

# ESS Notice: 01/2018

1 March 2018

## Demand Manager Pty Ltd

IPART has taken action in relation to Demand Manager Pty Ltd (**Demand Manager**) for the improper creation of energy savings certificates (**ESC**). Demand Manager is an accredited certificate provider (**ACP**) for the commercial lighting Recognised Energy Saving Activity under the Energy Savings Scheme (**ESS**).

The actions taken are outlined below. IPART has not made a finding that Demand Manager knowingly or deliberately engaged in dishonest conduct.

### Penalty notice

On 9 January 2018 an IPART enforcement officer issued a penalty notice to Demand Manager, imposing a \$20,000 fine for the offence of improperly creating an ESC under section 133 of the *Electricity Supply Act 1995* (NSW) (**ES Act**).

Demand Manager paid the fine on 14 February 2018.

### Reduction of volumetric audit limit

On 28 February 2018 IPART amended the conditions imposed on Demand Manager's accreditation to reduce the number of ESCs Demand Manager may register between audits from 100,000 to 50,000.

### Forfeit of ESCs

IPART acknowledges that Demand Manager agreed to voluntarily forfeit each batch of improperly created ESCs as they were identified, totalling 40,290 ESCs since September 2016.

### ACP compliance

IPART will remain vigilant in monitoring compliance with the Scheme, and will continue to act where necessary to ensure the ongoing integrity of the ESS.

ACPs must ensure all activities conducted under the ESS – including activities undertaken by other parties on an ACP's behalf – are fully compliant with the ES Act, the *Electricity Supply (General) Regulation 2014*, the *Energy Savings Scheme Rule of 2009* and the ACP's accreditation notice.