

**CHAPTER 11**





## 11. Savings and Transitional Rules

Parts A to ZZI, ZZK, ZZL, ZZN (except for clause 11.86.8), ZZO to ZZT, ZZV and ZZX have no effect in this jurisdiction (see regulation 5A of the National Electricity (Northern Territory) (National Uniform Legislation) (Modification) Regulations). The application of those Parts may be revisited as part of the phased implementation of the Rules in this jurisdiction.

### Part ZZJ Demand management incentive scheme

#### 11.82 Rules consequential on making of the National Electricity Amendment (Demand management incentive scheme) Rule 2015

##### 11.82.1 Definitions

(a) In this rule 11.82:

**Amending Rule** means the National Electricity Amendment (Demand Management Incentive Scheme) Rule 2015.

**commencement date** means the date Schedules 1, 2 and 3 of the Amending Rule commence.

**new clauses 6.6.3 and 6.6.3A** means clauses 6.6.3 and 6.6.3A of the *Rules* as in force after the commencement date.

(b) Italicised terms used in this rule have the same meaning as under Schedule 3 of the Amending Rule.

##### 11.82.2 AER to develop and publish the demand management incentive scheme and demand management innovation allowance mechanism

(a) By 1 December 2016, the *AER* must develop and *publish* the first:

(i) *demand management incentive scheme* under new clause 6.6.3; and

(ii) *demand management innovation allowance mechanism* under new clause 6.6.3A.

### Part ZZM Common definitions of distribution reliability measures

#### 11.85 Rules consequential on the making of the National Electricity Amendment (Common definitions of distribution reliability measures) Rule 2015

##### 11.85.1 Definitions

(a) In this rule 11.85:

**Amending Rule** means the National Electricity Amendment (Common definitions of distribution reliability measures) Rule 2015.

**effective date** means 30 June 2017.

### 11.85.2 Distribution reliability measures guidelines

Despite clause 6.28(a), the *AER* must develop and *publish* the *distribution reliability measures guidelines* by 30 June 2017.

### 11.85.3 Amended STPIS

- (a) If, prior to the effective date, and for the purposes of developing changes to the current version of the *service target performance incentive scheme* in anticipation of the Amending Rule, the *AER* undertook a consultation, step, decision or action equivalent to that as required in the *distribution consultation procedures* or otherwise under the *Rules*, then that consultation, step, decision or action is taken to satisfy the equivalent consultation step, decision or action under the *distribution consultation procedures* or *Rules*.

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### 11.86.8 Distribution Ring Fencing Guidelines

- (a) *AER* must by 1 December 2016 *publish* *Distribution Ring-Fencing Guidelines*.

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## Part ZZU Rate of Return Guidelines Review

### 11.93 Rules consequential on the making of the National Electricity Amendment (Rate of Return Guidelines Review) Rule 2016

#### 11.93.1 Definitions

In this rule 11.93:

**affected DNSP** means each of the following *Distribution Network Service Providers*:

- (a) ActewAGL Distribution, the joint venture between Icon Distribution Investments Limited ACN 073 025 224 and Jemena Networks (ACT) Pty Ltd ACN 008 552 663 providing *distribution services* in the Australian Capital Territory, or any successor to its business;
- (b) Ausgrid, the energy services corporation of that name (formerly known as EnergyAustralia), which is constituted under section 7 of the *Energy Services Corporations Act 1995* (NSW) and specified in Part 2 of Schedule 1 of that Act, or any successor to its business (including any 'authorised distributor' of Ausgrid's 'network infrastructure assets' (as those terms are defined in the *Electricity Network Assets (Authorised Transactions) Act 2015* (NSW)) following the transfer of the whole, or part of, those network infrastructure assets to the private sector);
- (c) Endeavour Energy, the energy services corporation of that name (formerly known as Integral Energy), which is constituted under section 7 of the *Energy Services Corporations Act 1995* (NSW) and specified in Part 2 of Schedule 1 to that Act, or any successor to its business (including any 'authorised distributor' of Endeavour Energy's 'network infrastructure assets'

(as those terms are defined in the *Electricity Network Assets (Authorised Transactions) Act 2015* (NSW)) following the transfer of the whole, or part of, those network infrastructure assets to the private sector);

- (d) Essential Energy, the energy services corporation of that name (formerly known as Country Energy), which is constituted under section 7 of the *Energy Services Corporations Act 1995* (NSW) and specified in Part 2 of Schedule 1 to that Act, or any successor to its business; and
- (e) Power and Water Corporation ABN 15 947 352 360, providing *distribution services* in the Northern Territory, or any successor to its business.

**affected TNSP** means the *Transmission Network Service Provider*, Tasmanian Networks Pty Ltd ACN 167 357 299, providing *transmission services* in Tasmania, or any successor to its business.

**commencement date** means 20 October 2016.

**current rate of return guidelines** means the *Rate of Return Guidelines* as in force on the commencement date.

**current regulatory control period** means:

- (a) in respect of an affected DNSP or affected TNSP, the *regulatory control period* for that affected DNSP or affected TNSP, which commenced before the commencement date and, as at the commencement date, has not ended; and
- (b) in respect of TasNetworks, the *regulatory control period* which ends on 30 June 2019.

**subsequent regulatory control period** means:

- (a) in respect of an affected DNSP or affected TNSP, the *regulatory control period* for that affected DNSP or affected TNSP that immediately follows its current regulatory control period; and
- (b) in respect of TasNetworks, the *regulatory control period* that immediately follows its current regulatory control period.

**TasNetworks** means Tasmanian Networks Pty Ltd ACN 167 357 299, providing *distribution services* in Tasmania, or any successor to its business.

### 11.93.2 **Application of current rate of return guidelines to making of a distribution determination for the subsequent regulatory control period**

For the purposes of the application of:

- (a) Chapter 6 to the making, amendment, revocation or substitution of a distribution determination for both an affected DNSP's and TasNetworks subsequent regulatory control period; and
- (b) Chapter 6A to the making, amendment, revocation or substitution of a *transmission determination* for the affected TNSP's subsequent regulatory control period,

a reference to the *Rate of Return Guidelines* is deemed to be a reference to the current rate of return guidelines.

**Note**

Part ZZV will be inserted by the National Electricity Amendment (Demand Response Mechanism and Ancillary Services Unbundling) Rule 2016 No. 10 which commences on 1 July 2017.

**Part ZZV Demand Response Mechanism and Ancillary Services Unbundling**

**11.94 Rules consequential on the making of the National Electricity Amendment (Demand Response Management and Ancillary Services Unbundling) rule 2016**

**11.94.1 Definitions**

For the purposes of this rule 11.94:

**commencement date** means 1 July 2017.

**11.94.2 Participant fees for Market Ancillary Service Providers**

*AEMO* may charge *Market Ancillary Service Providers Participant fees* from the commencement date without amending the structure of *Participant fees* developed under rule 2.11 prior to the commencement date.

**Part ZZW Local Generation Network Credits**

**11.95 Rules consequential on the making of the National Electricity Amendment (Local Generation Network Credits) Rule 2016**

**11.95.1 Definitions**

(a) In this rule 11.95:

**Amending Rule** means the National Electricity Amendment (Local Generation Network Credits) Rule 2016.

**commencement date** means the date of commencement of Schedule 1 of the Amending Rule.

**system limitation template** has the meaning given to it in the Amending Rule.

**11.95.2 System limitation template**

(a) The *AER* must develop and *publish* the first *system limitation template* by the commencement date and in accordance with clause 5.13.3(a) of the Amending Rule.

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## Part ZZY Emergency Frequency Control Schemes

### 11.97 Rules consequent on the making of the National Electricity Amendment (Emergency frequency control schemes) Rule 2017

#### 11.97.1 Definitions

For the purposes of this rule 11.97:

**Amending Rule** means the National Electricity Amendment (Emergency frequency control schemes) Rule 2017.

**Commencement Date** means 6 April 2017.

**Interim frequency operating standards for protected events** means the *frequency operating standards for protected events* as set out in clause 11.97.2(b).

**new clause 4.3.2(h)(1)** means clause 4.3.2(h)(1) of the *Rules* as in force on and from the Commencement Date.

**new clause 4.3.2(h)(2)** means clause 4.3.2(h)(2) of the *Rules* as in force on and from the Commencement Date.

**old clause 4.3.2(h)** means clause 4.3.2(h) of the *Rules* as in force immediately before the Commencement Date.

#### 11.97.2 Interim frequency operating standards for protected events

- (a) On and from the Commencement Date, until the such time as the *Reliability Panel* determines the *NEM frequency operating standards for protected events* in the *power system security standards* under clause 8.8.1(a)(2), the *frequency operating standards for protected events* are taken to be the interim frequency operating standards for protected events in paragraph (b).
- (b) The interim frequency operating standards for protected events are:

##### Tasmania

For a *protected event*, system *frequency* should not exceed the applicable *extreme frequency excursion tolerance limits* and should not exceed the applicable load change band for more than two minutes while there is no *contingency event* or the applicable *normal operating frequency band* for more than 10 minutes while there is no *contingency event* as summarised in the table below:

CONDITION	CONTAINMENT	STABILISATION	RECOVERY
protected event	47.0 to 55.0 Hz	48.0 to 52.0 Hz within 2 minutes	49.0 to 51.0 Hz within 10 minutes

This standard applies for both an *interconnected* and an *islanded* system.

##### NEM Mainland

For a *protected event*, system *frequency* should not exceed the applicable *extreme frequency excursion tolerance limits* and should not exceed the applicable load change band for more than two minutes while there is no *contingency event* or the

applicable *normal operating frequency band* for more than 10 minutes while there is no *contingency event* as summarised in the tables below:

**NEM Mainland Frequency Operating Standards – interconnected system**

CONDITION	CONTAINMENT	STABILISATION	RECOVERY
protected event	47.0 to 52.0 Hz	49.5 to 50.5Hz within 2 minutes	49.85 to 50.15 Hz within 10 minutes

**NEM Mainland Frequency Operating Standards – for an islanded system**

CONDITION	CONTAINMENT	STABILISATION	RECOVERY
protected event	47.0 to 52.0 Hz	49.0 to 51.0 Hz within 2 minutes	49.5 to 50.5 Hz within 10 minutes

**NEM Mainland Frequency Operating Standards – during periods of supply scarcity**

CONDITION	CONTAINMENT	STABILISATION	RECOVERY
protected event	47.0 to 52.0 Hz	49.0 to 51.0 Hz within 2 minutes	49.5 to 50.5 Hz within 10 minutes

**11.97.3 First power system frequency risk review**

Despite clause 5.20A.2(a), *AEMO* must complete the first *power system frequency risk review* within 12 months of the Commencement Date.

**11.97.4 AEMO must review existing load shedding procedures**

As soon as reasonably practicable after the Commencement Date, *AEMO* must review, and if necessary amend, the *load shedding procedures* developed under old clause 4.3.2(h) to take into account the Amending Rule.

**11.97.5 Load shedding procedures**

On and from the Commencement Date any *load shedding procedures* developed by *AEMO* under old clause 4.3.2(h) will be taken to be:

- (a) *load shedding procedures* for the purposes of new clause 4.3.2(h)(1) if they are procedures under which *load* will be shed by means other than an *emergency frequency control scheme*; or
- (b) *EFCS settings schedules* for the purposes of new clause 4.3.2(h)(2) if they specify, for an *emergency frequency control scheme*, settings for operation of the scheme.



## Part ZZZ Transmission Connection and Planning Arrangements

### 11.98 Rules consequential on the making of the National Electricity Amendment (Transmission Connection and Planning Arrangements) Rule 2017

#### 11.98.1 Definitions

- (a) For the purposes of this rule 11.98:

**Amending Rule** means the National Electricity Amendment (Transmission Connections and Planning Arrangements) Rule 2017.

**commencement date** means the date of commencement of Schedules 1, 2, 4, 5 and 6 of the Amending Rule.

**Existing Connection Agreement** means a *connection agreement* entered into before the commencement date other than in relation to a *declared transmission system*.

**Existing DCA** means a *dedicated connection asset* which, before the commencement date:

- (1) exists; or
- (2) is contracted to be constructed under an Existing Connection Agreement; or
- (3) a *Transmission Network Service Provider* has agreed to *connect* to a *transmission network* under an Existing Connection Agreement.

**Existing DCA Owner** means an owner, operator or controller of an Existing DCA.

**former Chapter 5** means Chapter 5 of the *Rules* as in force immediately prior to the commencement date.

**former Chapter 6A** means Chapter 6A of the *Rules* as in force immediately prior to the commencement date.

**New Chapter 10** means Chapter 10 of the *Rules* as it will be in force immediately after the commencement date.

**new clause 5.3.AA(e)(2)** means clause 5.3AA(e)(2) of the *Rules* as in force immediately after the commencement date (being the same as clause 5.5(e)(2) of the *Rules* immediately prior to the commencement date).

**old rule 5.4A** means rule 5.4A of the *Rules* (and all definitions in, and related definitions and provisions of, the *Rules* amended by the Amending Rule) as in force immediately prior to the commencement date.

**old clause 5.3.6(i)** means clause 5.3.6(i) as in force immediately prior to the commencement date.

- (b) Italicised terms used in this rule have the same meaning as in new Chapter 10.

### 11.98.2 Grandfathering of existing dedicated connection assets

- (a) By 1 May 2018, an Existing DCA Owner who is already registered or is exempt from registration (as applicable) under chapter 2 of the *Rules* for its Existing DCA must notify the *AER* of the following information:
  - (1) the identity of each owner, controller or operator of the Existing DCA;
  - (2) the category of *Registered Participant* for which the owner, controller or operator of the Existing DCA is registered (or for which it has an exemption) for the Existing DCA;
  - (3) whether the Existing DCA would be classified as a *large dedicated connection asset* or *small dedicated connection asset* if the Existing DCA Owner was to register as a *Network Service Provider* for that asset; and
  - (4) the location and route of the Existing DCA.
- (b) By the commencement date, the *AER* must establish and publish a register of Existing DCA Owners who are already registered or exempt (as the case may be) for the Existing DCA and have notified their Existing DCAs under paragraph (b). The register must include the information in paragraph (a).
- (c) If an Existing DCA Owner is recorded in the register by the *AER* under paragraph (b) that Existing DCA Owner:
  - (1) if recorded in a registration category other than *Network Service Provider* or as having an exemption (as applicable) for the Existing DCA, is not required to register as a *Network Service Provider* for that Existing DCA under clause 2.5.1;
  - (2) if recorded in the registration category of *Network Service Provider* for the Existing DCA, is not required to classify that Existing DCA as a *large dedicated connection asset* or *small dedicated connection asset* under clause 2.5.1A;
  - (3) is not taken to be a *Dedicated Connection Asset Service Provider* in respect of that Existing DCA; and
  - (4) will continue to be registered in the category of *Registered Participant* or be exempted (as applicable) for the Existing DCA as applied immediately before the commencement date and recorded in the register by the *AER* and must, in relation to the Existing DCA, comply with all the obligations under the *Rules* that apply from time to time to that category of *Registered Participant* or the conditions of the exemption (as applicable).
- (d) If an existing DCA Owner is not recorded in the register by the *AER* under paragraph (b), that Existing DCA Owner must, by the commencement date, register or apply for an exemption from registration as a *Network Service Provider* under clause 2.5.1 of the *Rules* for its Existing DCA.

### 11.98.3 Preparatory steps for registration changes under the Amending Rule

- (a) By 1 March 2018, the *AER* must amend and *publish* the guidelines developed under clause 2.5.1(d) to take account of the Amending Rule.

- (b) If prior to the date specified in paragraph (a) and for the purposes of developing changes to the guidelines referred to in paragraph (a) in anticipation of the Amending Rule, the *AER* undertook a consultation or steps equivalent to that as required in the *Rules consultation procedures*, then that consultation or steps is taken to satisfy the equivalent consultation or step under the *Rules consultation procedures*.
- (c) By 1 April 2018, *AEMO* must develop an application form for registration of *Network Service Providers* that takes account of the Amending Rule.

#### **11.98.4 Participant fees for Dedicated Connection Asset Service Providers**

*AEMO* may charge *Dedicated Connection Asset Service Providers* fees from the *Dedicated Connection Asset Service Provider's* date of registration without amending the structure of the *Participant fees* developed under rule 2.11 prior to the commencement date.

#### **11.98.5 Existing Connection Agreements**

- (a) Subject to paragraph (b), the Amending Rule is neither intended to have, nor is it to be read or construed as having, the effect of:
  - (1) altering any of the terms of an Existing Connection Agreement (including the location of a *connection point*);
  - (2) altering the contractual rights or obligations of any of the parties under an Existing Connection Agreement as between those parties; or
  - (3) relieving the parties under any such Existing Connection Agreement of their contractual obligations under such an agreement.
- (b) If a *Transmission Network User* under an Existing Connection Agreement requests an amendment to that Existing Connection Agreement after the commencement date for the purposes of altering a *connection service* provided under that agreement, then the *Rules* as amended by the Amending Rule apply to that request.
- (c) The Amending Rule is neither intended to have, nor is it to be read or construed as having, the effect of changing the application of clause 11.6.11 (if applicable) in relation to *connection services* provided under an Existing Connection Agreement.

#### **11.98.6 Connection process**

- (a) If a *connection* enquiry was made to a *Transmission Network Service Provider* by a *Connection Applicant* under clause 5.3.2 before the commencement date, the former Chapter 5 and Chapter 6A continue to apply to the *connection process* and negotiation for a *connection agreement* related to that *connection enquiry*.
- (b) Paragraph (a) does not prevent a *Connection Applicant* making a new *connection enquiry* for that *connection* after the commencement date.

### 11.98.7 Transmission Annual Planning Report

- (a) The *AER* must develop and publish the first TAPR Guidelines required under rule 5.14B by 31 December 2017 in accordance with the *transmission consultation procedures*.
- (b) A *Transmission Network Service Provider* is not required to comply with Schedule 3 of the Amending Rule for a *Transmission Annual Planning Report* if the date by which that report is required to be *published* is within six months of the publication of the TAPR Guidelines by the *AER* under paragraph (a).

### 11.98.8 Preservation for adoptive jurisdictions

- (a) Subject to paragraph (b), for a *declared transmission system* of an *adoptive jurisdiction*:
  - (1) former Chapter 6A continues to apply and the amendments made by the Amending Rule to Chapter 6A are of no effect;
  - (2) old rule 5.4A continues to apply and the deletion of rule 5.4A by the Amending Rule is of no effect;
  - (3) old clause 5.3.6(i) continues to apply and the deletion of clause 5.3.6(i) by the Amending Rule is of no effect; and
  - (4) new clause 5.3AA(e)(2) applies as amended below:
    - (i) insert the phrase "*transmission network user access or*" before "*distribution network user access*"; and
    - (ii) insert "*transmission networks and*" before "*distribution networks*".
- (b) If a provision in former Chapter 6A, old rule 5.4A or old clause 5.3.6(i) is amended, the provision as amended continues to apply in accordance with paragraph (a).

## Part ZZZA Replacement expenditure planning arrangements

### 11.99 Rules consequential on the making of the National Electricity Amendment (Replacement expenditure planning arrangements) Rule 2017

#### 11.99.1 Definitions

For the purposes of this rule 11.99:

**affected DNSP** means each of the following *Distribution Network Service Providers*:

- (a) Energex Limited ACN 078 849 055 or any successor business; and
- (b) Ergon Energy Corporation Limited ACN 087 646 062 or any successor business.

**Amending Rule** means the National Electricity Amendment (Replacement expenditure planning arrangements) Rule 2017.

**excluded project** means, in respect of a *Network Service Provider*, a project for the refurbishment or replacement of *network* assets which satisfies, on or prior to 30 January 2018, the criteria which a project needs to satisfy to be a "committed project" under:

- (a) in the case of a *RIT-D project*, the *regulatory investment test for distribution* as in force on the first commencement date; or
- (b) in the case of a *RIT-T project*, the *regulatory investment test for transmission* as in force on the first commencement date.

**first commencement date** means the date of commencement of Schedule 1 of the Amending Rule.

**old clause 5.16.3** means clause 5.16.3 of the *Rules* (and all related definitions and provisions of the *Rules* amended by the Amending Rule), the *regulatory investment test for transmission* and RIT-T application guidelines made by the *AER*, each as in force immediately prior to the first commencement date.

**old clause 5.17.3** means clause 5.17.3 of the *Rules* (and all related definitions and provisions of the *Rules* amended by the Amending Rule), the *regulatory investment test for distribution* and RIT-D application guidelines made by the *AER*, each as in force immediately prior to the first commencement date.

**old schedule 5.8** means schedule 5.8 of the *Rules* (and all related definitions and provisions of the *Rules* amended by the Amending Rule) as in force immediately prior to the first commencement date.

**RIT-D application guidelines** means the guidelines developed and *published* by the *AER* in accordance with clause 5.17.2 as in force from time to time.

**RIT-T application guidelines** means the guidelines developed and *published* by the *AER* in accordance with clause 5.16.2 as in force from time to time.

**RIT documentation** means each of:

- (a) the *regulatory investment test for transmission*;
- (b) the *regulatory investment test for distribution*;
- (c) the RIT-T application guidelines; and
- (d) the RIT-D application guidelines.

**second commencement date** means the date of commencement of Schedule 2 of the Amending Rule.

**Victorian bushfire mitigation project** means a *RIT-D project* for the refurbishment or replacement of *network* assets by a Victorian DNSP in order to meet its obligations under clause 7(1)(ha)(i) and (3)(a)(ii) of the *Electricity Safety (Bushfire Mitigation) Regulations 2013 (VIC)*, as in force immediately prior to the first commencement date.

**Victorian DNSP** means a DNSP for a *distribution network* situated wholly or partly within Victoria.

### 11.99.3 Transitional arrangements for affected DNSPs

On and from the first commencement date until, but not including, 1 January 2018, old schedule 5.8 continues to apply to affected DNSPs.

#### **11.99.4 Amendments to RIT documentation**

- (a) By no later than 18 September 2017, the *AER* must amend and *publish* the RIT documentation to take into account the Amending Rule.
- (b) In making the amendments to the RIT documentation required under paragraph (a), the *AER*:
  - (1) must only make amendments to the RIT Documentation to the extent required to take into account the Amending Rule;
  - (2) is not required to comply with the *transmission consultation procedures* or the *distribution consultation procedures* (as the case may be); and
  - (3) must consult with *Network Service Providers* and any other persons that the *AER* considers appropriate.

#### **11.99.5 Transitional arrangements relating to excluded projects**

- (a) Each *Network Service Provider* must publish and maintain on its website a list of its excluded projects, which must include:
  - (1) the project name;
  - (2) a brief description of the project; and
  - (3) the scheduled completion date,on and from the second commencement date until completion of its excluded projects.
- (b) In respect of each *Network Service Provider*:
  - (1) old clause 5.16.3 continues to apply to excluded projects that are RIT-T projects for a replacement of *network* assets (and are not intended to *augment* the *transmission network*); and
  - (2) old clause 5.17.3 continues to apply to excluded projects that are RIT-D projects for refurbishment or replacement of *network* assets (and are not intended to *augment* a *network*).

#### **11.99.6 Transitional arrangements relating to Victorian bushfire mitigation projects**

- (a) Where a Victorian DNSP has Victorian bushfire mitigation projects, it must publish and maintain on its website a list of Victorian bushfire mitigation projects, which must include:
  - (1) the project name;
  - (2) a brief description of the project; and
  - (3) the scheduled completion date,on and from the second commencement date until completion of its Victorian bushfire mitigation projects.
- (b) In respect of each Victorian DNSP old clause 5.17.3 continues to apply to each Victorian Bushfire mitigation project.

### 11.99.7 Transitional arrangements relating to review of costs thresholds

- (a) Clause 5.15.3(a)(1) of Chapter 5 applies for the purposes of clause 5.15.3(b)(1A) as if the words "July 2009" were omitted and substituted with the words "18 July 2017".
- (b) Clause 5.15.3(c)(3) of Chapter 5 applies for the purposes of clause 5.15.3(d)(4A) as if the words "1 January 2013" were omitted and substituted with the words "18 July 2017".

## Part ZZZB Managing the rate of change of power system frequency

### 11.100 Rules consequential on the making of the National Electricity Amendment (Managing the rate of change of power system frequency) Rule 2017

#### 11.100.1 Definitions

- (a) In this rule 11.100:

**Amending Rule** means the *National Electricity Amendment (Managing the rate of change of power system frequency) Rule 2017*.

**commencement date** means the date of commencement of Schedules 1 to 7 of the Amending Rule.

**inertia-related NSCAS gap** means an *NSCAS gap* that is a shortfall in the level of inertia typically provided in a *region* (having regard to typical patterns of *dispatched generation in central dispatch*) compared to the minimum level of inertia required to operate the *region* in a *secure operating state* when it is *islanded*.

**new Chapter 10** means Chapter 10 as amended by the Amending Rule.

**new clause 3.9.7** means clause 3.9.7 of the *Rules* as will be in force immediately after the commencement date.

**new clause 4.4.4** means clause 4.4.4 of the *Rules* as will be in force immediately after the commencement date.

**new clause 4.4.9C** means clause 4.4.9C of the *Rules* as will be in force immediately after the commencement date.

**new clause 5.16.3** means clause 5.16.3 of the *Rules* as will be in force immediately after the commencement date.

**new clause 5.20.1(a)(3)** means clause 5.20.1(a)(3) of the *Rules* as will be in force immediately after the commencement date.

**new clause 5.20.7(a)** means clause 5.20.7(a) of the *Rules* as will be in force immediately after the commencement date.

**new clause 5.20B.2(a)** means clause 5.20B.2(a) of the *Rules* as will be in force immediately after the commencement date.

**new clause 5.20B.3(a)** means clause 5.20B.3(a) of the *Rules* as will be in force immediately after the commencement date.

**new clause 5.20B.3(c)** means clause 5.20B.3(c) of the *Rules* as will be in force immediately after the commencement date.

**new clause 5.20B.4(b)** means clause 5.20B.4(a) of the *Rules* as will be in force immediately after the commencement date.

