



Electricity

Licence variation form – generation



1. Details of the licensee

1.1. Name of licensee

Y.E.S. ENERGY SA PTY LTD

1.2. Legal identity of licensee

body corporate limited by shares

1.3. ACN/ABN number

ACN Number (if applicable) **627 706 594**

ABN Number **22 627 706 594**

1.4. Address and contact details of licensee

Business Address

Street **4 Silo Road**

Suburb **Paringa**

State SA Post Code **5340**

Postal Address (if different to Business Address)

Street **PO Box 677**

Suburb **Renmark**

State SA Post Code **5341**

Telephone **8119 0777**

Facsimile *Click here to type.*

E-mail **mark@yateselectrical.com**

1.5. Contact person on behalf of licensee

Full Name **Mark Yates**

Title **Director**

Business Address

Street **4 Silo Road**

Suburb **Paringa**

State **SA** Post Code **5340**

Postal Address (if different to Business Address)

Street **PO Box 677**

Suburb **Renmark**

State **SA** Post Code **5341**

Telephone **0417865178** Facsimile *Click here to type.*

E-mail **mark@yateselectrical.com**

1.6. Contact person for licence fees

Full Name **Ben Liebich**

Title **Accounts**

Business Address

Street **4 Silo Road**

Suburb **Paringa**

State **SA** Post Code **5341**

Postal Address (if different to Business Address)

Street **PO Box 677**

Suburb **Renmark**

State **SA** Post Code **5341**

Telephone **0431189093** Facsimile *Click here to type.*

E-mail **accounts@yateselectrical.com**

1.7. Names and addresses of the officers of licensee

“Officers” of the application include the applicants directors and secretary and any other persons who make or participate in making decisions that affect a substantial part of the applicants business.

Full Name **Mark Yates**
Date of Birth **07/12/1983**
Title held **Director**
Business Address
Street **4 Silo Road**
Suburb **Paringa**
State **SA** Post Code **5340**

Full Name *Click here to type.*
Date of Birth *Click here to type.*
Title held *Click here to type.*
Business Address
Street *Click here to type.*
Suburb *Click here to type.*
State *Choose a State.* Post Code *Click here to type.*

Full Name *Click here to type.*
Date of Birth *Click here to type.*
Title held *Click here to type.*
Business Address
Street *Click here to type.*
Suburb *Click here to type.*
State *Choose a State.* Post Code *Click here to type.*

(attach additional pages if necessary)

1.8. Names and addresses of major shareholders of licensee

Full Name	Mark Yates		
Date of Birth	07/12/1983		
Title held	Director		
Business Address			
Street	4 Silo Road		
Suburb	Paringa		
State	SA	Post Code	5340

Full Name	<i>Click here to type.</i>		
Date of Birth	<i>Click here to type.</i>		
Title held	<i>Click here to type.</i>		
Business Address			
Street	<i>Click here to type.</i>		
Suburb	<i>Click here to type.</i>		
State	<i>Choose a State.</i>	Post Code	<i>Click here to type.</i>

Full Name	<i>Click here to type.</i>		
Date of Birth	<i>Click here to type.</i>		
Title held	<i>Click here to type.</i>		
Business Address			
Street	<i>Click here to type.</i>		
Suburb	<i>Click here to type.</i>		
State	<i>Choose a State.</i>	Post Code	<i>Click here to type.</i>

(attach additional pages if necessary)

2. The Variation

2.1. A detailed description of where the services will be provided

Please state the location of the generation plant, the expected name plate capacity of the generation plant, the type of generation and fuel used and some details about how the generator is to be connected to the network. For wind generation, please attach a map showing the location of the wind turbines.

For multiple generating plant please use Appendix 1.

Location	Details
Please see attached appendix 1	Please see attached appendix 1

3. Suitability of licensee to continue to hold a licence

3.1. Standard of honesty and integrity shown by the licensee

Has the licensee been found guilty of any criminal offence since obtaining its licence? If "yes", please provide details.

