

## **Making of National Gas Rules**

### **National Gas (South Australia) Law – Section 294FA**

I, Tom Koutsantonis, Minister for Energy and Mining for the Crown in right of the State of South Australia, as the Minister administering the *National Gas (South Australia) Act 2008* of South Australia, hereby make the National Gas Amendment (Market Transparency) Rule 2022 under section 294FA(1) of the National Gas (South Australia) Law on the unanimous recommendation of the Ministers of the participating jurisdictions sitting as the Ministerial Council on Energy for the purposes of that section.

This Rule has been signed by me for the purposes of identification as the National Gas Amendment (Market Transparency) Rule 2022 and commences operation as specified below:

Schedule 6 of the Rule commence operation on 30 June 2022 (the commencement date).

Schedules 1 and 4 of the Rule commence operation 60 business days after the commencement date.

Schedule 5 of the Rule commences operation 120 business days after the commencement date.

Schedule 2 of the Rule commences operation 160 business days after the commencement date.

Schedule 3 of the Rule commences operation 200 business days after the commencement date.

The term 'business day' has the same meaning in the National Gas (South Australia) Law.



**Hon Tom Koutsantonis MP**

Minister for Energy and Mining

**23** June 2022

## **National Gas Amendment (Market Transparency) Rule 2022**

### **1 Title of Rule**

This Rule is the *National Gas Amendment (Market Transparency) Rule 2022*.

### **2 Commencement**

Schedules 1 and 4 of this Rule commence operation on the date specified in the notice published under section 294FA(4)(a) of the National Gas Law.

Schedule 2 of this Rule commences operation on the date specified in the notice published under section 294FA(4)(a) of the National Gas Law.

Schedule 3 of this Rule commences operation on the date specified in the notice published under section 294FA(4)(a) of the National Gas Law.

Schedule 5 of this Rule commences operation on the date specified in the notice published under section 294FA(4)(a) of the National Gas Law.

Schedule 6 of this Rule commences operation on the date specified in the notice published under section 294FA(4)(a) of the National Gas Law.

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

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

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

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

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

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

### **6 Amendment of the National Gas Rules**

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

### **7 Amendment of the National Gas Rules**

The National Gas Rules are amended as set out in Schedule 5.

### **8 Savings and Transitional Amendments to the National Gas Rules**

The National Gas Rules are amended as set out in Schedule 6.

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

(Clause 3)

### **[1] Rule 135EA      Matters about which Procedures may be made**

Omit paragraph 135EA(3)(g) and substitute:

(g) [deleted];

### **[2] Rule 135EA      Matters about which Procedures may be made**

In paragraph 135EA(3)(i), after “the definitions of terms”, insert “, the criteria for classification,”.

### **[3] Rule 135EA      Matters about which Procedures may be made**

After paragraph 135EA(3)(i), insert:

(ia) the identification of geological basins;

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

(Clause 4)

### **[1] Rule 135EA      Matters about which Procedures may be made**

After subrule 135EA(5), insert:

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

#### **Note**

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

### **[2] Part 15D      Gas statement of opportunities**

In Part 15D, after the heading, insert:

#### **Division 1      Interpretation and application**

### **[3] Rule 135K      Definitions**

In rule 135K, insert the following definitions in alphabetical order:

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

- (a) the quantity of natural gas that participants in the LNG export project expect to:

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

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

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

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

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

**GSOO reporting entity** means a person who is:

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

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

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

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

## **[4] Rule 135K        Definitions**

In rule 135K substitute the following definition:

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

## **[5] Rule 135K        Definitions**

In rule 135K, in the definition of “peak day capacity”, omit paragraph (b) and substitute:

- (b) when used in reference to a gas processing plant— means the maximum daily production capacity of the gas processing plant under normal operating conditions; and

## **[6] Rule 135KA Application**

Omit rule 135KA, including the heading, and substitute:

### **135KA Application and exemptions**

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

## **[7] Rule 135KA Application and exemptions**

After rule 135KA, insert:

### **Division 2 Content and publication of the gas statement of opportunities**

## **[8] Rule 135KB Contents of gas statement of opportunities**

Omit the heading to rule 135KB and substitute:

### **135KB Content of the gas statement of opportunities**

## **[9] Rule 135KB Content of the gas statement of opportunities**

Omit subrule 135KB(1) and substitute:

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

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

### **[10] Rule 135KB      Content of the gas statement of opportunities**

After subrule 135KB(1) insert:

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

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

### **[11] Rule 135KB      Content of the gas statement of opportunities**

In subrule 135KB(2) omit “forecasts of reserves” and substitute “forecasts of natural gas reserves (including prospective and contingent resources)”.

