

Penalty Notice

Essential Services Commission Act 2001 (Vic), section 54S

Pacific Blue Retail Pty Ltd
Level 13, 700 Collins Street
Docklands, VIC, 3008

Penalty notice number: PN(E) 168-2025

1. This notice is dated 29 May 2025.
2. The Essential Services Commission (**the commission**) alleges that the regulated entity Pacific Blue Retail Pty Ltd (ACN 155 908 839) (**Pacific Blue**) has contravened a civil penalty requirement within the meaning of that term provided in section 3 of the *Essential Services Commission Act 2001 (Vic)* (**the Act**).
3. On 21 May 2025, the commission determined that it has a reason to believe that Pacific Blue is a regulated entity that has contravened a civil penalty requirement, in accordance with section 54S(1) of the Act.
4. The nature, and a brief description of the alleged contravention, are detailed in Schedule 1 to this penalty notice.
5. The amount of the penalty is \$38,462 as provided by section 54T(2) of the Act.

How to pay the penalty

6. The \$38,462 energy industry penalty is payable by **3 July 2025**.
7. Pacific Blue may pay the penalty amount by electronic funds transfer to the following account:

[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]



8. Please notify the commission via email at enforcement@esc.vic.gov.au, once payment has been made.

What can Pacific Blue do in response to this penalty notice?

- 9. Pacific Blue can choose whether or not to pay the penalty specified in this notice.
- 10. If Pacific Blue pays the amount of the energy industry penalty before the end of the time specified in this penalty notice, the commission will not commence, as appropriate, either a proceeding against Pacific Blue for a contravention order in relation to the alleged contravention or a criminal proceeding for an offence constituted by conduct that is substantially the same as the conduct that constitutes the alleged contravention. If Pacific Blue does not pay the penalty within this time, the commission may take such action.
- 11. Pacific Blue is entitled to disregard this penalty notice and to defend any proceedings relating to the alleged contravention.

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Gerard Brody
Chairperson
Essential Services Commission

Schedule 1

Details of the conduct and alleged contravention

1. Clause 80(1) of the Energy Retail Code of Practice (Versions 1–3) (**ERCOP**) was a civil penalty requirement from 3 March 2022, pursuant to Schedule 1 of the ERCOP.
2. Clause 80(1) of the ERCOP provided that:

Where a distributor makes a payment required to be made by clause 14 of the Electricity Distribution Code via the retailer, the retailer must apply the payment to the small customer's account within 10 business days.

3. In accordance with section 54S(1) of the Act, the commission has reason to believe that:
 - a) Pacific Blue holds (and held at all material times) an electricity retail licence issued by the commission pursuant to the *Electricity Industry Act 2001* (Vic) and is a regulated entity operating in a regulated industry within the meaning of the Act.
 - b) On 13 December 2023, a distributor made a payment required to be made by clause 14 of the Electricity Distribution Code via Pacific Blue, however, Pacific Blue failed to apply the payment to the below small customer's account within 10 business days:

[REDACTED]

[REDACTED]

As a result, the commission alleges that Pacific Blue contravened 80(1) of the ERCOP. Pacific Blue's conduct therefore constitutes a contravention of a civil penalty requirement within the meaning of that term provided in section 3 of the Act.

4. The amount of the penalty for this civil penalty requirement during this period was \$38,462 (200 penalty units),¹ as provided by section 54T(2) of the Act.

¹ As at the date of the alleged contravention the value of a penalty unit was \$192.31 (Victorian Government Gazette, S256 dated 23 May 2023).

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10. If Pacific Blue pays the amount of the energy industry penalty before the end of the time specified in this penalty notice, the commission will not commence, as appropriate, either a proceeding against Pacific Blue for a contravention order in relation to the alleged contravention or a criminal proceeding for an offence constituted by conduct that is substantially the same as the conduct that constitutes the alleged contravention. If Pacific Blue does not pay the penalty within this time, the commission may take such action.
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 - a) Pacific Blue holds (and held at all material times) an electricity retail licence issued by the commission pursuant to the *Electricity Industry Act 2001* (Vic) and is a regulated entity operating in a regulated industry within the meaning of the Act.
 - b) On 14 September 2023, a distributor made a payment required to be made by clause 14 of the Electricity Distribution Code via Pacific Blue, however, Pacific Blue failed to apply the payment to the below small customer's account within 10 business days:

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As a result, the commission alleges that Pacific Blue contravened 80(1) of the ERCOP. Pacific Blue's conduct therefore constitutes a contravention of a civil penalty requirement within the meaning of that term provided in section 3 of the Act.

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What can Pacific Blue do in response to this penalty notice?

9. Pacific Blue can choose whether or not to pay the penalty specified in this notice.
10. If Pacific Blue pays the amount of the energy industry penalty before the end of the time specified in this penalty notice, the commission will not commence, as appropriate, either a proceeding against Pacific Blue for a contravention order in relation to the alleged contravention or a criminal proceeding for an offence constituted by conduct that is substantially the same as the conduct that constitutes the alleged contravention. If Pacific Blue does not pay the penalty within this time, the commission may take such action.
11. Pacific Blue is entitled to disregard this penalty notice and to defend any proceedings relating to the alleged contravention.

.....

Gerard Brody
Chairperson
Essential Services Commission

Schedule 1

Details of the conduct and alleged contravention

1. Clause 80(1) of the Energy Retail Code of Practice (Versions 1–3) (**ERCOP**) was a civil penalty requirement from 3 March 2022, pursuant to Schedule 1 of the ERCOP.
2. Clause 80(1) of the ERCOP provided that:

Where a distributor makes a payment required to be made by clause 14 of the Electricity Distribution Code via the retailer, the retailer must apply the payment to the small customer's account within 10 business days.

