

**Specifications for approved battery aggregation providers**  
**Expression of Interest (EOI) Guidelines**

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## Foreword

In 2021 the Solar Homes Program battery rebate stream will expand to offer Victorians opportunities to participate in battery aggregation initiatives.

Initially delivered as a pilot program, Solar Victoria is seeking to work with aggregation partners to understand, broaden and promote the benefits of battery ownership and aggregation to Victorian consumers. With a strong focus on grid stability and innovation, this initiative seeks to explore opportunities to use battery aggregation services to further support Victoria's transition to a renewable energy future.

As part of this expansion, Solar Victoria is inviting battery aggregators already in market or close to market ready, to express interest for inclusion on Solar Victoria's *Approved Aggregation Provider list*.

We are inviting proposals from new and innovative projects and partnerships, including those from new market entrants and organisations in earlier stages of program development, that may help accelerate the benefits of aggregation beyond just consumer benefit, providing innovative grid support services.

Becoming an *Approved Aggregation Provider* under the Victorian Government's Solar Homes Program is a unique opportunity for aggregators to expand their customer base and reach new consumers through the program's battery rebate stream.

As an *Approved Aggregation Provider*, you will amplify the value of your offer to consumers by taking advantage of a dedicated pool of rebates provided by the Victorian Government through the Solar Homes Program, and your services will be included on Solar Victoria's website.

To support this pilot, Solar Victoria will deliver a consumer education campaign, designed to increase consumer understanding and confidence in battery aggregation programs.

We expect this campaign and pilot will benefit Approved Aggregation Providers to deliver financial savings, help stabilise the grid and ultimately drive the acceleration of household participation in battery aggregation programs into the future.



Stan Krpan  
**CEO**  
**Solar Victoria**

## The Program

The purpose of these Application Guidelines is to set out the objectives of the expanded Solar Homes Battery Program and detail the Assessment Criteria and Application process to become an approved provider under the Solar Homes Approved Battery Aggregation Program, joining the initial list of providers, having access to a pool of rebates to support your program.

In these Application Guidelines, capitalised words and expressions have the meaning set out in the Terms and Conditions in Attachment 1.

## Background: The Solar Homes Battery Program

Distributed energy resources (DER), like rooftop solar and battery storage, will play a critical part in our transition to a renewable energy future, and in August 2018 the Victorian Government established Solar Victoria to deliver Solar Homes, a \$1.3 billion, 10-year commitment to help Victorians install 778,500 solar PV systems, 18,500 batteries and 60,000 solar hot water systems on their homes, helping them take control of their energy costs and reduce greenhouse gas emissions.

The Solar Homes Battery Program was officially launched on 1 July 2019 and has been designed to deliver on the Premier's commitment:

*The battery program will be available in **growth areas** where there are already a **large number of homes with solar panels**.*

*Election commitment, Premier Daniel Andrews, 11 September 2018*

The first year of the Program was set up as a pilot, offering 1,000 rebates of up to \$4,838 to eligible Victorian households to reduce the upfront cost of a battery installation. The first year of the Program was very successful and all the rebates on offer were fully subscribed by June 2020.

In line with the Solar Homes commitment, only Victorian households that met the following criteria were deemed eligible:

- live in an existing property, valued at under \$3 million;
- be the owner-occupier of the property where the system is to be installed;
- have a combined household taxable income lower than \$180,000 a year;
- live in one of 247 postcodes identified as areas with growing population and a high proportion of solar PV systems compared to the resident population;
- no previous participation in the Solar Homes Program;
- have a solar PV system with a nameplate capacity equal to or greater than 5 KW; and
- have obtained a pre-approval from their Distributor Network Service Provider.

## Expanding the Program: facilitating consumers access to the benefits of battery aggregation

In 2020 the Solar Homes Battery Program was expanded to include all of Victoria and in 2021 further expanded to include an 'aggregation' option for households. This expansion will allow for continuity of the current rebate program while leveraging the benefits of battery aggregation, broadening the benefits of the program for Victorian households, and encouraging participation of projects that deliver grid stability and innovation. The Program will seek options to increase the uptake of batteries participating in aggregation projects and support Victoria's transition to a renewable energy future.

As part of this expansion, Solar Victoria is looking for battery aggregation service providers with a strong focus on consumer protection and benefits, and that provide innovative solutions to delivering grid services that wish to be listed on a forthcoming Solar Homes' Approved Aggregation Program List.

Becoming an Approved Aggregation Provider under the Solar Homes Program is a unique opportunity for emerging and established aggregation service providers with proven capability to amplify their customer base and reach new households participating in the Solar Homes Battery Program.

## Program objectives

The inclusion of approved Aggregation Projects on the Solar Homes' Approved Aggregation Program List under Solar Homes is designed to inform the next step in Victoria's battery aggregation strategy, paving the way for future virtual power plants (VPP's) and other models that provide grid support, aimed at delivering benefits not only to householders but across the energy sector.

The intention is to provide a platform for householders to access battery rebates, in partnership with approved and capable providers, build consumer confidence and trust in the benefits of battery aggregation programs, deliver financial savings, help stabilise the grid and ultimately drive the acceleration of household participation in battery aggregation programs into the future.

## Operating as a Solar Homes Approved Aggregation Provider

What's in it for aggregators?