### **[12] New Division 3   GSOO surveys**

After Division 2 of Part 15D insert:

## **Division 3            GSOO surveys**

### **135KE    Obligation to participate in a GSOO survey**

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

**Note**

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

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

**Note**

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

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

### **135KF    GSOO reporting entities and the survey process**

- (1) The GSOO Procedures must specify the persons, or classes of persons, who are GSOO reporting entities.
- (2) The GSOO Procedures must specify the GSOO survey process including:
  - (a) pre-survey procedures to identify potential GSOO reporting entities and obtain organisation contact details;



- (b) the form of GSOO surveys and GSOO survey responses, which may vary by GSOO reporting entity or by class of GSOO reporting entity;
- (c) the obligations of a GSOO reporting entity when participating in a GSOO survey including the time by which a GSOO reporting entity must provide its GSOO survey response;
- (d) procedures and requirements for AEMO to request clarification of a GSOO survey response;
- (e) procedures and requirements for updating a GSOO survey response and the correction of errors in a GSOO survey response; and
- (f) the process for AEMO to handle claims of confidentiality in relation to a GSOO survey response.

### **135KG Other matters relating to GSOO surveys**

- (1) Where this Part or the GSOO Procedures requires a GSOO reporting entity to provide information to AEMO, the information must be provided by the GSOO reporting entity by the time specified in the GSOO Procedures.

**Note**

This subrule is classified as a tier 2 civil penalty provision under the National Gas (South Australia) Regulations. (See clause 6 and Schedule 3 of the National Gas (South Australia) Regulations.)

- (2) Where this Part or the GSOO Procedures requires a GSOO reporting entity to provide information to AEMO, the information must be provided by the GSOO reporting entity in the manner and form specified in, and otherwise in accordance with, the GSOO Procedures.

**Note**

This subrule is classified as a tier 2 civil penalty provision under the National Gas (South Australia) Regulations. (See clause 6 and Schedule 3 of the National Gas (South Australia) Regulations.)

- (3) A GSOO reporting entity must ensure that any information it provides to AEMO in connection with a GSOO survey is prepared and submitted in accordance with the practices, methods and acts that would reasonably be expected from an experienced and competent person:
  - (a) engaged in the activity in which the GSOO reporting entity engages in Australia;
  - (b) having the qualifications and experience reasonably to be expected of a person preparing the information in Australia; and
  - (c) acting with all due skill, diligence, prudence and foresight and in compliance with all applicable legislation (including these rules), authorisations and industry codes of practice.

**Note**

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

- (4) A GSOO reporting entity must ensure that any forecast or estimate it provides to AEMO in connection with a GSOO survey:
  - (a) is arrived at on a reasonable basis; and
  - (b) represents the best forecast or estimate possible in the circumstances.

**Note**

This subrule is classified as a tier 2 civil penalty provision under the National Gas (South Australia) Regulations. (See clause 6 and Schedule 3 of the National Gas (South Australia) Regulations.)

- (5) AEMO is not required to verify the accuracy of information given to it in connection with a GSOO survey.

**135KH Use and disclosure of GSOO survey information**

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

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

(Clause 5)

### **[1]    Part 17                      Miscellaneous**

In Part 17, omit the heading and substitute:

#### **Part 17                      Miscellaneous provisions relating to the AER**

### **[2]    Rule 139                      General regulatory information order (Section 50 of the NGL)**

Omit rule 139, including the heading, and substitute:

#### **139                      General regulatory information order and price information order (Section 50 of the NGL)**

- (1) In making a general regulatory information order or price information order, the AER must proceed in accordance with the *standard consultative procedure*.
- (2) In making a price information order, the AER must take into account reporting obligations under Part 18 with a view to avoiding unnecessary duplication of reporting obligations.
- (3) A consultation under subrule (1) about a price information order and a consultation about a determination under rule 140B may be conducted together.

