

Gas retail licence

Real Utilities Pty Ltd (ACN 150 290 814)

As varied on 3 September 2025



Gas Retail Licence

This Licence is issued pursuant to section 26 of the *Gas Industry Act 2001* (Vic).

Date

This Licence was last varied on 3 September 2025.

Licensee

This Licence is issued to:

Real Utilities Pty Limited (ACN 150 290 814) (the Licensee)

Level 2, 1C Homebush Bay Drive

Rhodes NSW 2138

**THE COMMON SEAL of the
ESSENTIAL SERVICES COMMISSION**
was affixed pursuant to the authority
of the Commission 5 September 2025

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A handwritten signature in black ink, appearing to read 'Gerard Brody'.

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Gerard Brody

CHAIRPERSON

Part A - Interpretation

1 Definitions

1.1 Unless the contrary intention appears, a term has the meaning shown opposite it:

Act	the <i>Gas Industry Act 2000</i> (Vic)
AEMO	the Australian Energy Market Operator Limited (ACN 072 010 327)
Business Day	a day other than a Saturday, Sunday or a public holiday in Victoria
Code of Practice	means a Code of Practice made under Part 6 of the ESC Act or relevant legislation
Commission	the Essential Services Commission established under the ESC Act
Customer	A person to whom gas is sold for premises by a Retailer or who proposed to purchase gas for premises from a Retailer
Embedded Network	has the same meaning as in the Gas Embedded Networks General Exemption Order 2025
Embedded Network Operator	a person that owns, controls or operates an Embedded Network and that distributes and supplies gas within that Embedded Network. This is used to describe the type of site in which the Licensee is authorised to on-sell gas to customers.
Energy Retail Code of Practice	means the code of practice of that name made under Part 6 of the ESC Act
ESC Act	the <i>Essential Services Commission Act 2001</i> (Vic)
Exempt Distributor	has the same meaning as in the Energy Retail Code of Practice.
Exempt Person	has the same meaning as in the Energy Retail Code of Practice.
Licensee	Real Utilities Pty Ltd (ACN 150 290 814)
Minister	the person who is, from time to time, the Minister administering the Act
Objectives	the objectives of the Commission specified in section 18 of the Act and section 8 of the ESC Act

Residential Customer	has the same meaning as in the Energy Retail Code of Practice
Retail Licence	a licence, granted under the Act, authorising the holder thereof to sell gas
Retailer	a person who holds or is exempt from holding a Retail Licence
Standard Gas Licence Conditions for Gas Retail	the document of that name as published by the commission on 12 July 2022 (as varied from time to time in accordance with law)

1.2. In this Licence, unless the context otherwise requires:

- (a) headings and footnotes are each for convenience only and do not affect the interpretation of this Licence;
- (b) words importing the singular include the plural and vice versa;
- (c) words importing a gender include any gender;
- (d) an expression importing a natural person includes any company, partnership, trust, joint venture, association, corporation or other body corporate and any governmental agency;
- (e) a reference to a condition, clause, or part is to a condition, clause, or part of this Licence;
- (f) a reference to any statute including the Act and regulation, proclamation, Order in Council, ordinance, code, guideline, procedure or by-law includes all statutes, regulations, proclamations, Orders in Council, ordinances, codes, guidelines, procedures or by-laws varying, consolidating, re-enacting, extending or replacing them and a reference to a statute includes all regulations, proclamations, Orders in Council, ordinances, by-laws and determinations issued under that statute;
- (g) a reference to a document or a provision of a document includes an amendment or supplement to, or replacement or novation of, that document or that provision of that document;
- (h) a reference to a person includes that person's executors, administrators, successors, substitutes (including, without limitation, persons taking by novation) and permitted assigns;
- (i) other parts of speech and grammatical forms of a word or phrase defined in this Licence have a corresponding meaning;
- (j) a period of time:
 - (i) which dates from a given day or the day of an act or event is to be calculated exclusive of that day; or
 - (ii) which commences on a given day or the day of an act or event is to be calculated inclusive of that day;
- (k) an event which is required under this Licence to occur on or by a stipulated day which is not a Business Day may occur on or by the next Business Day.

