**ESSENTIAL SERVICES COMMISSION**

**DECISION – WATTLY PTY LTD**

The Essential Services Commission (Commission) at its meeting on 27 March 2019, finds Wattly Pty Ltd (Wattly), an Accredited Person, number AO666, had repeatedly but unintentionally created certificates that do not comply with the requirements of the *Victorian Energy Efficiency Target Act* 2007 (VEET Act) and *Victorian Energy Efficiency Target Regulations* 2008 (2008 Regulations) between 1 January 2017 and 30 September 2018.

After considering the evidence and submissions from Victorian Energy Upgrade (VEU) staff and Wattly’s directors, the Commission:

1. Finds that the seven disputed installations where Wattly created certificates (activity numbers, …………………………………………………………………………………….) presented to the Commission for decision were non-compliant.

2. Orders Wattly to surrender 37,919 certificates to the Commission under section 40(1) of the VEET Act. …………………………………………………………………………

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3. Reprimands Wattly under section 40A(2)(b) of the VEET Act for its failure to:

(a) ensure proper oversight of installers

(b) have a robust auditing system involving properly trained staff and regular audits of installations

(c) ensure it only creates certificates that comply with the VEET Act and regulations.

4. Imposes the following condition under section 40A(2)(c) of the VEET Act:

Wattly is to engage an independent auditor to:

(a) test Wattly’s processes and procedures for auditing the creation of certificates in compliance with the Act and the *Victorian Energy Efficiency Target Regulations* 2018. The auditor to be engaged within 30 days of this decision. This audit to be completed by the end of May 2019.

(b) conduct an audit on a statistically valid sample of activities created between 1 January 2019 and 30 June 2019 and provide the audit report to the Commission by the end of September 2019.

Each audit report to be provided to the Commission within 7 days of completion.

Dr Ron Ben-David

Chairperson

Date: 29 March 2019