- Aggregators selected during an Expression of Interest (EOI) process will have a unique opportunity to collaborate with Solar Victoria towards the development of a new rebate delivery approach that also facilitates participation in Approved Aggregation Programs under Solar Homes.
- All Approved Aggregation Programs will be promoted on the Solar Victoria website as part of the Solar Homes Approved Aggregation Program List.
- Information on Approved Aggregation Programs will be forwarded to the more than 2,000 households that have already installed a battery system under the Solar Homes program, and to Solar Victoria rebate customers to stimulate program uptake.
- Approved Aggregation Programs (and their providers) that deliver benefits in line with their project outline will be further considered for the future iteration of the Solar Homes Battery Program.
- Approved Aggregation Providers will be able to amplify the value of their offer to consumers by taking advantage of a dedicated pool of Solar Homes battery rebates (ranging from \$4,176 to \$4030 each) available in 2021-22.
- Approved Aggregation Providers will remain on the Approved Aggregation List for a minimum of 12 months, ***subject to performance.***

# Program Design

## Becoming a Solar Homes Approved Aggregation Provider

Solar Victoria will determine which Approved Aggregation Providers and Aggregation Projects will be included on the first iteration of the Solar Homes’ Approved Aggregation Program List as set out in this EOI.

Solar Victoria will assess each proposal against four weighted assessment criteria to identify projects that address all criteria, but aims to prioritise projects that can demonstrate significant benefits for grid support services and encourages innovation:

Under the EOI, each interested aggregation service provider will be required to complete and submit an Application that includes an indicative amount of how many rebates they require, and that demonstrates it can meet the Mandatory Eligibility Requirements and conditions of participation (which are set out in more detail below), including:

- |   |  |
|---|--|
| ✓ Have a commercially-ready and available aggregation program operating in Victoria at program commencement | ✓ Have the required licencing to operate in Victoria   |
| ✓ Accept Solar Homes specific consumer protections  | ✓ Have a household recruitment strategy  |
| ✓ Demonstrated financial viability (audited financial reports)  | ✓ Agree to share knowledge, data and insights with government  |
| ✓ Provide consumer price certainty for a minimum of 12 months   | ✓ Have no unresolved issues with a state or federal regulator  |
| ✓ Be able to demonstrate net benefit for households participating in aggregation                            | ✓ Be able to demonstrate that either the Lead Organisation (LO) or the LO's parent company has at least three years' operating history |

### Solar Victoria will assess each proposal against four assessment criteria:

Project characteristics – 30%	Benefits to the Victorian Public – 30%	Consumer protection – 30%	Innovation & grid resilience – 10%
<ul style="list-style-type: none"> <li>• <b>Benefit to household</b> and planned recruitment strategy</li> <li>• Project delivery strategy (including required licences)</li> <li>• Financial strategy</li> <li>• Ability and experience to deploy 'market ready' projects</li> </ul>	<ul style="list-style-type: none"> <li>• <b>Benefits to grid</b>, industry, and project partners</li> <li>• Plan for monitoring and reporting on outcomes of project</li> <li>• Knowledge sharing approach (data and insights)</li> <li>• Ability to operate in compliance with local networks limitation</li> </ul>	<ul style="list-style-type: none"> <li>• <b>Reasonable consumer contracts and protections</b></li> <li>• Alignment with Solar Homes specific consumer protections</li> <li>• Appropriate level of cyber security standards</li> </ul>	<ul style="list-style-type: none"> <li>• <b>Delivers or trials activities that provide grid services</b></li> <li>• Delivers scale, enhanced grid services and affordability, beyond BAU</li> <li>• Close to market ready or proof of concept stage</li> </ul>

The Assessment Criteria is further detailed in Table One, Table Two and Table Three below.

## Timeline

Activity	Proposed Date
Stakeholder engagement	June 2020
EOI Process open	w/c 19 April 2021
EOI Information Session	May 2021
EOI Closing Date and Closing Time	w/c 31 May 2021
Review period	Six weeks 2021
Successful applicants notified, contracts for review	June onwards 2021
Legal arrangements complete	June onwards 2021
Commence aggregation offering	July onwards 2021

*Solar Victoria may change these dates at any time at Solar Victoria's sole discretion.*

## EOI open to certain battery aggregation programs

In the context of the Solar Homes Aggregation Program, a battery aggregation program broadly refers to a cluster of solar battery systems remotely coordinated using software and communications technology to deliver grid services or energy when required, enabling additional value streams for participating consumers.

Under the remit of Solar Homes, Solar Victoria is opening this EOI for:

- existing battery aggregation programs that are already available to Victorians and that will remain open throughout 2020-21 to recruit additional consumers.;
- new battery aggregation programs that are yet to be made available to the market and programs that are already currently available to consumers in other Australian states but not yet in Victoria; and
- new programs and proposals that demonstrate innovation beyond what is already in market and focus on delivering grid support, that are close to market ready and are looking for support to trial or deliver a proof of concept.

Additionally, while acknowledging the wide variety of battery aggregation programs currently operating in the Australian market and their different purposes, this EOI process is open to battery aggregation programs such as:

- State-wide aggregation programs aimed at delivering grid services such as emergency response and Frequency Control Ancillary Services (FCAS) or providing energy on the wholesale electricity market;
- local network support programs which may be offered only to residents in specific geographical areas to address network issues or support the needs of the local community; and
- other types of battery aggregation programs operating in the Australian market (which otherwise meet the eligibility criteria).

Solar Victoria will consider whether a battery aggregation program places a strong focus on consumer protections and innovation, such as whether the Applicant:

- places the consumer first and can guarantee strong consumer protections, such as readily available customer assistance, product warranties and dispute resolution procedures;

- can effectively monitor how consumers are benefitting and to what degree they are satisfied about their participation in the battery aggregation program;
- delivers scale;
- delivers enhanced grid services; and
- delivers energy affordability beyond BAU.

## Eligibility

To be eligible for consideration, Applicants must satisfy all the Mandatory Eligibility Requirements. Provision of supporting information may be required.

Applications are open to a broad range of organisations and can include single entities or a consortium of participants. However, all Applicants, whether single entities or a consortium, must have a commercially ready and available aggregation program operating in Victoria when the Solar Homes Battery Program commences.

