

National Gas Rules

Group B (Relevant extracts of Parts 15A to 18A)

This document shows changes to the relevant parts of the National Gas Rules (NGR) made by the AEMC's recommended draft rules under its final report on the Review into extending the regulatory frameworks to hydrogen and renewable gases. The changes are shown in a modified version of the NGR that incorporates:

- all changes made to the NGR as at 8 September 2022 including rules that have been made as at 8 September 2022 but have not yet commenced; and
- changes made by the consultation versions of the rules for Regulatory Sandboxing and Pipeline Regulations. These consultation versions are available on the Energy Ministers' website: Energy Ministers publications | energy.gov.au

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Part 15A Registered participants

Division 1 Registration

135A Participation in declared wholesale gas market of adoptive jurisdiction

- (1) A person participates, in a registrable capacity, in the declared wholesale gas market of an adoptive jurisdiction as follows:

- (a) Registrable capacity: declared transmission system service provider

The service provider for the declared transmission system.

- (b) Registrable capacity: Distributor

The service provider for a declared distribution system.

- (c) Registrable capacity: Producer

A producer that injects gas into the declared transmission system.

- (c1) Registrable capacity: distribution connected facility operator

A person that injects gas into a declared distribution system at a DDS injection point from a storage facility, gas production facility or blend processing facility.

- (c2) Registrable capacity: Blend Processing Provider

A blend processing service provider that injects gas into a declared transmission system.

- (d) Registrable capacity: Market Participant – Producer

A producer that buys or sells gas in the declared wholesale gas market.

- (d1) Registrable capacity: Market Participant – blend processing service provider

A blend processing service provider that buys or sells gas in the declared wholesale gas market.

- (e) Registrable capacity: Storage provider

A storage provider whose storage facility is connected to the declared transmission system.

Note:

Under section 91B of the *NGL*, this will include a declared LNG storage provider.

- (f) Registrable capacity: Market Participant – Storage provider

A storage provider that buys or sells gas in the declared wholesale gas market.

- (g) Registrable capacity: interconnected transmission pipeline service provider

A service provider for a transmission pipeline that is connected to the declared transmission system.

- (h) Registrable capacity: Transmission Customer

An end user that withdraws gas from the declared transmission system.

- (i) Registrable capacity: Market Participant – Transmission Customer
An end user that:
 - (i) buys gas in the declared wholesale gas market; and
 - (ii) withdraws gas from the declared transmission system.
- (j) Registrable capacity: Market Participant – Distribution Customer
An end user that:
 - (i) buys gas in the declared wholesale gas market; and
 - (ii) withdraws gas from a declared distribution system.
- (k) Registrable capacity: Market Participant – Retailer
A *retailer* that sells gas that has been transported through the declared transmission system or a declared distribution system.
- (l) Registrable capacity: Market Participant - Trader
Any other person that buys or sells gas in the declared wholesale gas market.

(2) In this rule, **gas, gas production facility, declared distribution system and DDS injection point** have the meaning given in Part 19.

~~(2) In this rule:~~

- ~~(a) **blend processing facility, gas, gas production facility, declared distribution system and DDS injection point** have the meaning given in Part 19;~~
- ~~(b) **blend processing service provider** means a person who owns, operates or controls a blend processing facility.~~

135AB Retail market participation

- (1) A person participates, in a registrable capacity, in the retail gas market of New South Wales and the Australian Capital Territory as follows:
 - (a) Registrable capacity: network operator
A service provider that holds, or is required to hold, a reticulator's authorisation under the *Gas Supply Act 1996* of New South Wales or a corresponding licence, approval or authorisation under the *Utilities Act 2000* of the Australian Capital Territory.
 - (b) Registrable capacity: retailer
A user that:
 - (i) is a *retailer*; or
 - (ii) is an *exempt seller* that is a party to a contract with a service provider for the provision of haulage services in New South Wales or the Australian Capital Territory, other than an *exempt seller* that sells gas only to end users that are related bodies corporate of that exempt seller that is a self contracting user under paragraph (c).
 - (c) Registrable capacity: self contracting user

A user that:

- (i) is a party to a contract with a service provider for the provision of haulage services in New South Wales or the Australian Capital Territory (or both); and

- ~~(ii) does not fall within the registrable capacity of retailer under paragraph (b).~~

- ~~(ii) is an end user or an exempt seller that sells gas only to end users that are related bodies corporate of that exempt seller; and~~

- ~~(iii) is not a retailer.~~

- (2) A person participates, in a registrable capacity, in the retail gas market of Queensland as follows:

- (a) Registrable capacity: distributor

- (i) A service provider that holds, or is required to hold, an area distribution authority under the *Gas Supply Act 2003* of Queensland; or

- (ii) A service provider that holds, or is required to hold, a reticulator¹²'s authorisation under the *Gas Supply Act 1996* of New South Wales for the Tweed local government area.

Note:

The APT Allgas Distribution Network – South Coast Region as described in the Access Arrangement for APT Allgas Energy Pty Ltd (ACN 009 656 446) and approved by the Queensland Competition Authority in July 2006 extends into the Tweed local government area in NSW.

- (b) Registrable capacity: retailer

A user that:

- (i) is a *retailer*; or

- (ii) is an *exempt seller* that is a party to a contract with a service provider that participates in the retail gas market of Queensland with the registrable capacity of distributor, other than an *exempt seller* that sells gas only to end users that are related bodies corporate of that exempt seller~~is a self contracting user under paragraph (c).~~

- (c) Registrable capacity: self contracting user

A user that:

- (i) is a party to a contract for the provision of haulage services with a service provider that participates in the retail gas market of Queensland with the registrable capacity of distributor; and

- ~~(ii) does not fall within the registrable capacity of retailer under paragraph (b).~~

- ~~(ii) is an end user or an exempt seller that sells gas only to end users that are related bodies corporate of that exempt seller; and~~

- ~~(iii) is not a retailer.~~

- (3) A person participates, in a registrable capacity, in the retail gas market of South Australia as follows:

- (a) Registrable capacity: network operator
A service provider that holds, or is required to hold, a gas distribution licence under the *Gas Act 1997* (SA).
 - (b) Registrable capacity: network operator (Mildura region)
Envestra Limited (ACN 078 551 685) and any successor to Envestra as service provider for the distribution pipelines that *serve* Mildura and its environs.
 - (c) Registrable capacity: retailer
A user that:
 - (i) is a *retailer*; or
 - (ii) is an *exempt seller* that is a party to a contract with a service provider for the provision of haulage services in South Australia, other than an *exempt seller* that *sells gas only to end users that are related bodies corporate of that exempt seller is a self contracting user under paragraph (d).*
 - (d) Registrable capacity: self contracting user
A user that:
 - (i) is a party to a contract with a service provider for the provision of haulage services in South Australia; and
 - (ii) does not fall within the registrable capacity of retailer under paragraph (b).
 - ~~(ii) is an end user or an exempt seller that sells gas only to end users that are related bodies corporate of that exempt seller; and~~
 - ~~(iii) is not a retailer.~~
 - (e) Registrable capacity: transmission system operator
A service provider for a transmission pipeline in South Australia.
 - (f) Registrable capacity: swing service provider
A person that is a swing service provider within the meaning of the Procedures governing the operation of the regulated retail gas market of South Australia.
 - (g) Registrable capacity: shipper
A person that is a shipper within the meaning of the Procedures governing the operation of the regulated retail gas market of South Australia.
- (4) A person participates, in a registrable capacity, in the retail gas market of Victoria as follows:
- (a) Registrable capacity: transmission system service provider
 - (i) The service provider for the declared transmission system.
 - (ii) A service provider for a transmission pipeline in Victoria that does not form part of the declared transmission system.

- (b) Registrable capacity: distributor
 - (i) A service provider for a declared distribution system.
 - (ii) A service provider for a distribution pipeline in Victoria that does not form part of a declared distribution system.
 - (iii) The Albury Gas Co Limited (ACN 000 001 249) and any successor to that company as service provider for the distribution pipelines that *serve* Albury and its environs (the **Albury gas distribution system**).
- (c) Registrable capacity: market participant – retailer
 - (i) A *retailer* or an *exempt seller* that is a user of a declared distribution system, other than an *exempt seller* that sells gas only to end users that are *related bodies corporate* of that *exempt seller*.
 - (ii) A *retailer* or an *exempt seller* that is a user of a distribution pipeline in Victoria, that does not form part of a declared distribution system, other than an *exempt seller* that sells gas only to end users that are *related bodies corporate* of that *exempt seller*.
 - (iii) A *retailer* or an *exempt seller* that is a user of the Albury gas distribution system, other than an *exempt seller* that sells gas only to end users that are *related bodies corporate* of that *exempt seller*.
- (d) Registrable capacity: market participant-other
 - (i) A user of the declared transmission system.
 - (ii) A user of a transmission pipeline in Victoria that does not form part of the declared transmission system.
 - (iii) A user of a declared distribution system that does not fall within any other registrable capacity in this subrule.

135ABA Short term trading market participation

- (1) A person participates, in a registrable capacity, in a short term trading market as follows:
 - (a) Registrable capacity: STTM Shipper
 - A person that:
 - (i) is a user under a contract with a service provider for the transmission of natural gasgas to or from an STTM hub;
 - (ii) is a party to a contract with a storage provider or a producer for the delivery of natural gasgas to an STTM hub from a storage or production facility that is directly connected to that STTM hub;
 - (iii) holds rights subcontracted from a person referred to in paragraph (i), ~~or~~ (ii) or (v) for the use of services provided under the relevant contract; ~~or~~
 - (iv) is a producer or storage provider who supplies natural gasgas on its own behalf to an STTM hub from its production or storage facility that is directly connected to that STTM hub~~;~~_i

- (v) is a party to a contract with a blend processing facility operator for the delivery of gas to an STTM hub from a blend processing facility that is directly connected to that STTM hub; or
 - (vi) is a blend processing facility operator who supplies gas on its own behalf to an STTM hub from its blend processing facility that is directly connected to that STTM hub.
 - (b) Registrable capacity: STTM User
 - A person that:
 - (i) is a user under a contract with the service provider for a distribution pipeline at an STTM hub; ~~or~~
 - (ii) is a user under a contract with the service provider for a transmission pipeline, under which the person withdraws ~~natural gas~~ from that pipeline at an STTM hub for consumption at a facility that is directly connected to the pipeline; ~~or~~
 - (iii) does not fall within the registrable capacity in subparagraph (i) and is a user of services provided by means of a net metered facility (whether under contract, subcontract or as an owner, operator or controller withdrawing gas on its own behalf from the STTM hub at the facility).
- (2) A person that participates in a short term trading market in a registrable capacity must apply for registration for each STTM hub in respect of which it participates in that capacity.
- (3) In this rule, gas and net metered facility have the meaning in Part 20.

Division 3 Participant fees

135CF Budgeted revenue requirements

- (1) AEMO must prepare and publish before the beginning of each financial year a budget of AEMO's revenue requirements for that financial year.
- (2) The budget must take into account and separately identify projected revenue requirements for:
 - (a) AEMO's expenditures for the administration and operation of a declared wholesale gas market; and
 - (b) AEMO's expenditures for providing services as the operator of the ~~Natural Gas Services Bulletin Board~~ Gas Bulletin Board; and
 - (ba) AEMO's expenditures for the administration and operation of a short term trading market; and
 - (bb) AEMO's expenditures for the establishment of a short term trading market;
 - (c) AEMO's expenditures for the administration and operation of a regulated retail gas market; and
 - (ca) AEMO's expenditures for capacity trading and auction costs; and

- (d) AEMO's expenditures for gas market planning including preparing and publishing the gas statement of opportunities; and
 - (e) AEMO's other expenditure requirements, operating costs and margin associated with services provided to the gas industry; and
 - (f) AEMO's consumer advocacy funding obligation under these rules; and
 - (g) any revenue shortfall or excess carried forward from an earlier financial year; and
 - (h) the funding requirements of participant compensation funds; and
 - (i) the proportion of AEMO's residual expenditures allocated to the gas industry under subrule (3).
- (3) AEMO must allocate expenditures that cannot be specifically related to electricity activities or gas activities (**residual expenditures**) between the electricity and gas industries in a manner that:
- (a) ensures that the total amount of the residual expenditures is divided in full between the electricity and gas industries; and
 - (b) ensures that each industry bears an allocation of the residual expenditures at least equal to the amount by which residual expenditures would be reduced if services were no longer provided to that industry; and
 - (c) promotes the efficient use of electricity and gas services.

Division 4 Consumer advocacy funding

135D Consumer advocacy funding obligation

- (1) AEMO must pay to ECA the amount of its consumer advocacy funding obligation for each financial year.
- (2) AEMO may recover the costs of meeting its consumer advocacy funding obligation from participant fees and may allocate the costs to users (other than producers).
- (3) The amount to be paid by AEMO to ECA under subrule (1) is to be made available under a scheme agreed between AEMO and ECA or, in default of an agreement, on a quarterly basis.
- (4) In this rule:

consumer advocacy funding obligation means ECA's total projected expenses for a financial year, in so far as those expenses are allocated to ~~natural gas~~ in its final Annual Budget for that financial year, and including but not limited to:

- (a) all operational and administrative costs relating to the performance of ECA's activities relevant to consumers of ~~natural gas~~; and
- (b) grant funding for any current or proposed grants relevant to consumers of ~~natural gas~~.

final Annual Budget means ECA's final Annual Budget for a financial year, as issued by ECA in accordance with its constitution to AEMO.

Part 15B Procedures

135E General purpose of this Part

This Part describes the process for making Procedures.