**new clause 5.20B.4(h)** means clause 5.20B.4(h) of the *Rules* as will be in force immediately after the commencement date.

**new clause 5.20B.4(i)** means clause 5.20B.4(i) of the *Rules* as will be in force immediately after the commencement date.

**new clause 6A.7.3(a1)** means clause 6A.7.3(a1) of the *Rules* as will be in force immediately after the commencement date.

**new rule 5.20B** means rule 5.20B of the *Rules* as will be in force immediately after the commencement date.

**NSCAS transition period** means the period after the date this schedule commences and before the commencement date.

- (b) Italicised terms used in this rule 11.100 (other than *NSCAS gap* and *NSCAS need*) have the same meaning as in new Chapter 10.

#### **11.100.2 Inertia sub-networks**

On the date this schedule commences, *AEMO* is taken to have determined *inertia sub-networks* having the same boundaries as the boundaries of each *region* on that date.

#### **11.100.3 Inertia requirements methodology**

- (a) By 30 June 2018, *AEMO* must develop and *publish* a methodology setting out the process *AEMO* will use to determine the *inertia requirements* for each *inertia sub-network*. The methodology must provide for *AEMO* to take into account the matters listed in new clause 5.20.7(a) in determining the *inertia requirements* for each *inertia sub-network*.
- (b) *AEMO* must include an explanation of the differences between the methodology determined under paragraph (a) and the first *inertia requirements methodology* published in accordance with new clause 5.20.1(a)(3).

#### **11.100.4 Inertia requirements**

- (a) *AEMO* must make a determination of the *inertia requirements* for all *inertia sub-networks* under new clause 5.20B.2(a) and make the assessments required under new clause 5.20B.3(a) by 30 June 2018, applying the methodology determined under clause 11.100.3(a) as if it were an *inertia requirements methodology*.
- (b) If *AEMO* assesses that there is or is likely to be an *inertia shortfall* in any *inertia sub-network* in its assessment carried out in accordance with paragraph (a), *AEMO* must as soon as practicable after making that assessment *publish* and give to the *Inertia Service Provider* for the *inertia sub-network* a notice of that assessment that includes *AEMO's* specification of the date by which the *Inertia Service Provider* must ensure the



availability of *inertia network services* in accordance with new clause 5.20B.4(b), which must not be earlier than 1 July 2019 unless an earlier date is agreed with the *Inertia Service Provider*.

- (c) An *Inertia Service Provider* given a notice under paragraph (b) must make *inertia network services* available in accordance with new clause 5.20B.4(b) and otherwise comply with new rule 5.20B as if the notice had been given under new clause 5.20B.3(c).

**Note**

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

- (d) If an *Inertia Service Provider* is given a notice under paragraph (b) later than 30 April 2017, it is not required to include the information referred to in new clauses 5.20B.4(h) and (i) in its *Transmission Annual Planning Report* due to be published by 30 June 2018, but the information must be included in its next *Transmission Annual Planning Report*.
- (e) where an *Inertia Service Provider* is given a notice under paragraph (b), clause 5.16.3 regarding the *regulatory investment test for transmission*, clause 6A.7.3(a1) regarding *pass through events* and the related definitions apply in relation to *inertia network services* and *inertia support activities* made available in response to the notice as if they were new clause 5.16.3, new clause 6A.7.3(a1) and the related definitions in new Chapter 10.

**11.100.5 NSCAS not to be used to meet an inertia shortfall after 1 July 2019**

- (a) Paragraphs (b) and (c) do not apply in respect of a inertia-related NSCAS gap declared on or before 19 September 2017.
- (b) In the NSCAS transition period, *AEMO* must not, in respect of any period after 1 July 2019, acquire *NSCAS* to meet an *NSCAS gap* in relation to a requirement for a service that is both an *NSCAS need* and is also capable of being made available as an *inertia network service* to address an *inertia shortfall* through the arrangements in new rule 5.20B.
- (c) In the NSCAS transition period, a *Transmission Network Service Provider* must not, in respect of any period after 1 July 2019, put in place arrangements referred to in rule 3.11.3(b) to meet an *NSCAS gap* referred to in paragraph (a).

**11.100.6 Inertia network services may be used to meet an NSCAS gap declared in the NSCAS transition period**

- (a) If, in the NSCAS transition period, *AEMO* declares an inertia-related NSCAS gap in respect of a period starting within 12 months of the declaration being made, a *Transmission Network Service Provider* given a request under clause 3.11.3 in relation to the inertia-related NSCAS gap may by notice to *AEMO* elect to treat the declaration of that inertia-related NSCAS gap as if it were a notice of an *inertia shortfall* under new clause 5.20B.3(c).
- (b) If, in the NSCAS transition period, *AEMO* declares an inertia-related NSCAS gap in respect of a period starting 12 months or more after the

declaration is made, a *Transmission Network Service Provider* given a request under clause 3.11.3 in relation to the inertia-related NSCAS gap must treat the declaration of that inertia-related NSCAS gap as if it were a notice of an *inertia shortfall* under new clause 5.20B.3(c).

- (c) Where in accordance with paragraph (a) or (b) a *Transmission Network Service Provider* elects or is required to treat a declaration of an inertia-related NSCAS gap as if it were notice of an *inertia shortfall* under new clause 5.20B.3(c):
- (1) the *Transmission Network Service Provider* must make *inertia network services* available in accordance with new clause 5.20B.4(b);
  - (2) AEMO and the *Transmission Network Service Provider* must otherwise comply with new rule 5.20B as if the notice had been given under new clause 5.20B.3(c); and
  - (3) clause 5.16.3 regarding the *regulatory investment test for transmission*, clause 6A.7.3(a1) regarding *pass through events* and the related definitions apply in relation to *inertia network services* made available in response to the notice as if they were new clause 5.16.3, new clause 6A.7.3(a1) and the related definitions in new Chapter 10.

#### **11.100.7 Inertia network services made available before the commencement date**

If a *Transmission Network Service Provider* makes *inertia network services* available under this rule 11.100 in the NSCAS transition period, new clause 3.9.7, new clause 4.4.4, new clause 4.4.9C and the related definitions in new Chapter 10 apply in respect of those *inertia network services* as if those provisions had commenced on the date the *inertia network services* were first made available and (in the case of *inertia network services* provided under clause 11.100.6) as if AEMO had determined a *secure operating level of inertia* for the *region* equal to the minimum level of *inertia* determined in the declaration of the inertia-related NSCAS gap.

### **Part ZZZC Managing power system fault levels**

#### **11.101 Rules consequential on the making of the National Electricity Amendment (Managing power system fault levels) Rule 2017**

##### **11.101.1 Definitions**

- (a) In this rule 11.101:

**Amending Rule** means the *National Electricity Amendment (Managing power system fault levels) Rule 2017*.

**commencement date** means the date of commencement of Schedules 4,5,6,7,8 and 9 of the Amending Rule.

**new Chapter 10** means Chapter 10 as amended by the Amending Rule.

**new clause 3.9.7** means clause 3.9.7 of the *Rules* as will be in force immediately after the commencement date.

**new clause 4.4.4** means clause 4.4.4 of the *Rules* as will be in force immediately after the commencement date.

**new clause 4.4.9C** means clause 4.4.9C of the *Rules* as will be in force immediately after the commencement date.

**new clause 4.6.6** means clause 4.6.6 of the *Rules* as will be in force immediately after the Schedule 1 to 3 commencement date.

**new clause 5.16.3** means clause 5.16.3 of the *Rules* as will be in force immediately after the commencement date.

**new clause 5.20.1(a)(3)** means clause 5.20.1(a)(3) of the *Rules* as will be in force immediately after the commencement date.

**new clause 5.20.7(b)** means clause 5.20.7(b) of the *Rules* as will be in force immediately after the commencement date.

**new clause 5.20C.1(a)** means clause 5.20C.1(a) of the *Rules* as will be in force immediately after the commencement date.

**new clause 5.20C.2(a)** means clause 5.20C.2(a) of the *Rules* as will be in force immediately after the commencement date.

**new clause 5.20C.2(c)** means clause 5.20C.2(c) of the *Rules* as will be in force immediately after the commencement date.

**new clause 5.20C.3(b)** means clause 5.20C.3(b) of the *Rules* as will be in force immediately after the commencement date.

**new clause 5.20C.3(f)** means clause 5.20C.3(f) of the *Rules* as will be in force immediately after the commencement date.

**new clause 5.20C.3(g)** means clause 5.20C.3(g) of the *Rules* as will be in force immediately after the commencement date.

**new clause 6A.7.3(a1)** means clause 6A.7.3(a1) of the *Rules* as will be in force immediately after the commencement date.

**new rule 5.20C** means rule 5.20C of the *Rules* as will be in force immediately after the commencement date.

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

**system strength-related NSCAS gap** means an *NSCAS gap* that is a shortfall in the *three phase fault level* typically provided at a *fault level node* in a *region* (having regard to typical patterns of *dispatched generation* in *central dispatch*) compared to the minimum *three phase fault level* that *AEMO* reasonably considers is required to maintain the *power system* in a *secure operating state*.

**NSCAS transition period** means the period after the date this schedule commences and before the commencement date.

- (b) Italicised terms used in this rule 11.101 (other than *NSCAS gap* and *NSCAS need*) have the same meaning as in new Chapter 10.

### 11.101.2 System strength impact assessment guidelines

- (a) *AEMO* must make and *publish* interim *system strength impact assessment guidelines* by 17 November 2017 to apply until the *system strength impact assessment guidelines* are made and published under paragraph (c).
- (b) *AEMO* is not required to comply with the *Rules consultation procedure* when making the interim guidelines under paragraph (a).
- (c) *AEMO* must make and *publish system strength impact assessment guidelines* under new clause 4.6.6 by 1 July 2018 and in doing so must comply with the *Rules consultation procedures*.

### 11.101.3 System strength requirements methodology

- (a) By 30 June 2018, *AEMO* must determine and *publish* a methodology setting out the process *AEMO* will use to determine the *system strength requirements* for each *region*. The methodology must provide for *AEMO* to take into account the matters listed in new clause 5.20.7(b) in determining the *system strength requirements*.
- (b) *AEMO* must include an explanation of the differences between the methodology determined under paragraph (a) and the first *system strength requirements methodology* published in accordance with new clause 5.20.1(a)(3).

### 11.101.4 System strength requirements

- (a) *AEMO* must make a determination of the *system strength requirements* for each *region* under new clause 5.20C.1(a) and make the assessments required under new clause 5.20C.2(a) by 30 June 2018 applying the methodology determined under clause 11.101.3(a) as if it were a *system strength requirements methodology*.
- (b) If *AEMO* assesses that there is or is likely to be a *fault level shortfall* in a *region* in its assessment carried out in accordance with paragraph (a), *AEMO* must as soon as practicable after making that assessment *publish* and give to the *System Strength Service Provider* for the *region* a notice of that assessment that includes *AEMO's* specification of:
  - (1) the extent of the *fault level shortfall*; and
  - (2) the date by which the *System Strength Service Provider* must ensure the availability of *system strength services* in accordance with clause 5.20C.3(b), which must not be earlier than 1 July 2019 unless an earlier date is agreed with the *System Strength Service Provider*.
- (c) A *System Strength Service Provider* given a notice under paragraph (b) must make *system strength services* available in accordance with new clause 5.20C.3(b) and otherwise comply with new rule 5.20C as if the notice had been given under new clause 5.20C.2(c).

#### Note

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

- (d) If a *System Strength Service Provider* is given notice under paragraph (b) later than 30 April 2017, it is not required to include the information referred to in new clauses 5.20C.3(f) and (g) in its *Transmission Annual Planning Report* due to be published by 30 June 2018, but the information must be included in its next *Transmission Annual Planning Report*.
- (e) Where a *System Strength Service Provider* is given a notice under paragraph (b), clause 5.16.3 regarding the *regulatory investment test for transmission*, clause 6A.7.3(a1) regarding *pass through events* and the related definitions apply in relation to *system strength services* made available in response to the notice as if they were new clause 5.16.3, new clause 6A.7.3(a1) and the related definitions in new Chapter 10.

#### **11.101.5 NSCAS not to be used to meet a fault level shortfall after 1 July 2019**

- (a) Paragraphs (b) and (c) do not apply in respect of a system strength-related NSCAS gap declared on or before 19 September 2017.
- (b) In the NSCAS transition period, *AEMO* must not, in respect of any period after 1 July 2019, acquire *NSCAS* to meet an *NSCAS gap* in relation to a requirement for a service that is both an *NSCAS need* and is also capable of being made available as a *system strength service* to address a *fault level shortfall* through the arrangements in new rule 5.20C.
- (c) In the NSCAS transition period, a *Transmission Network Service Provider* must not, in respect of any period after 1 July 2019, put in place arrangements referred to in rule 3.11.3(b) to meet an *NSCAS gap* referred to in paragraph (a).

#### **11.101.6 System strength services may be used to meet an NSCAS gap declared in the NSCAS transition period**

- (a) If, in the NSCAS transition period, *AEMO* declares a system strength-related NSCAS gap in respect of a period starting within 12 months of the declaration being made, a *Transmission Network Service Provider* given a request under clause 3.11.3 in relation to the system strength-related NSCAS gap may by notice to *AEMO* elect to treat the declaration of that system strength-related NSCAS gap as if it were a notice of a *fault level shortfall* under new clause 5.20C.2(c).
- (b) If, in the NSCAS transition period, *AEMO* declares a system strength-related NSCAS gap in respect of a period starting 12 months or more after the declaration is made, a *Transmission Network Service Provider* given a request under clause 3.11.3 in relation to the system strength-related NSCAS gap must treat the declaration of that system strength-related NSCAS gap as if it were a notice of a *fault level shortfall* under new clause 5.20C.2(c).
- (c) Where in accordance with paragraph (a) or (b) a *Transmission Network Service Provider* elects or is required to treat a declaration of a system strength-related NSCAS gap as if it were notice of a *fault level shortfall* under new clause 5.20C.2(c):
  - (1) the *Transmission Network Service Provider* must make *system strength services* available in accordance with new clause 5.20C.3(b);

- (2) *AEMO* and *Transmission Network Service Provider* must otherwise comply with new rule 5.20C as if the notice had been given under new clause 5.20C.2(c); and
- (3) clause 5.16.3 regarding the *regulatory investment test for transmission*, clause 6A.7.3(a1) regarding *pass through events* and the related definitions apply in relation to *system strength services* made available in response to the notice as if they were new clause 5.16.3, new clause 6A.7.3(a1) and the related definitions in new Chapter 10.

#### **11.101.7 Withdrawal of a system strength-related NSCAS gap already declared**

- (a) This clause applies if, on or before 19 September 2017, *AEMO* has declared a system strength-related NSCAS gap.
- (b) If this clause applies, *AEMO* may by notice *published* under this clause withdraw the declaration of the system strength-related NSCAS gap referred to in paragraph (a).
- (c) If *AEMO* withdraws a declaration under paragraph (b), *AEMO* may make a new declaration of the system strength-related NSCAS gap by notice *published* under this clause and clause 11.101.6 will apply to that new declaration.

#### **11.101.8 System strength services made available before the commencement date**

If a *Transmission Network Service Provider* makes *system strength services* available under this rule 11.101 in the NSCAS transition period, new clause 3.9.7, new clause 4.4.4, new clause 4.4.9C and the related definitions in new Chapter 10 apply in respect of those *system strength services* as if those provisions had commenced on the date the *system strength services* were first made available and (in the case of *system strength services* provided under clause 11.101.6) as if *AEMO* had determined a *fault level shortfall* in the system strength-related NSCAS gap.

### **Part ZZZD Generating System Model Guidelines**

#### **11.102 Making of Power System Model Guidelines**

- (a) By 1 July 2018, *AEMO* must develop and *publish* the *Power System Model Guidelines*, the *Power System Design Data Sheet*, and the *Power System Setting Data Sheet* to take account of the National Electricity Amendment (Generating system model guidelines) Rule 2017 No. 11.

## Part ZZZE Five Minute Settlement

### 11.103 Rules consequential on the making of the National Electricity Amendment (Five Minute Settlement) Rule 2017 and the National Electricity Amendment (Delayed implementation of five minute and global settlement) Rule 2020

#### 11.103.1 Definitions

For the purposes of this rule 11.103:

**Amending Rule** means the National Electricity Amendment (Five Minute Settlement) Rule 2017.

**commencement date** means 1 October 2021.

**Excluded metering installations** means:

- (a) types 1,2,3 and 7 *metering installations*; and
- (b) the *metering installations* referred to in new clause 7.8.2(b1).

**new Chapter 7** means Chapter 7 of the *Rules* as in force immediately after the commencement date.

**new clause 7.8.2(b1)** means clause 7.8.2(b1) as in force immediately after the commencement date.

**new Chapter 10** means Chapter 10 of the *Rules* as in force immediately after the commencement date.

**new clause 3.8.9** means clause 3.8.9 of the *Rules* as in force immediately after the commencement date.

**new clause 7.8.2(a2)** means clause 7.8.2(a2) of the *Rules* as in force immediately after the commencement date.

**new clause 7.8.2(b1)** means clause 7.8.2(b1) of the *Rules* as in force immediately after the commencement date.

**new clause 7.8.2A** means clause 7.8.2A of the *Rules* as in force immediately after the commencement date.

**old clause 3.8.9** means clause 3.8.9 of the *Rules* as in force immediately prior to the commencement date.

**old commencement date** means 1 July 2021.

#### 11.103.2 Amendments to procedures

- (a) By 1 December 2019, *AEMO* must review and where necessary amend and *publish* the following documents to apply from the old commencement date to take into account the Amending Rule:
  - (1) the credit limit procedures in accordance with clause 3.3.8;
  - (2) the *spot market* operations timetable in accordance with clause 3.4.3;
  - (3) the automated procedures relating to *dispatch intervals* subject to review in accordance with clause 3.9.2B;

- (4) the methodology for determining *dispatch prices* and *ancillary services prices* in the event of intervention by *AEMO* in accordance with clause 3.9.3;
  - (5) **[Deleted]**
  - (6) the *market suspension pricing methodology* and *market suspension pricing schedule* for periods of *market suspension* in accordance with clause 3.14.5;
  - (7) the *reallocation procedures*;
  - (8) the *settlement residue* auction rules in accordance with clause 3.18.3;
  - (9) the methodology relating to *dispatch* pricing for *unscheduled reserve contracts* in accordance with clause 3.20.4;
  - (10) the procedures relating to the exercise of the *RERT* in accordance with clause 3.20.7;
  - (11) the procedures maintained under clause 7.8.3(b) in respect of the *minimum services specification*;
  - (12) the *meter churn procedures* in accordance with clause 7.8.9;
  - (13) the *metering data provision procedures*;
  - (14) the *Market Settlement and Transfer Solution Procedures*;
  - (15) the *metrology procedure*; and
  - (16) the *service level procedures*.
- (a1) *AEMO* is not required to comply with the *Rules consultation procedures* in respect of any amendments that must be made to the documents referred to in paragraph (a) to take into account the National Electricity Amendment (Delayed implementation of five minute and global settlement) Rule 2020.
  - (b) The *Information Exchange Committee* must make an *Information Exchange Committee Recommendation* to change the *B2B Procedures* (**B2B Recommendation**) to take into account the Amending Rule by 1 July 2019.
  - (c) Subject to clause 7.17.5(b), *AEMO* must *publish* the *B2B Procedures* in accordance with the B2B Recommendation within 10 *business days* of the *Information Exchange Committee* making the B2B Recommendation.
  - (d) By 1 December 2019, the *AER* must amend and *publish* the following documents to apply from the old commencement date to take into account the Amending Rule:
    - (1) the methodology relating to the *distribution loss factor* in accordance with clause 3.6.3;
    - (2) guidelines maintained under clause 3.8.22 in respect of *rebidding*; and
    - (3) criteria that the *AER* will use to determine whether there is a significant variation between the *spot price forecast* and the actual *spot price* in accordance with clause 3.13.7.

### 11.103.3. Exemption for certain metering installations

From the commencement date:



- (a) all *metering installations* (other than Excluded metering installations and type 4A *metering installations*) that were installed prior to 1 December 2018; and
- (b) type 4A *metering installations* that were installed prior to 1 December 2019, do not have to be capable of recording and providing, or configured to record and provide, *trading interval energy data* (as defined under new Chapter 10) until they are replaced in accordance with new clause 7.8.2A.

#### **11.103.4 New or replacement meters**

The *Metering Coordinator* at a *connection point* must ensure that:

- (a) all new or replacement *metering installations* (other than type 4A *metering installations*) installed between 1 December 2018 and the commencement date; and
- (b) all new or replacement type 4A *metering installations* installed between 1 December 2019 and the commencement date,

are capable of recording and providing *trading interval energy data* as defined under new Chapter 10.

#### **11.103.5 Metering installations exempt from metering data provision requirements**

*Metering installations* (other than Excluded metering installations) do not have to be configured to record and provide *trading interval energy data* (as defined under new Chapter 10) prior to 1 December 2022.

#### **11.103.6 Exemption from meter data storage requirements**

By 1 December 2019, *AEMO* must *establish* and *publish* the procedure required by new clause 7.8.2(a2) in respect of exemptions from data storage requirements.

#### **11.103.7 Default offers and bids submitted prior to the commencement date**

Any *dispatch offer* or *dispatch bid* submitted pursuant to old clause 3.8.9 for a *trading interval* prior to the commencement date will, from the commencement date, be deemed to be 6 equal *dispatch offers* or *dispatch bids* submitted in respect of the 6 consecutive *trading intervals* within the relevant *30-minute period* until such time as that *dispatch offer* or *dispatch bid* is resubmitted under new clause 3.8.9.

### **Part ZZZF Contestability of energy services**

#### **11.104 Rules consequential on the making of the National Electricity Amendment (Contestability of energy services) Rule 2017**

##### **11.104.1 Definitions**

For the purposes of this rule 11.104:

**affected DNSP** means each of the following *Distribution Network Service Providers*:

- (a) ActewAGL Distribution, the joint venture between Icon Distribution Investments Limited ACN 073 025 224 and Jemena Networks (ACT) Pty Ltd ACN 008 552 663, which is registered by AEMO as a *Network Service Provider* in accordance with section 12(1) of the *NEL* and clause 2.5.1 of the *Rules* to own, control and operate the *distribution system* in the Australian Capital Territory, or any successor to its business;
- (b) Ausgrid Operator Partnership (ABN 78 508 211 731), which comprises of:
  - (1) Blue Op Partner Pty Ltd (ACN 615 217 500) as trustee for the Blue Op Partner Trust;
  - (2) ERIC Alpha Operator Corporation 1 Pty Ltd (ACN 612 975 096) as trustee for ERIC Alpha Operator Trust 1;
  - (3) ERIC Alpha Operator Corporation 2 Pty Ltd (ACN 612 975 121) as trustee for ERIC Alpha Operator Trust 2;
  - (4) ERIC Alpha Operator Corporation 3 Pty Ltd (ACN 612 975 185) as trustee for ERIC Alpha Operator Trust 3; and
  - (5) ERIC Alpha Operator Corporation 4 Pty Ltd (ACN 612 975 210) as trustee for ERIC Alpha Operator Trust 4;
- (c) Endeavour Energy Network Operator Partnership (ABN 11 247 365 823), which comprises of:
  - (1) Edwards O Pty Limited (ACN 618 643 486) as trustee for the Edwards O Trust;
  - (2) ERIC Epsilon Operator Corporation 1 Pty Ltd (ACN 617 221 735) as trustee for ERIC Epsilon Operator Trust 1;
  - (3) ERIC Epsilon Operator Corporation 2 Pty Ltd (ACN 617 221 744) as trustee for ERIC Epsilon Operator Trust 2;
  - (4) ERIC Epsilon Operator Corporation 3 Pty Ltd (ACN 617 221 753) as trustee for ERIC Epsilon Operator Trust 3; and
  - (5) ERIC Epsilon Operator Corporation 4 Pty Ltd (ACN 617 221 771) as trustee for ERIC Epsilon Operator Trust 4;
- (d) Essential Energy, the energy services corporation of that name (formerly known as Country Energy), which is constituted under section 7 of the *Energy Services Corporations Act 1995* (NSW) and specified in Part 2 of Schedule 1 of that Act, or any successor to its business;
- (e) Power and Water Corporation ABN 15 947 352 360, providing *distribution services* in the Northern Territory, or any successor to its business; and
- (f) Tasmanian Networks Pty Ltd ACN 167 357 299, in its capacity as a *Distribution Network Service Provider*.

**Amending rule** means the National Electricity Amendment (Contestability of energy services) Rule 2017.

**commencement date** means the date of commencement of the Amending rule.

**current regulatory control period** in respect of a *Distribution Network Service Provider*, means the *regulatory control period* for that *Distribution Network*

*Service Provider* that commenced before the commencement date and, as at the commencement date, has not ended.

**Old clauses 6.2.1(d) and 6.2.2(d)** means 6.2.1(d) and clause 6.2.2(d), each as in force immediately before the commencement date.

**statement of amendment** in respect of an affected DNSP, means a written statement setting out any amendments to the affected DNSP's *building block proposal* that are necessary to remove, and make substitutions for, any *expenditure for a restricted asset* included in the affected DNSP's:

- (a) forecast of required capital expenditure; and
- (b) *proposed contingent capital expenditure* (if any),

for which the affected DNSP has not submitted an *exemption application* under clause 11.104.4(d)(1).

**subsequent distribution determination** means a distribution determination for the subsequent regulatory control period.

**subsequent regulatory control period** in respect of a *Distribution Network Service Provider*, means the *regulatory control period* for that *Distribution Network Service Provider* that immediately follows the current *regulatory control period*.

#### **11.104.2 New guidelines**

- (a) By 30 September 2018, the *AER* must develop and *publish* the first:
  - (1) *Distribution Service Classification Guidelines*; and
  - (2) *Asset Exemption Guidelines*,to take into account the Amending rule.
- (b) The *AER* must comply with the *distribution consultation procedures* when meeting its obligations under paragraph (a).