### **[3]    New rule 140A                      Gas price assumptions for reserves and resources estimates**

After rule 140, insert:

#### **140A                      Gas price assumptions for reserves and resources estimates**

- (1) The AER must publish, at intervals determined by the AER and at least annually, the gas price assumptions used by BB reporting entities to prepare reserves and resources estimates and related information that the AER considers relevant.
- (2) The information published in accordance with subrule (1) must be based on the information provided by BB reporting entities under rule 171C(2).
- (3) The information published in accordance with subrule (1) must be anonymised in accordance with section 328 of the *NGL* and aggregated in accordance with section 328B of the *NGL*.
- (4) In this rule:

**BB reporting entity** has the meaning in Part 18.

**reserves and resources estimate** has the meaning in Part 18.

#### **[4] New rule 140B Price information to be published by the AER**

After rule 140A, insert:

##### **140B Price information to be published by the AER**

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

- (5) A consultation under subrule (4) and a consultation under rule 139 about making a price information order may be conducted together.
- (6) Where information is given to the AER under a price information order, the AER must only publish the information in accordance with subrule (1) if the information is both anonymised in accordance with section 328 of the *NGL* and aggregated in accordance with section 328B of the *NGL*.
- (7) In this rule:

**exempt NT facility** has the meaning in Part 18.

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

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

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

**LNG** means liquefied natural gas.

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

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

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

## Schedule 4 Amendment to the National Gas Rules

(Clause 6)

### [1] Rule 141 Interpretation

In subrule 141(1), insert the following definitions in alphabetical order:

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

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

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

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

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

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

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

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

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

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

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

**facility development project** means a project for:

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

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

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

**field owner** means a person with a BB field interest.

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

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

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

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

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

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

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

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

- (a) exploration, retention and production rights;
- (b) rights granted in the form of a permit, licence, lease or authority to prospect;
- (c) rights granted in respect of the internal waters of a State or Territory;
- (d) rights granted in respect of the coastal waters of a State or the Northern Territory; and
- (e) rights granted in respect of the offshore area of a State or Territory as determined in accordance with the *Offshore Petroleum and Greenhouse Gas Storage Act 2006* of the Commonwealth.

**qualified gas industry professional** means a person:

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

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

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

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

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

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

**Note**

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

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

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

- (a) involves the consumption of natural gas from the operation of the facility including own-use (including as feedstock and conversion to compressed natural gas); and
- (b) is not an LNG processing facility and does not principally comprise the operation of a production facility, gas storage facility or compression service facility.

## **[2] Rule 141 Interpretation**

In subrule 141(1), substitute the following definitions:

**BB facility** means a BB production facility, a BB pipeline, a BB storage facility, a BB compression facility, a BB large user facility or an LNG processing facility.

**BB reporting entity** means:

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



- (e) a facility developer registered under this Part as the BB reporting entity for one or more facility development projects.

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

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

### **[3] Rule 141 Interpretation**

In subrule 141(1), in the definition of “closely related entity” omit “Corporations Act 2001” and substitute “*Corporations Act 2001*”.

### **[4] Rule 141 Interpretation**

In subrule 141(1), in paragraph (a) of the definition of “daily capacity”, omit “for the facility”.

### **[5] Rule 141 Interpretation**

In subrule 141(1), in paragraph (b) of the definition of “daily capacity”, omit “for the pipeline”.

### **[6] Rule 141 Interpretation**

In subrule 141(1), in paragraph (c)(i) of the definition of “daily capacity”, omit “for the gas storage facility”.

### **[7] Rule 141 Interpretation**

In subrule 141(1), in paragraph (c)(ii) of the definition of “daily capacity”, omit “for the facility”.