135EA Matters about which Procedures may be made

- (1) Retail Market Procedures may deal with the following matters:
 - (a) principles for interpreting the Retail Market Procedures;
 - (b) the administration and operation of a regulated retail gas market;
 - (c) criteria for registration of participants in a regulated retail gas market;
 - (d) establishing, maintaining and administering a register of gas delivery points;
 - (e) the collection, estimation and use of metering data related to a regulated retail gas market;
 - (f) the transfer of customers and delivery points in a regulated retail gas market;
 - (g) implementation of a ROLR scheme;
 - (h) balancing, allocation and reconciliation of quantities of gas injected and withdrawn in a regulated retail gas market;
 - (i) unaccounted for gas;
 - (j) collection and payments related to settlement in a regulated retail gas market;
 - (k) collection, communication, use and disclosure of information related to a regulated retail gas market;
 - (l) the payment of fees by, or the recovery of fees from, Registered participants, or a particular class of Registered participants;
 - (m) forecasting gas usage and the use of indicators as a basis for estimating a customer's probable annual gas consumption;
 - (n) audits and reviews;
 - (o) meters and associated equipment;
 - (p) lost *retail customers*;
 - (q) any aspect of the regulated retail gas market of South Australia including:
 - (i) the provision of the swing service and the storage, allocation, reconciliation, adjustments, injection and withdrawal of gas relevant to the swing service; and
 - (ii) the operation of gate points and gate point control systems; and
 - (iii) any associated warranties and representations; and
 - (iv) the provision of flow signals; and
 - (v) the circumstances giving rise to an entitlement to compensation; and
 - (vi) associated off-market procurements and transactions;

- (vii) bids and bid stacks; and
- (viii) arrangements that will apply in the event of an emergency; and
- (ix) failure of data systems; and
- (x) registers, systems, services and agreements related to any of the above; and
- (xi) identification and alteration of sub-networks, gas zones and gate points; and
- (xii) liabilities, indemnities, insurance and immunities; and
- (xiii) user exit;
- (r) any subject dealt with under legislation or former legislation (principal or subordinate) of a participating jurisdiction relating to the administration or operation of a retail gas market before the changeover date;
- (s) any subject dealt with under rules (or former rules) that:
 - (i) relate to the administration or operation of a retail gas market before the changeover date; and
 - (ii) were contractually binding on market participants before the changeover date;
- (t) any matter consequential or related to any of the above;
- (u) arrangements for registration of a net bidding meter, and arrangements for net withdrawals at a net metered facility to be treated as a meter reading for the purposes of the RMP.

- (2) Wholesale Market Procedures may deal with the following matters:
- (a) system security;
 - (b) gas scheduling;
 - (b1) coordination between AEMO and the service providers for declared distribution systems;
 - (b2) net bidding facilities;
 - (c) demand forecasts;
 - (d) accreditation;
 - (e) administered pricing;
 - (f) compensation;
 - (g) ancillary payments;
 - (h) uplift payments;
 - (i) connection approval;
 - (j) metering (including metering communication and the metering register);
 - (j1) gas quality and gas quality monitoring;
 - (k) unaccounted for gas;
 - (l) energy calculation;

- (m) the data validation procedure;
- (n) electronic communication;
- (o) maintenance planning;
- (p) allocation of entitlements to utilise pipeline capacity;
- (q) transfer of entitlements to utilise pipeline capacity;
- (r) any subject dealt with under legislation or former legislation (principal or subordinate) of a participating jurisdiction relating to the administration or operation of a wholesale gas market before the changeover date;

Note:

This is intended to facilitate the making of Procedures reflecting (inter alia) the MSO Rules procedures and guidelines as defined in section 58(2) of the *National Gas (Victoria) Act 2008* (Vic).

(r1) the provision of information for planning reviews under rule 323 by persons other than Registered participants;

- (s) any other subject relevant to a declared wholesale gas market on which the NGL or these rules contemplate the making of Procedures.

(3) The BB Procedures may deal with the following matters:

- (a) the manner in which AEMO maintains, and publishes information on, the ~~Natural Gas Services Bulletin Board~~ Gas Bulletin Board including the format of any registers or reports required or permitted by these rules;
- (b) the manner and form of applications to AEMO related to the ~~Natural Gas Services Bulletin Board~~ Gas Bulletin Board;
- (c) the time, manner and form for providing AEMO with information in connection with the ~~Natural Gas Services Bulletin Board~~ Gas Bulletin Board and the collection and collation of that information;
- (d) the terms and conditions of use of the ~~Natural Gas Services Bulletin Board~~ Gas Bulletin Board;
- (e) restrictions on the use of the free text facility;
- (f) the determination of any matter AEMO is required or allowed to determine under these rules including forecasts of peak demand;
- (g) [deleted];
- (h) the meaning of symbols used for the purposes of the ~~Natural Gas Services Bulletin Board~~ Gas Bulletin Board;
- (i) the definition of terms, the criteria for classification, or the designation of status for the purposes of the rules governing the operation of the ~~Natural Gas Services Bulletin Board~~ Gas Bulletin Board;
- (ia) the identification of geological basins;
- (ib) guidance on the determination of nameplate ratings;
- (j) the estimation, calculation and recovery of BB operating costs;

- (k) any other subject relevant to the ~~Natural Gas Services Bulletin Board~~Gas Bulletin Board on which the *NGL* or these rules contemplate the making of Procedures.
- (4) The STTM Procedures may deal with the following matters:
- (a) specifying the points that comprise the hubs to which Part 20 of these rules applies;
 - (b) information required and processes to be followed for the registration of persons, information, services and trading rights by AEMO for the purposes of the STTM;
 - (b1) net metered facilities and their participation in the STTM;
 - (b2) arrangements for determining proposals for CTPs to be included in or removed from a hub;
 - (c) administration of the market operator service;
 - (d) submission of offers and bids in the ex ante market and for contingency gas;
 - (e) scheduling of offers and bids in the ex ante market and for contingency gas;
 - (f) allocation of quantities of ~~natural gas~~ supplied to or withdrawn from a hub;
 - (g) submission of variations to schedules on or after a gas day;
 - (h) the application of administered pricing or scheduling arrangements;
 - (i) the process to be followed in relation to a requirement, or potential requirement, for contingency gas;
 - (j) determination of quantities, prices and amounts payable by or to Registered participants for the purposes of market settlement;
 - (k) determination and payment of claims relating to administered pricing;
 - (l) prudential requirements applicable to Registered participants;
 - (m) consultation in relation to proposals that may lead to a request to the AEMC for a rule relating to the STTM;
 - (n) any matter consequential or related to any of the above.
- (5) The Capacity Transfer and Auction Procedures may deal with the following matters:
- (a) information required and processes to be followed for the registration of transportation service providers and transportation facilities by AEMO under Part 24;
 - (b) establishing, maintaining and administering a register of transportation service providers and transportation facilities;
 - (c) establishing, maintaining and administering the transportation service point register;
 - (d) the provision by transportation service providers of service point specifications for the transportation service point register and changes to those specifications;

- (e) the determination of zones and pipeline segments;
- (f) obligations of transportation service providers in connection with transaction support arrangements and the capacity auction established under Part 25, including arrangements for:
 - (i) access to and use of the systems established by AEMO;
 - (ii) the calculation of auction quantity limits;
 - (iii) the provision of information to AEMO including contract reference information, auction quantity limits and information about transportation facilities, service points, nominations and curtailment;
 - (iv) the validation of transactions entered into on the gas trading exchange or through the capacity auction including timing, the criteria for validation and rejection of transactions that fail validation; and
 - (v) information required and processes to be followed to give effect to transactions entered into on the gas trading exchange or through the capacity auction;
- (g) arrangements for transactions entered into on the gas trading exchange or through the capacity auction to be taken into account for the purposes of Part 19 or Part 20;
- (h) the calculation of payments to transportation service providers for use of an operational transportation service after termination of the contract from which the transportation capacity is first derived;
- (i) establishing the capacity auction in accordance with Part 25, including:
 - (i) the standard form of auction agreement;
 - (ii) eligibility to enter into an auction agreement and to participate in the capacity auction;
 - (iii) prudential requirements applicable to auction participants;
 - (iv) access to and use of the systems established by AEMO;
 - (v) the specification of auction products and the auction quantity or the manner in which those matters are determined;
 - (vi) the conduct of the capacity auction including timing, the form of bids, the determination of capacity auction results and when the capacity auction may be delayed, suspended or cancelled; and
 - (vii) a description of the information to be published by AEMO in relation to the capacity auction and any restrictions that may be placed on access to that information;
- (j) the calculation of amounts payable to or by transportation service providers and auction participants in connection with the capacity auction;
- (k) contingency arrangements for events affecting the transaction support arrangements or the capacity auction including:
 - (i) the failure of systems or processes; and
 - (ii) default in the performance of obligations under the Procedures or other instruments;

- (l) any other subject relevant to the matters in Part 24 or Part 25 on which the *NGL* or these rules contemplate the making of Procedures; and
 - (m) any matter consequential or related to any of the above.
- (6) The GSOO Procedures may deal with the following matters:
- (a) specification of the persons, or classes of persons, who are GSOO reporting entities;
 - (b) arrangements for AEMO to determine and maintain contact details for the distribution of GSOO surveys;
 - (c) the form of GSOO surveys;
 - (d) arrangements for the conduct of GSOO surveys including the time for submission of GSOO survey responses;
 - (e) requirements for GSOO survey responses including the form in which information must be provided and requirements for explanatory or supporting information;
 - (f) exemptions from the obligation to participate in GSOO surveys; and
 - (g) any other subject relevant to GSOO surveys on which the *NGL* or these rules contemplate the making of Procedures.

Note:

The terms ‘GSOO survey’, ‘GSOO reporting entity’ and ‘GSOO survey response’ are defined in Part 15D.

135EF Expedited process for making Procedures

- (1) This rule describes the expedited process for making Procedures.
- (2) The expedited process is applicable if AEMO considers that:
 - (a) the Procedures are urgently necessary:
 - (i) to ensure the proper operation of a regulated gas market; or
 - (ii) to ensure an adequate supply of ~~natural gas~~ covered gas; or
 - (iii) to ensure an appropriate response to an emergency; or
 - (b) the Procedures are non-material (i.e. unlikely to have a significant financial or operational impact on Registered participants or BB participants).
- (3) If the expedited process is applicable to a proposal, AEMO must, within 10 business days after completing an impact and implementation report, publish on its website a notice:
 - (a) setting out the proposed Procedures together with the impact and implementation report; and
 - (b) stating that AEMO considers the expedited procedure applicable to the making of the Procedures; and
 - (c) inviting Registered participants and other interested persons to submit written comments on the proposed Procedures to AEMO on or before a date (which

- must be at least 15 business days after the date of the notice) specified in the notice; and
- (d) fixing a date (the **proposed effective date**) for the proposed Procedures to take effect.
- (4) After the closing date for submissions, AEMO must, by notice published on its website:
- (a) confirm the proposal and confirm the proposed effective date or defer the proposed effective date to a later date specified in the notice; or
 - (b) amend the proposal and confirm the proposed effective date or defer the proposed effective date to a later date specified in the notice; or
 - (c) defer a *decision* on the proposal and provide for further consultation before a final *decision* on the proposal is made; or
 - (d) withdraw or reject the proposal.
- (5) At least 15 business days before the day on which Procedures are to take effect, AEMO must:
- (a) give notice of the Procedures (in a manner and form determined by AEMO) to each Registered participant and BB participant; and
 - (b) publish the Procedures on its website;
 - (c) make copies of the Procedures available to the public at its public offices.

Part 15C Dispute resolution

Division 2 Adviser and dispute resolution panel pool

135G Appointment of dispute resolution adviser

- (1) There is to be a dispute resolution adviser.
- (2) The Adviser:
 - (a) must have detailed knowledge and experience of non-litigious dispute resolution processes (**alternative dispute resolution processes**); and
 - (b) must be able to decide the most appropriate alternative dispute resolution processes for a particular relevant dispute; and
 - (c) must have a good understanding of the relevant parts of the covered gas industry~~natural gas industry~~ or the capacity to acquire a good understanding of the relevant parts of the covered gas industry~~natural gas industry~~ quickly; and
 - (d) must not have any material direct or indirect interest or association that compromises, or is likely to compromise, the impartiality of the Adviser in relation to relevant disputes.
- (3) The Adviser will be appointed on terms and conditions determined by the AER.

Part 15D Gas statement of opportunities

Division 1 Interpretation and application

135K Definitions

In this Part:

demand-supply balance information for an LNG export project includes:

- (a) the quantity of natural gas that participants in the LNG export project expect to:
 - (i) produce for the project from their own reserves or take for the project from storage; or
 - (ii) procure for the project from third parties; and
- (b) the quantity of natural gas that participants in the LNG export project are required to supply or expect to supply under:
 - (i) contracts for the export of LNG; or
 - (ii) other gas supply contracts.

exempt NT facility has the meaning given in Part 18.

exempt NT facility operator has the meaning given in Part 18.

exempt NT field has the meaning given in Part 18.

exempt NT field owner has the meaning given in Part 18.

gas means covered gas.

gas blend processing means the creation of a gas blend by means of a blend processing facility.

gas processing plant includes a facility processing processable gas and a facility producing a primary gas by other means.

GSOO reporting entity means a person who is:

- (a) specified in the GSOO Procedures as a GSOO reporting entity; or
- (b) a member of a class of persons specified in the GSOO Procedures as a class of GSOO reporting entities.

GSOO survey means a survey process to obtain information relating to the ~~natural gas industry~~covered gas industry conducted by AEMO in accordance with the GSOO Procedures.

GSOO survey response means a GSOO reporting entity's response to a GSOO survey including a response to any request for clarification or correction under the GSOO Procedures.

