



## **Draft National Electricity Amendment (Register of distributed energy resources) Rule 2018 No. X**

under the National Electricity Law to the extent applied by:

- (a) the National Electricity (South Australia) Act 1996 of South Australia;
- (b) the Electricity (National Scheme) Act 1997 of the Australian Capital Territory;
- (c) the Electricity - National Scheme (Queensland) Act 1997 of Queensland;
- (d) the Electricity - National Scheme (Tasmania) Act 1999 of Tasmania;
- (e) the National Electricity (New South Wales) Act 1997 of New South Wales;
- (f) the National Electricity (Victoria) Act 2005 of Victoria;
- (g) the National Electricity (Northern Territory)(National Uniform Legislation) Act 2015; and
- (h) the Australian Energy Market Act 2004 of the Commonwealth.

The Australian Energy Market Commission makes the following Rule under the National Electricity Law.

John Pierce  
Chairman  
Australian Energy Market Commission

## **Draft National Electricity Amendment (Register of distributed energy resources) Rule 2018 No. X**

### **1 Title of Rule**

This Rule is the *Draft National Electricity Amendment (Register of distributed energy resources) Rule 2018 No. X*.

### **2 Commencement**

Schedules 1 to 3 will commence operation on [COMMENCEMENT\_DATE].

Schedule 4 will commence operation on [date rule is made].

### **3 Amendment of the National Electricity Rules**

The National Electricity Rules are amended as set out in Schedule 1.

### **4 Amendment of the National Electricity Rules**

The National Electricity Rules are amended as set out in Schedule 2.

### **5 Amendment of the National Electricity Rules**

The National Electricity Rules are amended as set out in Schedule 3.

### **6 Savings and Transitional Amendments to the National Electricity Rules**

The National Electricity Rules are amended as set out in Schedule 4.

## **Schedule 1            Amendment to the National Electricity Rules**

(Clause 3)

### **[1] Rule 3.7D            Demand side participation information**

In clause 3.7D(a), omit the following definition:

(a) **demand side participation information**

### **[2] Rule 3.7D            Demand side participation information**

In clause 3.7D(b), after “provide”, omit “demand side participation information” and substitute “*demand side participation information*”.

### **[3] Rule 3.7D            Demand side participation information**

In clauses 3.7D(c) and 3.7D(d), omit “demand side participation information” wherever it appears and substitute “*demand side participation information*”.

### **[4] Rule 3.7D            Demand side participation information**

In subclause 3.7D(e)(2), 3.7D(e)(3), 3.7D(e)(4) and 3.7D(e)(5), omit “demand side participation information” wherever it appears and substitute “*demand side participation information*”.

### **[5] Rule 3.7D            Demand side participation information**

In subclause 3.7D(f)(1), after “from the use of”, omit “demand side participation information” and substitute “*demand side participation information*”.

### **[6] Rule 3.7D            Demand side participation information**

After rule 3.7D, insert:

## **3.7E            Register of DER information**

### **Definitions**

(a) In this rule:

**emergency** means an emergency due to the actual or imminent occurrence of an event (such as fire, flood, storm, earthquake, explosion, accident, act of terrorism or cyber attack) that in any way endangers or threatens to endanger the safety or health of any person or animal, or that destroys or damages, or threatens to destroy or damage, any property.

**emergency services agency** means an agency or person prescribed, approved or accredited under jurisdictional emergency management legislation as an emergency services agency or equivalent (and

includes without limitation the ambulance service, state emergency service, police force, fire and rescue service, community and rural fire agencies, and first responder agencies).

**jurisdictional emergency management legislation** means legislation of a participating jurisdiction that relates to the management of emergencies.

**AEMO must establish a DER register**

- (b) *AEMO* must establish, maintain and update a *DER register*. The *DER register*:
  - (1) must include *DER generation information* reported to *AEMO* by *Network Service Providers* in accordance with paragraph (d);
  - (2) must include any *demand side participation information* provided to *AEMO* by *Registered Participants* in accordance with rule 3.7D(b) which in *AEMO*'s reasonable opinion will assist *Network Service Providers* to meet their *regulatory obligations or requirements*; and
  - (3) may include information (other than the information referred to in subparagraphs (1) and (2)) provided to *AEMO* by any person in connection with the performance of *AEMO*'s statutory functions and which in *AEMO*'s reasonable opinion will assist *Network Service Providers* to meet their *regulatory obligations or requirements*.
- (c) *AEMO* will be taken to satisfy the requirement to establish and maintain a *DER register* in paragraph (b) if it stores *DER register information* in one or more databases, including without limitation the databases it maintains under the *Market Settlement and Transfer Solution Procedures*.