### **[8] Rule 141 Interpretation**

In subrule 141(1), in paragraph (c)(iii) of the definition of “daily capacity”, omit “for the facility”.

### **[9] Rule 141 Interpretation**

In subrule 141(1), omit paragraph (d) of the definition of “daily capacity” and substitute:

- (d) for a compression service facility, the quantity of natural gas that can be compressed by the compression service facility on a gas day;

### **[10] Rule 141 Interpretation**

In subrule 141(1), in paragraph (e) of the definition of “daily capacity”, omit “for the pipeline; and” and substitute “;”.

### **[11] Rule 141 Interpretation**

In subrule 141(1), in paragraph (f) of the definition of “daily capacity”, omit “for the pipeline.” and substitute “;”.

### **[12] Rule 141 Interpretation**

In subrule 141(1), after paragraph (f) of the definition of “daily capacity”, insert:

- (g) for a user facility, the quantity of natural gas that connections to the facility are capable of allowing to be delivered to the facility from a pipeline on a gas day;
- (h) for an LNG export facility, each of:
  - (i) the quantity of natural gas that the facility can receive from a pipeline on a gas day; and
  - (ii) the quantity of natural gas that the facility can process to a liquefied state on a gas day; and
- (i) for an LNG import facility, each of:
  - (i) the quantity of LNG that the LNG import facility can receive and process into storage on a gas day;
  - (ii) the quantity of LNG that the LNG import facility can hold in storage on a gas day;
  - (iii) the quantity of LNG that can be withdrawn from storage for processing to a gaseous state on a gas day; and
  - (iv) the quantity of natural gas (in a gaseous state) that can be injected into one or more pipelines from the LNG import facility on a gas day.

### **[13] Rule 141 Interpretation**

In subrule 141(1), in paragraph (b) of the definition of “facility operator”, omit all references to “BB transmission pipeline” and substitute “BB pipeline”.

### **[14] Rule 141 Interpretation**

In subrule 141(1), in paragraph (c) of the definition of “facility operator”, omit “.” and substitute “;”.

### **[15] Rule 141 Interpretation**

In subrule 141(1), after paragraph (c) of the definition of “facility operator”, insert:

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

### **[16] Rule 141 Interpretation**

In subrule 141(1), in the definition of “facility operator group”, omit “rule 152” and substitute “rule 150(3)(a)”.

### **[17] Rule 141 Interpretation**

In subrule 141(1), in the definition of “registered BB shipper”, omit “Subdivision 3.5” and substitute “Subdivision 3.1”.

### **[18] Rule 141 Interpretation**

In subrule 141(1), in paragraph (a) of the definition of “reporting threshold”, omit “facility: that” and substitute “facility: where”.

### **[19] Rule 141 Interpretation**

In subrule 141(1), in paragraph (b) of the definition of “reporting threshold”, omit “pipeline: that” and substitute “pipeline: where”.

### **[20] Rule 141 Interpretation**

In subrule 141(1), in paragraph (c) of the definition of “reporting threshold”, omit “facility: that” and substitute “facility: where”.

### **[21] Rule 141 Interpretation**

In subrule 141(1), in paragraph (c) of the definition of “reporting threshold”, omit “.” and substitute “;”.

### **[22] Rule 141 Interpretation**

In subrule 141(1), after paragraph (c) of the definition of “reporting threshold”, insert:

- (d) in relation to a compression service facility: where at least one of the values comprising the nameplate rating of the compression service facility is, or

(in the case of a proposed compression service facility) will be, equal to or more than 10 TJ of natural gas per day;

- (e) in relation to a user facility: where the nameplate rating of the user facility is, or (in the case of a proposed user facility) will be, equal to or more than 10 TJ of natural gas per day; and
- (f) in relation to a field: where the field has 1P, 2P or 3P reserves, or 2C resources, of processable gas.

### **[23] Rule 141 Interpretation**

In subrule 141(1), in the definition of “responsible facility operator”, omit “rule 152” and substitute “rule 150(3)(b)”.