LNG export project means the operation of an LNG export facility (as defined in Part 18) and associated activities including the production or purchase of processable gas or natural gas for conversion to LNG or for supply to the domestic market.

participating jurisdiction does not include Western Australia unless this Part applies in that jurisdiction.

peak day capacity

- (a) when used in reference to a pipeline – means the maximum daily quantity of ~~natural gas~~ that can be transported through the pipeline under normal operating conditions;
- (b) when used in reference to a gas processing plant– means the maximum daily production capacity of the gas processing plant under normal operating conditions; and
- (c) when used in reference to a storage facility – means the maximum quantity of ~~natural gas~~ that the storage facility can hold in storage and the maximum daily quantity of ~~natural gas~~ that the storage facility can withdraw, inject or produce.

remote BB facility has the meaning given in Part 18.

135KA Application and exemptions

- (1) This Part does not apply in Western Australia until a day fixed by or under legislation of that State.
- (2) Subject to subrule (4);
 - (a) an exempt NT facility operator is exempt from participation in a GSOO survey in relation to its exempt NT facility; and
 - (b) a person in the capacity of facility operator of a remote BB facility, is exempt from participation in a GSOO survey in relation to its remote BB facility.
- (3) Subject to subrule (4), an exempt NT field owner is exempt from participation in a GSOO survey in relation to its exempt NT field.
- (4) An exemption under subrule (2) or (3) expires at the same time Part 18 begins to apply to the exempt NT facility, ~~or~~ exempt NT field or remote BB facility (as applicable) in accordance with rule 143A(3), ~~or~~ rule 143A(3A) or rule 144(2) (as applicable).

Division 2 Content and publication of the gas statement of opportunities

135KB Content of the gas statement of opportunities

- (1) The gas statement of opportunities must contain, for each participating jurisdiction, for the period of 10 years commencing on 1 January in the year of its publication, information about:
 - (a) natural gas reserves (including prospective or contingent resources); and
 - (aa) gas production forecasts, gas blend processing forecasts and LNG import forecasts; and

- (ab) the volume of gas production, gas blend processing and LNG imports that has been contracted for each year of the forecast horizon; and
- (ac) production cost estimates that have been prepared by or for AEMO; and
- (b) annual and peak day capacity of, and constraints affecting, gas processing plants, blend processing facilities or LNG import facilities; and
- (c) committed and proposed new or expanded gas processing plants, blend processing facilities or LNG import facilities; and
- (d) projected demand for ~~natural gas~~gas (including annual and peak day forecasts) for each jurisdiction; and
- (e) annual and peak day transmission capacity and constraints (including interconnection constraints); and
- (f) peak day capacity of, and constraints on, storage facilities; and
- (g) committed and proposed new transmission pipelines and pipeline augmentations; and
- (h) committed and proposed new or expanded storage facilities; and
- (i) factors that may affect the volume of gas supplied by gas processing plants, blend processing facilities, LNG import facilities, transmission pipelines or storage facilities (for example, planned and unplanned outages and, in the case of transmission pipelines, unaccounted for gas).

(1A) The gas statement of opportunities must also include:

- (a) information about the number and type of wells drilled for each participating jurisdiction in periods prior to its publication as provided for in the GSOO Procedures; and
- (b) short and medium term demand-supply balance information for LNG export projects.

(2) The gas statement of opportunities must also, if practicable, include forecasts of natural gas reserves (including prospective and contingent resources) and annual demand for a further period of 10 years from the end of the period of 10 years referred to in subrule (1).

(2A) The gas statement of opportunities may include information about:

- (a) the feedstock used to create primary gases (other than natural gas); and
- (b) the factors that may affect the availability of that feedstock for the period of 10 years commencing on 1 January in the year of its publication.

(3) Forecasts made for the purposes of the gas statement of opportunities must be made as far as possible on a consistent basis.

Division 3 GSOO surveys

135KE Obligation to participate in a GSOO survey

- (1) A GSOO survey may require information in relation to the ~~natural gas industry~~covered gas industry that AEMO considers is reasonably necessary for the preparation, review, revision or publication of the gas statement of opportunities.
- (2) AEMO may in accordance with the GSOO Procedures require a GSOO reporting entity to participate in a GSOO survey.
- (3) If required under subrule (2), a GSOO reporting entity must participate in a GSOO survey in accordance with the GSOO Procedures.

Note:

It is proposed to classify this subrule as a civil penalty provision.

- (4) A GSOO reporting entity required to participate in a GSOO survey must provide to AEMO information in relation to the ~~natural gas industry~~covered gas industry that the GSOO reporting entity has in its possession or control and is requested in the GSOO survey.

Note:

See section 91DB(1) of the *NGL* requires a person who has possession or control of information in relation to the ~~natural gas industry~~covered gas industry to give the information to AEMO for use by AEMO in the preparation of the gas statement of opportunities if the person is required to do so under the Rules. Section 91DB is classified as a civil penalty provision.

- (5) This Part does not require a GSOO reporting entity to disclose to AEMO:
 - (a) information that is not required to be disclosed due to the operation of subsection 91DB(4)(a) or (b) of the *NGL*;
 - (b) actual production costs or production cost estimates; or
 - (c) demand-supply balance information for an LNG export project beyond a medium term forecast horizon specified in the GSOO Procedures.

135KH Use and disclosure of GSOO survey information

- (1) AEMO may use information provided to it in connection with a GSOO survey to prepare, review, revise or publish the gas statement of opportunities.

(1A) AEMO may also use information provided to it in connection with a GSOO survey to prepare and publish a planning review in accordance with rule 323.

- (2) AEMO may disclose protected information provided to it in connection with a GSOO survey in the gas statement of opportunities in accordance with Subdivision 2 of Division 7 of Part 6 of Chapter 2 of the *NGL*.

Part 15E Trial waivers, trial Rules and trial Projects

Division 2 Trial waivers

135MB Consultation regarding a proposed trial waiver

- (1) Subject to subrule (3), the AER must carry out public consultation in relation to a proposed *trial waiver*, unless it is satisfied that the proposed *trial waiver* and *trial project*:
 - (a) is unlikely to have an impact on other Registered participants; and
 - (b) is unlikely to have a direct impact on *retail customers* other than those who provide explicit informed consent to participate in the *trial project*.
- (2) The AER must consult *AEMO* in relation to any potential impact of a proposed *trial waiver* and *trial project* on:
 - (a) *AEMO's* operation and administration of wholesale or retail gas markets~~markets for natural gas~~; or
 - (b) *AEMO's* operation of *declared distribution systems* and *declared transmission systems*, or *AEMO's* capacity to perform its *declared system functions*.
- (3) The *Trial Projects Guidelines* must specify the procedures by which the AER will carry out public consultation in relation to a proposed *trial waiver*.

135MC Eligibility requirements

- (1) In considering whether to grant a *trial waiver*, the AER must have regard to:
 - (a) whether the carrying out and monitoring of the *trial project* is likely to contribute to the development of regulatory and industry experience;
 - (b) whether the *trial project* may have an adverse effect on the safety, reliability or security of supply of natural gas and the measures that the applicant will take to avoid or mitigate such risks;
 - (c) whether the *trial project* may have an adverse effect on *AEMO's*:
 - (i) operation and administration of markets for natural gas; or
 - (ii) operation of *declared distribution systems* and *declared transmission systems*, or *AEMO's* capacity to perform its *declared system functions*, and the measures that the applicant will take to avoid or mitigate such adverse effects; and
 - (d) whether the extent and nature of the *trial project confidential information* claimed by the applicant may impair:
 - (i) the AER's ability to provide appropriate public transparency in relation to the conduct and outcomes of *trial projects*; or
 - (ii) the appropriate development of regulatory and industry experience arising from the *trial project*.

- (2) In considering whether to grant a *trial waiver*, the AER may have regard to any other matter it considers relevant, including (but not limited to) any relevant consideration that may be specified in the *Trial Projects Guidelines*.

Division 3 Trial Rules

135N Request for a trial Rule

- (1) For the purposes of section 301(1)(a)(i) of the *NGL*, a request for the making of a *trial Rule* must contain the following information:
- (a) the name and address of the person making the request;
 - (b) a detailed outline of the proposed *trial project*;
 - (c) an explanation of how the proposed *trial project* will or is likely to lead to the achievement of the national gas objective;
 - (d) an explanation of the expected benefits and costs of the *trial project* for consumers and other market participants and the innovation that it may lead to;
 - (e) a description of the proposed *trial Rule*;
 - (f) a summary of the person's previous engagement with the AER, *AEMO* or any jurisdictional regulator in relation to the *trial project*;
 - (g) an explanation of why the *trial Rule* is needed in order to conduct the *trial project*;
 - (h) an explanation of how consumer protections will be maintained under the *trial Rule*, including whether and how the *explicit informed consent* of *retail customers* participating in the *trial project* will be obtained;
 - (i) the applicant's approach to consumer engagement and dispute management;
 - (j) an explanation of how risks to the safety, reliability and security of supply of ~~natural gas~~covered gases will be avoided or mitigated;
 - (k) an explanation of whether the *trial project* may have an adverse effect on *AEMO's*:
 - (i) operation and administration of ~~wholesale or retail gas markets~~markets for natural gas; or
 - (ii) operation of *declared distribution systems* and *declared transmission systems*, or *AEMO's* capacity to perform its *declared system functions*, and if so, how such adverse effects will be avoided or mitigated;
 - (l) evidence that the person has the operational and financial ability to carry out the *trial project*;
 - (m) identification of the *trial project confidential information*;
 - (n) an explanation of how the *trial Rule* is likely to contribute to the development of regulatory and industry experience; and

- (o) an outline of the trial closure process, and how participating *retail customers* will revert to their pre-existing supply arrangements after closure of the *trial project*.
- (2) For the purposes of section 24 of the *Australian Energy Market Commission Establishment Act 2004* (SA) (as applied by section 71 of the *NGL*), information provided by an applicant to the AEMC in, or in connection with, an request for the making of a *trial Rule* that is not identified as *trial project confidential information* is not information given to the AEMC in confidence.

Part 16 Confidential information

136 Interpretation

In this Part:

confidential information means information:

- (a) provided to a Registered participant or to AEMO under or in connection with these rules or the Procedures or derived from information so provided; and
- (b) classified by or under these rules or the Procedures, or by AEMO, the AER or the AEMC, as confidential information.

gas supply information means information obtained by a service provider (but not from a public source) about a person's:

- (a) use or prospective use of pipeline services; or
- (b) acquisition or consumption, or prospective acquisition or consumption, of ~~natural gas~~covered gas.

improper – disclosure or use of relevant confidential information is improper if the information is disclosed or used contrary to this Part.

recognised stock exchange means:

- (a) a stock exchange that is a member of the World Federation of Exchanges; or
- (b) an approved stock exchange within the meaning of section 470 of the *Income Tax Assessment Act 1936* (Cth).

relevant confidential information means:

- (a) information given to a service provider in confidence by a user or prospective user or information about a user or prospective user that the user or prospective user has asked the service provider to keep confidential; or
- (b) gas supply information.

Part 17 Miscellaneous provisions relating to the AER

140B Price information to be published by the AER

- (1) Subject to subrule (6), the AER must in accordance with a determination made by the AER under subrule (2) publish information relating to the following:
 - (a) LNG netback prices at locations determined by the AER;
 - (b) if any LNG import facilities are registered under Part 18:
 - (i) LNG import parity prices at locations determined by the AER; and
 - (ii) LNG import prices;
 - (c) LNG export prices, excluding LNG export prices for export of LNG from an exempt NT facility;
 - (d) prices for ~~natural gas~~ under gas supply agreements; and
 - (e) prices under gas swap agreements.
- (2) The AER must determine:
 - (a) the categories of information it will publish for the purposes of subrule (1), which may include non-price information or price forecasts;
 - (b) the intervals at which the information will be published and circumstances in which publication may be delayed or not occur;
 - (c) the methodologies and inputs used to calculate the information and circumstances in which they may be modified;
 - (d) measures for anonymising and aggregating information before publication and other measures the AER considers appropriate to comply with subrule (6), which may vary according to circumstances; and
 - (e) locations for LNG netback prices and (where applicable) LNG import parity prices.
- (3) The AER must publish its determination under subrule (2) on its website.
- (4) Before amending a determination under subrule (2), the AER must consult as the AER considers appropriate on the matters in subrule (2) and any other matter the AER considers relevant to its determination.
- (5) A consultation under subrule (4) and a consultation under rule 139 about making a price information order may be conducted together.
- (6) Where information is given to the AER under a price information order, the AER must only publish the information in accordance with subrule (1) if the information is both anonymised in accordance with section 328 of the *NGL* and aggregated in accordance with section 328B of the *NGL*.
- (7) In this rule:

exempt NT facility has the meaning in Part 18.

gas means covered gas.

gas supply agreement means an agreement for the supply of ~~natural gasgas~~ but does not include an agreement for the supply of ~~natural gasgas~~ to:

- (a) a residential customer within the meaning of the National Energy Retail Law; or
- (b) a business customer within the meaning of the National Energy Retail Law who consumes less than 10 TJ per annum at business premises.

gas swap agreement includes an agreement to swap ~~natural gasgas~~ at one location for ~~natural gasgas~~ at another location or to swap ~~natural gasgas~~ at a location at a particular time for ~~natural gasgas~~ at the same location at a different time.

LNG means liquefied natural gas.

LNG import parity price means the effective price of natural gas at a specific location or defined point, calculated by taking the delivered price of LNG and adding, as applicable, costs incurred between the delivery point of the LNG and the specific location such as gas transmission, shipping and regasification costs.

LNG netback price means the effective price of natural gas at a specific location or defined point, calculated by taking the delivered price of LNG and subtracting, as applicable, costs incurred between the specific location and the delivery point of the LNG such as gas transmission, liquefaction and shipping costs.

non-price information includes information about delivery location, number of transactions, number of trading parties, trade dates, supply periods, contract quantities and other non-price terms and conditions.

Part 18 ~~Natural Gas Services Bulletin Board~~ Bulletin Board

Division 1 Interpretation and application

141 Interpretation

- (1) In this Part:

2C resources has the meaning given in rule 171(1)(a).