#### **11.104.3 Transitional arrangements for application of Distribution Service Classification Guidelines and service classification provisions**

- (a) Clause 6.2.8(c)(1) does not apply to, or in respect of, the *Distribution Service Classification Guidelines* for the purposes of the making of a subsequent distribution determination for an affected DNSP.
- (b) Old clauses 6.2.1(d) and 6.2.2(d) continue to apply to, and in respect of, the making of a subsequent distribution determination for an affected DNSP.

#### **11.104.4 Transitional arrangements for application of Asset Exemption Guidelines, exemption applications and asset exemption decisions**

- (a) Clause 6.2.8(c)(1) does not apply to, or in respect of, the *Asset Exemption Guidelines* for the purposes of the making of a subsequent distribution determination for an affected DNSP.
- (b) In the case of *Distribution Network Services Providers* other than affected DNPs, clauses 6.5.7(b)(5) and 6.5.7(c)(2) do not apply to, or in respect of, *expenditure for a restricted asset* that is included in a *building block proposal* for the subsequent regulatory control period, to the extent that:

- (1) the expenditure constitutes unspent capital expenditure for a *contingent project* under clause 6.5.7(g) and the completion date for that *contingent project* is a date that occurs during the subsequent regulatory control period; or
  - (2) the expenditure relates to an *approved pass through amount* to be recovered during the subsequent regulatory control period.
- (c) In the case of affected DNSPs, clauses 6.5.7(b)(5) and 6.6A.1(a1) do not apply to, or in respect of, *expenditure for a restricted asset* that is included in a *building block proposal* for the subsequent regulatory control period.
- (d) Subject to paragraph (e), if the forecast of required capital expenditure and *proposed contingent capital expenditure* (if any) included in an affected DNSP's *building block proposal* and *regulatory proposal*, respectively, for the subsequent regulatory control period includes *expenditure for a restricted asset*, the affected DNSP must:
- (1) submit an *exemption application* to the *AER* by 31 March 2018, which requests an *asset exemption* under clause 6.4B.1(a)(1), 6.4B.1(a)(2) or 6.4B.1(a)(3) in respect of the relevant asset or class of asset on which that *expenditure for a restricted asset* is to be incurred; or
  - (2) to the extent that an *exemption application* is not submitted under subparagraph (d)(1) in respect of the relevant *expenditure for a restricted asset*, submit a statement of amendment to the *AER* by 31 March 2018 for that *expenditure for a restricted asset*.
- (e) Paragraph (d) does not apply in respect of an affected DNSP to the extent the *expenditure for a restricted asset*:
- (1) constitutes unspent capital expenditure for a *contingent project* under clause 6.5.7(g) and the completion date for that *contingent project* is a date that occurs during the subsequent regulatory control period; or
  - (2) relates to an *approved pass through amount* to be recovered during the subsequent regulatory control period.
- (f) A statement of amendment submitted by an affected DNSP under subparagraph (d)(2) is taken to form part of the *regulatory proposal* submitted by that affected DNSP under clause 6.8.2(b) for the subsequent regulatory control period.
- (g) Subject to the provisions of *NEL* and the *Rules* about disclosure of *confidential information*, the *AER* must *publish* a statement of amendment as soon as practicable after receiving it.
- (h) In the case of affected DNSPs:
- (1) Clause 6.5.7(c)(2) does not apply to, or in respect of, *expenditure for a restricted asset* that is included in a *building block proposal* for the subsequent regulatory control period, to the extent that:
    - (i) the expenditure constitutes unspent capital expenditure for a *contingent project* under clause 6.5.7(g) and the completion date for that *contingent project* is a date that occurs during the subsequent regulatory control period; or

- (ii) the expenditure relates to an *approved pass through amount* to be recovered during the subsequent regulatory control period.
- (2) An *asset exemption* requested under subparagraph (d)(1) is taken to be an *asset exemption* requested under clause 6.5.7(b)(5) for the purposes of clause 6.5.7(c)(2)(iii)(A).
- (i) Clauses 6.4B.1(b)(2), 6.4B.2(b), 6.4B.2(c)(5) and 6.8.2(a1) do not apply to, or in respect of, an *exemption application* submitted by an affected DNSP in respect of a *regulatory proposal* for the subsequent regulatory control period.
- (j) Clause 6.12.1(3A) does not apply to, or in respect of, *expenditure for a restricted asset* that is included in a *building block proposal* for the subsequent regulatory control period, to the extent that expenditure constitutes unspent capital expenditure for a *contingent project* under clause 6.5.7(g) and the completion date for that *contingent project* is a date that occurs during the subsequent regulatory control period.

#### **11.104.5 Transitional arrangements for adjustment in value of regulatory asset base**

Clause S6.2.1(e)(9) does not apply to, or in respect of, *expenditure for a restricted asset* to the extent that expenditure:

- (a) is incurred during the current regulatory control period;
- (b) constitutes unspent capital expenditure for a *contingent project* under clause 6.5.7(g) and the completion date for that *contingent project* is a date that occurs during the subsequent regulatory control period; or
- (c) relates to an *approved pass through amount* to be recovered during the subsequent regulatory control period.

### **Part ZZZG Declaration of lack of reserve conditions**

#### **11.105 Making of lack of reserve declaration guidelines**

##### **11.105.1 Definitions**

- (a) In this rule 11.105:

**Amending Rule** means the National Electricity Amendment (Declaration of lack of reserve conditions) Rule 2017.

##### **11.105.2 Making of lack of reserve declaration guidelines**

- (a) By 9 January 2018, *AEMO* must develop and *publish* the *reserve level declaration guidelines* to take account of the Amending Rule.
- (b) *AEMO* is not required to comply with clause 4.8.4A(e) when making the *reserve level declaration guidelines* for the first time.

## Part ZZZH Implementation of demand management incentive scheme

### 11.106 Implementation of demand management incentive scheme

#### 11.106.1 Definitions

In this rule 11.106:

**Amending Rule** means the National Electricity Amendment (Implementation of demand management incentive scheme) Rule 2018.

**commencement date** means the day on which the Amending Rule commences operation.

**existing demand management incentive scheme** means a scheme developed and published by the *AER* under clause 6.6.3 of the *Rules* prior to 1 December 2016.

**current regulatory control period** means, for a *Distribution Network Service Provider*, a *regulatory control period* that commenced before the commencement date and, as at the commencement date, has not ended.

**revised demand management incentive scheme** means the Demand Management Incentive Scheme developed and published by the *AER* under clause 6.6.3 of the *Rules* on 14 December 2017.

#### 11.106.2 Purpose

The purpose of this rule 11.106 is to allow a *Distribution Network Service Provider* to apply to the *AER* for the application of the revised demand management incentive scheme during its current regulatory control period.

#### 11.106.3 Early application of revised demand management incentive scheme

- (a) A *Distribution Network Service Provider* may seek application of the revised demand management incentive scheme notwithstanding that the current regulatory control period may have commenced before 14 December 2017.

##### Submission of proposal

- (b) If a *Distribution Network Service Provider* wishes the revised demand management incentive scheme to apply during the current regulatory control period, the *Distribution Network Service Provider* must submit a proposal to the *AER* setting out:
- (1) the proposed start date for the application of the revised demand management incentive scheme, which must not be earlier than the later of:
    - (i) 60 *business days* after the proposal is submitted; or
    - (ii) 24 months prior to the end of the current regulatory control period;
  - (2) a description of how the proposed early application of the revised demand management incentive scheme will assist the *Distribution*

- Network Service Provider* in undertaking efficient expenditure on relevant *non-network options* relating to demand management; and
- (3) such other information that the *Distribution Network Service Provider* considers relevant to its application for early application of the revised demand management incentive scheme.

#### **Publication and consultation on proposal**

- (c) The *AER* must as soon as practicable, *publish*:
- (1) a proposal submitted under paragraph (b); and
  - (2) an invitation for written submissions from any person on the proposal within a period specified by the *AER*, being a period not less than 20 *business days* from the date of publication of the invitation for submissions.
- (d) Any person may make a written submission to the *AER* on the proposal, within the period specified in the invitation referred to in paragraph (c)(2).

#### **Making of final decision**

- (e) The *AER* must make a final decision on whether and how to apply the revised demand management incentive scheme to a *Distribution Network Service Provider* during its current regulatory control period.
- (f) The *AER's* final decision must:
- (1) include a decision on the start date;
  - (2) set out reasons for the decision; and
  - (3) set out any amendments to the revised demand management incentive scheme necessary to give effect to the application of the revised demand management incentive scheme under paragraph (i).
- (g) The *AER* may make a decision on a start date which is different to the proposed start date, provided that the start date is not earlier than 24 months prior to the end of the current regulatory control period.
- (h) In making its final decision, the *AER* must consider the proposal submitted under paragraph (b) and any written submissions made on the proposal, and must have regard to the factors in clause 6.6.3(c).
- (i) If the *AER* makes a final decision that the revised demand management incentive scheme will apply then it will apply to the relevant *Distribution Network Service Provider* from the start date set out in the final decision, notwithstanding anything to the contrary in the revised demand management incentive scheme.
- (j) The revised demand management incentive scheme, as applicable to the *Distribution Network Service Provider*, is taken to be amended in accordance with the *AER's* final decision under paragraph (f)(3).

#### **Notice of final decision**

- (k) The *AER* must, at least one *business day* before the start date determined under paragraph (f) *publish*:

- (1) notice of the making of the final decision; and
- (2) the final decision, including its reasons.

**Application of existing scheme**

- (l) Nothing in this Part ZZZH affects the application of an existing demand management incentive scheme to a *Distribution Network Service Provider* in respect of the current regulatory control period.

**Part ZZZI Reinstatement of long notice Reliability and Emergency Reserve Trader**

**11.107 Rules consequential on the making of the National Electricity Amendment (Reinstatement of long notice Reliability and Emergency Reserve Trader) Rule 2018**

**11.107.1 Definitions**

For the purposes of this rule 11.107:

**Amending rule** means the National Electricity Amendment (Reinstatement of long notice Reliability and Emergency Reserve Trader) Rule 2018.

**commencement date** means 13 July 2018.

**Guidelines** means the *RERT guidelines* as in force immediately before the commencement date.

**RERT procedures** means the procedures made under clause 3.20.7(e).

**11.107.2 New RERT guidelines**

- (a) With effect on the commencement date, the Guidelines are amended as set out in the following table:

<b>Description of amendments to Guidelines</b>
In section 1 of the Guidelines, omit "under clause 3.20.8 of the National Electricity Rules ( <i>Rules</i> ) and commence on 1 November 2017" and substitute "under clause 11.107.2 of the National Electricity Rules ( <i>Rules</i> ) and commence on 13 July 2018".
Omit section 4.1 of the Guidelines, including the heading, and substitute: <p style="margin-left: 20px;"><b>4.1 During Stage 1 of the RERT process</b></p> <p style="margin-left: 20px;">(a) Long-notice situations where <i>AEMO</i> determines it has more than ten weeks of notice of a projected shortfall in <i>reserves</i>;</p> <p style="margin-left: 20px;">When it is considering whether to enter into <i>reserve contracts</i> during Stage 1 of the <i>RERT</i> process for long-notice situations, <i>AEMO</i> may take into account:</p> <ul style="list-style-type: none"> <li>• the details of the outcome of the <i>medium term PASA</i>;</li> <li>• the outcome of the <i>energy adequacy assessment projection (EAAP)</i>; and</li> </ul>



<b>Description of amendments to Guidelines</b>
<ul style="list-style-type: none"> <li>• any other information that <i>AEMO</i> considers relevant.</li> </ul> <p>(b) Medium-notice situations where <i>AEMO</i> has between ten weeks and seven days of notice of a projected shortfall in <i>reserves</i>.</p> <p>When it is considering whether to enter into <i>reserve contracts</i> during Stage 1 of the <i>RERT</i> process for medium-notice situations, <i>AEMO</i> may take into account the information identified in paragraph (a) above;</p> <p>(c) Short-notice situations where <i>AEMO</i> has between three hours and seven days of notice of a projected shortfall in <i>reserves</i>.</p> <p>When it is considering whether to enter into <i>reserve contracts</i> during Stage 1 of the <i>RERT</i> process for short-notice situations, <i>AEMO</i> may take into account:</p> <ul style="list-style-type: none"> <li>• the details of the outcome of the <i>short term PASA</i> and <i>pre-dispatch</i> processes; and</li> <li>• any other information that <i>AEMO</i> considers relevant.</li> </ul>
<p>In section 5.2 of the Guidelines, omit the paragraph starting "Under some circumstances" and substitute:</p> <p>Under some circumstances <i>AEMO</i> will be required to <i>dispatch</i> or <i>activate reserves</i> that are contracted under the long-notice or medium-notice situations as well as contracting for additional <i>reserves</i> under the short-notice situations. Under these circumstances, <i>AEMO</i> should aim to maximise the effectiveness of <i>reserve contracts</i> at the least cost to end use consumers of electricity by selecting the least cost combination of <i>reserves</i> contracted under the long, medium and short-notice situations. However, where <i>AEMO</i> has only a few hours' notice of a <i>reserve</i> shortfall it may have insufficient time to determine the least cost combination of <i>reserves</i>. In which case <i>AEMO</i> should <i>dispatch</i> or <i>activate</i> its long-notice and medium-notice <i>reserve contracts</i> ahead of contracting for further <i>reserves</i> using the short-notice <i>RERT</i>. Nevertheless, where <i>AEMO</i> has sufficient time to perform the necessary analysis it should aim to maximise the cost effectiveness of the <i>RERT</i> by selecting the combination of <i>reserve contracts</i> that has the lowest incremental cost.</p>
<p>In section 6.1 of the Guidelines, omit "sections 6.2 and 6.3" and substitute "sections 6.3 and 6.4".</p>
<p>In section 6.1 of the Guidelines, omit "section 8.1 or 8.2" and substitute "section 8.1, 8.2 or 8.3".</p>
<p>Re-number sections 6.2 and 6.3 to section 6.3 and 6.4, respectively.</p>
<p>After section 6.1, insert:</p> <p style="padding-left: 40px;"><b>6.2      Operation of the RERT panel for long-notice situations              (more than ten weeks of notice)</b></p>

<b>Description of amendments to Guidelines</b>
<p><i>AEMO</i> should not rely exclusively on the <i>RERT</i> panel when it has more than ten weeks' notice of a projected shortfall in <i>reserves</i>. Under these circumstances, <i>AEMO</i> is expected use a full tender process, which should include requesting tender responses from both members of the <i>RERT</i> panel and other potential <i>reserve</i> providers.</p>
<p>In section 6.4, omit "sections 6.1 to 6.2" and substitute "sections 6.1 to 6.3".</p>
<p>In the heading of section 7.1, omit "Medium-notice situations of more than seven days of notice" and substitute "Long-notice and medium-notice situations".</p>
<p>Re-number section 8.2 to section 8.3.</p>
<p>Re-number section 8.1 to section 8.2.</p>
<p>After the heading for section 8, insert:</p> <p style="text-align: center;"><b>8.1 Process for contracting for reserve contracts in long-notice situations (more than ten weeks of notice)</b></p> <p>The relevant actions that <i>AEMO</i> may take in relation to the exercise of the <i>RERT</i> with more than ten weeks of notice of a projected shortfall in <i>reserves</i> include:</p> <ul style="list-style-type: none"> <li>• establishing arrangements for contracting reserves in situations where there is more than ten weeks of notice of a projected shortfall in reserves;</li> <li>• continually monitoring the <i>medium term PASA</i> and the <i>EAAP</i>, and any other information <i>AEMO</i> considers is relevant, to inform itself of any periods of <i>low reserves</i>;</li> <li>• determining whether to enter into <i>reserve contracts</i>;</li> <li>• consulting with persons nominated by the relevant <i>participating jurisdictions</i> which <i>AEMO</i> is determining whether to contract for <i>reserves</i> in those <i>participating jurisdictions</i>;</li> <li>• calling for tenders in relation to providing <i>reserves</i> in the respective <i>regions</i> or in some circumstances, combined <i>regions</i>;</li> <li>• evaluating the tenders and dispensing with any tenders that do not provide an undertaking that the <i>reserves</i> are not available to the <i>market</i> through any other arrangements except on terms agreed with <i>AEMO</i>, taking into account: <ul style="list-style-type: none"> <li>— whether the commercial requirements are met;</li> <li>— whether the tender is credible, that is, whether it is likely that the tenderer can deliver the offered <i>reserves</i>; and</li> <li>— the optimal combination of contracts to deliver the</li> </ul> </li> </ul>

<b>Description of amendments to Guidelines</b>
<p style="text-align: center;"><i>reserves</i> necessary to meet the shortfall;</p> <ul style="list-style-type: none"> <li>• selecting the tenders that <i>AEMO</i> considers to be the optimal portfolio of <i>reserve contracts</i>; and</li> <li>• giving consideration to including an early termination clause in the event that the capacity is not needed.</li> </ul> <p>Following contracting of <i>reserves</i>, the actions that <i>AEMO</i> may take includes:</p> <ul style="list-style-type: none"> <li>• monitoring the <i>medium term PASA</i> and the <i>EAAP</i> to determine if there have been any changes since the tenders were prepared and evaluated; and</li> <li>• within one month after entering into a contract for <i>reserves</i>, publish the name of the counterparty to the contract and the volume and timing of <i>reserves</i> procured under the contract.</li> </ul>
<p>In section 8.2, omit the dot point starting "giving consideration to including an early termination".</p>
<p>In section 8.2, omit the dot point starting "selecting the reserve offers that <i>AEMO</i>" and substitute:</p> <ul style="list-style-type: none"> <li>• selecting the <i>reserve</i> offers that <i>AEMO</i> considers to be the optimal portfolio of <i>reserve contracts</i>; and</li> <li>• giving consideration to including an early termination clause in the event that the capacity is not needed.</li> </ul>
<p>In section 9, omit "under the <i>RERT</i> for medium or short-notice situations" and substitute "under the <i>RERT</i> for long, medium and short-notice situations".</p>

- (b) By the commencement date, the *Reliability Panel* must *publish* the *RERT guidelines* in the form amended by paragraph (a).
- (c) For the purposes of paragraph (b), the *Reliability Panel* is not required to *publish* the *RERT guidelines* in accordance with the *Rules consultation procedures*.

### **11.107.3 Amendments to RERT procedures**

- (a) By the commencement date, *AEMO* must amend and *publish* the RERT procedures to take into account:
  - (1) the Amending rule; and
  - (2) the *RERT guidelines* as amended under clause 11.107.2.
- (b) In amending the RERT procedures under paragraph (a), *AEMO* must consult with *Registered Participants* and other interested parties on *AEMO's* proposed changes to the RERT procedures for a period of not less than two weeks.

#### **11.107.4 Reserve contracts entered into before the commencement date**

Nothing in the Amending rule affects any *reserve contract* entered into prior to the commencement date.

### **Part ZZZJ Register of distributed energy resources**

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

##### **11.108.1 Definitions**

For the purposes of this rule 11.108:

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

**commencement date** means 1 December 2019.

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

##### **11.108.2 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*.

##### **11.108.3 NSPs to provide AEMO with existing DER generation information**

- (a) No later than the commencement date, *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.

### **Part ZZZK Generator technical performance standards**

#### **11.109 Rules consequential on the making of the National Electricity Amendment (Generator technical performance standards) Rule 2018**

##### **11.109.1 Definitions**

For the purposes of this rule 11.109:

**Agreed Access Standard** means an *access standard* assessed in accordance with the former Chapter 5 that has been agreed by the *Network Service Provider* and is capable of forming part of the terms and conditions of a *connection agreement* as

the *performance standard* applicable to the *plant* for the relevant technical requirement.

**Amending Rule** means the National Electricity Amendment (Generator technical performance standards) Rule 2018 No. 10.

**commencement date** means the date of commencement of the Amending Rule.

**Conditional Access Standard** has the meaning given in clause 11.109.3(e)(1)(ii).

**Existing Application To Connect** has the meaning given in clause 11.109.3(a)(1).

**Existing Connection Enquiry** has the meaning given in clause 11.109.2(a)(1).

**Existing Connection Agreement** means a *connection agreement* entered into before the commencement date.

**former Chapter 5** means Chapter 5 of the *Rules* as in force immediately prior to the commencement date.

**new Chapter 5** means Chapter 5 of the *Rules* as it will be in force on and from the commencement date, as amended from time to time.

**transitional date** means 1 February 2019.

## 11.109.2 Application of the Amending Rule to existing connection enquiries

- (a) This clause 11.109.2 applies where, before the commencement date, a *Connection Applicant* has, in respect of *plant* that the *Connection Applicant* proposes to *connect*:
- (1) made a *connection* enquiry in accordance with clauses 5.3.2 or 5.3A.5 (**Existing Connection Enquiry**); and
  - (2) not made an *application to connect* to a *Network Service Provider*.
- (b) On and from the commencement date:
- (1) the new Chapter 5 applies for the purposes of determining the *access standards* that apply to the *plant* that the *Connection Applicant* proposes to *connect*;
  - (2) the Existing Connection Enquiry will be taken to be a valid *connection* enquiry under the new Chapter 5 with respect to the proposed *plant*; and
  - (3) the *Network Service Provider* must:
    - (i) within 10 *business days* after the commencement date, use its reasonable endeavours to provide written notification to a *Connection Applicant* to which this clause 11.109.2 applies that the Existing Connection Enquiry will be treated as a *connection* enquiry under the new Chapter 5; and
    - (ii) within 20 *business days* after providing the written notification in subparagraph (3)(i), in consultation with *AEMO* and where necessary, provide each *Connection Applicant* notified under subparagraph (3)(i) with:

- (A) any further information required under clause 5.3.3 of the new Chapter 5 relevant to the proposed *plant*; and
  - (B) written notice of any further information or data to be provided by the *Connection Applicant* to the *Network Service Provider*,  
  
to enable the *Connection Applicant* to submit an *application to connect* in accordance with the new Chapter 5 with respect to the proposed *plant*.
- (c) Where the *Network Service Provider* has charged the *Connection Applicant* any fees or charges with respect to the Existing Connection Enquiry, the *Network Service Provider* must not charge the *Connection Applicant* any additional fees or charges on or from the commencement date with respect to such Existing Connection Enquiry, except to the extent necessary to cover the reasonable costs of work required to notify the *Connection Applicant* and provide any relevant information under subparagraph (3)(ii). For the avoidance of doubt, this clause 11.109.2(c) does not preclude a *Network Service Provider* recovering an application fee from the *Connection Applicant* under clauses 5.3.4(b) or 5.3A.9.

### **11.109.3 Application of the Amending Rule to existing applications to connect**

- (a) This clause 11.109.3 applies where, before the commencement date, a *Connection Applicant* has, in respect of *plant* that the *Connection Applicant* proposes to *connect*:
- (1) made an *application to connect* to a *Network Service Provider* (**Existing Application To Connect**); and
  - (2) not received an offer to *connect* from the relevant *Network Service Provider* in respect of the Existing Application To Connect.
- (b) Subject to paragraph (e), on and from the commencement date:
- (1) the new Chapter 5 applies for the purposes of determining the *access standards* that apply to the *plant* that the *Connection Applicant* proposes to *connect*;
  - (2) the Existing Application To Connect will be taken to be a valid *application to connect* under the new Chapter 5 with respect to the proposed *plant*; and
  - (3) the *Network Service Provider* must:
    - (i) within 10 *business days* after the commencement date, use its reasonable endeavours to provide written notification to a *Connection Applicant* to which this clause 11.109.3 applies that the Existing Application To Connect will be treated as an *application to connect* under the new Chapter 5; and
    - (ii) within 20 *business days* after providing the written notification in subparagraph (3)(i), in consultation with *AEMO* and where necessary, provide each *Connection Applicant* notified under subparagraph (3)(i) (with a copy to be provided to *AEMO*) with:

- (A) any further information required under clause 5.3.3 of the new Chapter 5 relevant to the proposed *plant*, including for each technical requirement, written details of the *automatic access standards*, *minimum access standards* and *negotiated access standards* that are *AEMO advisory matters*; and
  - (B) written notice of any further information to be provided by the *Connection Applicant* (which may include information required to be provided under clauses 5.2.5(d) and (e) and Schedule 5.5),  
  
necessary for the *Network Service Provider* to prepare an offer to *connect* in accordance with the new Chapter 5 with respect to the proposed *plant*.
- (c) Where the *Network Service Provider* has charged the *Connection Applicant* any fees or charges with respect to the Existing Application To Connect, the *Network Service Provider* must not charge the *Connection Applicant* any additional fees or charges on or from the commencement date with respect to such Existing Application To Connect, except to the extent necessary to cover the reasonable costs of work required for the *Network Service Provider* to prepare an offer to *connect* in accordance with the new Chapter 5, including the requirements to notify the *Connection Applicant* and provide any relevant information under subparagraph (b)(3).
  - (d) A *Network Service Provider* to which this clause applies may extend the time period referred to in clause 5.3.6(a) to reasonably allow for any additional time taken in excess of the period allowed in the *preliminary program* that is necessary to take account of the differences in *access standards* between the former Chapter 5 and the new Chapter 5.
  - (e) Despite the application of paragraph (b), a *Connection Applicant* may, until the transitional date, continue to negotiate *access standards* in accordance with the former Chapter 5. Where, subject to paragraph (f), on or before the transitional date, all *access standards* relevant to the *plant* are Agreed Access Standards in the reasonable opinion of the *Network Service Provider* and *AEMO*, then the *Network Service Provider* must:
    - (1) within 10 *business days* from receipt of a written request by the *Connection Applicant*, provide written confirmation to the *Connection Applicant*:
      - (i) that all *access standards* relevant to the *plant* are Agreed Access Standards; and
      - (ii) identifying any *access standards* that are agreed subject to certain conditions being satisfied, including where relevant, the date for satisfaction of those conditions (**Conditional Access Standard**); and
    - (2) otherwise, use its reasonable endeavours to provide, within 10 *business days* after the transitional date, the written confirmation at subparagraphs (e)(1)(i) and (e)(1)(ii) to the relevant *Connection Applicant*.