### **[24] Rule 141 Interpretation**

In subrule 141(2)(a)(i), omit “or”.

### **[25] Rule 141 Interpretation**

In subrule 141(2)(a)(ii), omit “,” and substitute “; or”.

### **[26] Rule 141 Interpretation**

After subrule 141(2)(a)(ii), insert:

- (iii) a user facility,

### **[27] Rule 141 Interpretation**

In subrule 141(2)(c), omit “and”.

### **[28] Rule 141 Interpretation**

In subrule 141(2)(d), omit “.” and substitute “;”.

### **[29] Rule 141 Interpretation**

After subrule 141(2)(d), insert:

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

- (i) the maximum quantity of natural gas that the facility can receive from a pipeline on a gas day under normal operating conditions; and
- (ii) the maximum quantity of natural gas that the facility can process to a liquefied state on a gas day under normal operating conditions; and
- (g) when used in the context of an LNG import facility means each of:
  - (i) the maximum quantity of LNG that the LNG import facility can receive and process into storage on a gas day under normal operating conditions;
  - (ii) the maximum quantity of LNG that the LNG import facility can hold in storage on a gas day under normal operating conditions;
  - (iii) the maximum quantity of LNG that can be withdrawn from storage for processing to a gaseous state on a gas day under normal operating conditions; and
  - (iv) the maximum quantity of natural gas (in a gaseous state) that can be injected into one or more pipelines from the LNG import facility on a gas day under normal operating conditions.

**[30] Rule 141 Interpretation**

In subrule 141(4)(a), after all references to “BB facility” insert “or BB field interest”.

**[31] Rule 141 Interpretation**

In subrule 141(4)(a), omit “; and” and substitute “;”.

**[32] Rule 141 Interpretation**

In subrule 141(4)(b), omit “.” and substitute “; and”.

**[33] Rule 141 Interpretation**

After subrule 141(4)(b), insert:

- (c) “its” facility development project is a reference to each facility development project for which it is registered as the BB reporting entity.

**[34] Rule 142 This Part does not apply in Western Australia**

Omit rule 142, including the heading, and substitute:

## **142 Application of this Part in Western Australia**

- (1) This Part does not apply to a facility in Western Australia that (but for this rule) would be a BB facility until the day fixed in an order under section 20A of the National Gas Access (Western Australia) Law within the meaning of the *National Gas Access (WA) Act 2009* of Western Australia.
- (2) This Part does not apply to a petroleum title granted in respect of the offshore area of Western Australia (as determined in accordance with section 8(1) of the *Offshore Petroleum and Greenhouse Gas Storage Act 2006* of the Commonwealth) until the day fixed in an order under section 20A of the National Gas Access (Western Australia) Law within the meaning of the *National Gas Access (WA) Act 2009* of Western Australia.

### **[35] Rule 143A Application to specified NT facilities after the NT application date**

In rule 143A, omit the heading and substitute:

#### **143A Application to specified NT facilities and fields**

### **[36] Rule 143A Application to specified NT facilities and fields**

In subrule 143A(1), insert the following definitions in alphabetical order:

**emergency and outage gas** means natural gas injected into the Wickham Point Pipeline through a WPP connection point on a gas day when there is a gas supply outage (planned or unplanned) or emergency gas supply test, but only to the extent that:

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

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

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

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

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

**[37] Rule 143A                      Application to specified NT facilities and fields**

In subrule 143A(1), in paragraph (a) of the definition of “WPP connection points”, omit “Bladdin” and substitute “Bladin”.

**[38] Rule 143A                      Application to specified NT facilities and fields**

After subrule 143A(2), insert:

(2A) This Part does not apply in respect of:

- (a) a BB field that is an exempt NT field; or
- (b) an exempt NT field owner,

until the date specified in a BB application notice to the exempt NT facility operator in respect of the LNG export facility supplied or expected to be supplied by the exempt NT field.