1P reserves, 2P reserves and 3P reserves each has the meaning given in rule 171(1)(b).

auction facility has the meaning given in Part 25.

auction service has the meaning given in Part 25.

auction service curtailment information means for an auction service provided by means of an auction facility for a gas day, the curtailed quantity for that gas day for all transportation capacity sold in the capacity auction for use of the auction service on that gas day.

BB allocation agent means a person who determines, in respect of a BB allocation point, the allocation of deliveries or receipts of ~~natural gas~~ among users of the BB allocation point.

BB allocation point means each:

- (a) service point for a Part 24 facility registered under Part 24; and
- (b) system injection point and system withdrawal point (each as defined in Part 19) for which an Allocation Agent (as defined in Part 19) is appointed under Part 19,

excluding, in each case, a point at which the allocation of deliveries or receipts of ~~natural gas~~ is determined under the Retail Market Procedures.

BB auction facility means a BB facility that is an auction facility and subject to the capacity auction. If only part of a BB facility is an auction facility, that part is a BB auction facility.

BB blend processing facility means a blend processing facility that meets the applicable reporting threshold.

BB blended gas distribution system means a distribution system that:

- (a) meets the applicable reporting threshold; and
- (b) transports, or is authorised to transport, a gas blend that is subject to a blending limit.

Note

Limited reported obligations apply in relation to BB blended gas distribution systems. Refer to rule 144A.

BB capacity transaction means a BB transportation capacity transaction or a BB storage capacity transaction.

BB compression facility means a designated compression service facility or a stand-alone compression service facility that meets the applicable reporting threshold.

BB facility means a BB production facility, a BB pipeline, a BB blended gas distribution system, a BB blend processing facility, a BB storage facility, a BB compression facility, a BB large user facility or an LNG processing facility.

BB field means a field in respect of which the right to explore for, extract, recover or process petroleum is held under one or more petroleum tenements and that meets the applicable reporting threshold.

BB field interest means a net revenue interest in a BB field.

BB information standard is defined in rule 165.

BB large user facility means a user facility that meets the applicable reporting threshold.

BB participant means a person that is registered by AEMO under this Part.

BB pipeline means a transmission pipeline that is a scheme pipeline and any other transmission pipeline that meets the applicable reporting threshold.

BB production facility means a production facility that meets the applicable reporting threshold.

BB reporting agent means a person registered with AEMO under this Part in that capacity.

BB reporting entity means:

- (a) a facility operator registered under this Part as the BB reporting entity for one or more BB facilities;
- (b) a BB allocation agent registered under this Part as the BB reporting entity for one or more BB allocation points;
- (c) in relation to a BB capacity transaction, a short term LNG export transaction or a BB short term gas transaction, a person required to provide information to AEMO about the transaction under Subdivision 5.8 of Division 5;
- (d) a field owner registered under this Part as the BB reporting entity for one or more BB field interests; or
- (e) a facility developer registered under this Part as the BB reporting entity for one or more facility development projects.

BB shipper means a person who is, or has a right to be, provided with a service by means of a BB facility or distribution system including a person who:

- (a) is a party to a contract (including an operational transportation service agreement) with a facility operator for a BB facility under which the facility operator provides or intends to provide a service to that person by means of a BB facility;
- (b) has a right under an access determination to be provided with a pipeline service by means of a BB pipeline or distribution system; or

- (c) is a facility operator for a BB facility or any associate of a facility operator for a BB facility and who uses or intends to use a service provided by means of the BB facility.

BB short term gas transaction means a short term gas supply transaction or a short term gas swap transaction that satisfies the following criteria:

- (a) under the transaction, ~~natural-gas~~gas must be supplied to a location in a participating jurisdiction (other than at or on a remote BB facility);
- (b) supply and acceptance obligations under the transaction are firm (whether or not described as firm and allowing for exceptions such as operational constraints);
- (c) the maximum quantity that a party to the transaction can be required to supply under the transaction on any gas day in the supply period is at least 1 TJ (and for this purpose, a series of transactions for supply of less than 1 TJ that in substance operates as a single transaction is to be treated as a single transaction); and
- (d) the transaction is not an excluded supply transaction.

BB storage capacity transaction means a secondary capacity transaction that:

- (a) relates to capacity rights for use of a BB storage service, whether or not the transaction relates to any other matter; and
- (b) is not an excluded capacity transaction.

BB storage facility means a gas storage facility that meets the applicable reporting threshold.

BB storage provider means a facility operator for a BB storage facility.

BB storage service means a service provided by means of a BB storage facility.

BB terms of use means the terms and conditions on which BB users are granted access to the Bulletin Board and which are set out in the BB Procedures.

BB transportation capacity transaction means a secondary capacity transaction that:

- (a) relates to transportation capacity for use of a BB transportation service, whether or not the transaction relates to any other matter; and
- (b) is not an excluded capacity transaction.

BB transportation service means:

- (a) a pipeline service that is or is in the nature of:
 - (i) a forward haul service or a backhaul service (whether or not described by another name);
 - (ii) a service for the storage of ~~natural-gas~~gas (sometimes called a park service); or
 - (iii) a service for the borrowing of ~~natural-gas~~gas (sometimes called a loan service); and

- (b) a service provided by means of a compression service facility,

but does not include a pipeline service provided by means of a distribution pipeline.

BB user means:

- (a) a BB participant; and
- (b) any other person who accesses information on the Bulletin Board.

blending limit means, in relation to a gas blend, an upper limit on the percentage by volume of a primary gas that may form part of the gas blend.

Bulletin Board means the ~~Natural Gas Services Bulletin Board~~ Gas Bulletin Board.

capacity auction means the capacity auction established by AEMO under Part 25.

capacity right means a right to be provided with a service by means of a ~~covered gas industry facility~~ ~~natural gas industry facility~~ in respect of a given quantity of ~~gas~~ ~~natural gas~~ over a given period of time. Transportation capacity is a form of capacity right.

capacity seller means, in relation to a secondary capacity transaction, a person disposing of a right to use a capacity right under that secondary capacity transaction.

capacity transaction information has the meaning given in rule 141(2A).

closely related entity means, in relation to an entity (the **first entity**):

- (a) an entity that is a closely held subsidiary of the first entity; or
- (b) where the first entity is a closely held subsidiary of another entity (**holding entity**), the holding entity; or
- (c) an entity that is a closely held subsidiary of a holding entity of the first entity, where “**closely held subsidiary**” has the meaning given in section 214 of the *Corporations Act 2001* of the Commonwealth.

commissioned means:

- (a) for a BB facility that is not a pipeline, the date when the BB facility is first used on a commercial basis (whether for the benefit of a facility operator of the BB facility or for someone else); and
- (b) for a pipeline, the date the pipeline is commissioned as defined in the *NGL*.

compression delivery point means a compression service point used for delivery of compressed gas ~~has the meaning given in Part 25~~.

compression facility operator means a facility operator of a BB compression facility.

compression receipt point means a compression service point used for receipt of gas for compression ~~has the meaning given in Part 25~~.

compression service point means a point, or combination of points (sometimes known as a notional point) at which a transportation service provider receives (takes delivery of) or may receive gas, or delivers or may deliver gas, for the provision of a gas compression service.

curtailed quantity means for a gas day and a transportation service, the amount (in GJ) by which the scheduled quantity for the transportation service for the gas day is less than the nomination for use of the transportation service on that gas day, but not including any part of a nomination not included in the scheduled quantity

because it exceeds the quantity of transportation capacity held by the person making the nomination.

curtailment has the meaning given in Part 24.

daily capacity means:

- (a) for a production facility, the quantity of ~~gas~~natural gas that can be injected into one or more pipelines from the facility on a gas day;
- (b) for a transmission pipeline, for each direction in which ~~gas~~natural gas can be transported on the pipeline, the quantity of ~~gas~~natural gas that can be transported through the pipeline on a gas day in that direction;
- (b1) for a distribution system, the quantity of gas that can be injected into the distribution system on a gas day;
- (c) for a gas storage facility, each of:
 - (i) the quantity of ~~natural gas~~gas that can be withdrawn from the gas storage facility for injection into another facility on a gas day;
 - (ii) the quantity of ~~natural gas~~gas that the gas storage facility can receive and process into storage on a gas day; and
 - (iii) the quantity of ~~natural gas~~gas that the gas storage facility can hold in storage on a gas day;
- (d) for a compression service facility, the quantity of ~~natural gas~~gas that can be compressed by the compression service facility on a gas day;
- (e) for a receipt point on a pipeline, the quantity of ~~natural gas~~gas that can be injected into the pipeline through the receipt point on a gas day;
- (f) for a delivery point on a pipeline, the quantity of ~~natural gas~~gas that can be withdrawn from the pipeline through the delivery point on a gas day;
- (g) for a user facility, the quantity of ~~natural gas~~gas that connections to the facility are capable of allowing to be delivered to the facility from a pipeline on a gas day;
- (h) for an LNG export facility, each of:
 - (i) the quantity of natural gas that the facility can receive from a pipeline on a gas day; and
 - (ii) the quantity of natural gas that the facility can process to a liquefied state on a gas day; ~~and~~
- (i) for an LNG import facility, each of:
 - (i) the quantity of LNG that the LNG import facility can receive and process into storage on a gas day;
 - (ii) the quantity of LNG that the LNG import facility can hold in storage on a gas day;
 - (iii) the quantity of LNG that can be withdrawn from storage for processing to a gaseous state on a gas day; and
 - (iv) the quantity of natural gas (in a gaseous state) that can be injected into one or more pipelines from the LNG import facility on a gas day; ~~and~~

(j) for a blend processing facility, each of:

- (i) the quantity of gas that the blend processing facility can receive on a gas day; and
- (ii) the quantity of gas that can be injected into one or more pipelines from the blend processing facility on a gas day.

daily consumption data means, for a BB large user facility or an LNG export facility, the quantity of ~~natural-gasgas~~ delivered to the facility on a gas day.

daily flow data means, for a BB pipeline:

- (a) the quantity of ~~natural-gasgas~~ injected at each receipt point on the pipeline on a gas day; and
- (b) the quantity of ~~natural-gasgas~~ withdrawn at each delivery point on the pipeline on the gas day.

daily production data means:

- (a) for a BB production facility, the quantity of ~~natural-gasgas~~ injected into one or more pipelines from the production facility on a gas day;
- (b) for a BB storage facility:
 - (i) the quantity of ~~natural-gasgas~~ withdrawn from the facility on a gas day; and
 - (ii) the quantity of ~~natural-gasgas~~ received and processed into storage on the gas day;
- (c) for a BB compression facility, the quantity of ~~natural-gasgas~~ compressed by the BB compression facility on a gas day; ~~and~~
- (d) for an LNG import facility:
 - (i) the quantity of LNG received and processed into storage on a gas day;
 - (ii) the quantity of LNG withdrawn from storage for processing to a gaseous state on a gas day; and
 - (iii) the quantity of ~~gas natural gas (in a gaseous state)~~ injected into one or more pipelines from the LNG import facility on a gas day; ~~and~~;

(e) for a BB blend processing facility:

- (i) the quantity of gas received by the BB blend processing facility on a gas day; and
- (ii) the quantity of gas injected into one or more pipelines from the BB blend processing facility on a gas day.

delivery point means a *receipt or delivery point* when it is used for withdrawal (that is, delivery) of ~~natural-gasgas~~ from a pipeline.

detailed facility information has the meaning in rule 169(4).

distribution system means a system of distribution pipelines and associated equipment that supplies ~~natural-gas-gas~~ withdrawn from one or more BB pipelines to multiple end users, but excludes a transmission pipeline.

exchange agreement means the Gas Supply Hub Exchange Agreement made by AEMO for the gas trading exchange as amended from time to time.

excluded capacity transaction means:

- (a) the use of transportation capacity to satisfy an obligation to supply ~~gas~~^{gas/natural} under a gas supply transaction;
- (b) a gas swap transaction;
- (c) a novation of an agreement (by termination and replacement with an agreement with at least one different party in the same or similar terms); or
- (d) a related party transaction.

excluded supply transaction means:

- (a) a novation of an agreement (by termination and replacement with an agreement with at least one different party in the same or similar terms);
- (b) a related party transaction; or
- (c) a gas supply transaction where the purchaser is:
 - (i) a residential customer within the meaning of the National Energy Retail Law; or
 - (ii) a business customer within the meaning of the National Energy Retail Law who consumes less than 10 TJ per annum at business premises.

facility developer means a person who owns, controls or undertakes a facility development project.

facility developer group is defined in rule 152(3).

facility development project means a project for:

- (a) the extension or expansion, or proposed extension or expansion, of a BB facility; or
- (b) the development, extension or expansion or the proposed development, extension or expansion of a ~~natural gas industry facility~~^{covered gas industry facility}—that will be a BB facility when the development, extension or expansion is commissioned,

and where the project has been publicly announced or if it has not been publicly announced, where the project satisfies the criteria in the BB Procedures made in accordance with rule 152(6) for classification as a proposed or committed development.

facility operator means for:

- (a) a BB production facility: each producer or user who owns, operates or controls the BB production facility;
- (b) a BB pipeline: each service provider or gas market operator for the BB pipeline;
- ~~(b1) a BB blended gas distribution system: each service provider for the BB blended gas distribution system;~~
- (c) a BB storage facility: each storage provider for the BB storage facility;

- (d) a BB compression facility: each compression service provider who owns, operates or controls the BB compression facility;
- (e) a BB large user facility: each person with operational control (as defined in the NGER Act) of the BB large user facility;
- (f) an LNG processing facility: each LNG service provider who owns, operates or controls the LNG processing facility;
- (g) a BB blend processing facility: each blend processing service provider who owns, operates or controls the BB blend processing facility.

facility operator group is defined in rule 150(3)(a).

field has the meaning given to 'Field' in SPE-PRMS.

field owner means a person with a BB field interest.

field owner group is defined in rule 151(3).

gas means any covered gas.

gas day means in respect of a BB facility, the 24 hour period for which nominations are provided.

gas seller means in relation to:

- (a) a gas supply transaction, a person with an obligation under the transaction to supply ~~natural gas~~gas;
- (b) a gas swap transaction, each party to the transaction; and
- (c) an LNG export transaction, a person with an obligation under the transaction to supply LNG.

gas storage facility means a facility for storing ~~natural gas~~gas (including LNG) for injection into a pipeline, but does not include:

- (a) a facility for storing imported LNG that is part of an LNG import facility; or
- (b) a facility for storing LNG prior to export at an LNG export facility.

gas supply transaction means a transaction (other than a gas swap transaction or an LNG export transaction) for the supply of ~~natural gas~~gas.

gas swap transaction means a transaction under which both parties to the transaction have an obligation to supply ~~natural gas~~gas such that either or both:

- (a) a quantity of ~~natural gas~~gas at a location is swapped for a quantity of ~~natural gas~~gas at another location; or
- (b) a quantity of ~~natural gas~~gas at a location at a particular time is swapped for a quantity of ~~natural gas~~gas at the same location at a different time.

gas trading exchange means the gas trading exchange established under Part 22.

gate station means a delivery point that serves a distribution system.