No

Has the licensee been successfully prosecuted under any Territory, State or Commonwealth legislation (such as the *Australian Securities and Investments Commission Act 2001* or the *Competition and Consumer Act 2010*) since obtaining its licence? If "yes", please provide details.

No

Has the licensee been the subject of disciplinary action since obtaining its licence? If "yes", please provide details.

No

Any other information to be disclosed?

No

3.2. Standard of honesty and integrity shown by officers and major shareholders of the licensee (if relevant)

Has any officer or major shareholder been found guilty of any criminal offence? If "yes", please provide details.

No

Has any officer or major shareholder been successfully prosecuted under any Territory, State or Commonwealth legislation (such as the *Australian Securities and Investments Commission Act 2001* or the *Competition and Consumer Act 2010*)? If "yes", please provide details.

No

Has any officer or major shareholder been the subject of disciplinary action? If "yes", please provide details.

No

Any other information to be disclosed?

No

3.3. Details of the group members

If the licensee is part of a group of companies, please provide details on the entities within the group. Include all entities controlled by the licensee and the ultimate parent company. Please attach a diagram of this structure.

NO – YES Energy SA Pty Ltd is the sole entity and is 100% responsible for the license

3.4. Additional details of the structure of the licensee

Is the licensee a part of a group of related companies, and/or party to a partnership, joint venture or alliance agreement with another company?

If “yes”, please provide the contractual arrangements (eg alliance contracts, associate contracts and/or establishment contracts) that define relationships within the group – including shared resources, guarantees, revenue flows, obligations and/or responsibilities.

NO – YES Energy SA Pty Ltd is the sole entity and is 100% responsible for the license

3.5. Additional information

Is the licensee a resident of, or does it have permanent establishment in, Australia? If “no”, please provide further details

Yes

Is the licensee under external administration (as defined in the *Corporations Act 2001*) or under a similar form of administration under any laws applicable to it in any jurisdiction? If “yes”, please provide further details.

No

Is the licensee immune from suit in respect of the obligations under the *Electricity Act 2012*? If “yes”, please provide further details.

No

Is the licensee capable of being sued in its own name in a court of Australia? If “no”, please provide further details

Yes

3.6. Financial resources available to the licensee

Please provide information about the financial resources available to the licensee, including:

- copies of audited profit and loss statements and balance sheets for the last three financial years (including all notes) (If the applicant is a subsidiary company please provide these for its parent company)
- the Directors declaration that the financial statements comply with accounting standards, give a true and fair view, have been made in accordance with the Corporations Act and that there are reasonable grounds to believe the company/entity will be able to pay its debts as and when they fall due.
- the Directors report and the audit opinion
- business plan, including strategic direction and objectives, identified opportunities in the market place and forecasted results
- evidence of capital and liquidity support in place, including any bank or cross guarantees, to support the business and evidence of negotiations with the network service provider concerning credit support arrangements.

YES ENERGY SA PTY was only established in July 2018 and does not currently have any audited financials to provide. This information was provided in the initial licence application. YES Energy currently has \$150,000 of Revenue in its Common Wealth Bank Account

3.7. Human resources available to the licensee

Please provide details about the human resources available to the licensee (e.g. the number of employees and the experience of these employees in providing the services for which the variation is sought.) If the licensee will employ additional contractor/s to assist with the operations, please provide the name of the contractor/s, and details about the experience of the contractor/s in such operations and details of the processes in place to ensure they will comply with the regulatory obligations imposed by the licence.

YES ENERGY will complete all processes to maintain the ESCOSA licence in house.

3.8. Technical resources available to the applicant

Please provide details about the availability of technical resources to be used in carrying out the services for which the variation is sought. Include details about the technically qualified staff available to the licensee and (if relevant) of experience gained in similar operations.

Where licensees are relying on a third party to provide staff and resources to meet the technical requirements of the licence/s, please provide:

- A list of all functions and activities being proposed to outsource
- Details of any formal agreement/s to provide services, including confirmation that the third party possess relevant technical competencies to conduct the proposed activities
- A summary of the third party's technical capacity to meet relevant obligations, including the relevant accreditations
- A summary of the third party's experience and knowledge in the area.