Applicants must be able to state whether there are any actual or perceived conflict of interest issues in relation to the proposed Solar Homes Battery Program.

## Mandatory Eligibility Requirements

All Applicants must:

- Operate in Victoria
- Have an Australian Business Number (ABN)
- Accept Solar Homes specific consumer protections
- Provide three years of [audited] financial reports
- Demonstrate that operating entities hold the required licencing to be able to legally operate as the provider of a battery aggregation program in Victoria
- Provide consumer price certainty for a minimum of 12 months
- Have a commercially ready and available aggregation program or concept to commence within six months of contracts being signed
- Agree to the provision of battery rebates in accordance with eligibility criteria as set out by Solar Victoria and applicable to Solar Homes T&Cs
- Be able to demonstrate net benefit for households participating in aggregation
- Have a household recruitment strategy
- Agree to share knowledge, data and insights with government
- Demonstrate that it has, or if the Applicant is a partner of consortium no members of the partnership or consortium have, no unresolved issues with a state or federal regulator
- Must install systems that are on the Solar Victoria Approved Battery List

***Please note if the Applicant is a partnership or consortium, these requirements apply to the Lead Organisation unless otherwise specified above.***

## Application Process

Applicants must submit an Application via the DELWP Grants Portal- Solar Homes Battery Aggregation Pilot Program.



## Assessment Criteria

Applicants should refer to the Assessment Criteria set out in Table One, Table Two and Table Three below when completing their Application Form.

Applicants must respond to all required Assessment Criteria in their Application. The 'guidance notes' in Table Three are provided to assist Applicants in preparing their Application and provide further context to the Aggregation Program, its objectives and partnership requirements.

**Table One: Assessment Criteria Weighting Summary**

Criteria No.	Assessment Criteria	Weighting
1	The Project	30
2	Benefits to the Victorian public	30
3	Consumer Protections	30
4	Innovation and Resilience	10

**Table Two: Assessment Criteria Summary**

1.	The Project
1.1	Demonstrate ability and experience to deploy 'market ready' project
1.2	Provide project delivery strategy, including all required licences
1.3	Provide project financial strategy
2.	Benefits to households and the Victorian public
2.1	Outline the proposed benefits to consumers, industry and project partners
2.2	Plan for monitoring and reporting on outcomes of project
2.3	Agree to share knowledge, data and insights
2.4	Ability to operate in compliance with local network limitations
3.	Consumer Protections
3.1	Fair and reasonable consumer contracts
3.2	Accept Solar Homes specific consumer protections
3.3	Ensure cyber security protections are in place
4.	Innovation and resilience
4.1	Driving innovation and affordability

Table Three sets out the Application questions and guidance notes for each of the Assessment Criteria set out in Table Two.

**Table Three: Detailed Assessment Criteria**

Criteria	Application questions	Guidance notes
<b>1. The Project</b>		
<p>1.1 Demonstrate the ability and experience to deploy a 'shovel ready' Aggregation Project on confirmation of acceptance to the Aggregation Program (commencing on 28 March 2021).</p>	<p>1.1 (a) Describe the Aggregation Project to be deployed or provide evidence of existing projects.</p> <p><i>* Attachments may be included</i></p>	<p>Provide overview of the Aggregation Project, including:</p> <ul style="list-style-type: none"> <li>• current project design, key objectives and number of rebates required;</li> <li>• key partner organisations, role and responsibilities of each organisation and agreements in place;</li> <li>• current budget estimates and business cases and/or other studies; and</li> <li>• outline of the consumer engagement strategy.</li> </ul>
	<p>1.1 (b) Describe the location(s) of the Aggregation Project.</p>	<p>Provide overview of where the Aggregation Project is located (include postcodes), and outline if any geographical restrictions are in place.</p>
	<p>1.1 (c) How will the Aggregation Project be delivered?</p>	<p>Provide a brief description of how the Aggregation Project will be delivered including:</p> <ul style="list-style-type: none"> <li>• project timeline with details of key milestones and deliverables; and</li> <li>• project governance.</li> </ul>
<p>1.2 Provide Aggregation Project delivery strategy, including all required licences.</p>	<p>1.2 (a) Describe the design of the Aggregation Project.</p>	<p>Include:</p> <ul style="list-style-type: none"> <li>• details of the system components (generation assets, storage, loads, controller, energy management system);</li> <li>• justification for sizing of key system components such as batteries and generation technologies;</li> <li>• consumer 'portability' options and timeframes; and</li> <li>• end-of-life strategy for installed batteries.</li> </ul>

	<p>1.2 (b) Provide evidence that the required licences are in place to deliver the Aggregation Project in Victoria.</p> <p><i>* Attachments may be included</i></p>	<p>Provide evidence that either all members of consortium have satisfied the required licencing requirements to perform their proposed role in the consortium under the Electricity Industry Act (Victoria) and National Electricity Law and Rules to provide DER services that the proposal wishes to deliver, including:</p> <ul style="list-style-type: none"> <li>• a retail licence to be a Reliability and Emergency Reserve Trader;</li> <li>• market participation registration to respond to market price signals; and</li> <li>• a Market Ancillary Service Provider (MASP) registration to provide FCAS.</li> </ul>
	<p>1.2 (c) Evidence the Lead Organisation its parent company has no outstanding or unresolved issues with a state or Federal regulator.</p>	<p>Disclose all potentially relevant sanctions or proceedings involving complaints or regulatory action by such bodies as CAV, ESC, AER, CER, ESV, etc.</p>
<p>1.3 Provide the Aggregation Project's financial strategy.</p>	<p>1.3 (a) Describe the Aggregation Project's funding sources including in-kind and cash contributions from all parties and expenditure over the term of the Aggregation Project.</p>	<p>Provide overview of proposed budget, including:</p> <ul style="list-style-type: none"> <li>• current budget allocation</li> <li>• estimated cost of offer per system</li> <li>• estimated number of installs</li> <li>• estimated number of new customers</li> <li>• key partner organisations and agreements in place.</li> </ul>
	<p>1.3 (b) Describe the expected financial model for the Aggregation Project once operational.</p> <p><i>* Attachments may be included</i></p>	<p>Describe the financial model (attach the financial model, if applicable) for the Aggregation Project once operational, include information on:</p> <ul style="list-style-type: none"> <li>• the period the Aggregation Project will operate for (e.g. 5 years) and Net Present Value (NPV);</li> <li>• the revenue streams;</li> <li>• underpinning assumptions for revenue; and</li> <li>• operational and maintenance (O&amp;M) expenses.</li> </ul>
	<p>1.3 (c) Demonstrate that either the Lead Organisation (LO) or the LO's</p>	<p>Provide supporting documentation such as Annual Reports and financial reports for</p>