3. In accordance with section 54S(1) of the Act, the commission has reason to believe that:
 - a) Pacific Blue holds (and held at all material times) an electricity retail licence issued by the commission pursuant to the *Electricity Industry Act 2001* (Vic) and is a regulated entity operating in a regulated industry within the meaning of the Act.
 - b) On 14 March 2024, a distributor made a payment required to be made by clause 14 of the Electricity Distribution Code via Pacific Blue, however, Pacific Blue failed to apply the payment to the below small customer's account within 10 business days:

[REDACTED]

[REDACTED]

As a result, the commission alleges that Pacific Blue contravened 80(1) of the ERCOP. Pacific Blue's conduct therefore constitutes a contravention of a civil penalty requirement within the meaning of that term provided in section 3 of the Act.

4. The amount of the penalty for this civil penalty requirement during this period was \$38,462 (200 penalty units),¹ as provided by section 54T(2) of the Act.

¹ As at the date of the alleged contravention the value of a penalty unit was \$192.31 (Victorian Government Gazette, S256 dated 23 May 2023).

Penalty Notice

Essential Services Commission Act 2001 (Vic), section 54S

Pacific Blue Retail Pty Ltd
Level 13, 700 Collins Street
Docklands, VIC, 3008

Penalty notice number: PN(E) 177-2025

1. This notice is dated 29 May 2025.
2. The Essential Services Commission (**the commission**) alleges that the regulated entity Pacific Blue Retail Pty Ltd (ACN 155 908 839) (**Pacific Blue**) has contravened a civil penalty requirement within the meaning of that term provided in section 3 of the *Essential Services Commission Act 2001 (Vic)* (**the Act**).
3. On 21 May 2025, the commission determined that it has a reason to believe that Pacific Blue is a regulated entity that has contravened a civil penalty requirement, in accordance with section 54S(1) of the Act.
4. The nature, and a brief description of the alleged contravention, are detailed in Schedule 1 to this penalty notice.
5. The amount of the penalty is \$38,462 as provided by section 54T(2) of the Act.

How to pay the penalty

6. The \$38,462 energy industry penalty is payable by **3 July 2025**.
7. Pacific Blue may pay the penalty amount by electronic funds transfer to the following account:

[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]



8. Please notify the commission via email at enforcement@esc.vic.gov.au, once payment has been made.

What can Pacific Blue do in response to this penalty notice?

9. Pacific Blue can choose whether or not to pay the penalty specified in this notice.
10. If Pacific Blue pays the amount of the energy industry penalty before the end of the time specified in this penalty notice, the commission will not commence, as appropriate, either a proceeding against Pacific Blue for a contravention order in relation to the alleged contravention or a criminal proceeding for an offence constituted by conduct that is substantially the same as the conduct that constitutes the alleged contravention. If Pacific Blue does not pay the penalty within this time, the commission may take such action.
11. Pacific Blue is entitled to disregard this penalty notice and to defend any proceedings relating to the alleged contravention.

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Gerard Brody
Chairperson
Essential Services Commission

Schedule 1

Details of the conduct and alleged contravention

1. Clause 80(1) of the Energy Retail Code of Practice (Versions 1–3) (**ERCOP**) was a civil penalty requirement from 3 March 2022, pursuant to Schedule 1 of the ERCOP.
2. Clause 80(1) of the ERCOP provided that:

Where a distributor makes a payment required to be made by clause 14 of the Electricity Distribution Code via the retailer, the retailer must apply the payment to the small customer's account within 10 business days.

3. In accordance with section 54S(1) of the Act, the commission has reason to believe that:
 - a) Pacific Blue holds (and held at all material times) an electricity retail licence issued by the commission pursuant to the *Electricity Industry Act 2001* (Vic) and is a regulated entity operating in a regulated industry within the meaning of the Act.
 - b) On 13 May 2024, a distributor made a payment required to be made by clause 14 of the Electricity Distribution Code via Pacific Blue, however, Pacific Blue failed to apply the payment to the below small customer's account within 10 business days:

[REDACTED]

[REDACTED]

As a result, the commission alleges that Pacific Blue contravened 80(1) of the ERCOP. Pacific Blue's conduct therefore constitutes a contravention of a civil penalty requirement within the meaning of that term provided in section 3 of the Act.

4. The amount of the penalty for this civil penalty requirement during this period was \$38,462 (200 penalty units),¹ as provided by section 54T(2) of the Act.

¹ As at the date of the alleged contravention the value of a penalty unit was \$192.31 (Victorian Government Gazette, S256 dated 23 May 2023).

Penalty Notice

Essential Services Commission Act 2001 (Vic), section 54S

Pacific Blue Retail Pty Ltd
Level 13, 700 Collins Street
Docklands, VIC, 3008

Penalty notice number: PN(E) 178-2025

1. This notice is dated 29 May 2025.
2. The Essential Services Commission (**the commission**) alleges that the regulated entity Pacific Blue Retail Pty Ltd (ACN 155 908 839) (**Pacific Blue**) has contravened a civil penalty requirement within the meaning of that term provided in section 3 of the *Essential Services Commission Act 2001 (Vic)* (**the Act**).
3. On 21 May 2025, the commission determined that it has a reason to believe that Pacific Blue is a regulated entity that has contravened a civil penalty requirement, in accordance with section 54S(1) of the Act.
4. The nature, and a brief description of the alleged contravention, are detailed in Schedule 1 to this penalty notice.
5. The amount of the penalty is \$38,462 as provided by section 54T(2) of the Act.

How to pay the penalty

6. The \$38,462 energy industry penalty is payable by **3 July 2025**.
7. Pacific Blue may pay the penalty amount by electronic funds transfer to the following account:

[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]



8. Please notify the commission via email at enforcement@esc.vic.gov.au, once payment has been made.

What can Pacific Blue do in response to this penalty notice?