**Obligation on NSPs to provide DER generation information to AEMO**

- (d) *Network Service Providers* must provide to *AEMO* in accordance with the *DER register information guidelines*, *DER generation information* in relation to *connection points* on their *network* which they are entitled to collect under the *Rules*, including but not limited to *DER generation information* they are entitled to collect under clauses 5.3.3(c)(4a), 5A.B.2, or 5A.C.3.

**AEMO may use DER register information in performing its functions**

- (e) *AEMO* must take into account *DER register information* when developing or using *load* forecasts.
- (f) For the avoidance of doubt, *AEMO* may use *DER register information* for the purpose of the exercise of its statutory functions

under the *National Electricity Law* or *Rules*, including performing its *power system security* responsibilities.

**Note**

Under section 53D of the *National Electricity Law*, AEMO may use information it collects under the *Rules* for any purpose connected with its statutory functions unless otherwise specified in the *National Electricity Law*, these *Rules* or the *Regulations* made under the *National Electricity Law*.

- (g) AEMO must *publish* details, no less than annually, on the extent to which, in general terms, *DER register information* has informed AEMO's development or use of *load* forecasts, or the performance of its *power system security* responsibilities under the *Rules*.

**DER register information guidelines**

- (h) AEMO must develop, maintain and *publish* guidelines that specify:
- (1) details of the *DER generation information* that *Network Service Providers* must provide to AEMO under paragraph (d), including any minimum size of *small generating units* for which a *Network Service Provider* is required to provide *DER generation information*;
  - (2) the type of *demand side participation information* provided to AEMO by *Registered Participants* under rule 3.7D(b) that AEMO will include in the *DER register*;
  - (3) when *Network Service Providers* must provide and update *DER generation information*;
  - (4) how *DER generation information* should be provided to AEMO by *Network Service Providers*, including, for example:
    - (1) the format in which the information must be provided; and
    - (2) any additional information AEMO requires to assess the accuracy of the information;
  - (5) how the information in the *DER register* is stored by AEMO;
  - (6) the manner and form in which AEMO will *publish* details, in accordance with paragraph (g), on the extent to which *DER register information* has informed its *load* forecasts or the performance of its *power system security* responsibilities;
  - (7) details of how AEMO will provide *Network Service Providers* with access to *DER register information* under paragraph (o);
  - (8) the contents, form and timing of the *DER register report* to be published by AEMO in accordance with paragraph (m) and

how the *DER register information* to be included in that report will be aggregated; and

- (9) *AEMO's approach to the protection of any confidential information and personal information contained in the DER register.*
- (i) In developing and amending the *DER register information guidelines*, *AEMO* must:
  - (1) have regard to the reasonable costs of efficient compliance by *Network Service Providers* with the guidelines compared to the likely benefits from the use of *DER generation information* as contemplated under this rule 3.7E;
  - (2) consider any risk of unauthorised use or disclosure of *confidential information* or personal information that may arise from including information in the *DER register* compared to the likely benefits of including that information in the register; and
  - (3) subject to paragraph (j), comply with the *Rules consultation procedures*.
- (j) *AEMO* is not required to comply with the *Rules consultation procedures* when making minor or administrative amendments to the *DER register information guidelines*.
- (k) The *DER register information guidelines* must include a minimum period of 3 months between the date of *publication* and the date when the guidelines commence other than when the guidelines are amended under paragraph (j), in which case the guidelines may commence on the date of *publication*.
- (l) There must be *DER register information guidelines* in place at all times after the first *DER register information guidelines* are published by *AEMO* under these *Rules*.

#### **Reporting by AEMO**

- (m) *AEMO* must prepare and publish on its website a report of aggregated *DER register information (DER register report)* in accordance with the *DER register information guidelines*.
- (n) The information in the *DER register report* must be aggregated such that it does not:
  - (1) directly or indirectly disclose *confidential information*; or
  - (2) result in a breach of applicable privacy legislation.

### **Enabling access to DER register information**

- (o) *AEMO* must provide or give access to *DER register information* to each *Network Service Provider* in relation to that *Network Service Provider's network* in accordance with the *DER register information guidelines*.
- (p) A *Network Service Provider* must only use the *DER register information* it receives or accesses under paragraph (o) for the purposes of meeting a *regulatory obligation or requirement*.
- (q) Any information received or accessed by a *Network Service Provider* under paragraph (o) must be treated as *confidential information* by the *Network Service Provider*.

### **AEMO may provide DER register information to emergency services**

- (r) If requested by an *emergency services agency*, *AEMO* may provide relevant *DER register information* to that *emergency services agency* for the purpose of the agency's response to an *emergency* or for planning in relation to *emergency responses*.
- (s) *AEMO* must use reasonable endeavours to ensure that any *confidential information* it discloses to an *emergency services agency* under paragraph (r) is treated as confidential information by the *emergency services agency*.