- (f) Where:
- (1) the *Network Service Provider* has provided written confirmation under paragraph (e)(1) or (e)(2); and
  - (2) a condition under the Conditional Access Standards was not satisfied, then on and from the date on which such condition was not satisfied:
  - (3) the relevant Conditional Access Standards will be taken to have not been agreed for the purposes of paragraph (e);
  - (4) the new Chapter 5 applies for the purposes of determining all *access standards* that apply to the *plant* that the *Connection Applicant* proposes to *connect*;
  - (5) the Existing Application To Connect will be taken to be a valid *application to connect* under the new Chapter 5 with respect to the proposed *plant*;
  - (6) the *Network Service Provider* must, in consultation with *AEMO*, within a further 10 *business days* from the date on which the condition was not satisfied:
    - (i) notify the *Connection Applicant* that the relevant Conditional Access Standards are no longer Agreed Access Standards and that the Existing Application To Connect will be treated as an *application to connect* under the new Chapter 5; and
    - (ii) provide the *Connection Applicant* notified under subparagraph (i) with the further information and notice specified in subparagraph (b)(3)(ii) (where applicable); and
  - (7) the *Network Service Provider* must comply with the requirements of paragraphs (c) and (d).
- (g) Notwithstanding this clause 11.109.3, and subject to paragraph (f), if the *Network Service Provider* provides written confirmation to a *Connection Applicant* under subparagraphs (e)(1) or (e)(2) (as applicable), the former Chapter 5 applies for the purposes of determining the *access standards* that apply to the *plant* that the *Connection Applicant* proposes to *connect* under that Existing Application To Connect.

#### **11.109.4 Application of the Amending Rule to existing offers to connect**

- (a) This clause 11.109.4 applies where, before the commencement date, a *Connection Applicant*:
- (1) has received a valid offer to *connect* from the relevant *Network Service Provider* in respect of an *application to connect*; and
  - (2) has not entered into a *connection agreement* with the relevant *Network Service Provider* in respect of that *application to connect*.
- (b) On and from the commencement date, the former Chapter 5 applies for the purposes of determining the *access standards* that apply to the *plant* that the *Connection Applicant* proposes to *connect* under that offer to *connect*.



### 11.109.5 Application of the Amending Rule to Existing Connection Agreements

- (a) The Amending Rule is neither intended to, nor to be read or construed as having, the effect of:
  - (1) altering the terms of an Existing Connection Agreement;
  - (2) altering the contractual rights or obligations of any of the parties under an Existing Connection Agreement; or
  - (3) relieving the parties under any such Existing Connection Agreement of their contractual obligations under such an agreement.
- (b) Subject to paragraph (c), if, after the commencement date, a Generator who has entered into an Existing Connection Agreement is required, in accordance with the *Rules*, to amend any of the *performance standards* set out in that Existing Connection Agreement, then the new Chapter 5 applies for the purposes of amending such *performance standards*.
- (c) The former Chapter 5 applies to a *Generator* who, as at the commencement date, has proposed to alter its *generating system* and has advised *AEMO* in accordance with clause 5.3.9, unless:
  - (1) *AEMO*, the *Generator* and the relevant *Network Service Provider* agree otherwise; or
  - (2) in *AEMO's* reasonable opinion (in respect of an *AEMO advisory matter*), there will be an adverse impact on *power system security* as a result of the application of former Chapter 5.
- (d) The Amending Rule is neither intended to have, nor is it to be read or construed as having, the effect of changing the application of clause 11.6.11 (if applicable) in relation to *connection services* provided under an Existing Connection Agreement.

## 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.

## Part ZZZM Participant compensation following market suspension

### 11.111 Rules consequential on the making of the National Electricity Amendment (Participant compensation following market suspension) Rule 2018

#### 11.111.1 Definitions

For the purposes of this rule 11.111:

**Amending Rule** means the National Electricity Amendment (Participant compensation following market suspension) Rule 2018 No. 13.

**commencement date** means the date on which Schedule 1 of the Amending Rule commences operation.

**new clause 3.14.5A** means clause 3.14.5A of the *Rules* as will be in force immediately after the commencement date.

#### 11.111.2 Market suspension compensation methodology and schedule of benchmark values

- (a) By 19 December 2018, *AEMO* must *publish* and make available on its website:
  - (1) the first *market suspension compensation methodology* developed in accordance with paragraph (h) of new clause 3.14.5A; and
  - (2) the first schedule of benchmark values developed in accordance with paragraph (j) of new clause 3.14.5A.
- (b) *AEMO* must, on or before the date that is 6 months after *publication* of the first *market suspension compensation methodology*, develop, *publish* and make available on its website an updated *market suspension compensation methodology* in accordance with the *Rules consultation procedures*.

## Part ZZZN Global settlement and market reconciliation

### 11.112 Rules consequential on the making of the National Electricity Amendment (Global settlement and market reconciliation) Rule 2018 and the National Electricity Amendment (Delayed implementation of five minute and global settlement) Rule 2020

#### 11.112.1 Definitions

For the purposes of this rule 11.112:

**Amending Rule** means the National Electricity Amendment (Global settlement and market reconciliation) Rule 2018.

**effective date** means 1 May 2022.

**new clause 2.2.5(a)** means clause 2.2.5(a) of the *Rules* and all related definitions in the *Rules* as in force on and from the effective date.

**new clause 3.15.5(a)** means clause 3.15.5(a) of the *Rules* and all related definitions in the *Rules* as in force on and from the effective date.

**new clause 3.15.5(b)** means clause 3.15.5(b) of the *Rules* and all related definitions in the *Rules* as in force on and from the effective date.

**new clause 3.15.5B(a)** means clause 3.15.5B(a) of the *Rules* and all related definitions in the *Rules* as in force on and from the effective date.

**new clause 3.15.5B(d)** means clause 3.15.5B(d) of the *Rules* and all related definitions in the *Rules* as in force on and from the effective date.

**old clause 2.2.5(a)** means clause 2.2.5(a) of the *Rules* and all related definitions in the *Rules* as in force immediately before the effective date.

**old effective date** means 6 February 2022.

#### 11.112.2 Amendments to AEMO procedures

(a) By 1 December 2019, *AEMO* must review and where necessary amend and *publish* the following documents to apply from the old effective date to take into account the Amending Rule and for the avoidance of doubt, *AEMO* must amend the following documents to require all *metering data* from *first-tier loads* to be provided to *AEMO* by the relevant *Metering Data Provider* in accordance with the relevant procedures:

- (1) the *Market Settlement and Transfer Solution Procedures*;
- (2) the *metrology procedure*; and
- (3) the *service level procedures*.

(a1) *AEMO* is not required to comply with the *Rules consultation procedures* in respect of any amendments that must be made to the documents referred to in paragraph (a) to take into account the National Electricity Amendment (Delayed implementation of five minute and global settlement) Rule 2020.

### 11.112.3 AEMO to publish report on unaccounted for energy trends

- (a) By 1 June 2022 *AEMO* must prepare and publish on its website the first report on unaccounted for *energy* required under new clause 3.15.5B(a).
- (b) *AEMO* is not required to comply with the *UFE reporting guidelines* required under new clause 3.15.5B(d) when preparing and publishing the report referred to in paragraph (a) for the first time.

### 11.112.4 Continuation of registration for non-market generators

- (a) Despite new clause 2.2.5(a), a *generating unit* whose output is purchased in its entirety by the *Local Retailer* and that has been classified as a *non-market generating unit* under old clause 2.2.5(a) immediately before the effective date, may continue to be registered as a *non-market generating unit*.
- (b) The *Local Retailer* which purchases the entire output from a *generating unit* that is registered as a *non-market generating unit* under paragraph (a) is the person that is *financially responsible* for the *connection point* at which that *non-market generating unit* is connected.

### 11.112.5 Publication of UFE data by AEMO

- (a) For each *trading interval* in the period commencing on 1 October 2021 and ending immediately before the effective date, *AEMO* must:
  - (1) determine the amount of unaccounted for *energy* for each *local area* as if new clause 3.15.5(a) were in effect; and
  - (2) *publish* the amounts determined under subparagraph (1) together with information to enable each *Market Customer* in a *local area* to determine the unaccounted for *energy* amount that would be allocated to that *Market Customer's market connection points* in that *local area* as if new clause 3.15.5(b) were in effect.

### 11.112.6 Publication of UFE reporting guidelines

- (a) *AEMO* must make and *publish* the *UFE reporting guidelines* required under new clause 3.15.5B(d) by 1 March 2023 and in doing so must comply with the *Rules consultation procedures*.

## Part ZZZO Metering installation timeframes

### 11.113 Rules consequential on making of the National Electricity Amendment (Metering installation timeframes) Rule 2018

#### 11.113.1 Definitions

For the purposes of this rule 11.113:

**Amending Rule** means the National Electricity Amendment (Metering installation timeframes) Rule 2018.

**Existing meter installation request** has the meaning given in clause 11.113.2(a).

**commencement date** means the date on which the Amending Rule commences operation.

### 11.113.2 Timeframes for meters to be installed

- (a) This clause 11.113.2 applies where, before the commencement date, a *retailer* has an outstanding request for a *meter* to be installed, including in relation to a *new connection*, at a *small customer's* premises and that request does not relate to a *new meter deployment* (as defined in the *NERR*) or a *metering installation malfunction* (**Existing meter installation request**).
- (b) On and from the commencement date, the Amending Rule will apply to an Existing meter installation request as if:
  - (1) the timeframe for the *meter* to be installed for the purposes of clause 7.8.10A(a)(2) ends on the later of:
    - (i) 6 *business days* from the date the *retailer* is informed that the *connection service* (as defined in clause 5A.A.1) is complete; and
    - (ii) 6 *business days* from the commencement date;
  - (2) for the purposes of clause 7.8.10B(a)(2), the *retailer* received the request from the *small customer* on the commencement date; and
  - (3) for the purposes of clause 7.8.10C(a)(1)(ii) and clause 7.8.10C(d), the *retailer* received the request from the *small customer* on the commencement date.

## Part ZZZP Early implementation of ISP priority projects

### 11.114 National Electricity Amendment (Early implementation of ISP priority projects) Rule 2019

#### 11.114.1 Definitions

- (a) **[Deleted]**
- (b) For the purposes of this rule 11.114:

**clause 5.16.6 trigger** means a *trigger event* for an ISP Project that is the determination of the *AER* that the *preferred option* satisfies the *regulatory investment test for transmission*, however such a *trigger event* is described.

**ElectraNet** means ElectraNet Pty Ltd ACN 094 482 416, trading as ElectraNet, or any successor to its business.

**Integrated System Plan** means the Integrated System Plan published by *AEMO* in July 2018.

**ISP Projects** means a VNI Project, a QNI Project or a SA-NSW Interconnector Project.

**Powerlink** means the Queensland Electricity Transmission Corporation Limited (ACN 078 849 233), or any successor to its business.

**QNI projects** means the following projects:

- (1) the QNI Upgrade (Queensland component) (\$66.7m) *contingent project* specified in Powerlink's *revenue determination* for the *regulatory control period* commencing 1 July 2017; and
- (2) Reinforcement of Northern Network (QNI upgrade)(\$63m to\$141m) *contingent project* specified in Transgrid's *revenue determination* for the *regulatory control period* commencing 1 July 2018.

**SA-NSW Interconnector Projects** means the following projects:

- (1) The NSW to SA interconnector (\$276m to \$1074m) *contingent project* specified in Transgrid's *revenue determination* for the *regulatory control period* commencing 1 July 2018; and
- (2) The South Australian Energy Transformation (\$200m to \$500m) *contingent project* specified in ElectraNet's *revenue determination* for the *regulatory control period* commencing 1 July 2018.

**Transgrid** means NSW Electricity Networks Operations Pty Limited (ACN 609 169 959) as trustee for the NSW Electricity Networks Operations Trust, or any successor to its business.

**VNI Project** means the following project: the Reinforcement of Southern Network (\$60m to \$393m) *contingent project* specified in Transgrid's *revenue determination* for the *regulatory control period* commencing 1 July 2018.

#### 11.114.2 Modifications to clause 5.16.6 for ISP VNI and QNI projects

- (a) For the purposes of the application of clause 5.16.6 to a *preferred option* that is VNI Project or a QNI Project, clause 5.16.6 applies subject to the modifications set out in the following table:

Description	Reference	Transitional treatment
Requirement for dispute notification period to have passed before application for <i>preferred option</i> analysis	Clause 5.16.6(a)	In clause 5.16.6(a), omit "After the expiry of the 30 day period referred to in clause 5.16.5(c) and where" and substitute "Where".
Timing for the <i>AER</i> to make a determination on the <i>preferred option</i> is adjusted so that it cannot be made before the period for notifying a dispute has passed	Clause 5.16.6(b)	Omit clause 5.16.6(b)(1) and substitute: "(1) must, within 120 business days of receipt of the request from the applicant (and not earlier than 30 days of receipt of the request from the applicant), subject to paragraph (c), make and publish a determination, including reasons for its determination;"

Description	Reference	Transitional treatment
<p>Include new provisions that prevent the <i>AER</i> from making a determination on the <i>preferred option</i> if a dispute has been raised and not resolved</p>	<p>New clause 5.16.6(d) and (e)</p>	<p>After clause 5.16.6(c), insert:</p> <p>(d) The <i>AER</i> must not make a determination under this clause 5.16.6 if at any time after receipt of the request from the applicant under paragraph (a) and before the determination is made, a person gives notice of a dispute under clause 5.16.5(c) and the dispute has not been resolved.</p> <p>(e) For the purposes of paragraph (d), a dispute is taken to be resolved if:</p> <ol style="list-style-type: none"> <li>(1) the <i>AER</i> has rejected that dispute under clause 5.16.5(d)(1);</li> <li>(2) the <i>AER</i> has made and <i>published</i> a determination under clause 5.16.5(d)(3)(ii); or</li> <li>(3) the <i>AER</i> has made and <i>published</i> a determination under clause 5.16.5(d)(3)(i) and the applicant has amended the project assessment conclusions report as directed by the <i>AER</i>.</li> </ol>

### 11.114.3 Modifications to clause 6A.8.2 for ISP projects

- (a) For the purposes of the application of rule 6A.8 (Contingent Projects) to a *preferred option* that is an ISP Project, rule 6A.8 applies subject to the modifications set out in the following table:

Description	Reference	Transitional treatment
<p>Ability for application for amendment of revenue determination to occur without all trigger events having</p>	<p>Clause 6A.8.2(a) and (b)</p>	<p>1. In clause 6A.8.2(a), omit "where a <i>trigger event</i> for a <i>contingent project</i> in relation to that <i>revenue determination</i> has occurred" and substitute "in respect of a <i>contingent project</i> included in the relevant <i>revenue</i></p>

Description	Reference	Transitional treatment
been met		<p><i>determination</i>".</p> <p>2. Omit clause 6A.8.2(b)(2) and substitute:</p> <p>(2) must, subject to subparagraph (1), be made as soon as practicable after the occurrence of the <i>trigger event</i>;</p> <p>3. After clause 6A.8.2(b)(2), insert:</p> <p>(2A) may, subject to paragraph (1), be made at any time, after the occurrence of all triggers that make up the <i>trigger event</i> for a <i>contingent project</i>, other than a clause 5.16.6 trigger;</p> <p>4. Omit clause 6A.8.2(b)(3)(i) and substitute:</p> <p>(i) except in the case of a clause 5.16.6 trigger, an explanation that substantiates the occurrence of the <i>trigger event</i>;</p>
Requirement for <i>AER</i> to notify the public if application for amendment to revenue determination is submitted before a clause 5.16.6 trigger is satisfied	Clause 6A.8.2(c)	At the end of clause 6A.8.2(c), insert "If at the time the application is received, the clause 5.16.6 trigger has not yet occurred, the <i>AER</i> must specify in its notice under this paragraph (c) that the clause 5.16.6 trigger has not been satisfied and that a final determination will not be made under paragraph (e) unless and until the clause 5.16.6 trigger is satisfied."
Time period for the making of a decision on an application in respect of an ISP Priority Project	Clause 6A.8.2(d)	Omit clause 6A.8.2(d) and substitute:
		(d) the <i>AER</i> must consider any written submissions made under paragraph (c) and must make its decision on the application within 40



Description	Reference	Transitional treatment
		<p><i>business days</i> from the later of:</p> <ul style="list-style-type: none"> <li>(i) the date the <i>AER</i> receives the application;</li> <li>(ii) the date the <i>AER</i> receives any information required by the <i>AER</i> under paragraph (h1); and</li> <li>(iii) the occurrence of a clause 5.16.6 trigger that comprises a <i>trigger event</i>.</li> </ul> <p>In doing so the <i>AER</i> may also take into account such other information as it considers appropriate, including any analysis (such as benchmarking) that is undertaken by it for that purpose.</p>
Requirement that clause 5.16.6 trigger is satisfied before amendment to revenue determination is approved	Clause 6A.8.2(e)	In clause 6A.8.2(e), after "If the <i>AER</i> is satisfied that the <i>trigger event</i> has occurred, insert "(including, for the avoidance of doubt, any clause 5.16.6 trigger that comprises a <i>trigger event</i> )".

## Part ZZZQ Enhancement to the Reliability and Emergency Reserve Trader

### 11.115 Rules consequential on the making of the National Electricity Amendment (Enhancement to the reliability and emergency reserve trader) Rule 2019

#### 11.115.1 Definitions

For the purposes of this rule 11.115:

**Amending rule** means the National Electricity Amendment (Enhancement to the reliability and emergency reserve trader) Rule 2019.

**commencement date** means 26 March 2020.

**Guidelines** means the *RERT guidelines* as in force immediately before the commencement of Schedule 3 of the Amending rule.

**initial clause 3.20.6** means clause 3.20.6 as in force immediately after the reporting date other than the subsequent reporting requirements.

**new clause 3.20.7(e)** means clause 3.20.7(e) in force immediately after the commencement date.

**old clause 3.20.6** means clause 3.20.6 as in force immediately before the reporting date.

**pre-commencement date reserve arrangements** means:

- (a) any *reserve contracts* entered into after the reporting date and prior to the commencement date; and
- (b) any *dispatch* or *activation* of *reserves* that occurred after the reporting date and prior to the commencement date.

**pre-reporting date reserve arrangements** means:

- (a) any *reserve contracts* entered into prior to the reporting date; and
- (b) any *dispatch* or *activation* of *reserves* that occurred prior to the reporting date.

**reporting date** means 31 October 2019.

**RERT procedures** means the procedures made under clause 3.20.7(e).

**subsequent clause 3.20.6** means clause 3.20.6 as in force immediately after the reporting date.

**subsequent reporting requirements** means the reporting requirements in clauses 3.20.6(d)(2)(i), (d)(2)(ii), (d)(3), (d)(4), (d)(5) and (e)(9).

#### **11.115.2 New RERT guidelines**

By 30 August 2019, the *Reliability Panel* must amend and *publish* the Guidelines to take into account the Amending rule with the amended Guidelines to take effect from the commencement date.

#### **11.115.3 Amendments to RERT procedures**

By the commencement date, *AEMO* must amend and *publish* the RERT procedures to take into account:

- (a) the Amending rule; and
- (b) the *RERT guidelines* as amended under clause 11.115.2,

in accordance with new clause 3.20.7(e) with the amended RERT procedures to take effect from the commencement date.

#### **11.115.4 Reserve contracts entered into before the commencement date**

Nothing in the Amending rule affects any *reserve contract* entered into prior to the commencement date.

#### **11.115.5 Clause 3.20.6 (Reporting on RERT by AEMO)**

- (a) *AEMO* is not required to comply with initial clause 3.20.6 in relation to pre-reporting date reserve arrangements and must comply with old clause 3.20.6 in relation to those arrangements.

- (b) *AEMO* is not required to comply with subsequent clause 3.20.6 in relation to pre-commencement date reserve arrangements and must comply with initial clause 3.20.6 in relation to those arrangements.

## Part ZZZR Retailer Reliability Obligation

### 11.116 Rules consequential on the making of the National Electricity Amendment (Retailer Reliability Obligation) Rule 2019

#### 11.116.1 Application

- (a) For the purposes of this rule 11.116:

**Amending Rule** means the National Electricity Amendment (Retailer Reliability Obligation) Rule 2019.

**ASX24** means the financial market operated by Australian Securities Exchange Limited (ACN 000 943 377) under the *Australian Market Licence (Australian Securities Exchange Limited) 2002*.

**commencement date** means the date of commencement of Schedules 1, 3, 4 and 5 of the Amending Rule.

**financial market** has the meaning given under Chapter 7 of the *Corporations Act 2001* (Cth).

- (b) Terms defined in Chapter 4A have the same meaning when used in this Part ZZZR.

#### 11.116.2 Reliability Instrument Guidelines

- (a) The *AER* must make and *publish* interim Reliability Instrument Guidelines by 31 July 2019 to apply until the Reliability Instrument Guidelines are made and published under paragraph (c).
- (b) The *AER* is not required to comply with the *Rules consultation procedures* when making the interim guidelines under paragraph (a).
- (c) The *AER* must make and *publish* Reliability Instrument Guidelines under clause 4A.C.12 by 31 July 2020 and in so doing must comply with the *Rules consultation procedures*.

#### 11.116.3 Forecasting Best Practice Guidelines

- (a) The *AER* must make and *publish* interim *Forecasting Best Practice Guidelines* by 30 September 2019 to apply until the *Forecasting Best Practice Guidelines* are made and *published* under paragraph (c).
- (b) The *AER* is not required to comply with the *Rules consultation procedures* when making the interim guidelines under paragraph (a).
- (c) The *AER* must make and *publish* *Forecasting Best Practice Guidelines* under clause 4A.B.5 by 30 November 2020 and in so doing must comply with the *Rules consultation procedures*.
- (d) Despite any other provision of the *Rules* (including any guideline or procedures made under the *Rules*):

- (1) when preparing a *reliability forecast* and *indicative reliability forecast* for a *statement of opportunities* published in 2019, AEMO is not required to follow the *Forecasting Best Practice Guidelines*; and
- (2) the AER is not required to have regard to the *Forecasting Best Practice Guidelines* under clause 4A.C.9 for the purposes of considering a request made by AEMO under clause 4A.C.2 based on a *reliability forecast* for a *statement of opportunities* published in 2019 or any update of the 2019 *statement of opportunities* published under clause 3.13.3A(b).

#### 11.116.4 Reliability Forecast Guidelines

- (a) AEMO must make and publish on its website interim *Reliability Forecast Guidelines* by 31 December 2019 to apply until the *Reliability Forecast Guidelines* are made and published under paragraph (c).
- (b) AEMO is not required to comply with the *Rules consultation procedures* when making the interim guidelines under paragraph (a).
- (c) AEMO must make and publish on its website *Reliability Forecast Guidelines* under clause 4A.B.4 by 28 February 2021 and in so doing must comply with the *Rules consultation procedures*.
- (d) Despite any other provision of the *Rules* (including any guideline or procedures made under the *Rules*), AEMO is not required to follow the *Reliability Forecast Guidelines* in preparing a *reliability forecast* and *indicative reliability forecast* for a *statement of opportunities* published in 2019 or any update of the 2019 *statement of opportunities* published under clause 3.13.3A(b).
- (e) AEMO must not make a request for information under clause 3.13.3A(d) until the guidelines are made and published under paragraph (a).
- (f) For the purposes of preparing the 2019 *statement of opportunities*, clause 3.13.3A(g) is replaced with the following:

As soon as practicable after a *Scheduled Generator*, *Semi-Scheduled Generator*, *Market Participant* or *Transmission Network Service Provider* becomes aware of any information required for publication by AEMO under paragraph (a), that information must be provided to AEMO by that *Scheduled Generator*, *Semi-Scheduled Generator*, *Market Participant* or *Transmission Network Service Provider*.

#### 11.116.5 AER Opt-in Guidelines

- (a) A person is not eligible to be registered as an opt-in customer until the AER Opt-In Guidelines are made and *published* under clause 4A.D.13.
- (b) The AER must make and *publish* the AER Opt-In Guidelines by no later than 30 June 2020.

#### 11.116.6 Contracts and Firmness Guidelines

- (a) The AER must make and *publish* interim Contracts and Firmness Guidelines by 31 August 2019 to apply until the Contracts and Firmness Guidelines are made and *published* under paragraph (c).

- (b) The *AER* is not required to comply with the *Rules consultation procedures* when making the interim guidelines under paragraph (a).
- (c) The *AER* must make and *publish* Contracts and Firmness Guidelines under clause 4A.E.8 by 31 December 2020 and in so doing must comply with the *Rules consultation procedures*.

#### 11.116.7 Qualifying contracts under interim Contracts and Firmness Guidelines

Qualifying contracts entered into by a liable entity:

- (a) after the interim Contracts and Firmness guidelines are made under clause 11.116.6(a); and
- (b) before the final Contracts and Firmness guidelines are made under clause 11.116.6(c),

will continue to be treated in accordance with the interim guidelines published under clause 11.116.6(a) for the purposes of Chapter 4A, Part E unless the liable entity elects to apply a firmness methodology set out in the Contracts and Firmness Guidelines made under clause 11.116.6(c).

