customers as defined in Regulation 40 of the VEET Regulations.

If a relevant entity needs to provide details of more than one scheme acquisition, the commission requests the entity to **copy and complete Section B as necessary**.

| Section B1 – Electricity acquisitions |
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| 1. Description of the electricity liability point. For example: AEMO settlement point.
 | Enter text. |
| 1. Total amount of electricity purchased at liability point (MWh to 1 decimal place).
	* Clearly labelled meter reading or other proof of measurement must be ready and available if requested by the commission. Where metered measurements have been adjusted by loss factors, include all relevant calculations.
	* The commission only requires summary data to be attached to this statement.
 | Enter text. |
| 1. Reference code of meter.If meter does not have a reference code, identify name and brand.
 | Enter text. |
| 1. Could alternative measuring points have been used to determine the scheme acquisition? If yes, where?Explain why this measurement point was chosen.
 | Enter text. |

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| Section B1 – Electricity acquisitions – scheduled activity premises (continue on separate sheet if required) |
| **NMI ref** | **Customer name** | **Customer address** | **2022: date electricity supplied from** | **2022: date electricity supplied to** | **MWh** |
| Enter text. | Enter text. | Enter text. | Select date. | Select date. |  Enter amount. |
| Enter text. | Enter text. | Enter text. | Select date. | Select date. | Enter amount. |
| Enter text. | Enter text. | Enter text. | Select date. | Select date. | Enter amount. |
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| Enter text. | Enter text. | Enter text. | Select date. | Select date. | Enter amount. |
| Enter text. | Enter text. | Enter text. | Select date. | Select date. | Enter amount. |
|  |  |  | **Total MWh** | Enter amount. |

| Section B2 – Gas acquisitions |
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| 1. Provide a description of the liable gas transaction. For example: Purchase for gas retailing activities in Melbourne.
 | Enter text. |
| 1. Description of the liability point. For example: AEMO settlement point.
 | Enter text. |
| 1. Total amount of gas purchased at liability point (GJ).
	* Clearly labelled meter reading or other proof of measurement must be ready and available if requested by the commission. Where metered measurements have been adjusted by loss factors, include all relevant calculations.
	* The commission only requires summary data to be attached to this statement.
 | Enter text. |
| 1. Reference code of meter.If meter does not have a reference code, identify name and brand.
 | Enter text. |
| 1. Could alternative measuring points have been used to determine the scheme acquisition? If yes, where?Explain why this measurement point was chosen.
 | Enter text. |
| Section B2 continues on next page ⏵ |

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| Section B2 – Gas acquisitions – scheduled activity premises (continue on separate sheet if required) |
| **MIRN ref** | **Customer name** | **Customer address** | **2022: date gas supplied from** | **2022: date gas supplied to** | **GJ** |
| Enter text. | Enter text. | Enter text. | Select date. | Select date. | Enter amount. |
| Enter text. | Enter text. | Enter text. | Select date. | Select date. | Enter amount. |
| Enter text. | Enter text. | Enter text. | Select date. | Select date. | Enter amount. |
| Enter text. | Enter text. | Enter text. | Select date. | Select date. | Enter amount. |
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| Enter text. | Enter text. | Enter text. | Select date. | Select date. | Enter amount. |
|  |  |  | **Total MWh** | Enter amount. |

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| Section C - Scheme acquisitions summary |
| **2022 Total scheme acquisitions summary**Please provide the total amount of electricity and gas received for each scheme acquisition completed in **section(s) B1 and B2.**Fill out as many lines as necessary. If more than two electricity or gas scheme acquisitions are required, include the additional lines on a separate page and attach the additional page to the statement. |
| Electricity scheme acquisition no.1 | Enter amount. | MWh |
| Add: Electricity scheme acquisition no.2 | Enter amount. | MWh |
| Less: Scheduled activity premises exemptions[[1]](#footnote-1) | Enter amount. | MWh |
| Total electricity scheme acquisitions = (sum above) **(A)** | Enter amount.  | MWh |
| Gas scheme acquisition no.1 | Enter amount. | GJ |
| Add: Gas scheme acquisition no.2 | Enter amount. | GJ |
| Less: Scheduled activity premises exemptions[[2]](#footnote-2) | Enter amount. | GJ |
| Total gas scheme acquisitions = (sum above) **(B)** | Enter amount.  | GJ |
| If your electricity or gas liability commenced after 1 January 2022 or ceased before 31 December 2022, please outline when and why this occurred. | If yes, please enter details here |