	<p>parent company is solvent (has at least three years' operating history).</p> <p><i>* Attachments may be included</i></p>	<p>three years (preferably audited) for the Lead Organisation or its parent company.</p> <p>Solar Victoria may request, during the Assessment Process, that unaudited financial reports be audited and resubmitted.</p> <p>Additional evidence of the Aggregation Project's implementation readiness can also be attached, such as business cases.</p>
<b>2. Benefits to households and the Victorian public (see the table below for Notes on Benefits)</b>		
<p>2.1 Outline the benefits the Aggregation Project will aim to demonstrate.</p>	<p>2.1 (a) What expected benefits will the Aggregation Project demonstrate and/or deliver to consumers and beyond?</p> <p><i>* Attachments may be included</i></p>	<p>Describe the economic benefits to:</p> <ul style="list-style-type: none"> <li>• individual householders;</li> <li>• the electricity grid (Victorian or Australian) and broader Victorian community; and</li> <li>• Aggregation Project partners and participants.</li> </ul> <p>Describe other economic benefits to the sector, for example:</p> <ul style="list-style-type: none"> <li>• overcoming sector challenges;</li> <li>• creating long-term economic benefits that remain after the Aggregation Project has ceased; and</li> <li>• generating other economic benefits.</li> </ul>
<p>2.2 Plan for monitoring and reporting.</p>	<p>2.2 (a) Provide an overview of how outcomes will be measured, including any data sharing platforms that will be deployed.</p>	<p>Describe methodology to measure outcomes and benefits realisation including:</p> <ul style="list-style-type: none"> <li>• increased reliability, stability and economic activity;</li> <li>• reduced costs to consumers; and potential deferred augmentation.</li> </ul> <p>Describe data sharing platform to be used including:</p> <ul style="list-style-type: none"> <li>• proprietary licencing attached to data collection platform; and</li> <li>• additional costs to access or exit service.</li> </ul>
<p>2.3 Agree to share knowledge, data and insights</p>	<p>2.3 (a) What is the Aggregation Project's knowledge sharing</p>	<p>Provide information on the potential learnings from the Aggregation Project and how the information will be shared. These may relate to:</p>

with Solar Victoria and project partners (as agreed).	strategy and value of potential knowledge generated?	<ul style="list-style-type: none"> <li>• learnings for regulations;</li> <li>• customer and participant eligibility and engagement;</li> <li>• overcoming technical challenges;</li> <li>• unlocking market barriers; and</li> <li>• personal data</li> </ul>
2.4 Ability to operate in collaboration with Distribution Network Service Providers (DNSP's) and to address or support local network limitations.	2.4 (a) Provide an overview of how the Aggregation Project has engaged with DNSPs and has identified and will manage local network limitations.	<ul style="list-style-type: none"> <li>• Provide an overview of how your organisation has engaged with DNSP's to identify and address relevant network challenges, such as load capacity constraint and export constraint.</li> <li>• Provide evidence that you agree to comply with distribution network local circuit limitations when charging and discharging fleet assets.</li> </ul>
<b>3. Consumer Protections (see table below for Notes on Consumer Protections)</b>		
3.1 Fair and reasonable consumer contracts.	<p>3.1 (a) What are the 'Terms and Conditions' applied in the customer agreement to participate in this Aggregation Project?</p> <p><i>* Attachments may be included</i></p> <p>3.1 (b) What 'warranties' are provided in the customer agreement relating to this Aggregation Project?</p>	<p>Provide</p> <ul style="list-style-type: none"> <li>• draft of current or planned consumer contract and where applicable provide list of relevant consumer codes;</li> <li>• consumer price certainty for a minimum of 12 months;</li> <li>• details of any applicable exit fees;</li> <li>• cap on services accessed; and</li> <li>• details of information to be provided to customers relating to warranties and how they can access assistance, where any component of the service may be disrupted.</li> </ul>
3.2 Accept Solar Homes specific consumer protections.	<p>3.2 (a) What processes are in place that ensure this Aggregation Project will meet and/or exceed the consumer protections Solar Homes requires for its customers?</p> <p><b>(see table below for Notes on consumer protections)</b></p> <p>3.2 (b) How do your consumer protections align with New Energy</p>	<p>Provide overview of the:</p> <ul style="list-style-type: none"> <li>• processes in place to ensure the Aggregation Project will meet and / or exceed the consumer protections Solar Homes requires for its customers; and</li> <li>• consumer dispute resolution process developed for participants</li> <li>• how you've addressed the NETCC draft guidelines in your response.</li> </ul>

