



## **National Electricity Amendment (Generator three year notice of closure) Rule 2018 No. 12**

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

## **National Electricity Amendment (Generator three year notice of closure) Rule 2018 No. 12**

### **1 Title of Rule**

This Rule is the *National Electricity Amendment (Generator three year notice of closure) Rule 2018 No.12*.

### **2 Commencement**

This Rule commences operation on 8 November 2018.

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

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

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

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

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

(Clause 3)

### **[1] Clause 2.2.1          Registration as a Generator**

In clause 2.2.1(e)(2), delete "and" at the end of the clause.

### **[2] Clause 2.2.1          Registration as a Generator**

After clause 2.2.1(e)(2) insert:

(2A) if a *generating unit* is classified as a *scheduled generating unit* or a *semi-scheduled generating unit* in accordance with subparagraph (1):

- (i) notify *AEMO* of the year in which the *Generator* expects the *generating unit* to cease supplying electricity to the *transmission network* or *distribution network* at its *connection point (expected closure year)*; and
- (ii) immediately notify *AEMO* of any change to the *expected closure year*; and

### **[3] Clause 2.10.1          Notification of intention**

Omit clause 2.10.1(a) and substitute:

- (a) A person:
  - (1) may notify *AEMO* in writing that it wishes to cease to be registered in any category of *Registered Participant* or that it wishes to terminate any of its classifications of *loads*, *generating units* (other than a *generating unit* specified in subparagraph (2)) or *network services*; and
  - (2) who is a *Scheduled Generator* or *Semi-Scheduled Generator*, must notify *AEMO* in writing if it wishes to terminate any of its classifications of *generating units*.

### **[4] Clause 2.10.1          Notification of intention**

In clause 2.10.1(c), omit "clause 2.10.1(a)" and substitute "subparagraph (a)(1)".

### **[5] Clause 2.10.1          Notification of intention**

After clause 2.10.1(c) insert:

- (c1) In any notice given under subparagraph (a)(2), the *Registered Participant*:
  - (1) must specify a date (the *closure date*):

- (i) for a *Non-Market Generator*, by which the classification of the *generating unit* will be terminated; and
  - (ii) for a *Market Generator*, by which:
    - (A) the classification of the *generating unit* will be terminated; and
    - (B) it will cease to supply electricity or trade directly in the *market* whether entirely or in relation to one or more *connection points*; and
- (2) must provide an updated notice to *AEMO* under subparagraph (a)(2) of amendments to the *closure date*.
- (c2) A *Scheduled Generator* or *Semi-Scheduled Generator*'s first notified *closure date* for a *generating unit* must be no earlier than three years from the date of the notice given under subparagraph (a)(2), except where the relevant *Generator* has applied for, and is granted an exemption by the *AER* under paragraph (c4).
- (c3) A *Scheduled Generator* or *Semi-Scheduled Generator*'s amended *closure date* for a *generating unit* provided in a notice to *AEMO* under subparagraph (c1)(2) (**amended notice**):
  - (1) may be a date that is later than the most recent *closure date* provided to *AEMO* under paragraph (a)(2); and
  - (2) must not be a date that is earlier than the most recent *closure date* provided to *AEMO* under paragraph (a)(2) except where:
    - (i) the amended *closure date* is no earlier than three years from the date the amended notice is provided to *AEMO*; or
    - (ii) the *Generator* has applied for, and is granted, an exemption by the *AER* under paragraph (c4).
- (c4) The *AER* may, in accordance with guidelines issued from time to time by the *AER*, exempt any *Scheduled Generator* or *Semi-Scheduled Generator* from the requirement to provide the *closure date* in accordance with paragraph (c2) and (c3).
- (c5) The *AER*, in accordance with the *Rules consultation procedures*:
  - (1) must develop and *publish* guidelines referred to in paragraph (c4) that include:
    - (i) the information to be provided by a *Generator* to the *AER* when requesting an exemption; and

- (ii) procedures for handling requests for exemption received from *Generators*; and
- (2) may amend these guidelines from time to time.
- (c6) The *AER* may make minor and administrative amendments to the guidelines under clause (c5) without complying with the *Rules consultation procedures*.