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| Section D - Total VEEC liability calculation |
| 1. 2022 Victorian energy efficiency certificate (VEEC) liability
 |
| 2022 VEEC electricity liability | = | Total electricity scheme acquisitions for 2022 **(A)** from **section C1** | x | 2022 greenhouse gas reduction rate for electricity is 0.16113 | = | VEEC liability |
|  |  | Amount MWh |  | **0.16113** |  | Amount VEECs **(C)** |
| 2022VEEC gas liability | = | Total gas scheme acquisitions for 2022**(B)** from **section C1** | x | 2022 greenhouse gas reduction rate for gas is 0.01078 | = | VEEC liability |
|  |  | Amount GJ |  | **0.01078** |  | Amount VEECs **(D)** |
| **Total 2022 VEEC electricity and gas liability = (sum (C) and (D) above)** |  | Amount VEECs |
| 1. How many VEECs have been offered for surrender to the commission to acquit this liability?
	* One VEEC equals one tonne of carbon dioxide
	* If nil, state nil.
	* Only registered VEECs created before 31 January 2023 can be offered for surrender against this 2022 liability.
 |  |  |
| Amount VEECs |
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| 1. What is the VEEC carried forward surplus[[3]](#footnote-3) for the previous calendar year?
	* If answer is nil in **section D**, **question 2**, state nil here.
 |  | Amount VEECs |
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| 1. What is the VEEC carried-forward surplus for the current year?
	* Section 33 (2)(e) of the VEET Act
 |  | Amount VEECs |
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| Section E – Energy acquisition audit |
| Section 33(6) of the VEET Act requires this statement to be audited before it is submitted to the commission. The audit must be completed in accordance with clause 14 of the VEET guidelines.  |
| Failure to provide an audit report in respect of this statement may be considered to be a breach of the VEET Act and may result in penalty charges. |
| Have you attached an audit report in respect of this statement which has been prepared and signed by an auditor approved by the commission?  | Yes/No |

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| Section F - Declaration |
| I, insert name, am an authorised representative of insert company name and certify that all the information provided in this form is a true and accurate representation of the facts. Further, records that demonstrate the accuracy of the statements have been retained and can be provided on request.I authorise the Essential Services Commission to access relevant meter data, including data held by third parties, to verify information provided in this statement.I acknowledge that:* where VEECs offered for surrender are accepted, the VEECs are considered to be retired under section 26 of the VEET Act. These VEECs are marked “invalid due to surrender” in the VEU Register of VEECs. Accepted VEECs will remain invalid due to surrender and can never be returned to the company account for trading
* failure to provide an annual energy acquisition statement, or information relevant to assessing liability can result in the application of penalty charges under section 69 of the VEET Act
* the making of statements which are false or misleading can result in the application of penalty charges under section 68 of the VEET Act
* the Essential Services Commission can seek to verify information provided under the VEET Act or check compliance with the VEET Act by consent or monitoring warrant. Authorised officers of the Essential Services Commission can request or require that information be provided as part of this process
* the Essential Services Commission must publish a list of each relevant entity that has a VEEC shortfall for a particular year and the amount of the shortfall as specified under section 67 of the VEET Act
* Section 72 of the VEET Act imposes an obligation with respect of the retention of records relating to this form.
 |
| Name | Enter text. |
| Signature |  | Date | Select date. |
| Name (Witness) | Enter text. |
| Signature |  | Date | Select date. |

1. Exemptions must not include relevant entity customer premises that are listed on the commission’s Register of Scheduled Activity Premises as a ‘prescribed customer’ from the given compliance year for which the annual energy acquisition statement applies, for the purposes of scheme acquisition. [↑](#footnote-ref-1)
2. See preceding note [↑](#footnote-ref-2)
3. Carried forward surplus, as defined in section 29 of the VEET Act, is the number of VEECs which can be used by a company to acquit, or help acquit, any VEEC liability in future years. [↑](#footnote-ref-3)