GJ means gigajoule.

GSH Operator means AEMO or a person appointed under Part 22 from time to time to perform the role of Operator under that Part.

GST has the meaning given in the *A New Tax System (Goods and Services Tax) Act 1999* of the Commonwealth.

independent means in relation to the relationship between a BB reporting entity and a qualified gas industry professional, one in which there are no circumstances that could, in the opinion of a reasonable person aware of all relevant facts, interfere with the qualified gas industry professional's exercise of judgement regarding the preparation of information which is prepared by, or under the supervision of, or subject to audit or verification by, the qualified gas industry professional.

LCA flag for:

- (a) a BB pipeline for a gas day means a green, amber or red flag indicating the actual or expected capability of the BB pipeline to meet the aggregated nominations for withdrawals from the BB pipeline for that gas day based on the pipeline's linepack and capacity; and
- (b) for a BB compression facility for a gas day means a green, amber or red flag indicating the actual or expected capability of the BB compression facility to meet the aggregated nominations for use of the BB compression facility for that gas day based on the facility's capacity.

Note:

The meaning of a green, amber or red flag is specified in the BB Procedures.

lateral gathering pipeline means a pipeline:

- (a) operated as part of an upstream producing operation; and
- (b) used principally to transport ~~natural gas~~ for injection into a BB facility operated as part of the upstream producing operation where that BB facility is not itself a lateral gathering pipeline.

liquefied natural gas or **LNG** means natural gas in a liquid state.

LNG export facility means an LNG facility for the processing of natural gas from a gaseous state to LNG and loading of the LNG on to a ship.

LNG export transaction means a transaction where:

- (a) a party to the transaction has an obligation to supply natural gas;
- (b) the natural gas is to be transported by ship as LNG; and
- (c) loading of the LNG for shipment occurs at an LNG export facility registered under this Part.

LNG import facility means an LNG facility for the unloading of LNG delivered by ship, storage of the LNG and the processing of the LNG to a gaseous state.

LNG processing facility means an LNG export facility or an LNG import facility.

LNG shipment data means:

- (a) in relation to a shipment of LNG from an LNG export facility, the identity of the LNG export facility, the shipment departure date and the total shipment volume (in PJ); and
- (b) in relation to a shipment of LNG received at an LNG import facility, the identity of the LNG import facility, the date unloading commences at the LNG import facility and the total shipment volume (in PJ).

master trading agreement means a contract under which the parties may from time to time agree to a supply of goods or services (each a ‘transaction’) on the terms provided for in the master trading agreement and other terms agreed by the parties for the transaction.

material change means:

- (a) in respect of nameplate rating information for a BB facility (other than a BB large user facility), the information is no longer accurate due to changes in the capacity of the BB facility that are likely to impact the BB facility for more than one year;
- (b) [not used];
- (c) in respect of a short term capacity outlook for a BB facility, a change to the short term capacity outlook that exceeds the greater of A and B where:
 - (i) A is 5 TJ; and
 - (ii) B is the lesser of 10% of the nameplate rating of the BB facility and 30 TJ; and
- (d) in respect of information about nominated or forecast use of a service provided by means of a BB facility, a change to the nomination or forecast that exceeds the greater of A and B where:
 - (i) A is 5 TJ; and
 - (ii) B is the lesser of 10% of the nameplate rating of the BB facility and 30 TJ.

medium term capacity outlook for a BB facility means information about matters expected to affect the daily capacity of the BB facility, for an outlook period of 12 months beyond the current short term capacity outlook provided by the relevant facility operator including the information required under rule 181.

nameplate rating has the meaning given in rule 141(2).

net revenue interest has the meaning given to ‘Net Revenue Interest’ in SPE-PRMS, expressed as a percentage.

NGER Act means the *National Greenhouse and Energy Reporting Act 2007* of the Commonwealth.

nomination means the ~~gas~~natural gas quantities notified by a BB shipper to the relevant facility operator to specify the BB shipper’s intended use of a service provided by means of a BB facility or distribution system for a period of time.

Part 18 replacement date means the date on which the rule by which this definition was inserted in the National Gas Rules came into effect.

Part 24 facility has the meaning given in Part 24.

petroleum tenement means a right to explore for, extract, recover or process petroleum granted under the law of a participating jurisdiction and includes:

- (a) exploration, retention and production rights;
- (b) rights granted in the form of a permit, licence, lease or authority to prospect;
- (c) rights granted in respect of the internal waters of a State or Territory;

- (d) rights granted in respect of the coastal waters of a State or the Northern Territory; and
- (e) rights granted in respect of the offshore area of a State or Territory as determined in accordance with the *Offshore Petroleum and Greenhouse Gas Storage Act 2006* of the Commonwealth.

pipeline operator means a facility operator for a BB pipeline.

PJ means petajoule.

primary capacity transaction means a transaction under which an owner, operator or controller of a ~~natural gas industry facility~~covered gas industry facility sells or otherwise contracts a capacity right in relation to the ~~natural gas industry facility~~covered gas industry facility to another person.

primary firm capacity means in relation to a BB facility, a firm capacity right in relation to the BB facility that is contracted or available to be contracted to a BB shipper under a primary capacity transaction.

production facility means:

- (a) ~~a gas processing plant at which natural gas is produced so that it is in a form suitable for injection into one or more pipelines~~BB pipelines; or
 - (b) ~~a facility at which any other primary gas is produced so that it is in a form suitable for injection into one or more pipelines,~~
- ~~but does not include a blend processing facility.~~

production facility operator means a facility operator for a BB production facility.

qualified gas industry professional means a person:

- (a) who is a gas industry professional and a member of good standing of a professional organisation of engineers, geologists or other professional organisation of geoscientists that has disciplinary powers, including the power to suspend or expel a member; and
- (b) whose professional practice includes evaluations or audits of petroleum reserves and contingent resources.

receipt point means a *receipt or delivery point* when it is used for injection (i.e. receipt) of ~~natural gas~~gas into a pipeline.

registered BB shipper means a BB shipper registered with AEMO under Subdivision 3.1 of Division 3.

related party transaction means a transaction where each party to the transaction is a closely related entity in relation to each other party to the transaction.

remote BB facility means a BB facility that is or is connected to a remote pipeline.

remote pipeline means a transmission pipeline that:

- (a) is not an STTM facility or part of a declared transmission system;
- (b) is not a pipeline on which ~~natural gas~~gas sold through the gas trading exchange may be physically delivered or received or through which such ~~natural gas~~gas may be transported;
- (ba) is not a Part 24 facility; and

- (c) is not connected directly or indirectly to a pipeline satisfying paragraph (a), (b) or (ba) of this definition.

renomination has the meaning given in Part 24.

reporting threshold means:

- (a) in relation to a production facility: where the nameplate rating of the production facility is, or (in the case of a proposed production facility) will be, equal to or more than 10 TJ of ~~natural-gasgas~~ per day;
- (b) in relation to a transmission pipeline: where the nameplate rating of the pipeline is, or (in the case of a proposed pipeline) will be, equal to or more than 10 TJ of ~~natural-gasgas~~ per day;
- (b1) in relation to a distribution system: where the nameplate rating of the distribution system is, or (in the case of a proposed distribution system) will be, equal to or more than 10 TJ of gas per day;
- (c) in relation to a gas storage facility: where the production nameplate rating of the gas storage facility is, or (~~or~~ in the case of a proposed gas storage facility) will be, equal to or more than 10 TJ of ~~natural-gasgas~~ per day;
- (d) in relation to a compression service facility: where at least one of the values comprising the nameplate rating of the compression service facility is, or (in the case of a proposed compression service facility) will be, equal to or more than 10 TJ of ~~natural-gasgas~~ per day;
- (e) in relation to a user facility: where the nameplate rating of the user facility is, or (in the case of a proposed user facility) will be, equal to or more than 10 TJ of ~~natural-gasgas~~ per day; ~~and~~
- (f) in relation to a field: where the field has 1P, 2P or 3P reserves, or 2C resources, of processable gas-;
- (g) a blend processing facility: where the nameplate rating of the blend processing facility in respect of injections into a pipeline is, or (in the case of a proposed blend processing facility) will be, equal to or more than 10 TJ of gas per day.

reserves and resources estimate means an estimate of 1P, 2P or 3P reserves or 2C resources provided under rule 171B(1).

reserves reporting year is defined in rule 171(7).

responsible facility developer is defined in rule 152(3)(b).

responsible facility operator is defined in rule 150(3)(b).

responsible field owner is defined in rule 151(4).

responsible reporting entity means a responsible facility developer, responsible facility operator or responsible field owner.

retail market operator means AEMO in its capacity as operator of a regulated retail gas market.

scheduled quantity has the meaning given in Part 25.

secondary capacity transaction means a transaction, other than a primary capacity transaction, under which a person disposes of some or all of a capacity right, including disposal by means of:

- (a) transfer, sale, assignment, exchange or other disposal; and
- (b) the grant of a right to use, directly or indirectly, the capacity right.

Note:

The term secondary capacity transaction includes bare transfers and operational transfers.

service point has the meaning given in Part 24.

service term means in relation to a secondary capacity transaction, the period over which the capacity seller's capacity right (or a part of it) is transferred or otherwise made available to the other party to the transaction.

short term capacity outlook means:

- (a) for a BB facility other than a BB compression facility, the facility operator's good faith estimate of the daily capacity of the BB facility for each of gas days D to D+6;
- (b) for a BB compression facility, the facility operator's good faith estimate of a set of values describing the expected daily capacity of the facility under expected operating conditions for each of gas days D to D+6.

short term gas supply transaction means a gas supply transaction under which the end of the supply period is before the first anniversary of the start of the supply period.

short term gas swap transaction means a gas swap transaction under which the end of the supply period is before the first anniversary of the start of the supply period.

short term gas transaction information has the meaning given in rule 141(2B).

short term LNG export transaction means an LNG export transaction under which the end of the supply period is before the first anniversary of the start of the supply period.

short term LNG export transaction information has the meaning given in rule 141(2C).

SPE-PRMS means the document called "Petroleum Resources Management System" published in 2018 and sponsored by the Society of Petroleum Engineers, the American Association of Petroleum Geologists, the World Petroleum Council and the Society of Petroleum Evaluation Engineers and others as amended from time to time.

Note:

This document, or information about where to obtain this document, is on the AEMC's website.

stand-alone compression service facility has the meaning given in Part 24.

storage cushion gas means for a BB storage facility, the quantity of **natural gas** that must be retained in the facility in order to maintain the required pressure and deliverability rates.

supply includes supply (as defined in the *NGL*) where delivery occurs at an in-pipe delivery point or by sub-allocation.

supply period means for a gas supply transaction, gas swap transaction or LNG export transaction, the period during which a party to the transaction has or may have an obligation to deliver ~~natural gas~~ (whether in gaseous form or as LNG) on one or more days in the period. Where a transaction is entered into under a master trading agreement, the supply period is the supply period of the transaction and not the term of the master trading agreement.

STTM facility is defined in Part 20.

TJ means terajoule.

trade date means for a transaction, the date on which the transaction is entered into.

transaction includes:

- (a) a transaction under a master trading agreement, even if all transactions under the agreement are treated as forming one contract; and
- (b) any other contract for the supply of goods or services.

transfer, in relation to a capacity right, includes a reduction in a person's capacity right and a corresponding increase in another person's capacity right, whether or not on the same terms and conditions.

transportation service point register has the meaning given in Part 24.

uncontracted primary firm capacity means:

- (a) in relation to a BB storage facility, the combination of the:
 - (i) primary firm capacity for storage in the BB storage facility;
 - (ii) primary firm capacity for injection of gas into the BB storage facility; and
 - (iii) primary firm capacity for withdrawal of gas from the BB storage facility,that a BB storage provider has available for sale or that it will have available for sale;
- (b) in relation to an LNG import facility, the:
 - (a) primary firm capacity for storage in the LNG import facility; and
 - (b) primary firm capacity for regasification by the LNG import facility,that an LNG facility operator has available for sale or that it will have available for sale; and
- (c) in relation to any other BB facility, primary firm capacity of the BB facility that its facility operator has available for sale or that it will have available for sale.

user facility means an activity, or a series of activities (including ancillary activities), that comprise a facility within the meaning of the NGER Act and that:

- (a) involves the consumption of ~~natural gas~~ from the operation of the facility including own-use (including as feedstock and conversion to compressed natural gas); and

- (b) is not an LNG processing facility and does not principally comprise the operation of a production facility, gas storage facility or compression service facility.

zone has the meaning given in Part 24.