**[39] Rule 143A                      Application to specified NT facilities and fields**

Omit subrule 143A(3) and substitute:

- (3) If a BB application notice is given in respect of an exempt NT facility, from the date specified in the relevant BB application notice this Part applies to:
  - (a) the exempt NT facility and its facility operator; and
  - (b) if it is an LNG export facility, any exempt NT field that supplies or is expected to supply the exempt NT facility and its field owner.
- (3A) If a BB field ceases to be an exempt NT field because it no longer satisfies the definition of ‘exempt NT field’, this Part applies to the former exempt NT field and its field owner:
  - (a) in the case of a BB field that has commenced production, from the date the BB field commences supply other than in accordance with paragraph (a) of the definition; or

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

**[40] Rule 143A                      Application to specified NT facilities and fields**

Omit subrule 143A(5) and substitute:

- (5) For the purposes of subrule (4), **BB application event** means:
  - (a) the quantity of natural gas withdrawn from the Wickham Point Pipeline through a WPP connection point for delivery to the Ichthys LNG facility or to the Darwin LNG facility, in total in any period of 12 consecutive months, exceeds 10 PJ; or
  - (b) the quantity of natural gas injected into the Wickham Point Pipeline through a WPP connection point, in total in any period of 12 consecutive months, but excluding emergency and outage gas injected in that period, exceeds 10 PJ.

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

**[41] Rule 143A                      Application to specified NT facilities and fields**

Omit subrule 143A(7) and substitute:

- (7) If on a gas day, natural gas is injected at a WPP connection point for a gas supply outage (planned or unplanned) or emergency gas supply test then, within 10 business days of that gas day (or if gas flowed for the gas supply outage or emergency gas supply test on consecutive days, the last gas day of those consecutive gas days), PWC must provide an emergency gas flow notice to the AER.

**[42] Rule 147                      AEMO to maintain BB Register**

Omit subrule 147(1) and substitute:

- (1) AEMO must establish and maintain a register, in the form specified in the BB Procedures, that includes particulars of each:
  - (a) **[deleted]**;
  - (b) BB facility and its BB reporting entity;
  - (c) BB field interest and its BB reporting entity;



- (d) field owner group formed pursuant to rule 151(3)(b) on the basis the members of the group are engaged in joint marketing;
- (e) BB reporting agent;
- (f) BB allocation point and its BB reporting entity; and
- (g) facility development project and its BB reporting entity.

**[43] Rule 147                      AEMO to maintain BB Register**

After subrule 147(1) insert:

- (1A) AEMO must include in the BB register or elsewhere on the Bulletin Board information about exemptions granted in accordance with rule 164 or rule 190.

**[44] Rule 147                      AEMO to maintain BB Register**

Omit subrule 147(3)(a) and substitute:

- (a) [deleted];

**[45] Rule 147                      AEMO to maintain BB Register**

In subrule 147(3)(b) after “BB facility” insert “or BB field interest”.

**[46] Rule 147                      AEMO to maintain BB Register**

In subrule 147(3)(c) after “BB facility” insert “, BB field interest or facility development project”.

**[47] Rule 147                      AEMO to maintain BB Register**

Omit subrule 147(4) and substitute:

- (4) [Deleted]

**[48] Division 3                      Register and registration**

In Division 3, omit Subdivisions 3.1 to 3.5, including the headings, and substitute:

**Subdivision 3.1   Registration categories**

**150                      Registration by facility operators or for facility operator groups**

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

**Note**

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

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

**Note**

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

- (3) If there is more than one facility operator for a BB facility:
  - (a) each facility operator for the BB facility is taken to be a member of a **facility operator group** for that BB facility (the **relevant BB facility**); and
  - (b) the members of a facility operator group must appoint one of the members in writing to be the **responsible facility operator** and to register as the BB reporting entity for the relevant BB facility.
- (4) The responsible facility operator of a facility operator group must register under this Part as the BB reporting entity for the relevant BB facility in accordance with subrule (1) and must apply for registration within the time required under subrule (2).
- (5) On registration of a responsible facility operator as the BB reporting entity for a relevant BB facility and for so long as that registration remains in effect, each other member of the facility operator group is exempt from the requirement to register under subrule (1) as the BB reporting entity for the relevant BB facility.