YES ENERGY will complete all processes to maintain the ESCOSA licence in house. YES Energy provides a turn key, build, own operate and maintain for all PV Plants developed for its clients in South Australia.

Y.E.S Group (SA) PTY Ltd will manage the operation and maintenance as a third party contractor on behalf of YES ENERGY

Y.E.S Group (SA) PTY Ltd is the EPC contractor the for the development of all solar projects in SA
Please see attachment of the personnel and their CV who are working for YES ENERGY

3.9. Quality of electricity produced/connection agreement

Is the electricity of an appropriate quality? Please provide a copy of the connection agreement that meets the Commissions technical requirements with the licensed operator of the relevant transmission or distribution network.

For multiple generating locations, please provide connection agreement for each site.

Please see attachments for sites mentioned in this application as per ANNEXURE 1

3.10. Registration with AEMO

Is registration with AEMO required for the generating plant? f so, please provide details.

All sites are less then 5MW A/C so are exempt from AEMO registrations

3.11. Development Act approval

Has the licensee obtained approval under the *Development Act 1993 (SA)*? Please provide details.

Please see attachments for sites mentioned in this application as per ANNEXURE 1

3.12. Risk management

Provide confirmation and reasonable evidence that the licensee has identified the risks associated with the services it intends to provide and has established, utilises and relies upon risk management systems and processes which are adequate, accurate and current to address those risks. Please provide a copy of the licensee's updated risk management strategy.

Please see attached YES ENERGY SA PTY LTD risk management policy.

3.13. Licences held by the applicant in other Australian jurisdictions

Does the licensee hold, or has previously held, electricity and/or gas licences in other Australian jurisdictions? If "yes", please provide details. If a licence previously held has been suspended or cancelled, please provide details.

No

3.14. Previous unsuccessful licence applications in other Australian jurisdictions

Has the licensee applied for an electricity licence or equivalent in another Australian jurisdiction and not been issued with a licence? If "yes", please provide details.

No

3.15. Licences held by associates of the applicant

Does any associate of the licensee (within the meaning of the Corporations Act) hold an electricity licence in South Australia or in other Australian jurisdictions? If "yes", please provide details.

No

3.16. Compliance program

Please provide a copy of your Compliance Program which details what compliance systems you have in place and a description of how these systems will ensure compliance with the applicable regulatory obligations imposed by a licence.

YES ENERGY monitors all sites remotely and completed maintenance on an as need basis on a schedule of rates to each individual solar PV plant owner

I have attached a copy of our companies compliance policy, I have reviewed the "ESCOSA Compliance Systems and Reporting Energy Industry Guideline EG4/4" I can confirm YES ENERGY as the licensee will abide by the guidelines requirements. In particular A.3.1 – Annexure B and Annexure C and will meet the quarterly and annual reporting requirements as per clause 3.5 and 3.6

3.17. Additional information

The Commission encourages applicants to provide any additional information they consider would be of assistance in supporting the application. Please provide below.

NO – Nothing further to submit

3.18. Factors specified in the Essential Services Commission Act 2002

In considering a licence variation, the Commission must have as its primary objective the protection of the long term interests of consumers with respect to the price, quality and reliability of essential services, and must also have regard to the need to:

- promote competitive and fair market conduct;
- prevent misuse of monopoly or market power;
- facilitate entry into relevant markets;
- promote economic efficiency;
- ensure consumers benefit from competition and efficiency;
- facilitate maintenance of the financial viability of regulated industries and the incentive for long term investment;
- promote consistency in regulation with other jurisdictions.

If the licensee believes that information about their application would assist the Commission in its consideration of these factors, the applicant should provide such information below.

We are a small local electrical business in regional South Australia, we are exploring ways we can reactivate redundant parcels of land in our local community, through the introduction of solar farming to local landowners and farmers.

4. Declaration

All information in this application must be verified by a Statutory Declaration of the licensee, in accordance with the provisions of the *Oaths Act 1936 (SA)*¹, stating that the information contained in the application is true and correct to the best of the licensee's knowledge, information and belief.