#### 11.116.8 Grandfathering arrangements

- (a) In this clause, a "licensed retailer" means a person who holds a retailer authorisation under the *NERL* or an electricity retail licence under the *Electricity Industry Act 2000* (Vic).
- (b) This clause:
  - (1) applies to:
    - (i) a Market Customer; or
    - (ii) an opt-in customer,who is not a licensed retailer ("**Transitional Customer**"); and
  - (2) does not apply in relation to a liable entity's own *generation* or *load* curtailment.
- (c) If:
  - (1) a Transitional Customer is a party to a qualifying contract which reduces the Transitional Customer's exposure to the volatility of the *spot price* in a relevant *region* during the gap trading intervals for the *load* for which it is a liable entity; and
  - (2) that qualifying contract was in effect as at 10 August 2018, ("**transitional contract**") then for the purposes of clauses 4A.E.2 and 4A.E.3, that qualifying contract is taken to have a firmness factor of one.
- (d) For the purposes of paragraph (c), the following contracts are taken to be qualifying contracts:
  - (1) an electricity retail supply agreement between the Transitional Customer and a licensed retailer for a *connection point* for which it is a liable entity; and

- (2) a contract for the supply of electricity in effect as at 13 December 1998 and that was also in effect as at 10 August 2018 under which a Transitional Customer is supplied electricity at a *connection point* ("**pre-NEM transitional contract**").
- (e) Paragraph (c) applies until:
  - (1) the end of the term of the transitional contract specified in that transitional contract as at 10 August 2018, excluding any extension or renewal of such term even if the right to extend or renew existed as at 10 August 2018; or
  - (2) if no term is specified, 1 July 2023.
- (f) If subparagraph (e)(2) applies to a pre-NEM transitional contract, then that contract will continue to be taken to be a qualifying contract but, on and from 1 July 2023, the firmness factor for that qualifying contract will no longer taken to be one and must be determined in accordance with Chapter 4A Part E.

#### **11.116.9 Reliability Compliance Procedures and Guidelines**

The *AER* must make and *publish* the Reliability Compliance Procedures and Guidelines by 31 December 2020.

#### **11.116.10 MLO Guidelines**

- (a) The *AER* must make and *publish* interim MLO Guidelines by 31 August 2019 to apply until the MLO Guidelines are made and *published* under paragraph (d).
- (b) The *AER* is not required to comply with the *Rules consultation procedures* when making the interim guidelines under paragraph (a).
- (c) The interim MLO Guidelines must include those matters referred to in clauses 4A.G.25(b)(6) – (10) (inclusive) but without limitation to any other matters the *AER* considers appropriate.
- (d) The *AER* must make and *publish* MLO Guidelines under clause 4A.G.25 by 31 December 2020 and in so doing must comply with the *Rules consultation procedures*.

#### **11.116.11 Application of Part G, Divisions 2 – 6 (inclusive)**

- (a) Clauses 4A.G.3 to 4A.G.14 (inclusive) commence on and from 1 July 2021.
- (b) To the extent a liquidity period occurs during the period on and from the commencement date to 30 June 2021, the following clauses apply subject to paragraph (c):
  - (1) clause 4A.G.15 ('Notices prior to liquidity period');
  - (2) clause 4A.G.16 ('Duration of liquidity period');
  - (3) clause 4A.G.17 ('Liquidity obligation');
  - (4) clause 4A.G.18 ('Performing a liquidity obligation');
  - (5) clause 4A.G.19 ('Volume limits');

- (6) clause 4A.G.20 ('Appointment of MLO nominee');
  - (7) clause 4A.G.21 ('Exemptions');
  - (8) clause 4A.G.22 ('MLO products');
  - (9) clause 4A.G.23 ('MLO exchange'); and
  - (10) clause 4A.G.24 ('MLO compliance and reporting').
- (c) To the extent a liquidity period occurs during the period on and from the commencement date to 30 June 2021, each of the following terms has the meaning given in (and is to be construed in accordance with) clause 11.116.12:
- (1) MLO generator;
  - (2) MLO group;
  - (3) generator capacity;
  - (4) traced capacity; and
  - (5) trading group capacity.
- (d) Clause 4A.G.16(d)(3) does not apply until a MLO register is *published* by the *AER*.

#### **11.116.12 Interim deeming of MLO generators and MLO groups**

For the purposes of Part G, the following will apply during the period on and from the commencement date until 30 June 2021:

- (a) MLO generator means, for a *region*, each *Market Generator* listed under the column "MLO generator" in the relevant table below and comprises each *scheduled generating unit* listed next to the *Market Generator*.
- (b) MLO group means, for a *region*, each MLO group listed under the column "MLO group" in the relevant table below and comprises:
  - (1) each MLO generator listed next to that MLO group in the relevant table; and
  - (2) each *scheduled generating unit* listed next to the MLO generator described in subparagraph (1).
- (c) Generator capacity means, for each MLO generator for a *region*, the registered capacity in the column "Registered capacity" in the relevant table below next to the relevant *scheduled generating unit*.
- (d) Each MLO generator, for a *region*, is taken to have a single parcel of traced capacity equal to the sum of its generator capacities in that *region*.
- (e) In respect of each MLO generator for a *region*, each parcel of traced capacity is taken to be allocated to its MLO group.
- (f) In respect of a MLO group, for a *region*, at any time in a liquidity period, trading group capacity means, the aggregate generator capacity of each MLO generator which is taken to form part of that MLO group:
  - (1) less the registered capacity of any *scheduled generating unit*:
    - (i) that is taken to form part of that MLO group; and

- (ii) which is the subject of an *AER* determination under paragraph (g) in respect of the relevant forecast reliability gap period; and
  - (2) plus the registered capacity of any *scheduled generating unit* that is the subject of an *AER* determination under paragraph (h) in respect of the relevant forecast reliability gap period.
- (g) During a liquidity period or from a specified time in a liquidity period, the *AER* may determine that, the registered capacity of a *scheduled generating unit* that is taken to form part of a MLO group, is not included for the purposes of determining that MLO group's trading group capacity, if the *AER* is satisfied in accordance with the interim MLO Guidelines that:
- (1) the relevant MLO generator has no direct or indirect ownership interest in that *scheduled generating unit*; and
  - (2) the relevant MLO generator does not have dispatch control over that *scheduled generating unit*.
- (h) During a liquidity period or from a specified time in a liquidity period, the *AER* may determine that, the registered capacity of a *scheduled generating unit* that is not taken to form part of a MLO group, will be included for the purposes of determining that MLO group's trading group capacity where, the *AER* is satisfied in accordance with the interim MLO Guidelines that a MLO generator forming part of that MLO group has dispatch control over that *scheduled generating unit*.
- (i) The *AER* must *publish* any determination made under paragraph (g) or (h).

Victoria

MLO group	MLO generators	Scheduled generating units	Registered capacity
AGL	AGL Hydro Partnership	Bogong / Mackay Power Station (units 1-3)	0
		Bogong / Mackay Power Station (units 1-2)	308.2
		Dartmouth Power Station (unit 1)	150
		Eildon Power Station (unit 1)	60
		Eildon Power Station (unit 1b)	0
		Eildon Power Station (unit 2)	60
		Eildon Power Station (unit 2b)	0
		Somerton Power Station (units 1 – 4)	170
AGL	AGL Hydro	West Kiewa Power Station (unit 1)	31



<b>MLO group</b>	<b>MLO generators</b>	<b>Scheduled generating units</b>	<b>Registered capacity</b>
	Partnership	West Kiewa Power Station (unit 2)	31
	AGL Loy Yang Marketing Pty Ltd	Loy Yang A Power Station (unit 1)	560
		Loy Yang A Power Station (unit 2)	530
		Loy Yang A Power Station (unit 3)	560
		Loy Yang A Power Station (unit 4)	560
<b>Energy Australia</b>	Energy Australia Yallourn Pty Ltd	Yallourn 'W' Power Station (unit 1)	360
		Yallourn 'W' Power Station (unit 2)	360
		Yallourn 'W' Power Station (unit 3)	380
		Yallourn 'W' Power Station (unit 4)	380
	Energy Australia Pty Ltd	Ballarat Battery Energy Storage System (units 1–17)	30
		Gannawarra Energy Storage System (units 1-50)	30.875
<b>Snowy Hydro</b>	Snowy Hydro Limited	Valley Power Peaking Facility (units 1-6)	50
		Valley Power Peaking Facility (units 2-6)	50
		Valley Power Peaking Facility (units 3-6)	50
		Valley Power Peaking Facility (units 4-6)	50
		Valley Power Peaking Facility (units 5-6)	50
		Valley Power Peaking Facility (units 6-6)	50
		Laverton North Power Station (unit 1)	156
<b>Snowy Hydro</b>	Snowy Hydro Limited	Laverton North Power Station (unit 2)	156
		Murray Power Station (units 1-10)	1502

<b>MLO group</b>	<b>MLO generators</b>	<b>Scheduled generating units</b>	<b>Registered capacity</b>
		Murray Power Station (units 11-14)	0

South Australia

<b>MLO group</b>	<b>MLO generators</b>	<b>Scheduled generating units</b>	<b>Registered capacity</b>
<b>AGL</b>	AGL SA Generation Pty Limited	Torrens Island Power Station A (unit 1)	120
		Torrens Island Power Station A (unit 2)	120
		Torrens Island Power Station A (unit 3)	120
		Torrens Island Power Station A (unit 4)	120
		Torrens Island Power Station B (unit 1)	200
		Torrens Island Power Station B (unit 2)	200
		Torrens Island Power Station B (unit 3)	200
		Torrens Island Power Station B (unit 4)	200
	Greentricity Pty Ltd	Dalrymple North Battery Energy Storage System (units 1-12)	30
<b>Origin</b>	Origin Energy Electricity Limited	Ladbroke Grove Power Station (unit 1)	40
		Ladbroke Grove Power Station (unit 2)	40
		Osborne Power Station (unit 1)	180
		Osborne Power Station (unit 2)	0
		Quarantine Power Station (unit 1)	29
<b>Origin</b>	Origin Energy	Quarantine Power Station (unit 2)	24

<b>MLO group</b>	<b>MLO generators</b>	<b>Scheduled generating units</b>	<b>Registered capacity</b>
	Electricity Limited	Quarantine Power Station (unit 3)	24
		Quarantine Power Station (unit 4)	24
		Quarantine Power Station (unit 5)	128
<b>Engie</b>	Pelican Point Power Limited	Pelican Point Power Station (units 1-2)	478
		Pelican Point Power Station (unit 3)	0
	Synergen Power Pty Limited	Dry Creek Gas Turbine Station (unit 1)	52
		Dry Creek Gas Turbine Station (unit 2)	52
		Dry Creek Gas Turbine Station (unit 3)	52
		Mintaro Gas Turbine Station (unit 1)	90
		Port Lincoln Gas Turbine (units 1-2)	50
		Port Lincoln Gas Turbine (unit PL3)	23.5
Snuggery Power Station (units 1-3)	63		

New South Wales

<b>MLO group</b>	<b>MLO generators</b>	<b>Scheduled generating units</b>	<b>Registered capacity</b>
<b>AGL</b>	AGL Macquarie Pty Limited	Bayswater Power Station (unit 1)	660
		Bayswater Power Station (unit 2)	660
		Bayswater Power Station (unit 3)	660
<b>AGL</b>	AGL Macquarie Pty Limited	Bayswater Power Station (unit 4)	660
		Hunter Valley Gas Turbine (units 1-2)	50
		Liddell Power Station (unit 1)	500
		Liddell Power Station (unit 2)	500

<b>MLO group</b>	<b>MLO generators</b>	<b>Scheduled generating units</b>	<b>Registered capacity</b>
		Liddell Power Station (unit 3)	500
		Liddell Power Station (unit 4)	500
<b>Origin</b>	Origin Energy Electricity Limited	Eraring Power Station (unit 1)	720
		Eraring Power Station (unit 2)	720
		Eraring Power Station (unit 3)	720
		Eraring Power Station (unit 4)	720
		Shoalhaven Power Station (Bendeela And Kangaroo Valley Power Station And Pumps) (units 1-2)	240
		Shoalhaven Power Station (Bendeela And Kangaroo Valley Power Station And Pumps) (units 304)	0
		Uranquinty Power Station (unit 1)	166
		Uranquinty Power Station (unit 2)	166
		Uranquinty Power Station (unit 3)	166
		Uranquinty Power Station (unit 4)	166
<b>Snowy Hydro</b>	Snowy Hydro Limited	Blowering Power Station (unit 1)	70
		Colongra Power Station (unit 1)	181
		Colongra Power Station (unit 2)	181
		Colongra Power Station (unit 3)	181
		Colongra Power Station (unit 4)	181
		Guthega Power Station (units 1-2)	60
<b>Snowy Hydro</b>	Snowy Hydro Limited	Tumut 3 Power Station (units 1-6)	1500
		Tumut Power Station (units 1-4)	616
		Tumut Power Station (units 5-8)	0

Queensland

<b>MLO group</b>	<b>MLO generators</b>	<b>Scheduled generating units</b>	<b>Registered capacity</b>
<b>CS Energy</b>	Callide Power Trading Pty Limited	Callide C Nett Off (unit 4)	420
	CS Energy Limited	Callide Power Station (unit 1)	350
		Callide Power Station (unit 2)	350
		Gladstone Power Station (unit 1)	280
		Gladstone Power Station (unit 2)	280
		Gladstone Power Station (unit 3)	280
		Gladstone Power Station (unit 4)	280
		Gladstone Power Station (unit 5)	280
		Gladstone Power Station (unit 6)	280
		Kogan Creek Power Station (unit 1)	744
		Wivenhoe Power Station (unit 1)	250
		Wivenhoe Power Station (unit 2)	250
<b>Stanwell</b>	Stanwell Corporation Limited	Barron Gorge Power Station (unit 1)	30
		Barron Gorge Power Station (unit 2)	30
		Kareeya Power Station (unit 1)	21
		Kareeya Power Station (unit 2)	21
		Kareeya Power Station (unit 3)	21
		Kareeya Power Station (unit 4)	21
		Mackay Gas Turbine (unit 1)	30
		Stanwell Power Station (unit 1)	365
		Stanwell Power Station (unit 2)	365
<b>Stanwell</b>	Stanwell Corporation	Stanwell Power Station (unit 3)	365
		Stanwell Power Station (unit 4)	365

MLO group	MLO generators	Scheduled generating units	Registered capacity
	Limited	Swanbank B Power Station & Swanbank E Gas Turbine (unit 1)	385
		Tarong North Power Station (unit 1)	443
		Tarong Power Station (unit 1)	350
		Tarong Power Station (unit 2)	350
		Tarong Power Station (unit 3)	350
		Tarong Power Station (unit 4)	350

### 11.116.13 MLO information template

- (a) The *AER* must develop and *publish* a MLO information template ("**MLO information template**") by 31 October 2020 that provides for each *Market Generator* to provide the information identified in clause 4A.G.13 as at 31 January 2021.
- (b) Each person who, at 31 January 2021, is a *Market Generator* must comply with clause 4A.G.13 by completing and delivering to the *AER* the MLO information template, by no later than 31 January 2021.

**Note**

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

- (c) For the purposes of complying with paragraph (b), a *Market Generator* is to provide the information identified in clause 4A.G.13 as at 31 January 2021 and as if clause 11.116.12 were not in effect at such time.

### 11.116.14 Initial MLO register

- (a) The *AER* must develop and *publish* by 31 May 2021 a MLO Register under clause 4A.G.12 containing all required information in respect of persons registered as *Market Generators* as at 31 January 2021.
- (b) The *AER* is not required to comply with the *Rules consultation procedures* when preparing the MLO register under paragraph (a).

### 11.116.15 Approved MLO products list

In respect of each *region*, the *AER* must make and *publish* by 1 October 2019 an initial list of MLO products that:

- (a) satisfy the criteria set out in clause 4A.G.22(a); or
- (b) are otherwise approved to be MLO products by the *AER* pursuant to clause 4A.G.22(b).

### 11.116.16 Designated MLO exchange

The ASX24 will be taken to be a MLO exchange from the commencement date, unless and until the *AER* determines that it no longer satisfies the criteria set out in clause 4A.G.23.

### 11.116.17 Five minute settlement intervals

On and from 1 July 2021:

- (a) for a reliability instrument requested or issued prior to 1 July 2021, the *trading intervals* specified in that reliability instrument will be deemed to refer to the corresponding 6 continuous 5-minute *trading intervals* (as defined under Chapter 10 of the *Rules* in force immediately after 1 July 2021) which cover the same period of time; and
- (b) when determining whether a T-1 reliability instrument is related to a T-3 reliability instrument issued prior to 1 July 2021, the *trading intervals* specified in that T-3 reliability instrument will be deemed to refer to the corresponding 6 continuous 5-minute *trading intervals* (as defined under Chapter 10 of the *Rules* in force immediately after 1 July 2021) which cover the same period of time referred to in the T-1 reliability instrument.

### 11.116.18 Review by AEMC

- (a) By 1 July 2023, the *AEMC* must conduct a review of the operation of Chapter 4A including any other matter which the *AEMC* reasonably believes is relevant to the operation of Chapter 4A.
- (b) In conducting its review under paragraph (a), the *AEMC* must:
  - (1) *publish* the terms of reference of its review; and
  - (2) follow the *Rules consultation procedures*.

#### Note

This clause does not preclude the *AEMC* from conducting a review in accordance with section 45 of the *NEL*.

## Part ZZZS Transparency of new projects

### 11.117 Rules consequential on the making of the National Electricity Amendment (Transparency of new projects) Rule 2019

#### 11.117.1 Definitions

- (a) For the purposes of this rule 11.117:

**early connection information** means key connection information received by a *Transmission Network Service Provider* between 7 November 2019 and 19 December 2019:

- (1) in a *connection* enquiry under rule 5.3;
- (2) in an *application to connect* under rule 5.3; or
- (3) under new clause 5.3.8(d1) or clause 5.3.8(e).

**key connection information** means *key connection information* as defined under Chapter 10 of the *Rules* as in force immediately after commencement of Schedules 2 and 3 of the *National Electricity Amendment (Transparency of new projects) Rule 2019*.

- (b) For the purposes of this rule 11.117, a reference to a new clause is a reference to that clause as it is either set to commence or has commenced pursuant to the *National Electricity Amendment (Transparency of new projects) Rule 2019*.

#### **11.117.2 Generation information page**

*AEMO* is not required to comply with new clause 3.7F(a) until 31 January 2020.

#### **11.117.3 Generation information guidelines**

- (a) The first generation information guidelines developed by *AEMO* under new clause 3.7F(e) must be published by *AEMO* by 31 July 2020.
- (b) *AEMO* must make and publish interim generation information guidelines by 5 December 2019 to apply until the guidelines described in paragraph (a) are made and published under new clause 3.7F(e).
- (c) *AEMO* is not required to comply with the *Rules consultation procedures* when making the interim generation information guidelines under paragraph (b).
- (d) The interim generation information guidelines made under paragraph (b):
- (1) must not require the provision to *AEMO* of key connection information received by a *Transmission Network Service Provider* prior to 7 November 2019;
  - (2) may only require *Transmission Network Service Providers* to provide early connection information to *AEMO* to the extent that the relevant *Connection Applicant* that disclosed the information to the *Transmission Network Service Provider* consents to its disclosure to *AEMO*; and
  - (3) must include those matters referred to in new clause 3.7F(e) but without limitation to any other matters *AEMO* considers appropriate.
- (e) *Transmission Network Service Providers* are not required to comply with the interim generation information guidelines made under paragraph (b) until 19 December 2019.

#### **11.117.4 Provision and use of information**

*Transmission Network Service Providers* are not required to comply with new clause 3.7F(g) until 19 December 2019.



## Part ZZTZ Demand management incentive scheme and innovation allowance for TNSPs

### 11.118 Rules consequential on the making of the National Electricity Amendment (Demand management incentive scheme and innovation allowance for TNSPs) Rule 2019

#### 11.118.1 Definitions

- (a) In this rule 11.118:

**Amending Rule** means the National Electricity Amendment (Demand management incentive scheme and innovation allowance for TNSPs) Rule 2019.

**commencement date** means the date Schedules 1, 2 and 3 of the Amending Rule commence.

**new clause 6A.7.6** means clause 6A.7.6 of the *Rules* as in force immediately after the commencement date.

- (b) Italicised terms used in this rule have the same meaning as under Schedule 2 of the Amending Rule.

#### 11.118.2 AER to develop and publish the demand management innovation allowance mechanism

- (a) By 31 March 2021, the *AER* must develop and *publish* the first *demand management innovation allowance mechanism* required under new clause 6A.7.6.

## Part ZZTUU Application of the regional reference node test to the Reliability and Emergency Reserve Trader

### 11.119 Rules consequential on the making of the National Electricity Amendment (Application of the regional reference node test to the Reliability and Emergency Reserve Trader) Rule 2019

#### 11.119.1 Definitions

For the purposes of this rule 11.119:

**Amending Rule** means the National Electricity Amendment (Application of the regional reference node test to the Reliability and Emergency Reserve Trader) Rule 2019.

**commencement date** means 20 December 2019.

**old Chapter 3** means Chapter 3 of the *Rules* and all related definitions in the *Rules* as in force immediately prior to the commencement date.

#### 11.119.2 AEMO intervention event in effect on commencement date

If:

- (a) *AEMO* issues a *direction* prior to the commencement date; and

- (b) that *direction* remains in effect on or after the commencement date, then, for so long as the *direction* remains in effect, old Chapter 3 will apply in respect of the *AEMO intervention event* corresponding with the *direction*.

## Part ZZZV Improving Transparency and Extending Duration of MT PASA

### 11.120 Rules consequential on the making of the National Electricity Amendment (Improving transparency and extending duration of MT PASA) Rule 2020

#### 11.120.1 AEMO to update spot market operations timetable

By 20 August 2020, *AEMO* must amend and *publish* the *timetable* to take into account the National Electricity Amendment (Improving transparency and extending duration of MT PASA) Rule 2020 No. 1.

## Part ZZZW Victorian jurisdictional derogation – RERT contracting

### 11.121 Rules consequential on the making of the National Electricity Amendment (Victorian jurisdictional derogation - RERT contracting) Rule 2020

#### 11.121.1 Definitions

For the purposes of this rule 11.121:

**Amending Rule** means the *National Electricity Amendment (Victorian jurisdictional derogation – RERT contracting) Rule 2020*.

**effective date** means the date on which Schedule 1 of the Amending Rule commences operation.

**Procedures** means the procedures made under clause 3.20.7(e).

#### 11.121.2 Procedures

- (a) By the effective date, *AEMO* must amend and *publish* the Procedures to take into account the Amending Rule, with those amendments to take effect from the effective date.
- (b) *AEMO* is not required to comply with the *Rules consultation procedures* when amending the Procedures in accordance with paragraph (a).

## Part ZZZX Mandatory primary frequency response

### 11.122 Rules consequential on the making of the National Electricity Amendment (Mandatory primary frequency response) Rule 2020

#### 11.122.1 Definitions

For the purposes of this rule 11.122:

**Amending Rule** means the National Electricity Amendment (Mandatory primary frequency response) Rule 2020.

**commencement date** means 26 March 2020.

**interim Primary Frequency Response Requirements** means the interim requirements developed and published by *AEMO* in accordance with clause 11.122.2(a).

**new clause 4.4.2A(a)** means clause 4.4.2A(a) of the *Rules* as in force on the commencement date.

**new clause 4.4.2A(b)** means clause 4.4.2A(b) of the *Rules* as in force on the commencement date

### 11.122.2 Interim Primary Frequency Response Requirements

- (a) *AEMO* must develop, publish on its website and maintain interim Primary Frequency Response Requirements by 4 June 2020 to apply until the Primary Frequency Response Requirements are made and published under paragraph (d).
- (b) *AEMO* is not required to comply with the *Rules consultation procedures* when making the interim Primary Frequency Response Requirements under paragraph (a) but must publish a draft of the interim Primary Frequency Response Requirements on its website by 9 April 2020 and provide at least 20 business days for written submissions from any person on this draft.
- (c) The interim Primary Frequency Response Requirements must:
  - (1) take into account any submissions on the draft of the interim Primary Frequency Response Requirements received under paragraph (b);
  - (2) include the matters to be included in the Primary Frequency Response Requirements under new clause 4.4.2A(b); and
  - (3) set out the process for the coordinated activation of changes to *generating systems*, including the date (which may vary according to *plant* type) by which *Scheduled Generators* and *Semi-Scheduled Generators* must effect changes to their *plant*, to comply with the Interim Primary Frequency Response Requirements.
- (d) *AEMO* must publish the Primary Frequency Response Requirements under new clause 4.4.2A(a) by 6 December 2021.

### 11.122.3 Action taken prior to commencement

Any action taken by *AEMO*, a *Scheduled Generator*, or *Semi-Scheduled Generator* prior to the commencement date in anticipation of the commencement of the Amending Rule is deemed to have been taken for the purpose of the Amending Rule and continues to have effect for that purpose.

## Part ZZZY System restart services, standards and testing

### 11.123 Rules consequential on the making of the National Electricity Amendment (System restart services, standards and testing) Rule 2020

#### 11.123.1 Definitions

For the purposes of this rule 11.123:

**Amending Rule** means the National Electricity Amendment (System restart services, standards and testing) Rule 2020.

**commencement date** means the date of commencement of Schedule 1 of the Amending Rule.

**new clause 3.15.6A** means clause 3.15.6A of the *Rules* as will be in force immediately after the commencement date.

**new clause 4.3.6** means clause 4.3.6 of the *Rules* as will be in force immediately after the commencement date.

**transitional date** means the date of commencement of Schedule 2 of the Amending Rule.

**Test Participant** has the meaning given to it in new clause 4.3.6.

#### 11.123.2 SRAS Guideline

- (a) By the commencement date, and in accordance with the *Rules consultation procedures*, AEMO must amend the *SRAS Guideline* to take into account the Amending Rule.
- (b) If, prior to the transitional date and for the purposes of amending the *SRAS Guideline* in anticipation of the Amending Rule, AEMO undertook consultation or a step equivalent to that required in the *Rules consultation procedures*, then that consultation or step is taken to satisfy the equivalent consultation or step under the *Rules consultation procedures*.

#### 11.123.3 System restart standard

- (a) As soon as practicable after the transitional date, and in accordance with the consultation requirements in clause 8.8.3, the *Reliability Panel* must update the *system restart standard* to take into account the Amending Rule.
- (b) On and from the commencement date and until such time as the *system restart standard* is updated in accordance with paragraph (a), the *system restart standard* is to be interpreted as if it applied to *SRASs* as defined under the Amending Rule.

#### 11.123.4 Communication protocols

By 30 April 2021, and in accordance with the *Rules consultation procedures*, AEMO and *Network Service Providers* must jointly update the communication protocols prepared under clause 4.8.12(j) to take into account the Amending Rule.