## **151 Registration by field owners or for field owner groups**

- (1) Subject to subrule (6), a field owner must register under this Part as the BB reporting entity for each BB field interest for which it is a field owner.

**Note**

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

- (2) A field owner must apply to AEMO to register under this Part as the BB reporting entity for a BB field for which it is or intends to be a field owner (including a responsible field owner) not later than:
- (a) 20 business days after the field owner becomes a field owner for the BB field interest, including by reason of the acquisition of the interest or the grant of a petroleum tenement;
  - (b) 20 business days after the field in respect of which the field owner holds its BB field interest first satisfies the reporting threshold to be classified as a BB field; or
  - (c) where applicable, 20 business days after an exemption from registration under this Part ceases to apply, including under subrule (6) in respect of the field owner or under rule 143A in respect of a BB field.

**Note**

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

- (3) Two or more persons may form a **field owner group** in relation to a BB field (the **group of BB field interests**) for the purposes of reporting under this Part if either:
- (a) the persons are closely related entities and one or more of them has a net revenue interest in the BB field; or
  - (b) each of them holds a net revenue interest in the BB field and they are engaged in joint marketing of natural gas produced from the BB field.
- (4) The members of a field owner group may appoint one of the members in writing to be the **responsible field owner** and to register as the BB reporting entity for the group of BB field interests.
- (5) The responsible field owner for a group of BB field interests appointed in accordance with subrule (4) must register under this Part as the BB reporting entity for all the BB field interests in the group of BB field interests in accordance with subrule (1) and must apply for registration within the time required under subrule (2).
- (6) On registration of a responsible field owner as the BB reporting entity for all the BB field interests in a group of BB field interests and for so long as that registration remains in effect, each other member of the field owner group is

exempt from the requirement to register under subrule (1) as the BB reporting entity for a BB field interest in the group of BB field interests.

## 152 Registration by facility developers or for facility developer groups

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

### Note

This subrule is classified as a tier 2 civil penalty provision under the National Gas (South Australia) Regulations. (See clause 6 and Schedule 3 of the National Gas (South Australia) Regulations.)

- (2) A facility developer must apply to AEMO to register under this Part as the BB reporting entity for a facility development project for which it is or intends to be a facility developer (including a responsible facility developer) not later than:
- (a) for a new facility development project, 20 business days after the facility development project first satisfies the definition of facility development project in rule 141(1);
  - (b) where there is a change to the facility developer for facility development project for which a BB reporting entity is registered under this Part, 5 business days after the facility developer becomes a facility developer for the facility development project; or
  - (c) where applicable, 20 business days after an exemption under subrule (5) from registration under this Part ceases to apply.

### Note

This subrule is classified as a tier 2 civil penalty provision under the National Gas (South Australia) Regulations. (See clause 6 and Schedule 3 of the National Gas (South Australia) Regulations.)

- (3) If there is more than one facility developer for a facility development project:
- (a) each facility developer for the facility development project is taken to be a member of a **facility developer group** for that facility development project (the **relevant facility development project**); and
  - (b) the members of a facility developer group must appoint one of the members in writing to be the **responsible facility developer** and to register as the BB reporting entity for the relevant facility development project.
- (4) The responsible facility developer of a facility developer group must register under this Part as the BB reporting entity for the relevant facility development project in accordance with subrule (1) and must apply for registration within the time required under subrule (2).

- (5) On registration of a responsible facility developer as the BB reporting entity for a relevant facility development project and for so long as that registration remains in effect, each other member of the facility developer group is exempt from the requirement to register under subrule (1) as the BB reporting entity for the relevant facility development project.
- (6) For the definition of facility development project in rule 141(1), the BB Procedures must specify criteria or other matters to be taken into account when determining whether a project is a proposed or committed development.
- (7) In determining the criteria or other matters referred to in subrule (6), AEMO must have regard to the objective that information about development projects should be made available on the Bulletin Board:
  - (a) at a similar stage of project development for all projects (whether or not publicly announced); and
  - (b) at a stage reflective of a commitment to invest in initial development of the project, as indicated by the commencement of activities such as activities relating to permit applications, tenure, procurement, sale of capacity or output, financing or construction.