2 Notices

2.1 A notice under this Licence is only effective if it is in writing, given in accordance with clause 2.2 and dealt with as follows:

- (a) if given by the Licensee to the Commission – addressed to the Chief Executive Officer of the Commission at the physical or email address specified below or as otherwise notified by the Commission:

Essential Services Commission
Level 8, 570 Bourke Street
Melbourne VIC 3000
licences@esc.vic.gov.au

- (b) if given by the Commission to the Licensee – given by the Chief Executive Officer of the Commission and addressed (and marked for attention of) the Chief Executive Officer of the Licensee at the physical or email address specified below or as otherwise notified by the Licensee:

Real Utilities Pty Limited
Level 2, 1C Homebush Bay Drive
Rhodes NSW 2138
Info@realutilities.com.au

2.2 A notice is to be:

- (a) signed by or on behalf of the person giving the notice and delivered by hand; or
- (b) signed by or on behalf of the person giving the notice and sent by pre-paid post; or
- (c) transmitted electronically by or on behalf of the person giving the notice by electronic mail.

2.3 A notice is deemed to be received:

- (a) if delivered by hand – upon delivery to the relevant address;
- (b) if sent by post, upon confirmation of delivery of the notice by the relevant delivery service, or in accordance with section 160(1) of the *Evidence Act 2008*, whichever is earlier;
- (c) if transmitted electronically – in accordance with the Electronic Transactions (Victoria) Act 2000 (Vic).

2.4 A notice received after 5.00pm, or on a day that is not a Business Day, is deemed to be effected on the next Business Day.

2.5 The Licensee must:

- (a) notify the Commission of any change to the Licensee's physical or email address for the service of notices pursuant to clause 2.1; and
- (b) specify in such notice the new physical email address and the effective date of the change, as soon as practicable and no less than five Business Days prior to the effective date specified in the notice.

Part B – Licence

3 Grant of the Licence

3.1 This Licence was first granted on 21 October 2020 and has been varied on the dates set out in Schedule 1 of the Licence.

3.2 Subject to clauses 3.3 and 9, in exercise of its powers under section 26 of the Act, the Commission grants the Licensee a licence to sell gas by retail on the terms and conditions set out in this Licence.

3.3 This Licence is subject to any prohibition set out in any Order in Council issued and in force under the Act.

4 Variation

4.1 The Commission may vary this Licence in accordance with section 38 of the Act.

5 Transfer

5.1 This Licence may be transferred in accordance with section 40 of the Act.

6 Revocation

6.1 The Commission may revoke this Licence in accordance with section 29 of the Act.

Procedures

6.2 For the purposes of section 29(3) of the Act, the Commission may revoke this Licence in accordance with the procedures of this clause 6.

6.3 If the Licensee notifies the Commission that it requests, or consents to, revocation of this Licence:

- (a) clauses 6.4 to 6.6 do not apply; and
- (b) the Commission may at any time revoke this Licence by issuing a notice to the Licensee that specifies the date upon which the revocation takes effect.

6.4 Where the Commission proposes to revoke this Licence, the Commission will issue a notice to the Licensee, specifying:

- (a) the basis upon which the Commission proposes to revoke the Licence;
- (b) the date upon which the revocation is proposed to take effect, such date to be no less than 20 Business Days after the date of the notice; and
- (c) that the Licensee has the opportunity to make submissions on the matter and the time and date by which, and manner in which, those submissions must be made.

6.5 Prior to making a decision to revoke the Licence, the Commission must consider any submissions made by the Licensee in accordance with a notice issued under clause 6.4.

6.6 Where the Commission decides to revoke this Licence, the Commission will issue a notice to the Licensee specifying:

- (a) the basis upon which the Commission is revoking the Licence; and
- (b) the date upon which the revocation takes effect, being no earlier than the date specified in the notice issued under clause 6.4.

6.7 If the Commission issues a notice under clause 6.3(b) or 6.6, this Licence will be revoked on the date specified in that notice.

Part C – Licence Conditions

7 Status of the requirements in this part

7.1 A failure by the Licensee to meet any of the requirements set out in this Part C is a breach of a civil penalty requirement for the purpose of the ESC Act.

8 Standard Gas Licence Conditions for Gas Retail

8.1 The Licensee must comply with the Standard Gas Licence Conditions for Gas Retail as may be varied from time to time in accordance with section 38 of the Act.

9 Special Licence Conditions

9.1 This licence authorises the Licensee to on-sell gas within an Embedded Network only.

9.2 This licence does not permit the Licensee to:

- (a) purchase or sell gas through the wholesale gas market; or
- (b) sell gas outside an Embedded Network.

9.3 The Licensee must comply with the requirements set out in the Schedule 2 – Embedded Network retail licence conditions.

Note: The conditions identified in Part C of this Licence are not an exhaustive list of a Licensee's obligations. A licensee is required to comply with additional obligations as set out in the Act and instruments made under that Act. In particular, obligations are placed on the Licensee in Codes of Practice, including the Energy Retail Code of Practice.