9. Pacific Blue can choose whether or not to pay the penalty specified in this notice.
10. If Pacific Blue pays the amount of the energy industry penalty before the end of the time specified in this penalty notice, the commission will not commence, as appropriate, either a proceeding against Pacific Blue for a contravention order in relation to the alleged contravention or a criminal proceeding for an offence constituted by conduct that is substantially the same as the conduct that constitutes the alleged contravention. If Pacific Blue does not pay the penalty within this time, the commission may take such action.
11. Pacific Blue is entitled to disregard this penalty notice and to defend any proceedings relating to the alleged contravention.

.....

Gerard Brody
Chairperson
Essential Services Commission

Schedule 1

Details of the conduct and alleged contravention

1. Clause 80(1) of the Energy Retail Code of Practice (Versions 1–3) (**ERCOP**) was a civil penalty requirement from 3 March 2022, pursuant to Schedule 1 of the ERCOP.
2. Clause 80(1) of the ERCOP provided that:

Where a distributor makes a payment required to be made by clause 14 of the Electricity Distribution Code via the retailer, the retailer must apply the payment to the small customer's account within 10 business days.

3. In accordance with section 54S(1) of the Act, the commission has reason to believe that:
 - a) Pacific Blue holds (and held at all material times) an electricity retail licence issued by the commission pursuant to the *Electricity Industry Act 2001* (Vic) and is a regulated entity operating in a regulated industry within the meaning of the Act.
 - b) On 13 May 2024, a distributor made a payment required to be made by clause 14 of the Electricity Distribution Code via Pacific Blue, however, Pacific Blue failed to apply the payment to the below small customer's account within 10 business days:

[REDACTED]

[REDACTED]

As a result, the commission alleges that Pacific Blue contravened 80(1) of the ERCOP. Pacific Blue's conduct therefore constitutes a contravention of a civil penalty requirement within the meaning of that term provided in section 3 of the Act.

4. The amount of the penalty for this civil penalty requirement during this period was \$38,462 (200 penalty units),¹ as provided by section 54T(2) of the Act.

¹ As at the date of the alleged contravention the value of a penalty unit was \$192.31 (Victorian Government Gazette, S256 dated 23 May 2023).

Penalty Notice

Essential Services Commission Act 2001 (Vic), section 54S

Pacific Blue Retail Pty Ltd
Level 13, 700 Collins Street
Docklands, VIC, 3008

Penalty notice number: PN(E) 179-2025

1. This notice is dated 29 May 2025.
2. The Essential Services Commission (**the commission**) alleges that the regulated entity Pacific Blue Retail Pty Ltd (ACN 155 908 839) (**Pacific Blue**) has contravened a civil penalty requirement within the meaning of that term provided in section 3 of the *Essential Services Commission Act 2001 (Vic)* (**the Act**).
3. On 21 May 2025, the commission determined that it has a reason to believe that Pacific Blue is a regulated entity that has contravened a civil penalty requirement, in accordance with section 54S(1) of the Act.
4. The nature, and a brief description of the alleged contravention, are detailed in Schedule 1 to this penalty notice.
5. The amount of the penalty is \$38,462 as provided by section 54T(2) of the Act.

How to pay the penalty

6. The \$38,462 energy industry penalty is payable by **3 July 2025**.
7. Pacific Blue may pay the penalty amount by electronic funds transfer to the following account:

[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]



8. Please notify the commission via email at enforcement@esc.vic.gov.au, once payment has been made.

What can Pacific Blue do in response to this penalty notice?

9. Pacific Blue can choose whether or not to pay the penalty specified in this notice.
10. If Pacific Blue pays the amount of the energy industry penalty before the end of the time specified in this penalty notice, the commission will not commence, as appropriate, either a proceeding against Pacific Blue for a contravention order in relation to the alleged contravention or a criminal proceeding for an offence constituted by conduct that is substantially the same as the conduct that constitutes the alleged contravention. If Pacific Blue does not pay the penalty within this time, the commission may take such action.
11. Pacific Blue is entitled to disregard this penalty notice and to defend any proceedings relating to the alleged contravention.

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Gerard Brody
Chairperson
Essential Services Commission

Schedule 1

Details of the conduct and alleged contravention

1. Clause 80(1) of the Energy Retail Code of Practice (Versions 1–3) (**ERCOP**) was a civil penalty requirement from 3 March 2022, pursuant to Schedule 1 of the ERCOP.
2. Clause 80(1) of the ERCOP provided that:

Where a distributor makes a payment required to be made by clause 14 of the Electricity Distribution Code via the retailer, the retailer must apply the payment to the small customer's account within 10 business days.

3. In accordance with section 54S(1) of the Act, the commission has reason to believe that:
 - a) Pacific Blue holds (and held at all material times) an electricity retail licence issued by the commission pursuant to the *Electricity Industry Act 2001* (Vic) and is a regulated entity operating in a regulated industry within the meaning of the Act.
 - b) On 14 March 2024, a distributor made a payment required to be made by clause 14 of the Electricity Distribution Code via Pacific Blue, however, Pacific Blue failed to apply the payment to the below small customer's account within 10 business days:

[REDACTED]

[REDACTED]

As a result, the commission alleges that Pacific Blue contravened 80(1) of the ERCOP. Pacific Blue's conduct therefore constitutes a contravention of a civil penalty requirement within the meaning of that term provided in section 3 of the Act.

4. The amount of the penalty for this civil penalty requirement during this period was \$38,462 (200 penalty units),¹ as provided by section 54T(2) of the Act.

¹ As at the date of the alleged contravention the value of a penalty unit was \$192.31 (Victorian Government Gazette, S256 dated 23 May 2023).