	Technology Code of Conduct (NETCC?).	
3.3 Ensure cyber security protections are in place.	<p>3.3 (a) The project must demonstrate adequate cyber security provisions by completing the questionnaire provided and providing any other supporting information (if applicable).</p> <p><i>* Attachments may be included</i></p>	<ul style="list-style-type: none"> <li>• Demonstrate your cyber security provisions; and complete the attached cyber security questionnaire (which has been designed by AEMO to determine high level security maturity of your organisation) and provide any other supporting information (if applicable).</li> </ul>
<b>4. Innovation and Resilience (see table below for Notes on Innovation and Resilience)</b>		
4. Driving innovation and affordability.	<p>4.1 (a) Does the project or concept aim to trial or deliver activities that demonstrate significant benefit for grid support services?</p> <p>4.1(b) Does the project or concept deliver scale, enhanced grid services and affordability, beyond BAU?</p> <p>4.1 (c) Is the project or concept close to market ready or proof of concept stage?</p> <p><i>* Attachments may be included</i></p>	<p>Provide overview of the:</p> <ul style="list-style-type: none"> <li>• Scale of the project in reference to the delivery of new and or enhanced grid services</li> <li>• Ability to influence energy affordability for all Victorian energy consumers, beyond existing services</li> <li>• How the project delivers capabilities to address grid support issues</li> <li>• The timeline for the project. Is it close to market ready or proof of concept stage?</li> </ul>

## Notes on benefits

Criteria	Example	Guidance Notes
Household benefits	Level of access required	<p>Articulate the level of access required of the behind the meter DER asset and the household, including:</p> <ul style="list-style-type: none"> <li>• how many times a year the DER asset will be controlled;</li> <li>• maximum level of throughput each access would require; and</li> <li>• what, if any household loads will be controlled.</li> </ul>
	Technology requirements	<p>Clearly articulate if there are any technological restrictions.</p> <ul style="list-style-type: none"> <li>• Is there a list of specific products that are eligible in the Aggregation Project?</li> <li>• Are there any additional devices such as a gateway or control devices required?</li> <li>• Would consumers be able to switch to a different aggregation program using the technology used in the Aggregation Project?</li> </ul>
	Consumer benefits	<p>Outline the net benefit to a participating household, including:</p> <ul style="list-style-type: none"> <li>• how does the aggregation offer compare to the Victorian Default Offer (VDO) or current retail offer – whichever provides the greatest benefit;</li> <li>• when is a new tariff applied;</li> <li>• what are the supply fees;</li> <li>• what are the consumer payments per control event or monthly/quarterly fees; and</li> <li>• Terms of contracts.</li> </ul> <p>Note: demonstrated financial benefit to participants must be clearly articulated in responses and in consumer contracts.</p>
Victorian Public benefits	Demonstrated ability to support the grid	<ul style="list-style-type: none"> <li>• How the Aggregation Project demonstrates industry innovation, the energy transition and can support the network as DER uptake rapidly increases.</li> </ul>
	Demonstrated ability to reduce energy bills	<ul style="list-style-type: none"> <li>• How the Aggregation Project will reduce the cost of energy.</li> </ul>
	Additional public benefits	<ul style="list-style-type: none"> <li>• Describe any additional public benefits, such as how such an Aggregation Project could increase bushfire resilience if implemented in high-risk communities.</li> </ul>

## Notes on consumer protections

The table below provides the consumer protections specific to the Solar Homes program.

	<b>Document</b>	<b>Description</b>	<b>Further information</b>
	Solar Homes General Terms and Conditions	Describes the terms and conditions for applicants to participate in the Solar Homes program.	<a href="http://www.solar.vic.gov.au/applicant-terms-and-conditions">www.solar.vic.gov.au/applicant-terms-and-conditions</a>
	Solar Victoria Retailer Terms and Conditions	Describes the terms and conditions for retailer participation, retailer obligations and the Solar Victoria audit program.	<a href="http://www.solar.vic.gov.au/retailer-terms-and-conditions">www.solar.vic.gov.au/retailer-terms-and-conditions</a>
	Solar Victoria Installer Terms and Conditions	Describes Installer obligations, the Solar Victoria audit program and prescribes possible prohibition from program participation in the event of safety breaches.	<a href="http://www.solar.vic.gov.au/installer-terms-and-conditions">www.solar.vic.gov.au/installer-terms-and-conditions</a>
	Clean Energy Council Solar Retailer Code of Conduct (CEC code)	All solar PV and solar battery retailers participating in the Solar Homes program must be signatories to the CEC Code and Approved Solar Retailers with the CEC.	<a href="http://www.cleanenergycouncil.org.au/industry/retailers">www.cleanenergycouncil.org.au/industry/retailers</a>
	Australian Energy Market Operator's Distributed Energy Resources Register	As prescribed in the Solar Victoria Notice to Market, all solar battery systems installed under the program must be registered on this register.	<a href="https://aemo.com.au/en/energy-systems/electricity/der-register">https://aemo.com.au/en/energy-systems/electricity/der-register</a>
	Australian and New Zealand Standards	The Solar Victoria Notice to Market prescribes Australian and New Zealand standards with regards to electrical installations and battery storage that must be adhered to.	<a href="http://www.solar.vic.gov.au/notice-to-market">www.solar.vic.gov.au/notice-to-market</a>



Other documentation	Australian Best Practice Guide: Battery Storage Equipment – Electrical Safety Requirements	As prescribed in the March 2021 Solar Victoria Notice to Market, all solar battery systems installed under the Program must comply with this Standard.	<a href="https://batterysafetyguide.com.au/">https://batterysafetyguide.com.au/</a>
Proposed protections	New Energy Tech Consumer Code	Proposed Code that will set minimum standards of good practice and consumer protection in all aspects of the customer experience across the new energy technology sector.	<a href="http://www.accc.gov.au/public-registers/authorisations-and-notifications-registers/authorisations-register/new-energy-tech-consumer-code">www.accc.gov.au/public-registers/authorisations-and-notifications-registers/authorisations-register/new-energy-tech-consumer-code</a>

## Notes on grid resilience and innovation

The table below provides notes on Grid Resilience and Innovation specific to the Solar Homes program.