(2) In this Part the term **nameplate rating**:

- (a) when used in the context of:

- (i) a production facility;
- (ii) a transmission pipeline; ~~or~~
- (iii) a user facility; ~~or~~
- (iv) a distribution system,

means the maximum daily capacity of the facility under normal operating conditions;

- (b) when used in the context of a gas storage facility means each of:

- (i) the maximum quantity of ~~natural gas~~ that can be withdrawn from the gas storage facility for injection into another facility on a gas day under normal operating conditions (the **production nameplate rating**);
- (ii) the maximum quantity of ~~natural gas~~ that the gas storage facility can receive and process into storage on a gas day under normal operating conditions (the **refill nameplate rating**); and
- (iii) the maximum quantity of ~~natural gas~~ that the gas storage facility can hold in storage under normal operating conditions (the **storage nameplate rating**);

- (c) when used in the context of a gate station means the maximum quantity of ~~natural gas~~ that can be transported through that gate station on a gas day under normal operating conditions;

- (d) when used in the context of a receipt point or delivery point, means the maximum daily capacity of the receipt point or delivery point under normal operating conditions;

- (e) when used in the context of a compression service facility means a set of values describing the maximum daily capacity of the facility under a corresponding set of expected standard operating conditions;

- (f) when used in the context of an LNG export facility means each of:

- (i) the maximum quantity of natural gas that the facility can receive from a pipeline on a gas day under normal operating conditions; and
- (ii) the maximum quantity of natural gas that the facility can process to a liquefied state on a gas day under normal operating conditions; ~~and~~

- (g) when used in the context of an LNG import facility means each of:

- (i) the maximum quantity of LNG that the LNG import facility can receive and process into storage on a gas day under normal operating conditions;

- (ii) the maximum quantity of LNG that the LNG import facility can hold in storage on a gas day under normal operating conditions;
- (iii) the maximum quantity of LNG that can be withdrawn from storage for processing to a gaseous state on a gas day under normal operating conditions; and
- (iv) the maximum quantity of ~~gas natural gas (in a gaseous state)~~ that can be injected into one or more pipelines from the LNG import facility on a gas day under normal operating conditions;

(h) when used in the context of a blend processing facility means each of:

- (i) the maximum quantity of gas that can be received by the blend processing facility on a gas day; and
- (ii) the maximum quantity of gas that can be injected into one or more pipelines from the blend processing facility on a gas day.

(2A) In this Part the term **capacity transaction information** means the following categories of information in relation to a BB capacity transaction or the service to which the BB capacity transaction relates:

- (a) the identity of the parties to the transaction and which of the parties is a capacity seller in relation to the transaction;
- (b) the trade date;
- (c) the service term;
- (d) for a BB transportation capacity transaction:
 - (i) the transportation facility by means of which the transportation service is provided;
 - (ii) except where the transaction is concluded through the gas trading exchange, whether the transaction is on the same or substantially the same terms as the standard OTSA published under Part 24 for the transportation facility;
 - (iii) where the transaction is concluded through the gas trading exchange, whether the transaction is a pre-matched trade (as defined in the exchange agreement);
 - (iv) the BB transportation service to which the transaction relates;
 - (v) the priority given to the transportation service to which the transaction relates (such as firm, as available or interruptible);
 - (vi) as relevant to the transportation service:
 - (A) in the case of a forward haul or backhaul service, the direction of service; and
 - (B) where required by the BB Procedures, each service point at or between which the service is provided, and, where the relevant transportation facility is a Part 24 facility, by reference to the specification of the service point in the transportation service point register;

- (vii) the transaction quantity the subject of the transaction, expressed as a maximum daily quantity or MDQ (in GJ/day); and
 - (viii) except where the transaction is concluded through the gas trading exchange, the maximum hourly quantity (or MHQ) for the transportation service (in GJ/hour);
 - (e) for a BB storage capacity transaction:
 - (i) the gas storage facility by means of which the service is provided;
 - (ii) the priority given to the service to which the transaction relates (such as firm, as available or interruptible);
 - (iii) the storage capacity the subject of the transaction (in GJ); and
 - (iv) where relevant, the injection and withdrawal capacity, expressed as a maximum daily quantity or MDQ (in GJ/day);
 - (f) the transaction price (in \$/GJ/day or where relevant, in \$/GJ) excluding any amount on account of GST;
 - (g) the price structure applicable to the transaction, for example whether it is a fixed price or a variable price or a combination of the two; and
 - (h) any price escalation mechanism applicable to the transaction.
- (2B) In this Part, the term **short term gas transaction information** means the following categories of information in relation to a BB short term gas transaction:
- (a) the identity of the parties to the transaction and which of the parties is a gas seller in relation to the transaction;
 - (b) the trade date;
 - (c) the supply period start and end dates;
 - (d) the location at which the gas seller must supply the gas by reference to a *receipt or delivery point* or other location identifier specified in the BB Procedures;
 - (e) in the case of a gas swap transaction, the type of swap (locational or time-based);
 - (f) the transaction quantity, that is, the total maximum quantity of gas that may be sold or swapped (as applicable) under the transaction (in GJ);
 - (g) the take or pay quantity, that is, the total minimum quantity of gas that may be sold or swapped (as applicable) under the transaction (in GJ);
 - (h) the maximum quantity that can be required to be supplied on any gas day in the supply period (in GJ/day);
 - (i) the transaction price (in \$/GJ) (excluding any amount on account of GST) determined as at the trade date, using assumptions, where applicable, about matters such as future index values or rates provided for in the BB Procedures;
 - (j) whether the price varies by reference to a change in the value of an index or rate; and
 - (k) any price escalation mechanism applicable to the transaction.

- (2C) In this Part, the term **short term LNG export transaction information** means the following categories of information in relation to a short term LNG export transaction:
- (a) the identity of the parties to the transaction and which of the parties is a gas seller in relation to the transaction;
 - (b) the trade date;
 - (c) the supply period start and end dates;
 - (d) the transaction quantity the subject of the transaction (in PJ);
 - (e) the LNG export facility at which the LNG is loaded;
 - (f) the free on board price for the LNG (in \$/GJ) (excluding any amount on account of GST) determined as at the trade date, using assumptions, where applicable, about matters such as future index values or rates provided for in the BB Procedures; and
 - (g) whether the price varies by reference to a change in the value of an index or rate.
- (3) In this Part a reference to a quantity of ~~natural gas~~ is to an energy quantity (expressed in whole TJ unless otherwise specified in this Part or the BB Procedures), rather than a volumetric or other quantity.
- (4) In this Part, in relation to a BB reporting entity, a reference to:
- (a) “its” BB facility or BB field interest is a reference to each BB facility or BB field interest for which it is registered as the BB reporting entity;
 - (b) “its” BB allocation point is a reference to each BB allocation point for which it is registered as the BB reporting entity; and
 - (c) “its” facility development project is a reference to each facility development project for which it is registered as the BB reporting entity.
- (5) In this Part, a reference to:
- (a) gas day D is a reference to whichever gas day is designated by the relevant rule;
 - (b) gas day D-n is a reference to the gas day occurring n gas days before gas day D; and
 - (c) gas day D+n is a reference to the gas day occurring n gas days after gas day D.

143A Application to specified NT facilities and fields

- (1) For the purposes of this rule 143A:

BB application event means an event specified under subrule (5).

BB application notice means a notice issued by the AER under subrule (4).

emergency and outage gas means ~~gas~~~~natural gas~~ injected into the Wickham Point Pipeline through a WPP connection point on a gas day when there is a gas supply

outage (planned or unplanned) or emergency gas supply test, but only to the extent that:

- (i) in the case of a gas supply outage, the volume injected is no more than the volume reasonably required to replace the volume of ~~natural-gasgas~~ interrupted on the gas day as a result of the gas supply outage; and/or
- (ii) the duration over which the ~~natural-gasgas~~ is injected is not materially greater than the duration of the gas supply outage or emergency gas supply test (as applicable).

emergency gas flow notice means a notice from PWC to the AER that includes the information specified in subrule (8).

emergency gas supply test means the supply of ~~natural-gasgas~~ from an exempt NT facility to a WPP connection point to test the emergency gas flow facilities of that exempt NT facility.

exempt NT facility means a BB facility upstream of any WPP connection point.

exempt NT facility operator means a person in the capacity of facility operator of an exempt NT facility.

exempt NT field means a BB field located in the offshore area of the Northern Territory (as determined in accordance with section 8(1) of the *Offshore Petroleum and Greenhouse Gas Storage Act 2006* of the Commonwealth) where:

- (a) gas produced from the BB field is supplied exclusively to an LNG export facility that is an exempt NT facility; or
- (b) in the case of a BB field that has not commenced production, the field owner expects on reasonable grounds that gas to be produced from the BB field will be supplied exclusively to an LNG export facility that is an exempt NT facility.

In determining whether a BB field satisfies paragraph (a) or (b) of this definition, disregard on-supply from the exempt NT facility.

exempt NT field owner means a person in the capacity of field owner of an exempt NT field.

gas supply outage means an interruption to the supply of ~~natural-gasgas~~ from a ~~covered gas industry facility~~ ~~natural-gas-facility~~ in the Northern Territory.

PWC means Power and Water Corporation ABN 15 947 352 360, or any successor to its business.

Wickham Point Pipeline means the lateral transmission pipeline called the Wickham Point Pipeline as described in the pipeline register maintained by the AEMC under Part 15 of these rules.

WPP connection points means the following receipt and delivery points:

- (a) Bladin Point Exit DS on the Wickham Point Pipeline;
- (b) Wickham Point Entry DS Receipt Point, located at the letdown station operated by PWC between the Wickham Point Pipeline and a lateral pipeline operated by Darwin LNG; and

- (c) any other receipt or delivery point on the Wickham Point Pipeline that allows for the flow of ~~natural gas~~ between the Wickham Point Pipeline and either the Ichthys LNG or Darwin LNG facilities.
- (2) This Part does not apply in respect of:
- (a) a BB facility that is an exempt NT facility; or
 - (b) an exempt NT facility operator,
- until the date specified in a BB application notice to an exempt NT facility operator in respect of one or more exempt NT facilities.
- (2A) This Part does not apply in respect of:
- (a) a BB field that is an exempt NT field; or
 - (b) an exempt NT field owner,
- until the date specified in a BB application notice to the exempt NT facility operator in respect of the LNG export facility supplied or expected to be supplied by the exempt NT field.
- (3) If a BB application notice is given in respect of an exempt NT facility, from the date specified in the relevant BB application notice this Part applies to:
- (a) the exempt NT facility and its facility operator; and
 - (b) if it is an LNG export facility, any exempt NT field that supplies or is expected to supply the exempt NT facility and its field owner.
- (3A) If a BB field ceases to be an exempt NT field because it no longer satisfies the definition of ‘exempt NT field’, this Part applies to the former exempt NT field and its field owner:
- (a) in the case of a BB field that has commenced production, from the date the BB field commences supply other than in accordance with paragraph (a) of the definition; or
 - (b) in the case of a BB field that has not commenced production, from the date the field owner ceases to expect on reasonable grounds that gas to be produced from the BB field will be supplied exclusively to an LNG export facility that is an exempt NT facility.
- (4) The AER may, but is not required to, issue a BB application notice to an exempt NT facility operator in respect of one or more exempt NT facilities if the AER is satisfied that one or more of the BB application events has occurred having regard to any relevant emergency gas flow notices and any other information the AER considers relevant.
- (5) For the purposes of subrule (4), **BB application event** means:
- (a) the quantity of ~~natural gas~~ withdrawn from the Wickham Point Pipeline through a WPP connection point for delivery to the Ichthys LNG facility or to the Darwin LNG facility, in total in any period of 12 consecutive months, exceeds 10 PJ; or

- (b) the quantity of ~~natural-gas~~gas injected into the Wickham Point Pipeline through a WPP connection point, in total in any period of 12 consecutive months, but excluding emergency and outage gas injected in that period, exceeds 10 PJ.

To avoid doubt, for the purposes of this subrule, injections and withdrawals are measured separately.

- (6) A BB application notice must:
 - (a) include:
 - (i) the date from which this Part will apply to an exempt NT facility operator in respect of one or more exempt NT facilities; and
 - (ii) the AER's reason for issuing the BB application notice under subrule (4); and
 - (b) be published by the AER.
- (7) If on a gas day, ~~natural-gas~~gas is injected at a WPP connection point for a gas supply outage (planned or unplanned) or emergency gas supply test then, within 10 business days of that gas day (or if gas flowed for the gas supply outage or emergency gas supply test on consecutive days, the last gas day of those consecutive gas days), PWC must provide an emergency gas flow notice to the AER.
- (8) An emergency gas flow notice must include:
 - (a) each WPP connection point through which gas was injected into the Wickham Point Pipeline or withdrawn from the Wickham Point Pipeline on the gas days covered by the notice;
 - (b) in the case of a gas supply outage, whether the outage was planned or unplanned;
 - (c) the reason for the gas supply outage or emergency gas supply test (as applicable);
 - (d) in the case of a gas supply outage, the extent of the outage in terms of its impact on the amount of gas that could be withdrawn from facilities used to deliver ~~natural-gas~~gas to PWC, including which facilities were impacted on the gas day; and
 - (e) the duration of the gas supply outage or emergency gas supply test (as applicable).
- (9) An emergency gas flow notice must be signed by an authorised officer of PWC.

144A Application to BB blended gas distribution systems

- (1) For the purposes of Division 5 of this Part, a BB reporting entity for a BB blended gas distribution system, in that capacity, is only required to report under rules 168, 169 and 190G.
- (2) Subrule (1) does not limit the obligation of a person to report under Division 5 of this Part in relation to any other BB facility for which it is the BB reporting entity.

Division 2 Bulletin Board

145 Purpose of the Bulletin Board

The purpose of the Bulletin Board is to make information relating to the covered gas industry~~natural gas industry~~ available to BB users to facilitate:

- (a) trade in covered gas~~natural gas~~ and covered gas services~~natural gas services~~;
- (b) informed and efficient decisions in relation to the provision and use of covered gas~~natural gas~~ and covered gas services~~natural gas services~~; and
- (c) negotiations for access to BB pipelines and other BB facilities providing third party access.