**[6] Rule 3.7C Energy Adequacy Assessment Projection**

Omit subparagraph (k)(1) of rule 3.7C and substitute:

- (1) define scenarios that *AEMO* must study in preparing the *EAAP*, including any scenarios that the *Reliability Panel* has identified for study for the purposes of preparing the *EAAP*;

**[7] Clause 3.13.3 Standing data**

In clause 3.13.3, after subparagraph (a)(2), insert:

- (2A) a list of the *expected closure years* and *closure dates* for all *scheduled generating units* and *semi-scheduled generating units* notified under clauses 2.2.1(e)(2A) and 2.10.1(c1), and make such information available on *AEMO*'s website;

**[8] Clause 3.13.3 Standing data**

In subparagraph (q)(3) of clause 3.13.3, after "planned *plant* retirements", insert "(including *expected closure years* and *closure dates* for any *generating units* in the subsequent 10 year period)".

**[9] Clause 3.13.3 Standing data**

In subparagraph (r)(3) of clause 3.13.3, after "planned *plant* retirements" insert "(including any *expected closure year* or *closure date*)".

**[10] Clause 3.13.3 Standing data**

In subparagraph (t) of clause 3.13.3 omit "*Semi-Scheduled Generator Market Participant*" and substitute "*Semi-Scheduled Generator, Market Participant*".

**[11] Clause 3.13.3 Standing data**

In subparagraph (t) of clause 3.13.3, after "*AEMO* by that *Scheduled Generator*", insert "*Semi-Scheduled Generator*".

**[12] Clause 8.8.1 Purpose of Reliability Panel**

After clause 8.8.1(a)(2d) insert:

- (2e) if the *Reliability Panel* considers it necessary or desirable, identify scenarios *AEMO* must study in preparing the *EAAP* for the purposes of clause 3.7C(k)(1);

**[13] Clause 8.8.3 Reliability Panel review process**

In clause 8.8.3(c2), after “8.8.1(a)(2c),” insert “8.8.1(a)(2e),”.

**[14] Chapter 10 Glossary**

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

***expected closure year***

Has the meaning given in clause 2.2.1(e)(2A).

***closure date***

Has the meaning given in clause 2.10.1(c1).

## Schedule 2 Savings and Transitional Amendments to the National Electricity Rules

(Clause 4)

### [1] New Part ZZZL Generator three year notice of closure

After Part ZZZK, insert a new part:

#### Part ZZZL Generator three year notice of closure

##### 11.110 Rules consequential on the making of the National Electricity Amendment (Generator three year notice of closure) Rule 2018

###### 11.110.1 Definitions

For the purposes of this rule 11.110:

**Amending Rule** means the National Electricity Amendment (Generator three year notice of closure) Rule 2018.

**notice of closure exemption guideline** means the first guideline made by the *AER* under clause 2.10.1(c4).

###### 11.110.2 AER to develop and publish notice of closure exemption guideline

- (a) The *AER* must make and *publish* the notice of closure exemption guideline in accordance with the *Rules consultation procedure* by no later than 31 August 2019.

###### 11.110.3 Application of Amending Rule to AEMO

- (a) *AEMO* is not required to comply with clause 3.13.3(a)(2A) until 1 March 2019.

###### 11.110.4 Application of Amending Rule to Generators

- (a) *Generators* are not required to comply with clauses 2.10.1(c1) and (c2) until 1 September 2019.
- (b) A person registered as a *Generator* on or before 2 March 2019 is taken to have complied with clause 2.2.1(e)(2A)(i) if it provides its *expected closure year* to *AEMO* as soon as practicable after that date.

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[END OF RULE AS MADE]

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