Criteria	Example	Guidance Notes
Grid Resilience and Innovation	Trial or deliver activities that demonstrate significant benefit for grid support services	<p>Do you have a program or existing capability in place that draws on complementary technologies to drive grid stability?</p> <p>How would you share this information with other stakeholders to help foster innovation and accelerate the transition to DER?</p>
	Deliver scale, enhanced grid services and affordability, beyond BAU	<p>Outline how your program or project will deliver:</p> <ul style="list-style-type: none"> <li>• scale beyond what exists in market to date;</li> <li>• enhanced or new and innovative grid services, beyond BAU; and</li> <li>• increase energy affordability for Victorians.</li> </ul>

# Attachment A – Terms and Conditions of the Application Guidelines

## Solar Homes' Approved Aggregation Programs List

### 1. Definitions and Glossary

- a) "Aggregation Partner Agreement" means the agreement between the Department and a successful Applicant;
- b) "Aggregation Program" means the expanded Solar Homes Battery Program as contemplated by these Guidelines;
- c) "Aggregation Project" means a proposed battery aggregation project to be delivered by the Applicant;
- d) "Applicant" means an entity which submits an Application;
- e) "Application" means the documents constituting an Expression of Interest submitted to the Department by the Applicant;
- f) "Application Form" means the application form as provided by the Department from time to time;
- g) "Application Guidelines" means this document;
- h) "Application Process" means the process for requesting and assessing Applications as described in this document, and includes, shortlisting Applicants as part of the EOI, selecting successful Applicants as part of the EOI and finalising and executing an Aggregation Partner Agreement with each successful Applicant;
- i) "Approved Aggregation Program List" means the list of Aggregation Projects and Approved Aggregation Providers published by Solar Victoria following completion of the EOI process and as amended from time to time.
- j) "Approved Aggregation Provider" means a battery aggregation provider on the Approved Aggregation Program List;
- k) "Assessment Criteria" means the criteria for assessing Applications referenced in this Application;
- l) "Assessment Process" means the process for the assessment of Applications;
- m) "Business Day" means a day that is not a Saturday, Sunday or public holiday in Melbourne, Victoria;
- n) "Closing Date" means the closing date set out in this document;
- o) "Closing Time" means the closing time set out in this document;
- p) "Department" means the Victorian Government Department of Environment, Land, Water and Planning and its successor Government departments, and all references to the Department shall be read and construed as references to the Crown in Right of the State of Victoria;
- q) "EOI" means the Expression of Interest stage of the Application Process;
- r) "Information Privacy Act" means the *Privacy and Data Protection Act 2014* (Vic).
- s) "Intellectual Property" or "IP" means all types of intellectual property rights whether registered or not and includes all copyright and neighbouring rights (including rights in relation to phonograms and broadcasts), all rights in relation to inventions (including patent rights), plant varieties, registered and unregistered trade

marks (including service marks), registered and unregistered designs, and circuit layouts, rights to have confidential information kept confidential and all other rights resulting from intellectual activity in the industrial, scientific, literary or artistic fields including as defined in Article 2 of the Convention Establishing the World Intellectual Property Organisations of July 1967;

- t) “Lead Organisation” or “LO” means the entity nominated in the Application as being primarily responsible for delivering the project, and which accepts the obligations in respect of the Project, as set out in these Application Guidelines;
- u) “Mandatory Eligibility Requirements” means the requirements set out in these Application Guidelines;
- v) “Minister” means the Victorian Minister for Solar Homes;
- w) “Privacy Act” means *Privacy Act 1988* (Cth) and all regulations made under that Act;
- x) “Privacy Law” means the laws, principles and codes relating to the collection, use, disclosure, storage or granting of access to personal information (as defined in the Privacy Act) and includes the Privacy Act and its 13 Australian Privacy Principles, the *SPAM Act 2003* (Cth), and the *Do Not Call Register Act 2006* (Cth).
- y) “Timeline” means the timeline for completing the Aggregation Program as set out in the Application Guidelines.

## 2. Representations and Warranties

The Department does not make any representations or provide any undertakings to Applicants other than to invite them to submit an Application.

The information in these Application Guidelines or ancillary material has been prepared by the Department in good faith. However, the Department does not warrant the accuracy or completeness of the content of these Application Guidelines and the Department shall not be liable for any error or omission or any inaccurate or misleading information provided in these Application Guidelines or otherwise by the Department during the Application Process. In preparing and submitting its Application, the Applicant agrees that no warranty or guarantee is given by the Department and that the Applicant has satisfied itself as to the accuracy and completeness of the information provided and has formulated its Application accordingly.

The information in these Application Guidelines has been compiled by the Department for the purpose of inviting Applications and must not be relied on for any other purpose.

These Application Guidelines do not contain all the information that Applicants may require in reaching decisions in relation to submitting an Application. Applicants should form their own views as to what information is relevant to such decisions and make their own independent investigations in relation to any such information.

No representation made by or on behalf of the Department in relation to these Application Guidelines or the Application Guidelines subject matter, including in connection with any meetings conducted, shall be binding on the Department unless that representation is in writing and is expressly incorporated into an Aggregation Partner Agreement.

## 3. Termination or Alteration of the Application Process

The Department may for its convenience at any time and in its absolute discretion terminate the Application Process, alter the Application Process (including amending the Timeline) or alter the scope of the Aggregation Program. The

Department will endeavour to notify Applicants of material changes to the Application Process or scope of the Aggregation Program, or the termination of the Application Process, but is under no obligation to do so.