Division 3 Register and registration

Subdivision 3.1 Registration categories

150 Registration by facility operators or for facility operator groups

- (1) Subject to subrule (5), a facility operator must register under this Part as the BB reporting entity for each BB facility for which it is a facility operator.

Note:

It is proposed to classify this subrule as a civil penalty provision.

- (2) A facility operator must apply to AEMO to register under this Part as the BB reporting entity for a BB facility for which it is or intends to be a facility operator (including a responsible facility operator) no later than:
 - (a) for a new BB facility, including a ~~natural gas industry facility~~covered gas industry facility that becomes a BB facility following an extension or expansion, 20 business days before the facility or the relevant expansion or extension to the facility is commissioned;
 - (b) where there is a change to the facility operator for a BB facility, 5 business days after the facility operator becomes a facility operator for the BB facility; or
 - (c) where applicable, 20 business days after an exemption from registration under this Part ceases to apply, including under subrule (5) in respect of the facility operator or under rule 143A or rule 144 in respect of the BB facility.

Note:

It is proposed to classify this subrule as a civil penalty provision.

- (3) If there is more than one facility operator for a BB facility:
 - (a) each facility operator for the BB facility is taken to be a member of a **facility operator group** for that BB facility (the **relevant BB facility**); and
 - (b) the members of a facility operator group must appoint one of the members in writing to be the **responsible facility operator** and to register as the BB reporting entity for the relevant BB facility.

- (4) The responsible facility operator of a facility operator group must register under this Part as the BB reporting entity for the relevant BB facility in accordance with subrule (1) and must apply for registration within the time required under subrule (2).
- (5) On registration of a responsible facility operator as the BB reporting entity for a relevant BB facility and for so long as that registration remains in effect, each other member of the facility operator group is exempt from the requirement to register under subrule (1) as the BB reporting entity for the relevant BB facility.

Division 4 Information standard and related obligations

165 Standard for information or data given under this Part or the BB Procedures

- (1) A BB reporting entity required by a provision of this Part or the BB Procedures to give information or data to AEMO must:
 - (a) prepare and submit that information or data; and
 - (b) if applicable, maintain any equipment from which that information or data is derived,

in accordance with the BB information standard.

Note:

Section 223 of the *NGL* requires a person of the kind mentioned in the section who has possession or control of information in relation to the ~~natural gas industry covered gas industry~~ to give AEMO the information if the person is required to do so under the Rules. Section 223 is classified as a civil penalty provision.

Note

This subrule is classified as a conduct provision under the National Gas (South Australia) Regulations. See clause 7 and Schedule 4 of the National Gas (South Australia) Regulations.

- (2) The **BB information standard** for information or data relating to a:
 - (a) BB facility means the practices, methods and acts that would reasonably be expected from an experienced and competent person engaged in the ownership, operation or control of a BB facility in Australia of that type;
 - (b) BB field interest means the practices, methods and acts that would reasonably be expected from an experienced and competent person qualified to prepare, or supervise the preparation of, petroleum reserves and contingent resources evaluations or audits;
 - (c) BB allocation point means the practices, methods and acts that would reasonably be expected from an experienced and competent person engaged in the determination of allocations of receipts or deliveries of ~~natural gas~~gas in Australia; and
 - (d) facility development project means the practices, methods and acts that would reasonably be expected from an experienced and competent person engaged in the development of a ~~natural gas industry facility~~covered gas industry facility in Australia of that type,

in each case, acting with all due skill, diligence, prudence and foresight and in compliance with all applicable legislation (including these rules), authorisations and industry codes of practice.

- (3) Where this Part or the BB Procedures requires a BB reporting entity to update information or data provided to AEMO, the BB reporting entity must:
 - (a) do so each time facts or circumstances arise that require the information or data to be updated; and
 - (b) notify the updated information or data to AEMO as soon as practicable after the person becomes aware of the facts or circumstances that require the information or data to be updated and within any applicable timeframe specified in the BB Procedures.
- (4) A BB reporting entity required by a provision of this Part or the BB Procedures to update information or data provided to AEMO must:
 - (a) prepare and submit that updated information or data; and
 - (b) if applicable, maintain any equipment from which the updated information or data is derived,

in accordance with the BB information standard.

Note:

This subrule is classified as a tier 1 civil penalty provision under the National Gas (South Australia) Regulations. (See clause 6 and Schedule 3 of the National Gas (South Australia) Regulations.)

- (5) AEMO is not required to verify the accuracy of information or data provided to AEMO under this Part.

Division 5 Information to be provided by BB reporting entities

Subdivision 5.1 Nameplate ratings and detailed facility information

169 Detailed facility information for all BB facilities

- (1) A BB reporting entity must provide to AEMO the detailed facility information for each of its BB facilities.
- (2) The BB reporting entity must provide the detailed facility information to AEMO on registration.
- (3) A BB reporting entity must update the detailed facility information provided under subrule (1) for its BB facility if the information is no longer accurate.
- (4) In this rule, the term **detailed facility information**:
 - (a) when used in the context of a BB pipeline, means:
 - (i) all *receipt or delivery points* on that pipeline and any production facilities, gas storage facilities, transmission pipelines, compression service facilities, blend processing facilities, BB large user facilities or

LNG processing facilities to which those *receipt or delivery points* connect; ~~and~~

(ii) all gate stations on that pipeline; ~~and~~

(iii) if the BB pipeline transports, or is authorised to transport, a gas blend that is subject to a blending limit, each blending limit and details of the part of the pipeline in which the blending limit applies;

(b) when used in the context of:

(i) a production facility;

(ii) a gas storage facility;

(iii) a compression service facility;

(iv) a BB large user facility; ~~or~~

(v) an LNG processing facility; ~~;~~ or

(vi) a blend processing facility,

~~means~~Means each pipeline to which the BB facility is connected and the *receipt or delivery points* at which the BB facility is connected; ~~;~~

(c) when used in the context of a BB blended gas distribution system, means each applicable blending limit and details of the part of the BB blended gas distribution system in which the blending limit applies.

Subdivision 5.2 Reserves and resources

Subdivision 5.3 Capacity bookings

172 Information about BB shippers with primary firm capacity

(1) A BB reporting entity must, for each of its:

(a) BB pipelines;

(b) BB compression facilities; ~~and~~

(c) BB storage facilities; ~~;~~ and

(d) BB blend processing facilities,

provide to AEMO a list of BB shippers who have contracted primary firm capacity on the BB facility.

(2) A BB reporting entity must update the information provided under subrule (1) for its BB facility if the information is no longer accurate.

(3) Subrule (1) does not apply to a BB reporting entity in its capacity as the BB reporting entity for a declared transmission system.

175 36 month outlook of uncontracted primary firm capacity

(1) A BB reporting entity must provide to AEMO, for each of its:

(a) BB pipelines;

- (b) BB compression facilities;
- (c) BB storage facilities;
- (d) BB production facilities; ~~and~~
- (e) LNG import facilities; ~~and~~
- (f) BB blend processing facilities.

an outlook of uncontracted primary firm capacity on the BB facility for each of the next 36 months.

- (2) The BB reporting entity must provide the information specified in subrule (1) to AEMO each month, by the date determined under the BB Procedures.
- (3) Subrule (1) does not apply to a BB reporting entity in its capacity as the BB reporting entity for a declared transmission system.

Subdivision 5.4 Short term and medium term capacity outlooks

Subdivision 5.5 Nominated and forecast use of BB facilities excluding BB large user facilities and LNG export facilities

182 Nominated and forecast use of BB storage facilities

- (1) A BB reporting entity must, in respect of each of its BB storage facilities, provide to AEMO in respect of each gas day D:
 - (a) the aggregate quantity of ~~natural gas~~ to be injected into the BB storage facility for the gas day as nominated by BB shippers or if nominations are not provided, as forecast by the BB reporting entity;
 - (b) the aggregate quantity of ~~natural gas~~ to be withdrawn from the BB storage facility for the gas day as nominated by BB shippers or if nominations are not provided, as forecast by the BB reporting entity;
 - (c) the aggregate quantity of ~~natural gas~~ forecast by BB shippers to be injected into the BB storage facility for gas days D+1 to D+6 which may be based on the BB reporting entity's forecast or on forecast nominations if BB shippers using the BB storage facility have provided forecast quantities under contract or applicable market rules; and
 - (d) the aggregate quantity of ~~natural gas~~ forecast by BB shippers to be withdrawn from the BB storage facility for gas days D+1 to D+6 which may be based on the BB reporting entity's forecast or on forecast nominations if BB shippers using the BB storage facility have provided forecast quantities under contract or applicable market rules.
- (2) [Deleted].
- (3) A BB reporting entity must update the information it has provided to AEMO under subrule (1) if there is a material change and must do so as soon as practicable in accordance with rule 165(3).

183 Nominated and forecast delivery information for BB pipelines

- (1) A BB reporting entity must, in respect of each of its BB pipelines (other than a BB pipeline forming part of a declared transmission system), provide to AEMO in respect of each gas day D:
 - (a) the quantities for injections into the BB pipeline for the gas day aggregated at each receipt point as nominated by BB shippers or if nominations are not provided, as forecast by the BB reporting entity;
 - (b) the quantities for withdrawals from the BB pipeline for the gas day aggregated at each delivery point as nominated by BB shippers or if nominations are not provided, as forecast by the BB reporting entity;
 - (c) the forecast injections into the BB pipeline for gas days D+1 to D+6 aggregated at each receipt point which may be based on the BB reporting entity's forecast or on forecast nominations from BB shippers if BB shippers on the BB pipeline have provided forecast receipt point nominations under contract or applicable market rules; and
 - (d) the forecast withdrawals from the BB pipeline for gas days D+1 to D+6 aggregated at each delivery point which may be based on the BB reporting entity's forecast or on forecast nominations from BB shippers if BB shippers on the BB pipeline have provided forecast delivery point nominations under contract or applicable market rules.
- (2) A BB reporting entity for a BB pipeline forming part of a declared transmission system must provide to AEMO in respect of each gas day D, for each controllable system point on, and connected to, the declared transmission system:
 - (a) the aggregated scheduled injections for the gas day;
 - (b) the aggregated scheduled withdrawals for the gas day;
 - (c) the forecast aggregated scheduled injections for gas days D+1 and D+2; and
 - (d) the forecast aggregated scheduled withdrawals for gas days D+1 and D+2.
- (3) In subrule (2) and this subrule (3), a **controllable system point** is a system point at which injections or withdrawals (or both) of controllable quantities may be made and the following terms have the meaning given in Part 19: controllable quantity, scheduled injection, scheduled withdrawal, system point.
- (4) [Deleted]
- (5) For the purposes of this rule, the BB Procedures may specify the default directions which are to be assigned to ~~natural-gasgas~~ flows for each BB pipeline and the manner in which reverse flows of ~~natural-gasgas~~ are to be treated.
- (6) The obligation of a BB reporting entity under subrule (1) or (2) to provide information is taken to be satisfied for a gas day in circumstances where, in accordance with rule 167, the BB Procedures permit the BB reporting entity to rely on an exemption and the use of default values for that gas day.

- (7) A BB reporting entity must update the information it has provided to AEMO under subrule (1) or (2) if there is a material change and must do so as soon as practicable in accordance with rule 165(3).

184 Nominated and forecast use of compression facilities

- (1) A BB reporting entity must, in respect of each of its BB compression facilities, provide to AEMO in respect of each gas day D:
- (a) the aggregate quantity of ~~natural gas~~ to be compressed by the BB compression facility on the gas day as nominated by BB shippers or if nominations are not provided, as forecast by the BB reporting entity; and
 - (b) the aggregate forecast quantity of ~~natural gas~~ to be compressed by the BB compression facility on gas days D+1 to D+6, which may be based on the BB reporting entity's forecast or on forecast nominations from BB shippers if BB shippers have provided forecast nominations under contract or applicable market rules.
- (2) The obligation of a BB reporting entity under subrule (1) to provide information is taken to be satisfied for a gas day in circumstances where, in accordance with rule 167, the BB Procedures permit the BB reporting entity to rely on an exemption and the use of default values for that gas day.
- (3) A BB reporting entity must update the information it has provided to AEMO under subrule (1) if there is a material change and must do so as soon as practicable in accordance with rule 165(3).

184A Nominated and forecast use of blend processing facilities

- (1) A BB reporting entity must, in respect of each of its BB blend processing facilities, provide to AEMO in respect of each gas day D:
- (a) the aggregate quantity of gas to be received by the BB blend processing facility for the gas day as nominated by BB shippers or if nominations are not provided, as forecast by the BB reporting entity;
 - (b) the aggregate quantity of gas to be injected into a BB pipeline or distribution system for the gas day from the BB blend processing facility as nominated by BB shippers or if nominations are not provided, as forecast by the BB reporting entity;
 - (c) the aggregate forecast quantity of gas to be received by the BB blend processing facility on gas days D+1 to D+6, which may be based on the BB reporting entity's forecast or on forecast nominations from BB shippers if BB shippers have provided forecast nominations under contract or applicable market rules; and
 - (d) the aggregate forecast quantity of gas to be injected into a BB pipeline or distribution system on gas days D+1 to D+6 from the BB blend processing facility, which may be based on the BB reporting entity's forecast or on forecast nominations from BB shippers if BB shippers have provided forecast nominations under contract or applicable market rules.

- (2) The obligation of a BB reporting entity under subrule (1) to provide information is taken to be satisfied for a gas day in circumstances where, in accordance with rule 167, the BB Procedures permit the BB reporting entity to rely on an exemption and the use of default values for that gas day.
- (3) A BB reporting entity must update the information it has provided to AEMO under subrule (1) if there is a material change and must do so as soon as practicable in accordance with rule 165(3).