Penalty Notice

Essential Services Commission Act 2001 (Vic), section 54S

Pacific Blue Retail Pty Ltd
Level 13, 700 Collins Street
Docklands, VIC, 3008

Penalty notice number: PN(E) 180-2025

1. This notice is dated 29 May 2025.
2. The Essential Services Commission (**the commission**) alleges that the regulated entity Pacific Blue Retail Pty Ltd (ACN 155 908 839) (**Pacific Blue**) has contravened a civil penalty requirement within the meaning of that term provided in section 3 of the *Essential Services Commission Act 2001 (Vic)* (**the Act**).
3. On 21 May 2025, the commission determined that it has a reason to believe that Pacific Blue is a regulated entity that has contravened a civil penalty requirement, in accordance with section 54S(1) of the Act.
4. The nature, and a brief description of the alleged contravention, are detailed in Schedule 1 to this penalty notice.
5. The amount of the penalty is \$38,462 as provided by section 54T(2) of the Act.

How to pay the penalty

6. The \$38,462 energy industry penalty is payable by **3 July 2025**.
7. Pacific Blue may pay the penalty amount by electronic funds transfer to the following account:

[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]



8. Please notify the commission via email at enforcement@esc.vic.gov.au, once payment has been made.

What can Pacific Blue do in response to this penalty notice?

9. Pacific Blue can choose whether or not to pay the penalty specified in this notice.
10. If Pacific Blue pays the amount of the energy industry penalty before the end of the time specified in this penalty notice, the commission will not commence, as appropriate, either a proceeding against Pacific Blue for a contravention order in relation to the alleged contravention or a criminal proceeding for an offence constituted by conduct that is substantially the same as the conduct that constitutes the alleged contravention. If Pacific Blue does not pay the penalty within this time, the commission may take such action.
11. Pacific Blue is entitled to disregard this penalty notice and to defend any proceedings relating to the alleged contravention.

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Gerard Brody
Chairperson
Essential Services Commission

Schedule 1

Details of the conduct and alleged contravention

1. Clause 80(1) of the Energy Retail Code of Practice (Versions 1–3) (**ERCOP**) was a civil penalty requirement from 3 March 2022, pursuant to Schedule 1 of the ERCOP.
2. Clause 80(1) of the ERCOP provided that:

Where a distributor makes a payment required to be made by clause 14 of the Electricity Distribution Code via the retailer, the retailer must apply the payment to the small customer's account within 10 business days.

3. In accordance with section 54S(1) of the Act, the commission has reason to believe that:
 - a) Pacific Blue holds (and held at all material times) an electricity retail licence issued by the commission pursuant to the *Electricity Industry Act 2001* (Vic) and is a regulated entity operating in a regulated industry within the meaning of the Act.
 - b) On 13 March 2024, a distributor made a payment required to be made by clause 14 of the Electricity Distribution Code via Pacific Blue, however, Pacific Blue failed to apply the payment to the below small customer's account within 10 business days:

[REDACTED]

[REDACTED]

As a result, the commission alleges that Pacific Blue contravened 80(1) of the ERCOP. Pacific Blue's conduct therefore constitutes a contravention of a civil penalty requirement within the meaning of that term provided in section 3 of the Act.

4. The amount of the penalty for this civil penalty requirement during this period was \$38,462 (200 penalty units),¹ as provided by section 54T(2) of the Act.

¹ As at the date of the alleged contravention the value of a penalty unit was \$192.31 (Victorian Government Gazette, S256 dated 23 May 2023).

Penalty Notice

Essential Services Commission Act 2001 (Vic), section 54S

Pacific Blue Retail Pty Ltd
Level 13, 700 Collins Street
Docklands, VIC, 3008

Penalty notice number: PN(E) 181-2025

1. This notice is dated 29 May 2025.
2. The Essential Services Commission (**the commission**) alleges that the regulated entity Pacific Blue Retail Pty Ltd (ACN 155 908 839) (**Pacific Blue**) has contravened a civil penalty requirement within the meaning of that term provided in section 3 of the *Essential Services Commission Act 2001 (Vic)* (**the Act**).
3. On 21 May 2025, the commission determined that it has a reason to believe that Pacific Blue is a regulated entity that has contravened a civil penalty requirement, in accordance with section 54S(1) of the Act.
4. The nature, and a brief description of the alleged contravention, are detailed in Schedule 1 to this penalty notice.
5. The amount of the penalty is \$38,462 as provided by section 54T(2) of the Act.

How to pay the penalty

6. The \$38,462 energy industry penalty is payable by **3 July 2025**.
7. Pacific Blue may pay the penalty amount by electronic funds transfer to the following account:

[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]



8. Please notify the commission via email at enforcement@esc.vic.gov.au, once payment has been made.

What can Pacific Blue do in response to this penalty notice?

9. Pacific Blue can choose whether or not to pay the penalty specified in this notice.
10. If Pacific Blue pays the amount of the energy industry penalty before the end of the time specified in this penalty notice, the commission will not commence, as appropriate, either a proceeding against Pacific Blue for a contravention order in relation to the alleged contravention or a criminal proceeding for an offence constituted by conduct that is substantially the same as the conduct that constitutes the alleged contravention. If Pacific Blue does not pay the penalty within this time, the commission may take such action.
11. Pacific Blue is entitled to disregard this penalty notice and to defend any proceedings relating to the alleged contravention.

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Gerard Brody
Chairperson
Essential Services Commission

Schedule 1

Details of the conduct and alleged contravention

1. Clause 80(1) of the Energy Retail Code of Practice (Versions 1–3) (**ERCOP**) was a civil penalty requirement from 3 March 2022, pursuant to Schedule 1 of the ERCOP.
2. Clause 80(1) of the ERCOP provided that:

Where a distributor makes a payment required to be made by clause 14 of the Electricity Distribution Code via the retailer, the retailer must apply the payment to the small customer's account within 10 business days.