### 11.123.5 System restart tests

- (a) If, prior to the commencement date:
  - (1) *AEMO* and a *Transmission Network Service Provider* agree to conduct a test of a kind contemplated by new clause 4.3.6; and
  - (2) the date of that test is after the transitional date,then new clause 4.3.6 is taken to apply in respect of that test as modified in accordance with this clause 11.123.5.
- (b) Any steps agreed and taken by *AEMO* and the Test Participants in planning that test before the transitional date are taken to have satisfied the requirements of new clause 4.3.6(b) to (h).
- (c) Any steps taken by *AEMO* and the Test Participants in planning that test after the transitional date must meet the applicable requirements of new clause 4.3.6(b) to (t) except as otherwise agreed by *AEMO* and the Test Participants.
- (d) Paragraphs (i) to (t) of new clause 4.3.6 and new clause 3.15.6A apply in respect of that test.

## Part ZZZZ Introduction of metering coordinator planned interruptions

### 11.124 Rules consequential on the making of the National Electricity Amendment (Introduction of metering coordinator planned interruptions) Rule 2020

#### 11.124.1 Definitions

For the purposes of this rule 11.124:

**Amending Rule** means the National Electricity Amendment (Introduction of metering coordinator planned interruptions) Rule 2020.

**commencement date** means the date of commencement of Schedule 3 of the Amending Rule.

#### 11.124.2 Amendments of the metrology procedure

- (a) As soon as practicable after the commencement date and no later than 30 March 2022, and in accordance with the *Rules consultation procedures*, *AEMO* must amend and *publish* the *metrology procedure* to take into account the Amending Rule.
- (b) If, prior to the commencement date, and for the purposes of amending the *metrology procedure* in anticipation of the Amending Rule, *AEMO* undertook a consultation, step, decision or action equivalent to that required in the *Rules consultation procedures*, then that consultation, step, decision or action is taken to satisfy the equivalent consultation, step, decision or action under the *Rules consultation procedures*.

### 11.124.3 Market Settlement and Transfer Solutions Procedures

- (a) As soon as practicable after the commencement date and no later than 30 March 2022, and in accordance with the *Rules consultation procedures*, AEMO must amend and *publish* the *Market Settlement and Transfer Solution Procedures* to take into account the Amending Rule.
- (b) If, prior to the commencement date, and for the purposes of developing the *Market Settlement and Transfer Solution Procedures* in anticipation of the Amending Rule, AEMO undertook a consultation, step, decision or action equivalent to that required in the *Rules consultation procedures*, then that consultation, step, decision or action is taken to satisfy the equivalent consultation, step, decision or action under the *Rules consultation procedures*.

### 11.124.4 Requirements of the metrology procedure

- (a) Clause 7.16.3(c)(7) of the Amending Rule does not apply to AEMO until AEMO has amended and *published* the *metrology procedure* and the *Market Settlement and Transfer Solution Procedures* referred to in clauses 11.124.2 and 11.124.3 (as applicable) to take into account the Amending Rule.

## Part ZZZZA Wholesale demand response

### 11.125 Rules consequential on the making of the National Electricity Amendment (Wholesale demand response mechanism) Rule 2020

#### 11.125.1 Definitions

- (a) In this rule 11.125:

**Amending Rule** means the National Electricity Amendment (Wholesale demand response mechanism) Rule 2020.

**Contracts and Firmness Guidelines** has the meaning in Chapter 4A.

**effective date** means the date of commencement of Schedules 1, 3, 4 and 5 of the Amending Rule.

**new Chapter 2** means Chapter 2 as in force immediately after the effective date.

**new Chapter 10** means Chapter 10 as in force immediately after the effective date.

**new clause 2.3.6** means clause 2.3.6 as in force immediately after the effective date.

**new clause 2.3B.1** means clause 2.3B.1 as in force immediately after the effective date.

**new clause 3.8.2A(g)** means clause 3.8.2A(g) as in force immediately after the effective date.

**new clause 3.8.3** means clause 3.8.3 as in force immediately after the effective date.

**new clause 3.8.3(a2)** means clause 3.8.3(a2) as in force immediately after the effective date.

**new clause 3.10.1** means clause 3.10.1 as in force immediately after the effective date.

**new clause 3.10.2** means clause 3.10.2 as in force immediately after the effective date.

**new clause 3.10.3(a)** means clause 3.10.3(a) as in force immediately after the effective date.

**new clause 3.10.3(c)** means clause 3.10.3(c) as in force immediately after the effective date.

**new clause 3.10.5(b)** means clause 3.10.5(b) as in force immediately after the effective date.

**new clause 3.10.6** means clause 3.10.6 as in force immediately after the effective date.

- (b) Italicised terms used in this rule 11.125 have the same meaning as in new Chapter 10.

#### **11.125.2 Wholesale demand response guidelines**

- (a) No later than 4 months before the effective date, *AEMO* must make and *publish*:
- (1) the *wholesale demand response guidelines* in accordance with new clause 3.10.1; and
  - (2) *AEMO's* determination of the *baseline methodology metrics* and matters relating to *baseline compliance testing* under new clause 3.10.2.
- (b) *AEMO* must comply with the *Rules consultation procedure* when making the *wholesale demand response guidelines* and the determinations under paragraph (a).
- (c) The *wholesale demand response guidelines* and determinations made under paragraph (a) must come into effect no later than 4 months before the effective date so as to enable the following to be made before the effective date:
- (1) applications for approval to classify a *load* as a *wholesale demand response unit* under new clause 2.3.6; and
  - (2) applications for aggregation of *wholesale demand response units* under new clause 3.8.3(a2).
- (d) If an application referred to in paragraph (c) is made after the *wholesale demand response guidelines* are made under paragraph (a) and before the effective date, *AEMO* must assess the application in accordance with the applicable provisions in new clause 2.3.6 or new clause 3.8.3 (as applicable) and the *wholesale demand response guidelines* made under paragraph (a).

### 11.125.3 Baseline methodologies

- (a) No later than 4 months before the effective date, *AEMO* must establish the register of *baseline methodologies* under new clause 3.10.3(c).
- (b) No later than 4 months before the effective date, *AEMO* must develop one or more *baseline methodologies* in accordance with new clause 3.10.3(a) and *publish* them in the register established under new clause 3.10.3(c).

### 11.125.4 Wholesale demand response participation guidelines

- (a) By the effective date, the *AER* must in accordance with the *Rules consultation procedures* make and *publish* the *wholesale demand response participation guidelines* under new clause 3.8.2A(g).
- (b) The guidelines made under paragraph (a) must come into effect on and from the effective date.

### 11.125.5 Extension of time for registration and aggregation

- (a) The period of 15 *business days* specified in clause 2.9.2(b) is extended to 30 *business days* as follows:
  - (1) during the period commencing 4 months before the effective date and ending 3 months after the effective date; and
  - (2) in respect of an application under new clause 2.3B.1 to register as a *Demand Response Service Provider* or an application for approval to classify a *load* as a *wholesale demand response unit* under new clause 2.3.6.
- (b) The period of 20 *business days* specified in clause 3.8.3(e) is extended to 40 *business days*:
  - (1) during the period commencing 4 months before the effective date and ending 3 months after the effective date; and
  - (2) in respect of an application to aggregate two or more *wholesale demand response units*.

### 11.125.6 Amendments to AEMO, AER and AEMC documents

- (a) By the effective date, *AEMO* must review and where necessary amend and *publish* the following documents to take into account the Amending Rule:
  - (1) the *spot market* operations timetable in accordance with clause 3.4.3;
  - (2) the procedure used by *AEMO* for preparation of the *short term PASA* and published under clause 3.7.3(j);
  - (3) the *market suspension compensation methodology* made by *AEMO* under clause 3.14.5A(h);
  - (4) the schedule of benchmark values made by *AEMO* under clause 3.14.5A(j);
  - (5) the *PoLR cost procedures* made by *AEMO* under clause 3.15.9A(1);
  - (6) the principles and process used by *AEMO* to calculate the *estimated settlement amount* developed by *AEMO* under clause 3.15.12(c);



- (7) the *RERT procedures*;
  - (8) the *Market Settlement and Transfer Solution Procedures*; and
  - (9) the other documents mentioned in clause 11.103.2(a).
- (b) Where the only change to:
- (1) a document referred to in paragraph (a); or
  - (2) any other document made by *AEMO* under or in accordance with the *Rules*,
- to take into account the Amending Rule is to replace the term *Market Ancillary Service Provider* with *Demand Response Service Provider*, *AEMO* is not required to consult before amending the document to make that replacement.
- (c) By the effective date, the *AER* must review and where necessary amend and *publish* the following documents to take into account the Amending Rule:
- (1) the guidelines maintained under clause 3.8.22 in respect of *rebidding*; and
  - (2) the Contracts and Firmness Guidelines.
- (d) By the effective date, the *AEMC* must review and where necessary amend and *publish* the compensation guidelines made under clause 3.14.6(e) to take into account the Amending Rule.
- (e) Amendments made in accordance with this clause must take effect on and from the effective date.

#### **11.125.7 Amendments to the demand side participation information guidelines**

- (a) By 31 December 2020, *AEMO* must review and where necessary amend and *publish* the demand side participation information guidelines made under rule 3.7D(e) to take into account the Amending Rule.
- (b) The amendments made in accordance with paragraph (a) must take effect on and from 31 March 2021.

#### **11.125.8 Amendment to RERT guidelines**

- (a) With effect on and from the effective date, the *RERT guidelines* are amended as set out below:
  - In the explanatory note at the end of section 2 of the *RERT guidelines*, insert "(including by means of *wholesale demand response*)" after "*energy only*".
- (b) By the effective date, the *Reliability Panel* must make and *publish* the *RERT guidelines* in the form amended by paragraph (a).
- (c) For the purposes of paragraph (b), the *Reliability Panel* is not required to make and *publish* the *RERT guidelines* in accordance with the *Rules consultation procedures*.

### 11.125.9 Renaming of Market Ancillary Service Providers

- (a) A person who immediately before the effective date is registered with *AEMO* as a *Market Ancillary Service Provider* in respect of an *ancillary service load* is taken to be registered with *AEMO* as a *Demand Response Service Provider* in respect of that *ancillary service load* with effect on and from the effective date.
- (b) A *load* classified as an *ancillary service load* immediately before the effective date continues to be classified as an *ancillary service load* on and from the effective date.
- (c) To avoid doubt, registrations and classifications referred to in paragraphs (a) and (b) are, on and from the effective date, subject to new Chapter 2 as if they had been made under new Chapter 2.

### 11.125.10 Wholesale demand response annual reporting

- (a) New clause 3.10.6 does not apply to the calendar year in which the effective date occurs (the **commencement year**).
- (b) *AEMO* must prepare the first report under new clause 3.10.6 within six months after the end of the calendar year after the commencement year, covering the period from the effective date to the end of that calendar year.

## Part ZZZZB Integrated System Planning Rules

### 11.126 Rules consequential on the making of the National Electricity Amendment (Integrated System Planning) Rule 2020

#### 11.126.1 Definitions

In this rule 11.126:

**2020 Integrated System Plan** means the Integrated System Plan published by *AEMO* in 2020.

**Amending Rule** means the National Electricity Amendment (Integrated System Planning) Rule 2020.

**Annual Reports** means the *NSCAS Report*, *Inertia Report* and the *System Strength Report*.

**commencement date** means 1 July 2020.

**existing actionable ISP project** means an *actionable ISP project* specified as such in the 2020 Integrated System Plan.

**existing RIT-T proponent** means the RIT-T proponent for an existing actionable ISP project.

**former clause 3.11.4** means clause 3.11.4 as in force immediately prior to the commencement date.

**former rule 5.16** means rule 5.16 as in force immediately prior to the commencement date.

**former clause 5.16.6** means clause 5.16.6 as in force immediately prior to the commencement date.

**new rule 5.16A** means rule 5.16A of the Amending Rule in operation on and from the commencement date.

**NSCAS, inertia and system strength methodologies** means the NSCAS description and NSCAS quantity procedure published under former clause 3.11.4, the *inertia requirements methodology* and the *system strength requirements methodology*.

**project assessment conclusions report** has the meaning given in clause 5.10.2.

**project assessment draft report** has the meaning given in clause 5.10.2.

**project specification consultation report** has the meaning given in clause 5.10.2.

### 11.126.2 2020 Integrated System Plan

- (a) The 2020 Integrated System Plan is taken to be valid for all purposes under the *Rules* as amended by the Amending Rule and has effect from the commencement date.
- (b) Without limiting paragraph (a), the 2020 Integrated System Plan is taken to have been prepared, consulted on and published in accordance with the *Rules* as amended by the Amending Rule.

### 11.126.3 Existing actionable ISP projects

An existing actionable ISP project is deemed to be an *actionable ISP project* for all purposes under the *Rules* as amended by the Amending Rule.

### 11.126.4 Existing actionable ISP projects at the clause 5.16.6 stage

- (a) This clause 11.126.4 applies if, at the commencement date, for an existing actionable ISP project:
  - (1) the existing RIT-T proponent has requested the *AER* to make a determination under former clause 5.16.6; or
  - (2) the *AER* has made a determination under former clause 5.16.6.
- (b) For that existing actionable ISP project, the existing RIT-T proponent may either:
  - (1) apply, or continue to apply former rule 5.16 to that existing actionable ISP project (and, to avoid doubt, not new clause 5.16A); or
  - (2) apply new rule 5.16A to that existing actionable ISP project, in which case:
    - (i) clauses 5.16A.4(a) to (m) do not apply to that existing actionable ISP project; and
    - (ii) if the circumstances in clause 5.16A.4(n)(2) occur in respect of that existing actionable ISP project, clauses 5.16A.4(n), (o) and (p) will apply to that existing actionable ISP project; and
    - (iii) if the circumstances in clause 5.16A.4(n)(2) do not occur in respect of that existing actionable ISP project, the existing RIT-T proponent may apply clause 5.16A.5 (notwithstanding a determination may have been made under clause 5.16.6), in

which case the project assessment conclusions report made available by the existing RIT-T proponent before the commencement date for that existing actionable ISP project, is deemed to satisfy the condition set out in clause 5.16A.5(a).

- (c) To avoid doubt, this clause 11.126.4 does not prevent any new application of the *regulatory investment test for transmission* under new rule 5.16A to an *actionable ISP project* equivalent, or substantially similar, to the existing actionable ISP project commencing after the commencement date.

#### **11.126.5 Existing actionable ISP projects prior to the clause 5.16.6 stage**

- (a) This clause 11.126.5 applies if, at the commencement date, for an existing actionable ISP project:
  - (1) the RIT-T proponent has not commenced the *regulatory investment test for transmission* under former rule 5.16; or
  - (2) the RIT-T proponent has commenced the *regulatory investment test for transmission* under former rule 5.16 but clause 11.126.4 does not apply.
- (b) An existing RIT-T proponent may either:
  - (1) subject to paragraph (c), apply, or continue to apply, former rule 5.16 to that existing actionable ISP Project; or
  - (2) apply new rule 5.16A to that existing actionable ISP project.
- (c) An existing RIT-T proponent may only apply, or continue to apply, former rule 5.16 to an existing actionable ISP Project if the existing actionable ISP project is a *proposed contingent project* in the existing RIT-T proponent's *revenue determination* at the commencement date.

#### **11.126.6 Existing RIT-T proponent has published a PSCR but not a PADR**

- (a) This clause 11.126.6 applies, if at the commencement date:
  - (1) an existing RIT-T proponent has prepared and made available the project specification consultation report to relevant persons in accordance with clause 5.16.4(c) and has not yet prepared and made available a project assessment draft report in accordance with clause 5.16.4(j); and
  - (2) the existing RIT-T proponent applies new rule 5.16A in accordance with clause 11.126.5(b)(2).
- (b) The existing RIT-T proponent must in the project assessment draft report published under clause 5.16A.4(c) (in addition to requirements under clause 5.16A.4(d)) address all submissions made by *Registered Participants*, *AEMO* and *interested parties* on issues raised in submissions to the project specification consultation report.

#### **11.126.7 Cost Benefit Analysis Guidelines**

- (a) Within 30 days of the commencement date, the *AER* must develop and publish on its website the first *Cost Benefit Analysis Guidelines* required

under clause 5.22.5(a) and in doing so must comply with the *Rules consultation procedures*.

- (b) If, prior to the commencement date, and for the purposes of developing the *Cost Benefit Analysis Guidelines* in anticipation of the Amending Rule, the *AER* undertook consultation or steps equivalent to that as required in the *Rules consultation procedures*, then that consultation or steps undertaken is taken to satisfy the equivalent consultation or steps under the *Rules consultation procedures*.

#### **11.126.8 Forecasting Best Practice Guidelines**

- (a) Within 30 days of the commencement date, the *AER* must amend the *Forecasting Best Practice Guidelines* in accordance with clause 5.22.5(i) and (j) and in doing so must comply with the *Rules consultation procedures*.
- (b) If, prior to the commencement date, and for the purposes of amending the *Forecasting Best Practice Guidelines* in anticipation of the Amending Rule, the *AER* undertook consultation or steps equivalent to that as required in the *Rules consultation procedures*, then that consultation or steps undertaken is taken to satisfy the equivalent consultation or steps under the *Rules consultation procedures*.

#### **11.126.9 Methodologies and reports**

- (a) The *NSCAS*, inertia and system strength methodologies are each deemed to have been prepared, consulted on and published in accordance with the *Rules* as amended by the Amending Rule.
- (b) If, prior to the commencement date, and for the purposes of preparing and publishing the Annual Reports in anticipation of the Amending Rule, *AEMO* undertook consultation or steps, then the consultation or steps undertaken is taken to satisfy the equivalent consultation or steps for the purposes of preparing and publishing the Annual Reports in accordance with the *Rules* as amended by the Amending Rule.

#### **11.126.10 AEMC review of ISP framework**

- (a) The *AEMC* must complete a review of the *Integrated System Plan* framework as set out in rules 5.16A, 5.22 and 5.23 by 1 July 2025.
- (b) In conducting its review under paragraph (a), the *AEMC* must:
  - (1) *publish* the terms of reference of its review; and
  - (2) follow the *Rules consultation procedures*.

##### **Note**

This clause does not preclude the *AEMC* from conducting a review in accordance with section 45 of the *NEL*.

## Part ZZZZC Deferral of network charges

### 11.127 Transitional arrangements made by the National Electricity Amendment (Deferral of network charges) Rule 2020 No. 11

#### 11.127.1 Definitions

- (a) Unless otherwise defined, terms defined in clause 6B.A1.2 have the same meaning when used in this Part ZZZZC.
- (b) For the purposes of this Part ZZZZC:

**Amending Rule** means the National Electricity Amendment (Deferral of network charges) Rule 2020 No. 11.

**commencement date** means the date on which the Amending Rule commences operation.

**COVID-19 customer arrangement** means:

- (1) any payment plan within the meaning of the *NERL*;
- (2) any arrangements for a hardship customer (other than a payment plan) within the meaning of the *NERL*; and
- (3) any deferred debt arrangement,

other than a plan or arrangement between an eligible retailer and a *shared customer* where the *shared customer* is a large customer.

**deferred debt arrangement** means any arrangement by which the payment of a debt owed or expected to be owed by a *shared customer* to an eligible retailer for the supply of electricity is deferred because the *shared customer* is experiencing payment difficulties.

**eligible retailer** means a *retailer* except:

- (1) any *retailer* which is owned by the Crown in right of any *participating jurisdiction* (whether wholly or partly, directly or indirectly), including without limitation because the *retailer* has one or more shareholders who are Ministers of the Crown or the *retailer* is established under statute or is controlled by a body whose shareholders are Ministers of the Crown or which is established under statute; and
- (2) any registered *RoLR* within the meaning of the *NERL* and any *related bodies corporate* of such a *RoLR*.

**large customer** means a large customer within the meaning of the *NERL*, subject to any relevant modifications made to the *NERL* in its application as a law of the relevant *participating jurisdiction*.

**old chapter 6B** has the meaning given in clause 11.96.1.

#### 11.127.2 Deferral of payment of network charges

- (a) Subject to clause 11.127.2(b), if:
  - (1) during the period beginning on the commencement date and ending on 6 February 2021 a *Distribution Network Service Provider* issues a

*statement of charges* to an eligible retailer and the *statement of charges* includes *network charges* payable under clause 6B.A2.1 in respect of a *shared customer*; and

- (2) as at the *date of issue* of that *statement of charges*, a COVID-19 customer arrangement is in place between the eligible retailer and that *shared customer*; and
- (3) the eligible retailer has, within 10 *business days* from the *date of issue* specified on the *statement of charges*, provided to the *Distribution Network Service Provider* a statutory declaration signed by an officer of that eligible retailer verifying the following for each *shared customer* referred to in clause 11.127.2(a)(2):
  - (i) that the COVID-19 customer arrangement described in clause 11.127.2(a)(2) is in place; and
  - (ii) the amount of *network charges* payable in respect of that *shared customer* pursuant to that *statement of charges*,

then, for the purposes of Chapter 6B and old Chapter 6B (insofar as it continues to apply under clause 11.96.2), the *due date for payment* for the *network charges* payable in respect of the relevant *shared customer* is taken to be 6 months from the *date of issue* of that *statement of charges*.

- (b) Clause 11.127.2(a) applies only to *network charges* other than charges in respect of *alternative control services* and *negotiated distribution services*.
- (c) In respect of any *network charges* to which clause 11.127.2(a) applies, the eligible retailer must pay the *Distribution Network Service Provider*:
  - (1) interest at a rate of 3% per annum on those *network charges* in respect of the period commencing 10 *business days* from the *date of issue* of the relevant *statement of charges* and ending upon the earlier of:
    - (i) the *day* occurring 6 months from the *date of issue* of the *statement of charges*; and
    - (ii) the date those *network charges* are paid; and
  - (2) in respect of any *network charges* not paid by the *day* occurring 6 months from the *date of issue* of the *statement of charges*, interest calculated in accordance with clause 6B.A3.4,

and any interest owing under paragraph (c)(1) is taken to be *billed but unpaid charges* in determining *retailer insolvency costs* for the purposes of clause 6.6.1(1).

- (d) For the purposes of the *credit support* rules in:
  - (1) Chapter 6B; and
  - (2) old Chapter 6B (insofar as it continues to apply under clause 11.96.2),the application of clause 11.127.2(a) to any *network charges* must be taken into account in determining whether any amount is or remains outstanding, and in determining the time allowed for payment of *network charges*.
- (e) A *Distribution Network Service Provider* and eligible retailer to whom clause 11.127.2(a) applies must in good faith cooperate to implement the

processes necessary to ensure their compliance with this clause 11.127.2 as soon as practicable, and in any event no later than 10 *business days*, after the commencement date.

- (f) For the purposes of clause 6B.A3.3(a), if a *retailer* disputes an amount (the **disputed amount**) set out in a *statement of charges*, then to the extent that the disputed amount relates to *network charges* to which clause 11.127.2(a) applies, the *retailer* must, within 10 *business days* from the *date of issue* specified on the *statement of charges* or in any event as soon as reasonably practicable, give written notice to the *Distribution Network Service Provider* of the disputed amount and the reasons for disputing payment.

### 11.127.3 Deferral of payment of charges for prescribed transmission services

- (a) Where the *due date for payment* of *network charges* to a *Distribution Network Service Provider* is deferred in accordance with clause 11.127.2(a), then to the extent that those *network charges* include charges for *prescribed transmission services* billed to that *Distribution Network Service Provider* by a *Transmission Network Service Provider* during the period beginning on the commencement date and ending on 6 February 2021:
  - (1) for the purposes of Chapter 6A and the connection agreement between them, the *due date for payment* of those charges for *prescribed transmission services* to that *Transmission Network Service Provider* is taken to be 6 months after the date specified in the bill;
  - (2) to the extent that pursuant to clause 11.127.2(c)(1) the *Distribution Network Service Provider* has been paid interest in respect of those charges for *prescribed transmission services*, the *Distribution Network Service Provider* must pay that interest to the *Transmission Network Service Provider*; and
  - (3) in respect of any of those charges for *prescribed transmission services* not paid by the due date described in subparagraph (a)(1), the *Distribution Network Service Provider* must pay the *Transmission Network Service Provider* interest calculated in accordance with the connection agreement between them,

and the *Transmission Network Service Provider* is not entitled to charge or recover any other or additional interest in respect of those charges for *prescribed transmission services*.

- (b) A *Distribution Network Service Provider* and *Transmission Network Service Provider* to whom clause 11.127.3(a) applies must in good faith cooperate to implement the processes necessary to ensure their compliance with clause 11.127.3(a) as soon as practicable, and in any event no later than 10 *business days*, after the commencement date.

### 11.127.4 AER reporting

- (a) An eligible retailer to whom clause 11.127.2(a) applies must as soon as is practicable following the end of each month report to the *AER* the following information as at the end of that month:



- (1) the number of *shared customers* in respect of whom the *due date for payment for network charges* has been deferred pursuant to clause 11.127.2(a);
- (2) the total amount of *network charges* deferred pursuant to clause 11.127.2(a); and
- (3) the latest *due date for payment for network charges* deferred pursuant to clause 11.127.2(a),

and where possible, such information must be provided to the *AER* on both a month-on-month and cumulative basis.

- (b) The *AER* must *publish* on a monthly basis any information it received pursuant to clause 11.127.4(a) for the previous month.

### 11.127.5 Application of this Part

This Part ZZZZC prevails to the extent of any inconsistency with any provision of the *Rules*.

#### Note

This Part ZZZZC only applies to and in relation to *distribution charges* to which Chapter 6B applies. Chapter 6B does not apply in *participating jurisdictions* that have not adopted the *NERL*, by reason of clause 24 of Schedule 3 to the *NEL*. This Part ZZZZC accordingly has no effect in the *participating jurisdictions* in which Chapter 6B does not apply.