### **Protection of DER register information**

- (t) Nothing in this rule 3.7E:
  - (1) requires *AEMO* to make available *DER register information* where the collection, use or disclosure of that information by *AEMO* would breach applicable privacy laws; or
  - (2) precludes *AEMO* from disclosing *confidential information* in the circumstances in which disclosure of confidential information is permitted under the *National Electricity Law* or these *Rules*.

## **Schedule 2          Amendment to the National Electricity Rules**

(Clause 4)

### **[1] Clause 5.3.3          Response to connection enquiry**

After clause 5.3.3(c)(4), insert:

(4a) *DER generation information* that the *Network Service Provider* requires;

### **[2] Clause 5A.B.2      Proposed model standing offer for basic connection services**

In clause 5A.B.2(b)(7)(iii), omit “.” and substitute “; and”

### **[3] Clause 5A.B.2      Proposed model standing offer for basic connection services**

After clause 5A.B.2(b)(7)(iii), insert:

(iv) the *DER generation information* that the *Distribution Network Service Provider* requires.

### **[4] Clause 5A.B.4      Standard connection services**

After clause 5A.B.4(c)(1), insert:

(1a) the *DER generation information* that the *Distribution Network Service Provider* requires; and

### **[5] Clause 5A.C.3      Negotiation framework**

After clause 5A.C.3(a)(1), insert:

(1a) the *connection applicant* must, at the request of the *Distribution Network Service Provider*, provide the *Distribution Network Service Provider* with *DER generation information*.

### **[6] Clause 5A.C.3      Negotiation framework**

In clause 5A.C.3(b)(1), omit “paragraph (a)(2) and substitute “paragraphs (a)(1a) or (a)(2)”.

### **[7] Schedule 5A.1      Minimum content requirements for connection contract**



## **Part B Connection offer involving embedded generation**

After paragraph (a)(2) of Part B of Schedule 5A.1, insert:

- (2a) details of the *DER generation information* required to be provided to the *Distribution Network Service Provider* by the *embedded generator*; and

## **Schedule 3          Amendment to the National Electricity Rules**

(Clause 5)

### **[1] Chapter 10          New Definitions**

In Chapter 10, insert the following new definitions in alphabetical order:

#### ***demand side participation information***

Information referred to in clause 3.7D(e)(1).

#### ***DER generation information***

Standing data in relation to a *small generating unit*.

#### ***DER register***

The register established and maintained by *AEMO* in accordance with rule 3.7E.

#### ***DER register information***

The information contained in the *DER register*.

#### ***DER register information guidelines***

Guidelines made, amended and *published* by *AEMO* in accordance with clauses 3.7E(h) to (l).

#### ***DER register report***

The report of aggregated *DER register information* required to be developed and *published* by *AEMO* under clause 3.7E(m).

## **Schedule 4 Savings and Transitional Amendments to the National Electricity Rules**

(Clause 6)

### **[1] Chapter 11 Savings and Transitional Amendments to the National Electricity Rules**

After Part ZZZ[X], insert:

#### **Part ZZZ[X] Register of distributed energy resources**

##### **11.XXX Rules consequential on the making of the National Electricity Amendment (Register of distributed energy resources) Rule 2018**

###### **11.XXX.1 Definitions**

For the purposes of this rule 11.XXX:

**Amending Rule** means the *National Electricity Amendment (Register of distributed energy resources) Rule 2018*.

**commencement date** means [the date of commencement of Schedules 1 to 3 of the Amending Rule].

**New clause 3.7E** means clause 3.7E of the *Rules* as will be in force immediately after the commencement date.

###### **11.XXX.2 AEMO to develop and publish DER register information guidelines**

- (a) By 1 June 2019 *AEMO* must make and *publish* the first *DER register information guidelines* under new clause 3.7E and in doing so must comply with the *Rules consultation procedures*.

###### **11.XXX.3 NSPs to provide AEMO with existing DER generation information**

- (a) No later than 3 months after *AEMO publishes* the first *DER register information guidelines* under clause 11.XXX.2, *Network Service Providers* must provide *AEMO* with all information that they hold which would be *DER generation information* under the Amending Rule.
- (b) *DER generation information* provided to *AEMO* under paragraph (a) must be provided in the form and manner specified in the *DER register information guidelines*.

- (c) Despite paragraph (a), a *Network Service Provider* is not required to provide to *AEMO DER generation information* under paragraph (a) where the collection, use or disclosure of that information by *Network Service Providers* would breach applicable privacy laws.
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