3. In accordance with section 54S(1) of the Act, the commission has reason to believe that:
 - a) Pacific Blue holds (and held at all material times) an electricity retail licence issued by the commission pursuant to the *Electricity Industry Act 2001* (Vic) and is a regulated entity operating in a regulated industry within the meaning of the Act.
 - b) On 13 March 2024, a distributor made a payment required to be made by clause 14 of the Electricity Distribution Code via Pacific Blue, however, Pacific Blue failed to apply the payment to the below small customer's account within 10 business days:

[REDACTED]

[REDACTED]

As a result, the commission alleges that Pacific Blue contravened 80(1) of the ERCOP. Pacific Blue's conduct therefore constitutes a contravention of a civil penalty requirement within the meaning of that term provided in section 3 of the Act.

4. The amount of the penalty for this civil penalty requirement during this period was \$38,462 (200 penalty units),¹ as provided by section 54T(2) of the Act.

¹ As at the date of the alleged contravention the value of a penalty unit was \$192.31 (Victorian Government Gazette, S256 dated 23 May 2023).

Penalty Notice

Essential Services Commission Act 2001 (Vic), section 54S

Pacific Blue Retail Pty Ltd
Level 13, 700 Collins Street
Docklands, VIC, 3008

Penalty notice number: PN(E) 182-2025

1. This notice is dated 29 May 2025.
2. The Essential Services Commission (**the commission**) alleges that the regulated entity Pacific Blue Retail Pty Ltd (ACN 155 908 839) (**Pacific Blue**) has contravened a civil penalty requirement within the meaning of that term provided in section 3 of the *Essential Services Commission Act 2001 (Vic)* (**the Act**).
3. On 21 May 2025, the commission determined that it has a reason to believe that Pacific Blue is a regulated entity that has contravened a civil penalty requirement, in accordance with section 54S(1) of the Act.
4. The nature, and a brief description of the alleged contravention, are detailed in Schedule 1 to this penalty notice.
5. The amount of the penalty is \$38,462 as provided by section 54T(2) of the Act.

How to pay the penalty

6. The \$38,462 energy industry penalty is payable by **3 July 2025**.
7. Pacific Blue may pay the penalty amount by electronic funds transfer to the following account:

[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]



8. Please notify the commission via email at enforcement@esc.vic.gov.au, once payment has been made.

What can Pacific Blue do in response to this penalty notice?

9. Pacific Blue can choose whether or not to pay the penalty specified in this notice.
10. If Pacific Blue pays the amount of the energy industry penalty before the end of the time specified in this penalty notice, the commission will not commence, as appropriate, either a proceeding against Pacific Blue for a contravention order in relation to the alleged contravention or a criminal proceeding for an offence constituted by conduct that is substantially the same as the conduct that constitutes the alleged contravention. If Pacific Blue does not pay the penalty within this time, the commission may take such action.
11. Pacific Blue is entitled to disregard this penalty notice and to defend any proceedings relating to the alleged contravention.

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Gerard Brody
Chairperson
Essential Services Commission

Schedule 1

Details of the conduct and alleged contravention

1. Clause 80(1) of the Energy Retail Code of Practice (Versions 1–3) (**ERCOP**) was a civil penalty requirement from 3 March 2022, pursuant to Schedule 1 of the ERCOP.
2. Clause 80(1) of the ERCOP provided that:

Where a distributor makes a payment required to be made by clause 14 of the Electricity Distribution Code via the retailer, the retailer must apply the payment to the small customer's account within 10 business days.

3. In accordance with section 54S(1) of the Act, the commission has reason to believe that:
 - a) Pacific Blue holds (and held at all material times) an electricity retail licence issued by the commission pursuant to the *Electricity Industry Act 2001* (Vic) and is a regulated entity operating in a regulated industry within the meaning of the Act.
 - b) On 14 March 2024, a distributor made a payment required to be made by clause 14 of the Electricity Distribution Code via Pacific Blue, however, Pacific Blue failed to apply the payment to the below small customer's account within 10 business days:

[REDACTED]

[REDACTED]

As a result, the commission alleges that Pacific Blue contravened 80(1) of the ERCOP. Pacific Blue's conduct therefore constitutes a contravention of a civil penalty requirement within the meaning of that term provided in section 3 of the Act.

4. The amount of the penalty for this civil penalty requirement during this period was \$38,462 (200 penalty units),¹ as provided by section 54T(2) of the Act.

¹ As at the date of the alleged contravention the value of a penalty unit was \$192.31 (Victorian Government Gazette, S256 dated 23 May 2023).

Penalty Notice

Essential Services Commission Act 2001 (Vic), section 54S

Pacific Blue Retail Pty Ltd
Level 13, 700 Collins Street
Docklands, VIC, 3008

Penalty notice number: PN(E) 183-2025

1. This notice is dated 29 May 2025.
2. The Essential Services Commission (**the commission**) alleges that the regulated entity Pacific Blue Retail Pty Ltd (ACN 155 908 839) (**Pacific Blue**) has contravened a civil penalty requirement within the meaning of that term provided in section 3 of the *Essential Services Commission Act 2001 (Vic)* (**the Act**).
3. On 21 May 2025, the commission determined that it has a reason to believe that Pacific Blue is a regulated entity that has contravened a civil penalty requirement, in accordance with section 54S(1) of the Act.
4. The nature, and a brief description of the alleged contravention, are detailed in Schedule 1 to this penalty notice.
5. The amount of the penalty is \$38,462 as provided by section 54T(2) of the Act.