## Part ZZZZD Interim reliability measure

### 11.128 Rules consequential on the making of the National Electricity Amendment (Interim reliability measure) Rule 2020

#### 11.128.1 Definitions

For the purposes of this rule 11.128:

**Amending Rule** means the National Electricity Amendment (Interim reliability measure) Rule 2020.

**commencement date** means the date on which the Amending Rule commences operation.

**expiry date** means 31 March 2025.

**interim reliability exceedance** occurs in a *financial year*, for a *region*, if the *interim reliability measure* will not be met in that *region* in that *financial year*, as determined by *AEMO* in a *statement of opportunities* or in an update to a *statement of opportunities* under clause 3.13.3A(b).

**interim reliability reserves** mean *reserves* contracted, or to be contracted (including under a multi-year reserve contract), by *AEMO* in respect of an interim reliability exceedance.

**multi-year reserve contract** means a *reserve contract* for the provision of interim reliability reserves for a *region*, where the term of the contract exceeds a period of 12 months.

**RERT procedures** means the procedures developed and *published* by *AEMO* in accordance with clause 3.20.7(e).

**retailer reliability obligation** has the meaning given in section 2 of the *NEL*.

#### 11.128.2 Expiry date

Other than for clause 11.128.5, this rule 11.128 expires on the expiry date.

#### 11.128.3 Application of rule 3.20

For the purposes of procuring interim reliability reserves, rule 3.20 applies as amended and supplemented by this rule 11.128.

#### 11.128.4 Reserve contracts for interim reliability reserves

##### Changes to the application of clause 3.20.3

- (a) Clause 3.20.3(a) applies in respect of *reserve contracts* for interim reliability reserves as if the words "Subject to paragraph (f), and in order to ensure the reliability of *supply* in a *region* meets the *reliability standard* for the *region*" were deleted and "In accordance with this clause 3.20.3 and rule 11.128" is inserted before the words "*AEMO* may enter".
- (b) Clause 3.20.3(b) applies in respect of *reserve contracts* for interim reliability reserves as if the reference to "paragraph (f)" was deleted and "rule 11.128" was inserted.
- (c) If *AEMO* determines that it is necessary to commence contract negotiations for the provision of additional *reserves* under clause 3.20.3(c) and those *reserves* are interim reliability reserves, *AEMO* must identify in the notice *published* under that clause that those *reserves* are interim reliability reserves.
- (d) In addition to the requirements of clause 3.20.3(d), *AEMO* must provide the relevant nominated persons referred to in clause 3.20.3(d) the expected maximum charges payable under *reserve contracts* for interim reliability reserves in a *region* intended to be entered into by *AEMO*, including any availability, pre-activation, and activation charges and total capacity to be contracted (in MW) and obtain the approval of those nominated persons with respect to the total capacity to be contracted prior to entering into those *reserve contracts*.
- (e) Clauses 3.20.3(f) and 3.20.3(m) do not apply in respect of *reserve contracts* for interim reliability reserves.

##### Contracts for interim reliability reserves

- (f) *AEMO* may enter into a *reserve contract* (which may, but is not required to be, a multi-year reserve contract), for a *region* for interim reliability reserves if:
  - (1) there is a forecast of an interim reliability exceedance in that *region* occurring within the notice period that would apply for long notice situations as set out in the *RERT guidelines*;
  - (2) the *reserve contract* is entered into no more than 12 months prior to the first occurrence of the forecast interim reliability exceedance in that *region* during the term of that *reserve contract*; and

- (3) the term of the *reserve contract* ends before expiry date.
- (g) In entering into a *reserve contract* that is for interim reliability reserves for a *region*, *AEMO* must have regard to:
  - (1) the *RERT principles*;
  - (2) any potential impact of, and interaction with, the retailer reliability obligation; and
  - (3) if the *reserve contract* is a multi-year reserve contract, whether the total payments made by *AEMO* under that multi-year reserve contract are likely to be lower than the aggregate payments *AEMO* would have made under *reserve contracts* that are not multi-year reserve contracts for the same period.
- (h) For a *reserve contract* for interim reliability reserves for a *region* that is not a multi-year reserve contract, *AEMO* must ensure that, at the time of entering into that contract:
  - (1) the term of the *reserve contract* is only for a period which *AEMO* considers is reasonably necessary to address the interim reliability exceedance in the *region* for that year; and
  - (2) the amount of *reserve* procured under the *reserve contract*, is no more than *AEMO* considers is reasonably necessary to address the interim reliability exceedance in the *region* for that year.
- (i) For a *reserve contract* for interim reliability reserves for a *region* that is a multi-year reserve contract, *AEMO* must ensure that, at the time of entering into that contract:
  - (1) the term of the *reserve contract* is no longer than three years and at least two of those years must relate to years in which there is an interim reliability exceedance for that *region* of which one of those exceedances must occur in the first year of the term; and
  - (2) the amount of *reserve* procured under the *reserve contract*:
    - (i) for each year of the term is no more than *AEMO* considers is reasonably necessary to address the largest interim reliability exceedance that is forecast to occur during the term; and
    - (ii) is no more, in total, than *AEMO* considers is reasonably necessary to ensure the reliability of *supply* in that *region*.
- (j) In a procurement process for interim reliability reserves, *AEMO* must include a request that a person who offers a multi-year reserve contract also offer a single year *reserve contract* for interim reliability reserves for the first year of that multi-year reserve contract. *AEMO* may enter into a multi-year reserve contract despite a person not complying with this request provided *AEMO* records the basis on which it had regard to the matters in paragraph (g)(3) in respect of that contract.
- (k) If *AEMO* is increasing the amount contracted under, or extending the term of, an existing *reserve contract* for interim reliability reserves, then any requirements under rule 3.20.3 and this rule 11.128 apply to that variation as if *AEMO* was entering into a new *reserve contract*.

### 11.128.5 Interim reliability reserves – reporting

- (a) Clause 3.20.6(d)(2) applies in respect of *reserve contracts* for interim reliability reserves as if the words "shortfall identified in the relevant declaration under clause 4.8.4" were deleted and "interim reliability exceedance" was inserted.
- (b) Clause 3.20.6(d)(3) applies in respect of *reserve contracts* for interim reliability reserves for a *region* as if the words "relevant *low reserve* or *lack of reserve* condition, including whether they align with any periods identified in the relevant declaration under clause 4.8.4" were deleted and "interim reliability exceedance" was inserted.
- (c) Clause 3.20.6(d)(4) does not apply to *AEMO* in respect of *reserve contracts* for interim reliability reserves.
- (d) In addition to the requirements of clause 3.20.6(d), if *AEMO* has entered into *reserve contracts* for interim reliability reserves, the RERT report (as defined in clause 3.20.6) must:
  - (1) identify those *reserve contracts* for interim reliability reserves and those which are multi-year reserve contracts;
  - (2) an explanation of why *AEMO* considered the amount of interim reliability reserves procured under each multi-year reserve contract was reasonably necessary to ensure the reliability of *supply* in the *region*;
  - (3) an explanation of how *AEMO* had regard to any potential impact of, and interaction with, the retailer reliability obligation when procuring interim reliability reserves;
  - (4) the basis on which *AEMO* had regard to the *RERT principles* when entering into *reserve contracts* for multi-year reserve contracts; and
  - (5) for each multi-year reserve contract entered into in the relevant calendar quarter, an explanation of whether the total payments made by *AEMO* under the contract are likely to be lower than the aggregate payments *AEMO* would have made under *reserve contracts* that are not multi-year reserve contracts for the same period.

### 11.128.6 AEMO exercise of RERT

If *AEMO* develops standardised forms of *reserve contracts* for interim reliability reserves, including for a reverse auction process for demand response, then clause 3.20.7(e1) applies to those forms of contract.

### 11.128.7 RERT guidelines

- (a) The *RERT guidelines* must include guidelines for or with respect to the process *AEMO* should undertake in contracting for interim reliability reserves.
- (b) By 21 August 2020, the *Reliability Panel* must amend and *publish* the *RERT guidelines* to take into account the Amending Rule.

- (c) The *Reliability Panel* must consult *AEMO*, but is not required to comply with the consultation requirements in clauses 8.8.3(d) – (l), when amending the *RERT guidelines* in accordance with paragraph (b).
- (d) If prior to the commencement date, and for the purposes of amending and publishing the *RERT guidelines* to take into account the Amending Rule, the *Reliability Panel* undertook consultation with *AEMO* as required under paragraph (c), then that consultation undertaken is taken to satisfy the equivalent consultation under paragraph (c).
- (e) Prior to the expiry date, the *Reliability Panel* must amend and publish the *RERT guidelines* to take into account the expiry of this Amending Rule, such amendments to take effect from the expiry date. The *Reliability Panel* must consult *AEMO*, but is not required to comply with the consultation requirements in clauses 8.8.3(d) – (l), when amending the *RERT guidelines* in accordance with this paragraph (e). To avoid doubt, if the *Reliability Panel* makes other amendments to the *RERT guidelines* unrelated to the expiry of this Amending Rule, the exemption from consultation requirements in clauses 8.8.3(d) – (l) does not apply to those amendments.

#### **11.128.8 RERT procedures**

- (a) By 31 August 2020, *AEMO* must amend the RERT procedures to take into account the Amending Rule.
- (b) *AEMO* is not required to comply with the *Rules consultation procedures* when amending the RERT procedures in accordance with paragraph (a).

#### **11.128.9 Reliability standard implementation guidelines**

- (a) By 31 August 2020, *AEMO* must amend the *reliability standard implementation guidelines* to take into account the Amending Rule.
- (b) *AEMO* is not required to comply with the *Rules consultation procedures* when amending the *reliability standard implementation guidelines* in accordance with paragraph (a).

#### **11.128.10 AEMO preparatory activities**

Other than entering into a *reserve contract* for interim reliability reserves, any action taken by *AEMO* prior to the commencement date in anticipation of the commencement of the Amending Rule and amendments to the *RERT guidelines* to be made in accordance with this Amending Rule, is deemed to have been taken for the purpose of the Amending Rule and continues to have effect for that purpose.

**Note:**

Action taken by *AEMO* under this clause 11.128.10 includes all actions that this rule 11.128 and the *RERT guidelines* requires *AEMO* to take, including:

1. modelling whether there is an interim reliability exceedance;
2. updating the *reliability standard implementation guidelines* and RERT procedures;
3. publishing the forecast of whether there is an interim reliability exceedance in the *statement of opportunities*;

4. issuing procurement documents, including tendering (or equivalent) documents and forms of *reserve contracts* for interim reliability reserves; and
5. negotiating *reserve contracts* for interim reliability reserves.

#### **11.128.11 Reserve contracts entered into before the commencement date**

Nothing in this Amending Rule, or the *RERT guidelines* as amended in accordance with this Amending Rule, affects any *reserve contract* entered into prior to the commencement date.

#### **11.128.12 Review by the AEMC**

- (a) By 30 April each year, *AEMO* must provide the *AEMC* with:
  - (1) the final bid data (including for bids which did not result in a *reserve contract* being entered into); and
  - (2) any records made under clause 11.128.4(j),  
in respect of any procurement process for interim reliability reserves in the previous calendar year. *AEMO* is not required to disclose the identity of the tenderers to the *AEMC*.
- (b) The final bid data referred to in paragraph (a) is, for each bid:
  - (1) the price, including its components;
  - (2) the proposed duration of the contract;
  - (3) whether the provider is demand response or *generation*;
  - (4) minimum operation in hours;
  - (5) maximum operation in hours;
  - (6) the volume or capacity offered;
  - (7) the *region*;
  - (8) which bids resulted in a *reserve contract* and which did not; and
  - (9) any other information as agreed between *AEMO* and the *AEMC*.
- (c) In conjunction with its review of the operation of Chapter 4A under clause 11.116.18, the *AEMC* must also conduct a review of the *interim reliability measure* and the procurement of interim reliability reserves by *AEMO* under this rule 11.128 and any other matter which the *AEMC* reasonably believes is relevant to the procurement of interim reliability reserves by *AEMO*.
- (d) In conducting its review under paragraph (c), the *AEMC*:
  - (1) must publish the terms of reference of its review;
  - (2) may publish any bid data provided by *AEMO* in relation to the review, provided that it is aggregated such that it does not identify any individual tenderer;
  - (3) must follow the *Rules consultation procedures*; and
  - (4) must consult with the *Reliability Panel*.

**Note**

This clause does not preclude the *AEMC* from conducting a review in accordance with section 45 of the *NEL*.

**Part ZZZZE Removal of intervention hierarchy**

**11.129 Rules consequential on making of the National Electricity Amendment (Removal of intervention hierarchy) Rule 2020**

**11.129.1 Definitions**

For the purposes of this rule 11.129:

**Amending Rule** means the National Electricity Amendment (Removal of intervention hierarchy) Rule 2020 No. 14.

**commencement date** means the date that Schedules 1, 2 and 3 of the Amending Rule commence.

**interim supply scarcity procedures** means the interim procedures developed and published by *AEMO* in accordance with clause 11.129.2(a).

**new clause 3.8.14** means clause 3.8.14 of the *Rules* as in force on the commencement date.

**new clause 3.8.14A** means clause 3.8.14A of the *Rules* as in force on the commencement date.

**new clause 3.8.14A(a)(2)** means clause 3.8.14A(a)(2) of the *Rules* as in force on the commencement date.

**supply scarcity procedures** means the procedures required by clause 3.8.14A(a) of the Amending Rule.

**11.129.2 Procedures**

- (a) By the commencement date, *AEMO* must develop and publish on its website, interim supply scarcity procedures to apply until the supply scarcity procedures are made and published under paragraph (c).
- (b) For the purposes of paragraph (a):
  - (1) *AEMO* is not required to comply with the *Rules consultation procedures*;
  - (2) the interim supply scarcity procedures must take into account the requirements in clauses 3.8.14 and 3.8.14A of the Amending Rule;
  - (3) the interim supply scarcity procedures will cease to apply when *AEMO* publishes the supply scarcity procedures as required by paragraph (c); and
  - (4) for so long as the interim supply scarcity procedures apply, references to the procedures in new clause 3.8.14 and in new clause 3.8.14A are taken to be references to the interim supply scarcity procedures.
- (c) By 3 May 2021, *AEMO* must, in accordance with the *Rules consultation procedures*, develop and publish the supply scarcity procedures.

- (d) For the purposes of new clause 3.8.14A(a)(2), *AEMO* must commence the first review no later than 3 May 2023.

## **Part ZZZZF      Reallocation of National Transmission Planner costs**

### **11.130      Rule consequential on the making of the National Electricity Amendment (Reallocation of National Transmission Planner costs) Rule 2020**

#### **11.130.1      Allocation of NTP costs**

- (a) On and from 1 January 2021 until 30 June 2022, notwithstanding *AEMO's* determination of the structure of *Participant fees*, *AEMO* may, for the purposes of clause 2.11.3(ba), allocate *NTP function* fees to a *Co-ordinating Network Service Provider* based on the GWh consumed in the *financial year* commencing 1 July 2019 in the relevant *region* as a proportion of the GWh consumed in all *regions* in that *financial year*.
- (b) By 1 January 2021, *AEMO* must publish on its website the *NTP function* fees to be allocated to each relevant *Co-ordinating Network Service Provider* for the period of 1 January 2021 to 30 June 2021 and such fees are taken to be *Participant fees* payable by those *Co-ordinating Network Service Providers*.
- (c) To avoid doubt, *AEMO* may include in the *NTP function* fees allocated to a *Co-ordinating Network Service Provider* under clause 2.11.3(ba) for the *financial year* commencing 1 July 2021:
- (1) a share of *AEMO's* expenditures in carrying out *NTP functions* (as specified in *AEMO's* 2020-2021 budget and fees document published under clause 2.11.3(a), which to avoid doubt includes expenditures not recovered in previous *financial years*) that *AEMO* has not allocated to *Co-ordinating Network Services Providers* in that *financial year*; and
  - (2) *AEMO's* costs of financing the amounts referred to in subparagraph (1).
- (d) For the purposes of making the adjustment under clause 6A.23.3(e)(6) in relation to the prices for each *category of prescribed transmission services* for the *financial year* commencing 1 July 2021, a *Co-ordinating Network Service Provider* may add to the *NTP function* fees allocated to it for that *financial year*:
- (1) the *NTP function* fees allocated to it for the period from 1 January 2021 to 30 June 2021 and which were not recovered in the prices for each *category of prescribed transmission services* in the *financial year* commencing 1 July 2020; and
  - (2) a gross up of the fees referred to in sub-paragraph (1) for the time cost of money for that period:
    - (i) in the case of *AEMO* in its capacity as a *Co-ordinating Network Service Provider*, in accordance with *AEMO's* obligations



under the *National Electricity Law*, the *Rules* and *AEMO's* revenue methodology; and

- (ii) in the case of any other *Co-ordinating Network Service Provider*, based on the *allowed rate of return* for that *Co-ordinating Network Service Provider* at the time when the adjustment is to be made.
- (e) As soon as practicable following the commencement of the National Electricity Amendment (Reallocation of National Transmission Planner costs) Rule 2020 No. 15, *AEMO* must amend its revenue methodology to take into account that Rule. Despite clause S6A.4.2(c)(3), *AEMO* is not required to consult with the public in making the amendments.
- (f) Clause 6A.29.1(g) applies to references to a *Co-ordinating Network Service Provider* in this clause 11.130.1.

## **Part ZZZZG      Transparency of unserved energy calculation**

### **11.131      Rules consequential on the making of the National Electricity Amendment (Transparency of unserved energy calculation) Rule 2020 No. 16**

#### **11.131.1      *AEMO* to update the *reliability standard implementation guidelines***

- (a) By no later than 17 December 2020, *AEMO* must amend and *publish* the *reliability standard implementation guidelines* to take into account the National Electricity Amendment (Transparency of unserved energy calculation) Rule 2020 No. 16.
- (b) *AEMO* is not required to comply with the *Rules consultation procedures* when amending the *reliability standard implementation guidelines* under paragraph (a).

## **Part ZZZZH      Retailer Reliability Obligation trigger**

### **11.132      Rules consequential on the making of the National Electricity Amendment (Retailer Reliability Obligation trigger) Rule 2020**

#### **11.132.1      Definitions**

- (a) For the purposes of this rule 11.132:
  - Amending Rule** means the National Electricity Amendment (Retailer Reliability Obligation trigger) Rule 2020.
  - commencement date** means 26 November 2020.
- (b) Terms defined in Chapter 4A have the same meaning when used in this Part ZZZZH.

#### **11.132.2      Reliability standard**

From the commencement date until 30 June 2025, for the purposes of sections 14G(1) and 14(G)(5) of the *NEL*:

- (a) the reliability standard is prescribed to be the *interim reliability measure*; and
- (b) a *forecast reliability gap* occurs in a *region* in a *financial year* if identified in a *reliability forecast* and is material if it exceeds the *interim reliability measure*.

### **11.132.3 AEMO request for a T-3 reliability instrument**

If *AEMO* makes a request for a T-3 reliability instrument before 31 December 2020, for the purposes of section 14I(4)(b) of the *NEL* and despite clause 4A.C.2(a), that request for a T-3 reliability instrument must be made at least one month before the T-3 cut-off day for the relevant *forecast reliability gap*.

### **11.132.4 When a decision by the AER must be made**

If *AEMO* makes a request for a T-3 reliability instrument before 31 December 2020 under rule 11.132.3, for the purposes of section 14K of the *NEL* and despite clause 4A.C.9(c), the *AER* must decide whether or not to make the reliability instrument by the date that is the earlier of:

- (a) 2 months from receiving *AEMO's* request; or
- (b) the day before the T-3 cut off day.

### **11.132.5 Reliability Forecast Guidelines**

By 27 December 2020, *AEMO* must amend the *Reliability Forecast Guidelines* to take into account the Amending Rule. *AEMO* is not required to comply with the *Rules consultation procedures* when amending the *Reliability Forecast Guidelines*.

### **11.132.6 AEMO preparatory activities**

Any action taken by *AEMO* prior to the commencement date in anticipation of the commencement of the Amending Rule, and amendments to the *Reliability Forecast Guidelines* to be made in accordance with this Amending Rule, are deemed to have been taken for the purpose of the Amending Rule and continue to have effect for that purpose.

### **11.132.7 AER preparatory activities**

Any action taken by the *AER* prior to the commencement date in anticipation of the commencement of the Amending Rule is deemed to have been taken for the purpose of the Amending Rule and continues to have effect for that purpose.

## **Part ZZZZI Compensation following directions for services other than energy and market ancillary services**

### **11.133 Rules consequential on the making of the National Electricity Amendment (Compensation following directions for services other than energy and market ancillary services) Rule 2020**

#### **11.133.1 Definitions**

For the purposes of this rule 11.133:

**Amending Rule** means the National Electricity Amendment (Compensation following directions for services other than energy and market ancillary services) Rule 2020.

**commencement date** means 21 March 2021.

**old Chapter 3** means Chapter 3 of the *Rules* and all related definitions in the *Rules* as in force immediately prior to the commencement date.

**old clause 3.15.7A** means clause 3.15.7A of the *Rules* and all related definitions in the *Rules* as in force immediately prior to the commencement date.

**old clause 3.15.7B** means clause 3.15.7B of the *Rules* and all related definitions in the *Rules* as in force immediately prior to the commencement date.

### 11.133.2 Compensation process in effect on commencement date

(a) If, prior to the commencement date:

- (1) *AEMO* has issued a *direction* which, under old Chapter 3, is a *direction* for the provision of services other than *energy* or *market ancillary services*; and
- (2) the process for determining the amount of compensation payable in relation to that *direction* under old clause 3.15.7A or old clause 3.15.7B has commenced and not completed;

then, subject to paragraph (b), the determination of compensation in relation to that *direction* must continue to be conducted and completed under old Chapter 3.

(b) Old clauses 3.15.7A(e) and (e1) do not apply to any determination of compensation under paragraph (a).

### 11.133.3 Direction in effect on commencement date

(a) If, prior to the commencement date:

- (1) *AEMO* has issued a *direction* under old Chapter 3, and;
- (2) that *direction* remains in effect on or after the commencement date,

then, subject to paragraph (b), the determination of compensation in relation to that *direction* must be conducted and completed under old Chapter 3.

(b) Old clauses 3.15.7A(e) and (e1) do not apply to any determination of compensation under paragraph (a).

## Part ZZZZJ Prudent discounts in an adoptive jurisdiction

### 11.134 Rules consequential on the making of the National Electricity Amendment (Prudent discounts in an adoptive jurisdiction) Rule 2020 No. 19

#### 11.134.1 Definitions

For the purposes of this rule 11.134:

**commencement date** means the date of commencement of the National Electricity Amendment (Prudent discounts in an adoptive jurisdiction) Rule 2020 No. 19.

**old Chapter 6A** means Chapter 6A of the *Rules* and all related definitions in the *Rules* as in force immediately prior to the commencement date.

#### 11.134.2 Prudent discount application before commencement date

If, prior to the commencement date, a *Transmission Customer* has requested reduced charges in accordance with clause 6A.26.1, then old Chapter 6A shall apply in respect of that request.

### Part ZZZZK Technical standards for Distributed Energy Resources

#### 11.135 Rules consequential on the making of the National Electricity Amendment (Technical standards for Distributed Energy Resources) Rule 2021 No. 1

##### 11.135.1 Definitions

For the purposes of this rule 11.135:

**Amending Rule** means the National Electricity Amendment (Technical standards for Distributed Energy Resources) Rule 2021 No. 1

**commencement date** means 18 December 2021.

**existing connection application** has the meaning given in clause 11.135.2(a)(1).

**existing offer** has the meaning given in clause 11.135.3(a)(1).

**existing connection contract** means a *connection contract* entered into before the commencement date.

**new Chapter 5A** means Chapter 5A of the *Rules* as will be in force on and from the commencement date.

**old Chapter 5A** means Chapter 5A of the *Rules*, and all related definitions in the *Rules*, as in force immediately prior to the commencement date.

##### 11.135.2 Application of the Amending Rule to existing connection applications

(a) This clause 11.135.2 applies where, before the commencement date, a *Connection Applicant* has, in respect of an *embedded generating unit* that the *Connection Applicant* proposes to *connect* by way of a *basic micro EG connection service*:

- (1) made a *connection application* to a *Distribution Network Service Provider* in accordance with clause 5A.D.3 (**existing connection application**); and
- (2) not received a *connection offer* from the relevant *Distribution Network Service Provider* in respect of the existing *connection application*.

- (b) New Chapter 5A applies to any *connection offer* made, or formation of a *connection contract* occurring, on or after the commencement date in respect of the existing *connection application*.

### **11.135.3 Application of the Amending Rule to existing offers**

- (a) This clause 11.135.3 applies where, before the commencement date, a *Connection Applicant* has, in respect of an *embedded generating unit* that the *Connection Applicant* proposes to *connect* by way of a *basic micro EG connection service*:
  - (1) received a valid *connection offer* from the relevant *Distribution Network Service Provider* in respect of a *connection application (existing offer)*; and
  - (2) not entered into a *connection contract* with the relevant *Distribution Network Service Provider* in respect of that *connection application*.
- (b) Old Chapter 5A applies to the formation of a *connection contract* occurring on or after the commencement date in respect of the existing offer.

### **11.135.4 Application of the Amending Rule to existing connection contracts**

- (a) The Amending Rule is neither intended to, nor to be read or construed as having, the effect of:
  - (1) altering the terms of an existing *connection contract*;
  - (2) altering the contractual rights or obligations of any of the parties under an existing *connection contract*; or
  - (3) relieving the parties under any such existing *connection contract* of their contractual obligations under such a contract.

## **Part ZZZZL Semi-scheduled generator dispatch obligations**

### **11.136 Rules consequential on the making of the National Electricity Amendment (Semi-scheduled generator dispatch obligations) Rule 2021**

#### **11.136.1 AEMO to update power system operating procedure**

By 12 April 2021, *AEMO* must amend and publish any relevant *power system operating procedure* as is required to take into account the National Electricity (Semi-scheduled generator dispatch obligations) Rule 2021.