#### **4. No Legal Relationship**

No contract is formed between the Department and any person by reason of these Application Guidelines, an Application, any part of the Application Process or the lodgement of an Application (other than the execution of an Aggregation Partner Agreement).

#### **5. Ownership**

All documents submitted by the Applicant in connection with the Application Process becomes the property of the Department on submission.

The State does not seek any ownership rights in any Intellectual Property owned or developed by Applicants during the Application Process. Each Applicant grants a worldwide, perpetual, license to the State to reproduce, communicate, adapt or modify the whole or any portion of its Application for the purpose of the Application Process. If the Applicant is successful, any further Intellectual Property rights and obligations will be included in the Aggregation Partner Agreement.

These Application Guidelines and any supporting material provided by or on behalf of the Department are, and shall remain, the property of the Department.

#### **6. Communication about the Application Process or Application**

Applicants may contact the Department with questions regarding the Application, the Application Guidelines or the Application Process by emailing the Department at [solar.programs@delwp.vic.gov.au](mailto:solar.programs@delwp.vic.gov.au). The Applicant agrees that any questions and / or the answers provided by the Department may be made publicly available by the Department as part of the Application Process.

Applicants must not otherwise contact, communicate or discuss these Application Guidelines, the Application Process or their proposed Application with:

- any employee, contractor or other personnel of a Victorian Government department or agency except as expressly permitted by these Application Guidelines;
- any of the State's advisers in relation to the Aggregation Program, including assessment panel members; or
- Members of Victorian Parliament or their staff.

Any obligations on Applicants not to contact, communicate or discuss these Application Guidelines, the Application Process or their proposed Application will not be taken to have been breached to the extent that the contact, communication or discussion occurs:

- to, and in response to a request by, a house or a committee of the Parliament of Victoria; or
- with the Victorian Auditor General, Ombudsman or Privacy Commissioner.

Applicants may contact other agencies, such as Distribution Network Service Providers and relevant energy bodies, in order to complete the due diligence element of their Application.

**Unauthorised contact, communication or discussion by Applicants will be grounds for the rejection of their Application.**

## **7. Confidentiality, Privacy and Publicity**

Applicants must keep confidential any confidential information concerning the Department, received as a result of, or in connection with, in preparing and submitting an Application and any discussions between itself and the Department during the Application Process. Applicants must not disclose such information to a third party (including any other Applicant) except as may be required by law.

Each Applicant agrees that the Department may disclose their Applications, along with any other information disclosed by the Applicant to the Department during the Application Process, to the State and their departments, management, consultants and advisers or otherwise and if required by law to do so.

Any personal information collected as part of the Application Process will be handled by the Department in accordance with the Information Privacy Act.

Each Applicant warrants and represents to the Department that in relation to any personal information that the Applicant discloses to the Department in connection with the Application:

- all individuals to whom the personal information relates have been made aware of the identity of the Department and of the other matters that the Applicant is required under the Privacy Laws to take reasonable steps to ensure that the individuals are aware of; and
- the disclosure of the personal information to, and its use by, the Department is authorised under the Privacy Law.

Applicants must not make any public statements or communications, or publish any media releases, in relation to the Application or Application Process, other than disclosures that the Applicant is required to make under the rules of any applicable stock exchange, without first providing a copy of the statement, communication or media release to the Department and obtaining the prior written approval of the Department.

Applicants must not, in connection with the Application Process, do or omit to do anything which may:

- damage, bring into disrepute or ridicule the Department or State's, name, messages or reputation; or
- attract public or media attention which may be prejudicial or otherwise detrimental to the Department or State's name, messages or reputation.

## **8. Proprietary Information**

Proprietary information will be dealt with in accordance with the Department's existing policies and procedures in this regard. These are available from the Department upon request.

If an Applicant wishes to provide information in respect of the Aggregation Program which it regards as proprietary, that Applicant/potential Applicant must notify the Department in writing of its intention to do so, outlining the type of information involved and its reasons for believing it to be proprietary. The Department will respond to the Applicant indicating if the State also regards that information as proprietary information.

The Applicant/potential Applicant will then be able to decide, in the light of the Department's response, whether to share the relevant information with the State, and, if so, on what terms.

## 9. Discussions

Applicants that are short listed, as part of the EOI, may be invited to amend, alter or otherwise change its Application.

In addition, the Department may, in its absolute discretion, request or allow an Applicant to amend, alter or otherwise change its Application at any time during the Application Process.

The Department may discuss with an Applicant any matter in the Department's absolute discretion, at any time during the Application Process.

## 10. Application Documents

By submitting an Application, the Applicant warrants to the Department:

- the truth and accuracy of all information contained in its Application;
- it has made proper allowance for all matters contained in or capable of inference from these Application Guidelines and other information made available to it;
- it has made proper allowance for all matters which might impact on the Applicant's ability to perform the Aggregation Project or to do so within any particular time, cost or quality constraints;
- it has, and will maintain, the necessary skill, qualification and experience to enable it to perform the Aggregation Project;
- it has, or will be able to, obtain all the necessary consents, permits or authorities necessary in order for the Applicant to perform the Aggregation Project; and
- it is not insolvent within the meaning of the *Corporations Act 2001 (Cth)* or otherwise and there is no unfulfilled or unsatisfied judgment or court order outstanding against it.

By submitting an Application, the Applicant:

- acknowledges and agrees that it is bound by the terms and conditions of the Aggregation Program and as contained in these Application Guidelines; and
- acknowledges and agrees that it is bound by its Application.

The Applicant's Application must use the Application Form provided by the Department and the Applicant must ensure its Application contains information and details required by the Application Guidelines and Application Form for questions and any other information necessary to make the Application Form complete and enable assessment by the Department.