How to pay the penalty

6. The \$38,462 energy industry penalty is payable by **3 July 2025**.
7. Pacific Blue may pay the penalty amount by electronic funds transfer to the following account:

[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]



8. Please notify the commission via email at enforcement@esc.vic.gov.au, once payment has been made.

What can Pacific Blue do in response to this penalty notice?

9. Pacific Blue can choose whether or not to pay the penalty specified in this notice.
10. If Pacific Blue pays the amount of the energy industry penalty before the end of the time specified in this penalty notice, the commission will not commence, as appropriate, either a proceeding against Pacific Blue for a contravention order in relation to the alleged contravention or a criminal proceeding for an offence constituted by conduct that is substantially the same as the conduct that constitutes the alleged contravention. If Pacific Blue does not pay the penalty within this time, the commission may take such action.
11. Pacific Blue is entitled to disregard this penalty notice and to defend any proceedings relating to the alleged contravention.

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Gerard Brody
Chairperson
Essential Services Commission

Schedule 1

Details of the conduct and alleged contravention

1. Clause 80(1) of the Energy Retail Code of Practice (Versions 1–3) (**ERCOP**) was a civil penalty requirement from 3 March 2022, pursuant to Schedule 1 of the ERCOP.
2. Clause 80(1) of the ERCOP provided that:

Where a distributor makes a payment required to be made by clause 14 of the Electricity Distribution Code via the retailer, the retailer must apply the payment to the small customer's account within 10 business days.

3. In accordance with section 54S(1) of the Act, the commission has reason to believe that:
 - a) Pacific Blue holds (and held at all material times) an electricity retail licence issued by the commission pursuant to the *Electricity Industry Act 2001* (Vic) and is a regulated entity operating in a regulated industry within the meaning of the Act.
 - b) On 14 March 2024, a distributor made a payment required to be made by clause 14 of the Electricity Distribution Code via Pacific Blue, however, Pacific Blue failed to apply the payment to the below small customer's account within 10 business days:

[REDACTED]

[REDACTED]

As a result, the commission alleges that Pacific Blue contravened 80(1) of the ERCOP. Pacific Blue's conduct therefore constitutes a contravention of a civil penalty requirement within the meaning of that term provided in section 3 of the Act.

4. The amount of the penalty for this civil penalty requirement during this period was \$38,462 (200 penalty units),¹ as provided by section 54T(2) of the Act.

¹ As at the date of the alleged contravention the value of a penalty unit was \$192.31 (Victorian Government Gazette, S256 dated 23 May 2023).

Penalty Notice

Essential Services Commission Act 2001 (Vic), section 54S

Pacific Blue Retail Pty Ltd
Level 13, 700 Collins Street
Docklands, VIC, 3008

Penalty notice number: PN(E) 184-2025

1. This notice is dated 29 May 2025.
2. The Essential Services Commission (**the commission**) alleges that the regulated entity Pacific Blue Retail Pty Ltd (ACN 155 908 839) (**Pacific Blue**) has contravened a civil penalty requirement within the meaning of that term provided in section 3 of the *Essential Services Commission Act 2001 (Vic)* (**the Act**).
3. On 21 May 2025, the commission determined that it has a reason to believe that Pacific Blue is a regulated entity that has contravened a civil penalty requirement, in accordance with section 54S(1) of the Act.
4. The nature, and a brief description of the alleged contravention, are detailed in Schedule 1 to this penalty notice.
5. The amount of the penalty is \$38,462 as provided by section 54T(2) of the Act.

How to pay the penalty

6. The \$38,462 energy industry penalty is payable by **3 July 2025**.
7. Pacific Blue may pay the penalty amount by electronic funds transfer to the following account:

[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]



8. Please notify the commission via email at enforcement@esc.vic.gov.au, once payment has been made.

What can Pacific Blue do in response to this penalty notice?

9. Pacific Blue can choose whether or not to pay the penalty specified in this notice.
10. If Pacific Blue pays the amount of the energy industry penalty before the end of the time specified in this penalty notice, the commission will not commence, as appropriate, either a proceeding against Pacific Blue for a contravention order in relation to the alleged contravention or a criminal proceeding for an offence constituted by conduct that is substantially the same as the conduct that constitutes the alleged contravention. If Pacific Blue does not pay the penalty within this time, the commission may take such action.
11. Pacific Blue is entitled to disregard this penalty notice and to defend any proceedings relating to the alleged contravention.

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Gerard Brody
Chairperson
Essential Services Commission

Schedule 1

Details of the conduct and alleged contravention

1. Clause 80(1) of the Energy Retail Code of Practice (Versions 1–3) (**ERCOP**) was a civil penalty requirement from 3 March 2022, pursuant to Schedule 1 of the ERCOP.
2. Clause 80(1) of the ERCOP provided that:

Where a distributor makes a payment required to be made by clause 14 of the Electricity Distribution Code via the retailer, the retailer must apply the payment to the small customer's account within 10 business days.

3. In accordance with section 54S(1) of the Act, the commission has reason to believe that:
 - a) Pacific Blue holds (and held at all material times) an electricity retail licence issued by the commission pursuant to the *Electricity Industry Act 2001* (Vic) and is a regulated entity operating in a regulated industry within the meaning of the Act.
 - b) On 13 March 2024, a distributor made a payment required to be made by clause 14 of the Electricity Distribution Code via Pacific Blue, however, Pacific Blue failed to apply the payment to the below small customer's account within 10 business days:

[REDACTED]

[REDACTED]

As a result, the commission alleges that Pacific Blue contravened 80(1) of the ERCOP. Pacific Blue's conduct therefore constitutes a contravention of a civil penalty requirement within the meaning of that term provided in section 3 of the Act.

4. The amount of the penalty for this civil penalty requirement during this period was \$38,462 (200 penalty units),¹ as provided by section 54T(2) of the Act.