Schedule 1 – Variations to the Licence

Date	Variation
22 June 2022	Varied (with effect from 12 September 2022) to reflect the decision published by the Commission on 12 July 2022 following completion of the energy retail licence review.
3 September 2025	Varied to reflect the licence is ongoing, for consistency with other licences granted to on-sell electricity within an Embedded Network, and other minor administrative changes.

Schedule 2 – Embedded Network retail licence conditions

1. Compliance with laws and regulatory instruments

- 1.1 Without limiting the application of clause 6 of the Standard Gas Licence Conditions, where all or part of a law is restricted in its application to:
- (a) a retailer that is a financially responsible retailer; or
 - (b) a customer that is supplied gas from a connection point at which the gas last leaves a distribution system owned or operated by a licensed distributor,
- yet is capable of being applied with modification to the Licensee in the context of on-selling gas within an Embedded Network, the Licensee must comply with such law with only those modifications required to enable compliance in the context of on-selling gas within an Embedded Network.
- 1.2 For example, and without limitation, sections 42, 43, 46, 48A, 48C and Division 4AA – 48DC to 48DY of the Act and any associated Orders made under those sections apply in respect of the Licensee, and the Licensee must comply with those sections and associated Orders as if an Embedded Network customer was a 'relevant customer', 'specified customer' or a 'prescribed customer', and the Licensee was a 'specified retailer' or 'specified licensee' for the purposes of those sections and associated Orders.

2. Customer protections

- 2.1 The Licensee must comply with clause 74 of the Energy Retail Code of Practice as if it were an Exempt Person to which that clause applies.
- 2.2 The Licensee must not require a residential customer to provide a security deposit.
- 2.3 Within 5 Business Days after being advised by a customer that a life support resident resides, or is intending to reside, at the customer's premises, advise the Exempt Distributor that a life support resident resides, or is intending to reside, at the customer's premises.

- 2.4 Within one Business Day after receiving relevant information about the life support equipment requirements for the customer's premises (including medical confirmation) or any relevant contact details, provide the same information to the Exempt Distributor, unless the relevant information was provided to the Retailer by the Exempt Distributor.

Note 1: These obligations in clauses 2.3 and 2.4 are in addition to those obligations in respect of the registration of life support customer details and that must be met by reason of the Licensee complying with clause 1.1 of this Schedule.

Note 2: in these clauses 2.3 and 2.4 the terms "life support resident", "life support equipment" and "medical confirmation" have the same meaning as in the Act.

3. Contestability

- 3.1 The Licensee must not engage in any conduct that prevents a customer connected to an Embedded Network served by the Licensee from purchasing gas from a licensed Retailer of its choice.
- 3.2 The Licensee must provide potential customers with information on how such potential customer can exercise choice of retailer, including how to obtain alternative offers from other licensed retailers for the supply of gas to the relevant child connection point.

4. Embedded Network charges

- 4.1 Unless expressly permitted by law, the Licensee must ensure that no charge, fee or levy is payable by a customer of the Licensee with respect to the customer's access to the Embedded Network on which its supply point is located, or for the distribution or supply of gas by the Embedded Network Operator.

5. External network charges

- 5.1 The Licensee must ensure that any external network charges:
- (a) clearly attributable to a specific customer of the Licensee are passed through at cost to that customer;
 - (b) not clearly attributable to a specific customer of the Licensee are charged to the customer on the basis that they are no greater than the published regulated charge which the local licensed distributor would have charged that customer, had the customer been supplied directly by the local licensed distributor; and
 - (c) are included in a single invoice for both retail gas and external network charges, with the amount of external network charges separately identified.

6. Metering

- 6.1 The Licensee must, in respect of each child connection point (other than a child connection point for which another retailer is the financially responsible retailer), ensure that meters are installed and maintained in a manner which complies with the Gas Distribution System Code of Practice and Retail Market Procedures and promotes contestability, as if:
- (a) the Licensee is a financially responsible retailer in respect of that child connection point; and
 - (b) the Embedded Network Operator is the holder of a distribution licence.

7. Distribution Services

- 7.1 The Licensee must not enter into a contract for the sale of gas with a customer unless the contract also provides for the provision of, or procurement by the Licensee of, related distribution services within both:
- (a) the distribution system of the licensed distributor within whose distribution licence area the customer is located; and
 - (b) the Embedded Network to which the customer is connected, or from which the customer is otherwise supplied gas.