In conjunction with this declaration, evidence of the relevant authority of the declarant to sign on behalf of the applicant must also be provided to the Commission.²

Statutory Declaration

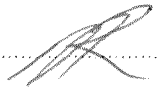
I NORWOOD Es. 24000 HOTEL

Of Y.E.S. Energy Services SA Pty Ltd (90 Munro St Norwood SA 5041)

do solemnly and sincerely declare that the information contained in this Application is true and correct to the best of my knowledge information and belief.

And I make this solemn declaration conscientiously believing the same to be true, and by virtue of the provisions of the *Oaths Act 1936*.

Date 07 AUG 2020

Signature 

(Where the applicant is a body corporate, the declaration must be made by a person authorised by body corporate to sign on its behalf)

NORWOOD SOUTH AUSTRALIA

Declared at:this day of 07 AUG 2020

Before me: Laam Karin Kong JR # 32315

A Justice of the Peace for
(Signature of Justice of the Peace or other person authorised under the Oaths Act 1936)
South Australia

¹ Or equivalent legislation in other Australian jurisdictions.

² The Commission will accept a copy of a Board or Council minute (or circulating resolution) giving approval for the declarant to sign on behalf of the applicant as evidence of the relevant authority.

5. Checklist

Please ensure you have attached copies of the following documents:

<input type="checkbox"/>	Corporate structure diagram	3.3
<input type="checkbox"/>	Audited profit and loss statements all balance sheets for the last three financial years <i>(if applicant is a subsidiary, please provide for parent company)</i>	3.6
<input type="checkbox"/>	Director's declaration that financial statements comply with accounting standards etc.	3.6
<input type="checkbox"/>	Director's report and the audit opinion	3.6
<input type="checkbox"/>	Business Plan (include strategic direction and objectives, identified opportunities in the market place and forecasted results)	3.6
<input type="checkbox"/>	Contractual Arrangements (eg alliance, associated and/or establishment contracts) that define relationships within the group <i>(if applicable)</i>	3.7 and 3.8
<input type="checkbox"/>	Connection Agreement (for each location if multiple sites)	3.9
<input type="checkbox"/>	Development approval (for each location if multiple sites)	3.11
<input type="checkbox"/>	Risk management strategy	3.12
<input type="checkbox"/>	Compliance Program	3.16
<input type="checkbox"/>	Any other documents that may assist in supporting the application	3.17
<input type="checkbox"/>	Evidence of the relevant authority of the declarant to sign on behalf of the body corporate <i>(if applicable)</i>	5
<input checked="" type="checkbox"/>	Details of multiple generating plants – Connections agreements and Development approvals <i>(if applicable)</i>	Appendix 1

Appendix 1 – For multiple Generating plant locations

	Location of services	Details of services (type of generating plant including size, type of equipment etc)	Connection agreement attached	Development approval attached
1	872a Stockwell Road, Mannum, SA, 5238	4 X ABB 50.0KW INVERTERS + 720 X LONGI SOLAR PANELS ON GROUND MOUNTED FRAMES – 226.8KW	Yes	Yes
2	Lot 15, Anderson Road, Loxton North, SA, 5333	4 X ABB 50.0 KW INVERTERS + 720 X LONGI SOLAR PANELS ON GROUND MOUNTED FRAMES – 226.8KW	Yes	Yes
3	Lot 3267, Kingston Road, Pyap, SA, 5333	4 X ABB 50.0KW INVERTERS + 720 LONGI SOLAR PANELS ON GROUND MOUNTED FRAMES – 226.8KW	Yes	Yes
4	Lot 183, Sanctuary Road, Chaffey, SA, 5341	4 X ABB 50.0KW INVERTERS + 720 LONGI SOLAR PANELS ON GROUND MOUNTED FRAMES – 226.8KW	Yes	Yes
5	Lot 1312, Research Road, Ebenezer, SA, 5355	4 X ABB 50.0KW INVERTERS + 720 LONGI SOLAR PANELS ON GROUND MOUNTED FRAMES – 226.8KW	Yes	Yes