¹ As at the date of the alleged contravention the value of a penalty unit was \$192.31 (Victorian Government Gazette, S256 dated 23 May 2023).

Penalty Notice

Essential Services Commission Act 2001 (Vic), section 54S

Pacific Blue Retail Pty Ltd
Level 13, 700 Collins Street
Docklands, VIC, 3008

Penalty notice number: PN(E) 185-2025

1. This notice is dated 29 May 2025.
2. The Essential Services Commission (**the commission**) alleges that the regulated entity Pacific Blue Retail Pty Ltd (ACN 155 908 839) (**Pacific Blue**) has contravened a civil penalty requirement within the meaning of that term provided in section 3 of the *Essential Services Commission Act 2001 (Vic)* (**the Act**).
3. On 21 May 2025, the commission determined that it has a reason to believe that Pacific Blue is a regulated entity that has contravened a civil penalty requirement, in accordance with section 54S(1) of the Act.
4. The nature, and a brief description of the alleged contravention, are detailed in Schedule 1 to this penalty notice.
5. The amount of the penalty is \$38,462 as provided by section 54T(2) of the Act.

How to pay the penalty

6. The \$38,462 energy industry penalty is payable by **3 July 2025**.
7. Pacific Blue may pay the penalty amount by electronic funds transfer to the following account:

[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]



8. Please notify the commission via email at enforcement@esc.vic.gov.au, once payment has been made.

What can Pacific Blue do in response to this penalty notice?

9. Pacific Blue can choose whether or not to pay the penalty specified in this notice.
10. If Pacific Blue pays the amount of the energy industry penalty before the end of the time specified in this penalty notice, the commission will not commence, as appropriate, either a proceeding against Pacific Blue for a contravention order in relation to the alleged contravention or a criminal proceeding for an offence constituted by conduct that is substantially the same as the conduct that constitutes the alleged contravention. If Pacific Blue does not pay the penalty within this time, the commission may take such action.
11. Pacific Blue is entitled to disregard this penalty notice and to defend any proceedings relating to the alleged contravention.

.....

Gerard Brody
Chairperson
Essential Services Commission

Schedule 1

Details of the conduct and alleged contravention

1. Clause 80(1) of the Energy Retail Code of Practice (Versions 1–3) (**ERCOP**) was a civil penalty requirement from 3 March 2022, pursuant to Schedule 1 of the ERCOP.
2. Clause 80(1) of the ERCOP provided that:

Where a distributor makes a payment required to be made by clause 14 of the Electricity Distribution Code via the retailer, the retailer must apply the payment to the small customer's account within 10 business days.

3. In accordance with section 54S(1) of the Act, the commission has reason to believe that:
 - a) Pacific Blue holds (and held at all material times) an electricity retail licence issued by the commission pursuant to the *Electricity Industry Act 2001* (Vic) and is a regulated entity operating in a regulated industry within the meaning of the Act.
 - b) On 13 December 2023, a distributor made a payment required to be made by clause 14 of the Electricity Distribution Code via Pacific Blue, however, Pacific Blue failed to apply the payment to the below small customer's account within 10 business days:

[REDACTED]

[REDACTED]

As a result, the commission alleges that Pacific Blue contravened 80(1) of the ERCOP. Pacific Blue's conduct therefore constitutes a contravention of a civil penalty requirement within the meaning of that term provided in section 3 of the Act.

4. The amount of the penalty for this civil penalty requirement during this period was \$38,462 (200 penalty units),¹ as provided by section 54T(2) of the Act.

¹ As at the date of the alleged contravention the value of a penalty unit was \$192.31 (Victorian Government Gazette, S256 dated 23 May 2023).

Penalty Notice

Essential Services Commission Act 2001 (Vic), section 54S

Pacific Blue Retail Pty Ltd
Level 13, 700 Collins Street
Docklands, VIC, 3008

Penalty notice number: PN(E) 186-2025

1. This notice is dated 29 May 2025.
2. The Essential Services Commission (**the commission**) alleges that the regulated entity Pacific Blue Retail Pty Ltd (ACN 155 908 839) (**Pacific Blue**) has contravened a civil penalty requirement within the meaning of that term provided in section 3 of the *Essential Services Commission Act 2001 (Vic)* (**the Act**).
3. On 21 May 2025, the commission determined that it has a reason to believe that Pacific Blue is a regulated entity that has contravened a civil penalty requirement, in accordance with section 54S(1) of the Act.
4. The nature, and a brief description of the alleged contravention, are detailed in Schedule 1 to this penalty notice.
5. The amount of the penalty is \$38,462 as provided by section 54T(2) of the Act.

How to pay the penalty

6. The \$38,462 energy industry penalty is payable by **3 July 2025**.
7. Pacific Blue may pay the penalty amount by electronic funds transfer to the following account:

[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]



8. Please notify the commission via email at enforcement@esc.vic.gov.au, once payment has been made.

What can Pacific Blue do in response to this penalty notice?

9. Pacific Blue can choose whether or not to pay the penalty specified in this notice.
10. If Pacific Blue pays the amount of the energy industry penalty before the end of the time specified in this penalty notice, the commission will not commence, as appropriate, either a proceeding against Pacific Blue for a contravention order in relation to the alleged contravention or a criminal proceeding for an offence constituted by conduct that is substantially the same as the conduct that constitutes the alleged contravention. If Pacific Blue does not pay the penalty within this time, the commission may take such action.
11. Pacific Blue is entitled to disregard this penalty notice and to defend any proceedings relating to the alleged contravention.