185 Nominated and forecast use of production facilities and LNG import facilities

- (1) A BB reporting entity must, in respect of each of its BB production facilities and LNG import facilities, provide to AEMO in respect of each gas day D:
 - (a) the aggregate quantity of ~~natural-gasgas~~ to be injected into one or more BB facilities or distribution systems from the BB facility for the gas day as nominated by BB shippers or if nominations are not provided, as forecast by the BB reporting entity; and
 - (b) the aggregate forecast quantity of ~~natural-gasgas~~ to be injected into one or more BB facilities or distribution systems from the BB facility for gas days D+1 to D+6, which may be based on the BB reporting entity's forecast or on forecast nominations if BB shippers have provided forecast nominations under contract or applicable market rules.
- (2) [Deleted].
- (3) The obligation of a BB reporting entity under subrule (1) to provide information is taken to be satisfied for a gas day in circumstances where, in accordance with rule 167, the BB Procedures permit the BB reporting entity to rely on an exemption and the use of default values for that gas day.
- (4) A BB reporting entity must update the information it has provided to AEMO under subrule (1) if there is a material change and must do so as soon as practicable in accordance with rule 165(3).

Subdivision 5.6 Information about actual use

187 Daily flow data for BB pipelines

- (1) A BB reporting entity must provide to AEMO on each gas day D+1 the daily flow data for each of its BB pipelines (other than BB pipelines forming part of a declared transmission system) for gas day D.
- (2) A BB reporting entity for a BB pipeline forming part of a declared transmission system must provide to AEMO on each gas day D+1 the actual injections and withdrawals of ~~natural-gasgas~~ at each receipt point, delivery point and transfer point on the declared transmission system on the basis of operational metering and as metered at any relevant connection point to the declared transmission system for gas day D.

- (3) In subrule (2), the following terms have the meaning given in Part 19: connection point, actual injection, delivery point, receipt point, system point and transfer point.
- (4) A BB reporting entity must update the information provided under subrule (1) or (2) for its BB pipeline if the information is no longer accurate.

188 Daily production and storage data

- (1) A BB reporting entity must provide to AEMO on each gas day D+1:
 - (a) the daily production data for each of its BB production facilities for gas day D;
 - (b) the daily production data for each of its BB storage facilities for gas day D;
 - (c) the actual quantity of ~~natural-gasgas~~ held in each of its BB storage facilities at the end of gas day D and of that amount, how much is storage cushion gas;
 - (d) the daily production data for each of its BB compression facilities for gas day D;
 - (e) the daily production data for each of its LNG import facilities for gas day D; ~~and~~
 - (f) the actual quantity of LNG held in storage at each of its LNG import facilities at the end of gas day D; ~~and-~~
 - (g) the daily production data for each of its BB blend processing facilities for gas day D.
- (2) A BB reporting entity must update the information provided under subrule (1) for its BB facility if the information is no longer accurate.

190 Exemptions for the provision of daily consumption data

- (1) A BB reporting entity may apply to AEMO for an exemption from the requirement to provide to AEMO daily consumption data for its BB large user facility or its LNG export facility.
- (2) AEMO may grant an exemption from the requirement to provide daily consumption data for a BB large user facility where AEMO is satisfied, based on information provided by the BB reporting entity, that:
 - (a) for each delivery point at which the BB large user facility is connected to a BB pipeline, the BB large user facility is the only recipient of gas withdrawn at that delivery point; or
 - (b) not more than 10 TJ of ~~natural-gasgas~~ has been delivered to the BB large user facility on any gas day during the immediately preceding 12 months and the amount delivered is not likely to exceed 10 TJ while the exemption is in effect.
- (3) AEMO may grant an exemption from the requirement to provide daily consumption data for an LNG export facility where AEMO is satisfied, based on information provided by the BB reporting entity, that for each delivery point at which the LNG

export facility is connected to a BB pipeline, the LNG export facility is the only recipient of gas withdrawn at that delivery point.

- (4) AEMO may grant an exemption under this rule that expires at the time, or on the occurrence of an event, specified in the exemption.
- (5) AEMO may from time to time require the BB reporting entity for a BB large user facility or LNG export facility subject to an exemption under this rule to provide information to satisfy AEMO that the relevant exemption criterion continues to be satisfied.
- (6) AEMO may revoke an exemption granted under this rule if AEMO is no longer satisfied that the relevant exemption criterion is satisfied.
- (7) The BB reporting entity for a BB large user facility or LNG export facility granted an exemption under this rule must notify AEMO as soon as practicable if the relevant exemption criterion is no longer satisfied.
- (8) The BB Procedures may specify the procedures to be followed and the information to be provided by the BB reporting entity to apply for an exemption under this rule.

Subdivision 5.10 Blend level information

190G Gas blend and gas blend curtailment information

- (1) Each month, by the fifth gas day in the month, a BB reporting entity for:
 - (a) a BB blended gas distribution facility; or
 - (b) a BB pipeline that transports, or is authorised to transport, a gas blend and is subject to or applies a blending limit,must provide to AEMO:
 - (c) the gas blend information for the BB facility for the previous month; and
 - (d) the gas blend curtailment information for the BB facility for the previous month.
- (2) Where a gas blend is transported through only a part of a BB facility, the information under subrule (1) must be provided separately for each part of the BB facility in which a gas blend is transported.
- (3) In this rule:
 - (a) **blend level** means, on any gas day, the quantity of primary gas, other than natural gas, transported through the facility, expressed as a percentage of the total quantity of gas transported;
 - (b) **gas blend curtailment** means the curtailment or interruption of a nominated or scheduled injection into a BB pipeline or BB blended gas distribution system, before or after the start of the gas day, to prevent a blending limit applicable to the pipeline (or part) being exceeded. Gas blend curtailment does not include the application by AEMO of a constraints methodology provided to it in accordance with Part 19;

- (c) gas blend curtailment information for a month means:

 - (i) the number of times gas blend curtailment has occurred during the month on the BB facility, or part of a BB facility (as applicable); and
 - (ii) the aggregate curtailed quantity for the month resulting from those gas blend curtailments;
- (d) gas blend information for a month means the:

 - (i) highest daily blend level achieved on any gas day in the month;
 - (ii) lowest daily blend level achieved on any gas day in the month; and
 - (iii) average daily blend level across all days in the month, in the BB facility, or part of the BB facility (as applicable).

Division 6 Other information

192 BB participants may indicate gas available for purchase or gas requirements

- (1) At any time, a BB participant may notify other BB users that it has ~~natural gas~~ available for purchase by providing details of the ~~natural gas~~ available for purchase to AEMO in the form required by the BB Procedures.
- (2) At any time, a BB participant may notify other BB users that it wishes to purchase ~~natural gas~~ by providing details of the ~~natural gas~~ it wishes to purchase to AEMO in the form required by the BB Procedures.
- (3) For the avoidance of doubt, a notice given under subrule (1) or (2) and posted on the Bulletin Board by AEMO is an invitation to treat and not an offer capable of acceptance by another person.

Division 7 Publication of information by AEMO

194 Publication of information provided to AEMO under Division 5

- (1) Subject to subrule (2) and rules 195A and 195C, AEMO must publish on the Bulletin Board:

 - (a) the information provided to AEMO by BB reporting entities in accordance with the obligations of BB reporting entities under Division 5; and
 - (b) aggregated and anonymised information about the sensitivity of 2P reserves estimates to an increase or decrease in gas prices of 10% based on the information provided to AEMO under rule 171B(3).
- (2) AEMO must not publish information about:

 - (a) nominations and forecasts provided to AEMO under rule 183, unless the information is published in aggregated form in accordance with subrule (3); or

- (b) actual flows for gas day D provided to AEMO under Subdivision 5.6 of Division 5 before gas day D+1; or
 - (c) the sensitivity of 2P reserves estimates to changes in gas prices provided to AEMO under rule 171B(3), unless the information is aggregated by participating jurisdiction and is in an anonymised form; or
 - (d) a shipment of LNG from an LNG export facility provided to AEMO under Subdivision 5.6 of Division 5 before 20 business days after the end of the month in which the LNG is loaded.
- (3) AEMO must publish on the Bulletin Board in respect of each gas day D based on the information about nominations and forecasts provided to AEMO under rule 183:
 - (a) for BB pipelines, nominated injections and withdrawals of ~~natural gas~~ for the gas day aggregated in accordance with the aggregation method referred to in subrule (4); and
 - (b) for BB pipelines, forecast injections and withdrawals of ~~natural gas~~ for gas days D+1 to D+6 aggregated in accordance with the aggregation method referred to in subrule (4).
- (4) AEMO must determine and may amend from time to time an aggregation method to be used by AEMO for subrule (3) which so far as practicable:
 - (a) makes the data provided to AEMO available to BB users only as a representation of the direction and quantity of gas flows in BB pipelines; and
 - (b) does not directly or indirectly disclose a nomination made by a market generating unit as defined in the National Electricity Rules or a facility for generating electricity that participates in a wholesale electricity market operating from time to time in the Northern Territory.
- (5) AEMO must publish on the Bulletin Board an overview of the aggregation methods used by AEMO for this rule.

195 Publication of representation of actual flows

- (1) In addition to AEMO's obligation under rule 194(1), AEMO must also publish on the Bulletin Board in respect of each gas day D, based on the data provided to AEMO under Subdivision 5.6 of Division 5:
 - (a) the daily flow data for each BB pipeline aggregated to provide a representation of the direction and quantity of gas flows in BB pipelines on the gas day; and
 - (b) data about demand for ~~natural gas~~ aggregated to provide a representation of demand in different locations within demand categories determined by AEMO.
- (2) AEMO must determine and may amend from time to time the aggregation methods used by AEMO for subrule (1) and must publish on the Bulletin Board an overview of the aggregation methods.

Part 18A

Non-pipeline infrastructure terms and prices ~~Compression and storage terms and prices~~

Division 1 Preliminary

198B Definitions and interpretation

- (1) In this Part:

application date means:

- (a) for a Part 18A facility on the commencement date, the date falling 5 months after the commencement date; or
- (b) for a new Part 18A facility, including a ~~natural gas industry facility~~ facility that becomes a Part 18A facility following an extension or expansion, 20 business days after the facility or the relevant expansion or extension to the facility is commissioned.

blending limit has the same meaning as in Part 18.

commencement date means the date this Part commences.

gas means covered gas.

Part 18A facility means:

- (a) a BB compression facility as defined in Part 18; or;
- (b) a BB storage facility as defined in Part 18; or
- (c) a blend processing facility.

Part 18A information standard means the Part 18A information standard under rule 198D(2).

price reporting guidelines means the guidelines published by the AER under rule 198H as amended from time to time.

service provider means a person who owns, controls or operates a Part 18A facility.

standing terms means the information required to be published under rule 198F.

terms and conditions includes price and non-price terms and conditions.

user means a person who is a party to a contract with a service provider under which the service provider provides, or intends to provide, a compression, ~~or~~ storage or blend processing service to that person by means of a Part 18A facility.

- (2) In this Part, a reference to a facility service on a Part 18A facility includes a service provided by means of the facility and a service ancillary to the provision of a service provided by means of the facility.
- (3) For the purposes of this Part, the circumstances in which a service provider for a Part 18A facility provides a facility service to a user indirectly include where:

- (a) an associate of the service provider provides the facility service to the user; and
- (b) the facility service is bundled with the supply of a covered gas service~~natural gas service~~.

Note:

Section 2 of the *NGL* defines associate, supply and covered gas service~~natural gas service~~.

Division 2 Information

198F Standing terms

- (1) The service provider for a Part 18A facility must publish:
 - (a) standing terms for each facility service on the facility in accordance with subrule (2); and
 - (b) the methodology used to calculate the standing price referred to in subrule (2)(b), the inputs used in the calculation of the standing price and any other information specified in the price reporting guidelines.
- (2) The standing terms must in each case include:
 - (a) the service provider's standard terms and conditions applicable to the facility service;
 - (b) the standing price, being the price applicable to the facility service under the terms and conditions referred to in paragraph (a); ~~and~~
 - (c) other information about prices and charges applicable to the facility service including the charging structure for the facility service, any minimum charge and any additional charges that may be payable;~~;~~
 - (d) the gas in respect of which the facility provides services; and
 - (e) for a blend processing facility, the primary gases that may be blended and the applicable blending limits.

198G Actual prices paid information

- (1) A service provider for a Part 18A facility must publish the following information for each service that a user has procured under a contract with the service provider:
 - (a) the Part 18A facility by means of which the service is provided; and
 - (b) the date the contract was entered into or varied (as the case requires); and
 - (c) the service term (start and end dates); and
 - (d) the type of service provided (for example, a storage service, compression service or blend processing service); and
 - (e) the priority given to the service (such as firm, as available or interruptible); and
 - (f) the contracted quantity, which for:

- (i) a compression service facility should be the maximum daily quantity (in GJ/day); and
 - (ii) a storage facility should be:
 - (A) the storage capacity the subject of the transaction (in GJ); and
 - (B) where relevant, the injection and withdrawal capacity, expressed as a maximum daily quantity or MDQ (in GJ/day);
 - (iii) a blend processing facility should be the maximum daily quantity (in GJ/day);
 - (g) whether the service is provided on the same or substantially the same non-price terms as those set out in the standing terms published by the service provider under rule 198F(1)(a); and
 - (h) the price paid for the service as set out in the contract (excluding any amount on account of GST); and
 - (i) if the price provided under paragraph (h) is not expressed as \$/GJ/day or, if relevant, \$/GJ, the price under that paragraph converted into \$/GJ/day or \$/GJ, together with an explanation about how the conversion was made; and
 - (j) the price structure applicable to the service (for example whether it is a fixed price or a variable price or a combination of the two); and
 - (k) any price escalation mechanism applicable to the price paid for the service.
- (2) A service provider must update the information published under subrule (1) if the information is no longer accurate due to a variation to the terms of the contract between the service provider and the user.