## **Part ZZZZM Renewable energy zone planning**

### **11.137 Rule consequential on the making of the National Electricity Amendment (Renewable energy zone planning) Rule 2021**

#### **11.137.1 Definitions**

For the purposes of this rule 11.137:

**Amending Rule** means the National Electricity Amendment (Renewable energy zone planning) Rule 2021.

**commencement date** means the date on which the Amending Rule commences operation.

### 11.137.2 Cost pass through for renewable energy zone planning

- (a) If during the *regulatory control period* in which the commencement date falls:
- (1) an *Integrated System Plan* or *ISP update* is published which imposes upon a *Transmission Network Service Provider* one or more obligations under clause 5.24.1(b)(1); and
  - (2) the obligation or obligations described in paragraph (a) together entail the *Transmission Network Service Provider* incurring *materially* higher costs in providing *prescribed transmission services* than it would have incurred if the obligation or obligations had not been imposed;

then, for the purposes of the *Transmission Network Service Provider's transmission determination* for that *regulatory control period*, the publication of *Integrated System Plan* or *ISP Update* constitutes a *positive change event* under clause 6A.7.3.

### 11.137.3 AEMC review of REZ planning rules

- (a) The *AEMC* must complete a review of the REZ planning framework as set out in rules 5.14, 5.22 and 5.24 by 1 July 2025.
- (b) In conducting its review under paragraph (a), the *AEMC*:
- (1) may undertake the review together with the *AEMC's* review of the *Integrated System Plan* framework required pursuant to clause 11.126.10; and
  - (2) must *publish* the terms of reference of its review on its website.

#### Note

This clause does not preclude the *AEMC* from conducting a review in accordance with section 45 of the *National Electricity Law*.

## Part ZZZZN Implementing a general power system risk review

### 11.138 Rules consequential on the making of the National Electricity Amendment (Implementing a general power system risk review) Rule 2021

#### 11.138.1 Definitions

For the purposes of this rule 11.138:

**Commencement Date** means 10 January 2022.

**new Chapter 5** means Chapter 5 of the *Rules* and all related definitions in the *Rules* as in force on and from the Commencement Date.

**new clause 5.20A** means clause 5.20A of the *Rules* and all related definitions in the *Rules* as in force on and from the Commencement Date.

**new clause 5.20A.2(a)** means clause 5.20A.2(a) of the *Rules* and all related definitions in the *Rules* as in force on and from the Commencement Date.

**old Chapter 5** means Chapter 5 of the *Rules* and all related definitions in the *Rules* as in force immediately prior to the Commencement Date.

### 11.138.2 First general power system risk review

Despite new clause 5.20A.2(a), *AEMO* must complete the first *general power system risk review* by 31 July 2023.

### 11.138.3 Last power system frequency risk review

Despite new clause 5.20A:

- (a) *AEMO* must must complete the last *power system frequency risk review* under old Chapter 5 by 31 July 2022; and
- (b) *Network Service Providers* must co-operate with *AEMO* in the conduct of the *power system frequency risk review* referred to in paragraph (a), and provide to *AEMO* all information and assistance reasonably requested by *AEMO* in connection with this *power system frequency risk review*.

## Part ZZZZO Connection to dedicated connection assets

### 11.139 Rules consequential on the making of the National Electricity Amendment (Connection to dedicated connection assets) Rule 2021

#### 11.139.1 Definitions

- (a) In this rule 11.139:

**allowance period** means the period beginning on the commencement date and ending on the 60<sup>th</sup> *business day* after the commencement date.

**Amending Rule** means the National Electricity Amendment (Connection to dedicated connection assets) Rule 2021.

**commencement date** means the date of commencement of Schedules 1 to 4 of the Amending Rule.

**Dedicated Connection Asset Service Provider** has the meaning given under the *Rules* immediately in force before the commencement date.

**effective date** means the date that the Amending Rule is made.

**existing large dedicated connection asset** means a "*large dedicated connection asset*", which before the commencement date:

- (a) exists; or
- (b) is contracted to be constructed under a pre-DNA Connection Agreement; or
- (c) a *Transmission Network Service Provider* has agreed to *connect* to a *transmission network* under a pre-DNA Connection Agreement.

**former Chapter 5** means Chapter 5 of the *Rules*, and all related definitions of the *Rules*, as in force immediately prior to the commencement date.

**large dedicated connection asset** means a *"large dedicated connection asset"* as defined under the *Rules* in force immediately before the commencement date.

**new Chapter 5** means Chapter 5 of the *Rules* as in force immediately after the commencement date.

**pre-DNA Connection Agreement** means a *connection agreement* entered into before the commencement date other than in relation to a *declared transmission system* of an *adoptive jurisdiction*.

**pre-TCAPA Connection Agreement** means a *connection agreement* entered into before 1 July 2018, other than in relation to a *declared transmission system* of an *adoptive jurisdiction*.

**pre-TCAPA DCA** means an Existing DCA as defined in clause 11.98.1.

**small dedicated connection asset** means a *"small dedicated connection asset"* as defined under the *Rules* in force immediately before the commencement date.

**TCAPA Connection Agreement** means a *connection agreement* entered into between 1 July 2018 and the commencement date, other than in relation to a *declared transmission system* of an *adoptive jurisdiction*.

**TCAPA Amending Rule** means the National Electricity Amendment (Transmission Connection and Planning arrangements) Rule 2017 No. 4.

### 11.139.2 Transition of existing small dedicated connection assets

- (a) If a person is registered as a Dedicated Connection Asset Service Provider in respect of a small dedicated connection asset, then on and from the commencement date:
  - (1) the person ceases to be registered as a Dedicated Connection Asset Service Provider in respect of that asset; and
  - (2) that asset is taken to be a *dedicated connection asset* and that person must comply with all obligations under new Chapter 5 in respect of that asset.
- (b) Nothing in this clause is intended to have, nor is to be read or construed as having, the effect of changing the application of clause 11.98.2 in relation to an Existing DCA.

### 11.139.3 Grandfathering of existing large dedicated connection assets

If a person is registered as a Dedicated Connection Asset Service Provider in respect of an existing large dedicated connection asset, then on and from the commencement date:

- (a) the person ceases to be registered as a Dedicated Connection Asset Service Provider in respect of that asset; and
- (b) the person who owns, operates or controls that asset, is deemed to be a Dedicated Connection Asset Service Provider for the purposes of former Chapter 5 and must comply with all obligations of a Dedicated



Connection Asset Service Provide under former Chapter 5 in respect of that asset,

and, to avoid doubt, new Chapter 5 does not apply in respect of that asset.

#### 11.139.4 Conversion to a designated network asset

- (a) Subject to paragraph (b), at any time after the commencement date, a person owning, controlling or operating:
- (1) a pre-TCAPA DCA;
  - (2) an existing large dedicated connection asset; or
  - (3) a *dedicated connection asset* (including an asset that was a small dedicated connection asset before the commencement date),
- may elect to apply new Chapter 5 to that asset as a *designated network asset*.
- (b) An election can only be made under paragraph (a) in respect of an asset if:
- (1) that asset meets the relevant technical standards and requirements as set out under Schedules 5.1a and 5.1; and
  - (2) the *Primary Transmission Network Service Provider*, and all persons *connected* to the asset, consent to the application of new Chapter 5 to that asset as a *designated network asset*.

#### Note

The conversion of one of these assets to a *designated network asset* will require the *Primary Transmission Network Service Provider* to be satisfied that the asset meets the functional specifications relevant to a *transmission network*. The consent of *connected* parties is required because conversion may affect their *connection*, for example, the location of their *connection point* or the nature of the access arrangements for that *connected* party with respect to the "converted" asset.

- (c) If an election is made under paragraph (a) in respect of an asset, then:
- (1) that asset is taken to be a *designated network asset*; and
  - (2) the person owning that asset and the *Primary Transmission Network Service Provider* must comply with all of the obligations under new Chapter 5 in respect of that asset.

#### 11.139.5 Grandfathering of Existing Connection Agreements

- (a) The Amending Rule is neither intended to have, nor is it to be read or construed as having, the effect of:
- (1) altering any of the terms of a Pre-DNA Connection Agreement (including the location of a *connection point*);
  - (2) altering the contractual rights or obligations of any of the parties under a Pre-DNA Connection Agreement as between those parties; or
  - (3) relieving the parties under any such pre-DNA Connection Agreement of their contractual obligations under such an agreement.
- (b) If a *Transmission Network User* under:

- (1) a TCAPA Connection Agreement for a *facility connected* to an existing large dedicated connection asset; or
- (2) a pre-TCAPA Connection Agreement made an amendment to that pre-TCAPA Connection Agreement after the commencement of the TCAPA Amending Rule but before the commencement date and to which clause 11.98.5 applied,

requests an amendment to that agreement after the commencement date for the purposes of altering a *connection service* provided under that agreement, then the former Chapter 5 applies to that request.

- (c) If a *Transmission Network User* under a pre-TCAPA Connection Agreement requests an amendment to that pre-TCAPA Connection Agreement after the commencement date for the purposes of altering a *connection service* provided under that agreement, then:
  - (1) clause 11.98.5(b) does not apply; and
  - (2) the *Rules* as amended by the Amending Rule and the TCAPA Amending Rule do not apply to that request.
- (d) The Amending Rule is neither intended to have, nor is it to be read or construed as having, the effect of changing the application of clause 11.6.11 (if applicable) in relation to *connection services* provided under a pre-DNA Connection Agreement.

#### **11.139.6 Connection process for large dedicated connection assets**

If a *connection* enquiry was made to a *Primary Transmission Network Service Provider* by a *Connection Applicant* under clause 5.3.2 before the effective date in respect of a large dedicated connection asset:

- (a) the *Primary Transmission Network Service Provider* must provide written notification to the *Connection Applicant* as soon as reasonably practicable, that former Chapter 5 continues to apply to the *connection* process;
- (b) if the *Connection Applicant* notifies the *Primary Transmission Network Service Provider* that it elects for the new Chapter 5 to apply to its *connection* process, then the *Primary Transmission Network Service Provider* must use reasonable endeavours to respond to the *Connection Applicant* as soon as practicable with any further necessary information, to assist the *Connection Applicant* to progress its *connection* enquiry under new Chapter 5. To the extent that the information relates to an *AEMO advisory matter*, the *Primary Transmission Network Service Provider* must consult with *AEMO* with respect to responding with that information.

#### **11.139.7 Connection process for small dedicated connection assets**

- (a) If a *connection* enquiry was made to a *Primary Transmission Network Service Provider* by a *Connection Applicant* under clause 5.3.2 before the effective date in respect of a small dedicated connection asset, the *Primary Transmission Network Service Provider* must:

- (1) provide written notification to the *Connection Applicant*, as soon as reasonably practicable, that new Chapter 5 will apply to the *connection* process related to that *connection* enquiry; and
  - (2) use reasonable endeavours to provide the *Connection Applicant* with any further necessary information, to assist the *Connection Applicant* to progress its *connection* enquiry under new Chapter 5.
- (b) If a *connection* enquiry was made to a *Primary Transmission Network Service Provider* by a *Connection Applicant* under clause 5.3.2 before the effective date in respect of a small dedicated connection asset and an election is made under subclause 11.139.4(a)(2) with respect to that small dedicated connection asset, then the *Primary Transmission Network Service Provider* must use reasonable endeavours to respond to the *Connection Applicant* as soon as practicable with any further necessary information, to assist the *Connection Applicant* to progress its *connection* enquiry under new Chapter 5. To the extent that the information relates to an *AEMO advisory matter*, the *Primary Transmission Network Service Provider* must consult with *AEMO* with respect to responding with that information.

#### **11.139.8 Connection enquiries after effective date**

If a *connection* enquiry was made to a *Primary Transmission Network Service Provider* by a *Connection Applicant* under clause 5.3.2 in respect of a large dedicated connection asset or small dedicated connection asset, after the effective date but before the commencement date, then on and from the commencement date:

- (a) the *connection* enquiry is taken to have been made under the new Chapter 5, on the commencement date, such that clause 11.139.9(b) applies; and
- (b) new Chapter 5 applies to the *connection* process related to that *connection* enquiry.

#### **11.139.9 PTNSP obligations with respect to the connection process**

- (a) In respect of a *connection* process to which clauses 11.139.6(b), 11.139.7 or 11.139.8 applies, the *Primary Transmission Network Service Provider*:
  - (1) must not charge the *Connection Applicant* any additional fees or charges in relation to its *connection* process, other than fees to cover the reasonable costs of work required:
    - (i) to prepare an offer to *connect* under new Chapter 5; and
    - (ii) to provide information referred to under clauses 11.139.6(b) and 11.139.7.
  - (2) may extend the time periods by a reasonable period of time (but by no more than 60 *business days* in aggregate) for that *connection* process in rule 5.3 to account for the differences between new Chapter 5 and former Chapter 5.
- (b) If, during the allowance period, the *Primary Transmission Network Service Provider* receives a *connection* enquiry from a *Connection Applicant* under clause 5.3.2 in respect of a *designated network asset*, then the time period

that the *Primary Transmission Network Service Provider* has to respond to that enquiry under clause 5.3.3(b) of the *Rules* is:

- (1) the time period set out under clause 5.3.3(b)(1) of the *Rules*; plus
- (2) the number of *business days* between the date that the *connection* enquiry was submitted by the *Connection Applicant* (during the allowance period) and the end of the allowance period.

#### **11.139.10 Preparatory steps for guidelines and procedures under the Amending Rule**

- (a) As soon as reasonably practicable following the commencement date, the *AER* must amend and issue the guidelines developed under clause 2.5.1(d) to take account of the Amending Rule.
- (b) Despite clause 2.5.1(e), the *AER* is not required to consult on the changes required to those guidelines, provided those changes are limited to changes necessary to give effect to the Amending Rule.

### **Part ZZZZP Fast frequency response market ancillary service**

#### **11.140 Rules consequential on the making of the National Electricity Amendment (Fast frequency response market ancillary service) Rule 2021**

##### **11.140.1 Definitions**

For the purposes of this rule 11.140:

**Amending Rule** means the National Electricity Amendment (Fast frequency response market ancillary service) Rule 2021.

**commencement date** means the commencement date of the National Electricity Amendment (Fast frequency response market ancillary service) Rule 2021.

##### **11.140.2 Amendments to market ancillary service specification**

- (a) By 19 December 2022, *AEMO* must review and, where necessary, amend and *publish* the *market ancillary service specification* to take into account the Amending Rule, including amendments to incorporate:
  - (1) a detailed description of the *very fast raise service* and the *very fast lower service* in accordance with clause 3.11.2(b)(1); and
  - (2) the performance parameters and requirements which must be satisfied in order for a service to qualify as *very fast raise service* or a *very fast lower service* and also when a *Market Participant* provides those services, each in accordance with clause 3.11.2(b)(2).
- (b) Amendments made to the *market ancillary service specification* under paragraph (a) must apply from the commencement date.

## Part ZZZZQ Access, pricing and incentive arrangements for distributed energy resources

### 11.141 Rules consequential on the making of the National Electricity Amendment (Access, pricing and incentive arrangements for distributed energy resources) Rule 2021

#### 11.141.1 Definitions

(a) In this rule 11.141:

**Amending Rule** means the *National Electricity Amendment (Access, pricing and incentive arrangements for distributed energy resources) Rule 2021*.

**basic export level** means a threshold (calculated by reference to capacity, energy or other measure permitted in a distribution determination) specified for the purposes of clause 11.141.12(a) in the applicable *tariff structure statement*.

**basic export level guidelines** means the guidelines, forming part of the *Export Tariff Guidelines*, made by the *AER* in accordance with clause 11.141.14.

**CECV effective date** means the date of commencement of Schedule 2 of the Amending Rule.

**commencement date** means the date of commencement of Schedules 1 and 3 of the Amending Rule.

**existing DER customer** means a *retail customer* who:

- (1) is an *embedded generating unit operator* on the commencement date in relation to the *connection point* through which the customer's *embedded generating unit* is *connected*;
- (2) on or before the *commencement date* has accepted a *connection offer* under former Chapter 5A for the *connection* of an *embedded generating unit* but where the relevant works are not yet complete; or
- (3) on the commencement date is in receipt of a *connection offer* under former Chapter 5A for the *connection* of an *embedded generating unit* that (on the commencement date) remains open for acceptance.

**former Chapter 5A** means Chapter 5A of the *Rules* as in force immediately prior to the commencement date.

**former clause 5.13.1** means clause 5.13.1 as in force immediately before the commencement date.

**former clause S5.8** means clause S5.8 as in force immediately before the commencement date.

**new clause 5.13.1** means clause 5.13.1 as in force on and from the commencement date.

**new clause S5.8** means clause S5.8 as in force on and from the commencement date.

**new clause 5A.F.1(c)** means clause 5A.F.1(c) as in force on and from the commencement date.

**new clause 6.2.8** means clause 6.2.8 as in force on and from the commencement date.

**new clause 6.18.1A(a)** means clause 6.18.1A(a) as in force on and from the commencement date.

**new clause 6.18.5** means clause 6.18.5 as in force on and from the commencement date.

**new rule 6.27A** means rule 6.27A as in force on and from the commencement date.

**new rule 8.13** means rule 8.13 as in force on and from the CECV effective date.

**tariff transition period** means, for a *Distribution Network Service Provider*, the period comprising the following *regulatory control periods* of the *Distribution Network Service Provider*:

- (1) the *regulatory control period* immediately following the *regulatory control period* in which the commencement date occurs; and
- (2) the *regulatory control period* immediately following the *regulatory control period* referred to in paragraph (1).

- (b) Italicised terms used in this rule 11.141 have the same meaning as in Chapter 10 as in force on and from the commencement date.

#### **11.141.2 Amendments to AER documents**

- (a) By 1 July 2022 the *AER* must review and where the *AER* considers it necessary or desirable amend and *publish* the following documents to take into account the Amending Rule:
- (1) the *Expenditure Forecast Assessment Guidelines*;
  - (2) the *Distribution Service Classification Guidelines*;
  - (3) the *Cost Allocation Guidelines*; and
  - (4) the *connection charge guidelines*.
- (b) By 1 July 2023 the *AER* must review and where the *AER* considers it necessary or desirable amend and *publish* the following documents to take into account the Amending Rule:
- (1) the *Distribution Reliability Measures Guidelines*;
  - (2) the *demand management incentive scheme*; and
  - (3) the *demand management innovation allowance mechanism*.
- (c) In reviewing and where applicable amending the *Expenditure Forecast Assessment Guidelines*, the *AER* must have regard to the need for different approaches for different classes of *retail customers*.
- (d) Amendments made in accordance with paragraph (a) or (b) must take effect on and from the applicable date specified in paragraph (a) or (b) or any earlier time specified by the *AER*.

### **11.141.3 Performance incentive schemes for services for supply from embedded generating units to the distribution network**

- (a) The *AER* must undertake a review to consider arrangements (which may include a *service target performance incentive scheme*) to provide incentives for *Distribution Network Service Providers* to provide efficient levels of *distribution services* provided to *retail customers* for *supply* from *embedded generating units* into the *distribution network*.
- (b) The *AER* must *publish* its report on the outcome of its review under paragraph (a) by 31 December 2022 and must include in the report its recommendations for incentive arrangements.
- (c) In conducting the review under paragraph (a), the *AER* must consult in the manner the *AER* considers appropriate.

### **11.141.4 Initial rule 6.27A network service provider performance report**

The *AER* must *publish* the first *network service provider performance report* made in accordance with new rule 6.27A by 31 December 2023.

### **11.141.5 Initial Export Tariff Guidelines**

- (a) By 1 July 2022, the *AER* must develop and *publish* the initial *Export Tariff Guidelines*.
- (b) The *AER* must comply with the *distribution consultation procedures* when preparing the initial *Export Tariff Guidelines* under paragraph (a).

### **11.141.6 Annual benchmarking reports**

- (a) The *AER* must consult in accordance with the *distribution consultation procedures* about how the *AER* will take into account the Amending Rule in the *annual benchmarking reports* under rule 6.27.
- (b) By 1 July 2022, the *AER* must publish a report on the consultation conducted in accordance with paragraph (a) which must include guidance about the *AER's* proposed approach.

### **11.141.7 Initial CECV methodology**

- (a) By 1 July 2022, the *AER* must:
  - (1) develop and *publish* the initial CECV methodology under new rule 8.13; and
  - (2) determine and *publish* the initial customer export curtailment values calculated in accordance with the CECV methodology.
- (b) The *AER* must comply with the *Rules consultation procedures* when preparing the initial CECV methodology under paragraph (a).

### **11.141.8 Sub-threshold tariffs**

- (a) This clause applies in relation to a *Distribution Network Service Provider* in relation to each *regulatory year* in the following *regulatory control periods* of the *Distribution Network Service Provider*:

- (1) the *regulatory control period* in which the commencement date occurs; and
  - (2) the *regulatory control period* immediately following the *regulatory control period* in which the commencement date occurs.
- (b) Where in accordance with paragraph (a) this clause applies in relation to a *Distribution Network Service Provider* and *regulatory year*:
- (1) for the purposes of calculating the individual threshold for the *Distribution Network Service Provider* for the *regulatory year* under clause 6.18.1C(a)(1), the clause will apply as if '0.5 per cent' had been omitted and '1 per cent' inserted in its place; and
  - (2) for the purposes of calculating the cumulative threshold for the *Distribution Network Service Provider* for the *regulatory year* under clause 6.18.1C(a)(2), the clause will apply as if 'one per cent' had been omitted and 'five per cent' inserted in its place.

#### **11.141.9 Retail Market Procedures**

- (a) By 1 July 2022 *AEMO* must review and where *AEMO* considers it necessary or desirable propose amendments to the *Retail Market Procedures* to take into account the Amending Rule.
- (b) Amendments made in accordance with paragraph (a) must where reasonably practical take effect on and from 1 July 2022.

#### **11.141.10 Distribution Annual Planning Report**

A *Distribution Network Service Provider* is not required to include the following information in a *Distribution Annual Planning Report* that has a *DAPR date* falling before the first anniversary of the commencement date:

- (a) the information in paragraph (d1) of new clause 5.13.1 or paragraph (b)(2A) or (d1) of new clause S5.8; or
- (b) the information in paragraph (d)(2) of new clause 5.13.1 or paragraph (c)(5) or (l) of new clause S5.8, but in each case only to the extent the information is not required under former clause 5.13.1 or former clause S5.8.

#### **11.141.11 Tariff reassignment restriction for existing DER customers**

- (a) Subject to paragraph (b), a *Distribution Network Service Provider* must not, during the period starting on the commencement date and ending on 30 June 2025, assign or reassign an existing DER customer to an *export tariff*.
- (b) Paragraph (a) does not apply if a *retailer* or *Market Small Generation Aggregator* has requested the tariff assignment or reassignment.

#### **11.141.12 Export tariffs subject to basic export level**

- (a) A *Distribution Network Service Provider* must not charge a *retail customer* for *distribution services* provided for or in relation to *supply* from an *embedded generating unit* into the *distribution network* where the use of the *distribution services*:



- (1) does not exceed the basic export level applicable to the *export tariff* to which the *retail customer* is assigned; and
  - (2) occurs during the tariff transition period for the *Distribution Network Service Provider*.
- (b) Paragraph (a) does not preclude charges for the provision of *connection services*.

#### **11.141.13 Basic export levels to be specified in tariff structure statements**

- (a) For the purposes of new clause 6.18.1A(a), a *tariff structure statement* of a *Distribution Network Service Provider* that will apply during the tariff transition period for the *Distribution Network Service Provider* must include, in addition to the elements in new clause 6.18.1A(a):
- (1) for each proposed *export tariff*, the basic export level or the manner in which the basic export level will be determined; and
  - (2) the eligibility conditions applicable to each proposed *export tariff*.
- (b) In assessing provisions in a *Distribution Network Service Provider's* proposed *tariff structure statement* relating to basic export levels, the *AER* must have regard to the following principles:
- (1) basic export levels must be set having regard to:
    - (i) the capacity of a *distribution network* (or part of a *distribution network*) to accept *supply* from *embedded generating units* to the extent the *AER* considers that the capacity arises from the provision of *distribution services* for *supply* to *retail customers* in that *distribution network* (or part) with minimal or no further investment; and
    - (ii) forecast use of *distribution services* relating to *supply* from *embedded generating units* in the *distribution network* (or relevant part);
  - (2) a basic export level may be specified by reference to any one or more of the following measures:
    - (i) the capacity to *supply* into the *distribution network* at a *connection point*;
    - (ii) the quantity of *supply* into the *distribution network* at a *connection point*; or
    - (iii) any other measure the *Distribution Network Service Provider* is authorised to apply by the applicable distribution determination;
  - (3) a different basic export level may apply to different *export tariffs* of a *Distribution Network Service Provider*; and
  - (4) which basic export level applies to a particular *export tariff* or group of *export tariffs* may be determined according to *tariff class*, *connection point* voltage, the location of a *connection point* in the *distribution network* or any other measure.

#### **11.141.14 Basic export level guidelines**

- (a) The *AER* must develop guidelines about methodologies for determining basic export levels and related matters (**basic export level guidelines**).
- (b) In developing the basic export level guidelines, the *AER* must have regard to:
  - (1) historical and geographical differences between *networks*;
  - (2) different levels of demand between *networks* for *distribution services* relating to *supply* from *embedded generating units*;
  - (3) inter jurisdictional differences related to regulatory control mechanisms, classification of services and other relevant matters;
  - (4) the *network pricing objective* and the pricing principles in new clause 6.18.5; and
  - (5) any other matters the *AER* considers relevant.
- (c) The basic export level guidelines form part of the *Export Tariff Guidelines* and are subject to new clause 6.2.8 and clause 11.141.5.
- (d) The *AER* must *publish* the basic export level guidelines as part of:
  - (1) the initial *Export Tariff Guidelines* made under clause 11.141.5; and
  - (2) any amendment to or replacement of the *Export Tariff Guidelines* in effect prior to the expiry of this clause.
- (e) This clause expires at the end of the last of the tariff transition periods of all *Distribution Network Service Providers*.

#### **11.141.15 Static zero export limits**

New clause 5A.F.1(c) does not apply to a *connection offer* made before 1 July 2022.