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Gerard Brody
Chairperson
Essential Services Commission

Schedule 1

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1. Clause 80(1) of the Energy Retail Code of Practice (Versions 1–3) (**ERCOP**) was a civil penalty requirement from 3 March 2022, pursuant to Schedule 1 of the ERCOP.
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3. In accordance with section 54S(1) of the Act, the commission has reason to believe that:
 - a) Pacific Blue holds (and held at all material times) an electricity retail licence issued by the commission pursuant to the *Electricity Industry Act 2001* (Vic) and is a regulated entity operating in a regulated industry within the meaning of the Act.
 - b) On 13 December 2023, a distributor made a payment required to be made by clause 14 of the Electricity Distribution Code via Pacific Blue, however, Pacific Blue failed to apply the payment to the below small customer's account within 10 business days:

[REDACTED]

[REDACTED]

As a result, the commission alleges that Pacific Blue contravened 80(1) of the ERCOP. Pacific Blue's conduct therefore constitutes a contravention of a civil penalty requirement within the meaning of that term provided in section 3 of the Act.

4. The amount of the penalty for this civil penalty requirement during this period was \$38,462 (200 penalty units),¹ as provided by section 54T(2) of the Act.

¹ As at the date of the alleged contravention the value of a penalty unit was \$192.31 (Victorian Government Gazette, S256 dated 23 May 2023).

Penalty Notice

Essential Services Commission Act 2001 (Vic), section 54S

Pacific Blue Retail Pty Ltd
Level 13, 700 Collins Street
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Penalty notice number: PN(E) 187-2025

1. This notice is dated 29 May 2025.
2. The Essential Services Commission (**the commission**) alleges that the regulated entity Pacific Blue Retail Pty Ltd (ACN 155 908 839) (**Pacific Blue**) has contravened a civil penalty requirement within the meaning of that term provided in section 3 of the *Essential Services Commission Act 2001 (Vic)* (**the Act**).
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4. The nature, and a brief description of the alleged contravention, are detailed in Schedule 1 to this penalty notice.
5. The amount of the penalty is \$38,462 as provided by section 54T(2) of the Act.

How to pay the penalty

6. The \$38,462 energy industry penalty is payable by **3 July 2025**.
7. Pacific Blue may pay the penalty amount by electronic funds transfer to the following account:

[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]



8. Please notify the commission via email at enforcement@esc.vic.gov.au, once payment has been made.

What can Pacific Blue do in response to this penalty notice?

9. Pacific Blue can choose whether or not to pay the penalty specified in this notice.
10. If Pacific Blue pays the amount of the energy industry penalty before the end of the time specified in this penalty notice, the commission will not commence, as appropriate, either a proceeding against Pacific Blue for a contravention order in relation to the alleged contravention or a criminal proceeding for an offence constituted by conduct that is substantially the same as the conduct that constitutes the alleged contravention. If Pacific Blue does not pay the penalty within this time, the commission may take such action.
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Gerard Brody
Chairperson
Essential Services Commission

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1. Clause 80(1) of the Energy Retail Code of Practice (Versions 1–3) (**ERCOP**) was a civil penalty requirement from 3 March 2022, pursuant to Schedule 1 of the ERCOP.
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[REDACTED]

[REDACTED]

As a result, the commission alleges that Pacific Blue contravened 80(1) of the ERCOP. Pacific Blue's conduct therefore constitutes a contravention of a civil penalty requirement within the meaning of that term provided in section 3 of the Act.

4. The amount of the penalty for this civil penalty requirement during this period was \$38,462 (200 penalty units),¹ as provided by section 54T(2) of the Act.

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Penalty Notice

Essential Services Commission Act 2001 (Vic), section 54S

Pacific Blue Retail Pty Ltd
Level 13, 700 Collins Street
Docklands, VIC, 3008

Penalty notice number: PN(E) 188-2025

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How to pay the penalty

6. The \$38,462 energy industry penalty is payable by **3 July 2025**.
7. Pacific Blue may pay the penalty amount by electronic funds transfer to the following account:

[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]



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Essential Services Commission

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[REDACTED]

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Penalty Notice

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Pacific Blue Retail Pty Ltd
Level 13, 700 Collins Street
Docklands, VIC, 3008

Penalty notice number: PN(E) 189-2025

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How to pay the penalty

6. The \$38,462 energy industry penalty is payable by **3 July 2025**.
7. Pacific Blue may pay the penalty amount by electronic funds transfer to the following account:

[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
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What can Pacific Blue do in response to this penalty notice?

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Penalty Notice

Essential Services Commission Act 2001 (Vic), section 54S

Pacific Blue Retail Pty Ltd
Level 13, 700 Collins Street
Docklands, VIC, 3008

Penalty notice number: PN(E) 190-2025

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[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]



8. Please notify the commission via email at enforcement@esc.vic.gov.au, once payment has been made.

What can Pacific Blue do in response to this penalty notice?

9. Pacific Blue can choose whether or not to pay the penalty specified in this notice.
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Chairperson
Essential Services Commission

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[REDACTED]

[REDACTED]

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Penalty Notice

Essential Services Commission Act 2001 (Vic), section 54S

Pacific Blue Retail Pty Ltd
Level 13, 700 Collins Street
Docklands, VIC, 3008

Penalty notice number: PN(E) 191-2025

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7. Pacific Blue may pay the penalty amount by electronic funds transfer to the following account:

[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
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8. Please notify the commission via email at enforcement@esc.vic.gov.au, once payment has been made.

What can Pacific Blue do in response to this penalty notice?

- 9. Pacific Blue can choose whether or not to pay the penalty specified in this notice.
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Penalty Notice

Essential Services Commission Act 2001 (Vic), section 54S

Pacific Blue Retail Pty Ltd
Level 13, 700 Collins Street
Docklands, VIC, 3008

Penalty notice number: PN(E) 192-2025

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[REDACTED]	[REDACTED]
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