If the Application does not conform to the form required by the Application Form, does not respond to each component of the Application Form or is incomplete in any way, the Department may, in its absolute discretion, exclude the Application from consideration. Unnecessarily elaborate Applications or other presentations beyond that which is sufficient to present a complete and effective proposal are not desired or required.

## 11. Timeline and Late Applications

Applicants must comply with the Timeline but to the extent that the Timeline includes steps or actions to be taken by the Department, those steps and dates are indicative only and the Applicant acknowledges that the Department is under no obligation to meet those dates.

The Department may accept or reject any Application received after the Closing Time on the Closing Date in its absolute discretion.

## **12. Validity of Applications**

An Application shall be valid for 60 days from the Closing Date and may be extended, in writing, by mutual agreement between the Department and the Applicant.

## **13. Acceptance of Applications**

The Department does not bind itself, and the Applicant agrees that the Department is not bound, to accept any Application.

The Department may accept or reject (in whole or in part) any Application. The Department is not required to give reasons for the acceptance or rejection of any Application.

A letter of acceptance from the Department will be issued to each Applicant selected to participate in the Aggregation Program.

Following acceptance of an Application, the Department will provide the Applicant with an executable version of the Aggregation Partner Agreement to be entered into by the Department and the Applicant. The Applicant must execute the Aggregation Partner Agreement and provide an original signed counterpart to the Department.

Acceptance of an Application is subject to the valid execution of the Aggregation Partner Agreement within a period of one month from the date of the notification of Application acceptance. Failure to execute in this time period may result in withdrawal of the acceptance. Requests for an extension of the discussion period must be made to the Department in writing and may be granted at the Department's absolute discretion.

Details of the successful Applicants and a summary of their Projects will be publicly available on State Government websites after the public announcement of the relevant Aggregation Project by the Government.

## **14. Costs**

All costs incurred by the Applicant in the preparation and lodgement of its Application or otherwise and any costs incurred in relation to the evaluation of the Application, contract negotiation and the selection process will be borne by the Applicant.

The Department is not liable for any costs, expenses, losses, claims or damages that may be incurred by Applicants or any other person for any reason whatsoever in connection with or as a result of preparing its Application.

## **15. Change in Circumstance**

The Applicant must inform the Department promptly, in writing, of any material change to any of the information contained in its Application, and of any material change in circumstances that may affect the truth, completeness or accuracy of any of the information provided in, or in connection with, its Application.

## **16. No Collusion**

Applicants must not engage in any anti-competitive conduct, including, but not limited to, collusion, coercion, abuse of marketplace power or breach of any provision of the *Competition and Consumer Act 2010* (Cth) in respect of these Application Guidelines or the Application.

The Applicant warrants and agrees that it is in all respects independent and that no collusion has taken place or will take place between the Applicant and any other Applicant or interested party in connection with the Application Process, including the preparation of any part of the Applicant's Application.

In addition to any other remedies available to it under law or contract, the Department may immediately disqualify an Applicant that it believes has engaged in anti-competitive conduct in respect of any Application.

In addition, it may result in the Applicant being barred from further application processes or contracts with the Department for a period to be determined by the Department.

## **17. Conflict of Interest**

Any Applicant with a real or perceived conflict of interest must declare that interest to the Department as soon as the conflict is identified. Where a conflict of interest arises, it must be assessed and be resolved in favour of the public interest by the relevant parties.

All Applicants are required to ensure that their performance in respect of identifying, declaring and resolving any conflict of interest is beyond reproach. Any Applicant who states that they have an actual or perceived conflict of interest in their online Application Form must contact the Department and complete and submit a conflict of interest declaration stating the nature of the conflict and the management strategy.

## **18. Impartiality of Specifications**

Any Applicant who believes the specification associated with these Application Guidelines to be discriminatory, restrictive or biased in favour of a specific product or service should inform the Department in writing as early as possible but in any event BEFORE the Closing Time on the Closing Date.

## **19. Probity for Application Procedures**

The Applicant and any of its associates must not offer any incentive to, or otherwise attempt to influence any of the persons who are either directly or indirectly involved in the Application Process, or in awarding any subsequent contract. If the Department determines that the Applicant or any of its associates have violated this condition, the Applicant may be disqualified from further consideration, in the Department's absolute discretion.

By submitting an Application, the Applicant consents to the Department performing probity and financial investigations and procedures in relation to the Applicant or any of its associates. The Applicant agrees, if requested by the Department, to seek consents from individuals to allow such probity checks.

Should any Applicant consider that the Application Process has failed to accord it a fair right to be considered a successful Applicant, the Applicant should provide immediate notice (prior to the Closing Date) to the program contact nominated by the Department from time to time, of the alleged failure or breach so that the matter may be considered and remedied where possible. Notification under this clause 19 must set out the issues in dispute, any relevant background information and the outcome desired.



In addition, Applicants should note that under section 13 of the *Ombudsman Act 1973* (Vic), the Victorian Ombudsman is able to enquire into or investigate any administrative action taken in any government department.

## **20. Rights and discretions of the Department**

Each Applicant agrees that wherever the Department is entitled to take action, form an opinion or make decisions of any kind, it may do so, or decline to do so, in its absolute discretion and is under no obligation to provide justification or reasons.

The Department may in its absolute discretion reject an Application from an Applicant or determine that an Applicant can no longer participate in the Application Process, if that Applicant fails to comply with any requirements of these Application Guidelines or any other direction of the Department.

The Department may waive any requirement or obligation under these Application Guidelines or under the Application Process. Any such waiver must be express and in writing and will not affect any other obligations nor is the Department required to advise other Applicants.

## **21. Governing Law**

This document shall be governed by the laws of the State of Victoria. The Applicant irrevocably and unconditionally submits to the exclusive jurisdiction of the courts of Victoria, Australia.