## **153 Registration by BB allocation agents**

- (1) A BB allocation agent must register under this Part as the BB reporting entity for each BB allocation point for which it is the BB allocation agent.

### **Note**

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

- (2) A BB allocation agent must apply to AEMO to register under this Part in respect of a BB allocation point not later than:
  - (a) for a new BB allocation point, 20 business days after the relevant point becomes a BB allocation point; or
  - (b) where the BB allocation agent for a BB allocation point changes, 5 business days after the person becomes the BB allocation agent for the BB allocation point.

### **Note**

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

## **154 Other registration categories**

- (1) A person who is, or who intends to be, a BB shipper, capacity seller or gas seller may apply to AEMO to register under this Part in that capacity.
- (2) A person may apply to AEMO to register under this Part in the capacity of BB reporting agent.
- (3) AEMO must register the GSH Operator in that capacity under this Part.

## **155 Effect of group registration**

- (1) Where a responsible reporting entity is registered as the BB reporting entity for a BB facility, group of BB field interests or facility development project, AEMO may fulfil any of AEMO's obligations under this Part or the BB Procedures in relation to (as applicable) the relevant BB facility, relevant group of BB field interests or relevant facility development project by performing those obligations in relation to the relevant BB reporting entity.
- (2) For the purposes of this Part and the BB Procedures, the members of a facility operator group, field owner group or facility developer group (as applicable) are taken to have authorised the responsible reporting entity to perform the obligations and exercise the rights of a BB reporting entity under this Part and the BB Procedures in relation to (as applicable) the relevant BB facility, relevant group of BB field interests or relevant facility development project.
- (3) Each member of a facility operator group, field owner group or facility developer group must procure, and where necessary must facilitate, the compliance of the relevant responsible reporting entity with its obligations under this Part in relation to (as applicable) the relevant BB facility, relevant group of BB field interests or relevant facility development project.

### **Note**

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

## **156 Change to the identity of a BB reporting entity**

- (1) If the identity of the person required to be registered under this Part as the BB reporting entity for (as applicable) a BB facility, BB field interest, facility development project or BB allocation point changes, the person no longer required to be registered in that capacity must notify AEMO of the change.

### **Note**

The registered BB reporting entity remains responsible for the provision of information under this Part until the new registration takes effect

- (2) A notice under subrule (1) must be given no later than 5 business days after the change takes effect.

**Note**

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

- (3) Where AEMO is given a notice under subrule (1), AEMO must revoke the registration as BB reporting entity for (as applicable) the BB facility, BB field interest, facility development project or BB allocation point if AEMO is satisfied that the person is no longer required to be registered in that capacity.

**Note**

The incoming facility operator, field owner, facility developer or BB allocation agent must apply to be registered under this Part as the new BB reporting entity in accordance with this Subdivision.

## **Subdivision 3.2 Registration process**

### **157 Applications for registration**

- (1) The BB Procedures must provide for registration for the purposes of this Part and may include provision for:
- (a) establishing and maintaining standing registration of persons who are or intend to be BB reporting entities;
  - (b) establishing and maintaining standing registration of BB facilities, BB field interests, facility development projects or BB allocation points;
  - (c) registration as a BB reporting entity;
  - (d) changes to standing registrations or BB reporting entity registrations;
  - (e) a simplified registration process for BB reporting entities with one-off or infrequent reporting obligations; and
  - (f) information to be provided for registration.
- (2) An application for registration under this Part must:
- (a) be in the form specified in the BB Procedures; and
  - (b) contain the information specified in the BB Procedures.
- (3) AEMO may notify an applicant for registration within 5 business days if AEMO considers the application is incomplete or requires clarification.

- (4) If a notice is given under subrule (3) the applicant must, within 5 business days of the notice, provide to AEMO the information required to complete or clarify the application.
- (5) Where an application for registration is made, AEMO must give effect to the relevant registration as soon as practicable in accordance with this Part and the BB Procedures if AEMO is reasonably satisfied that the applicable criteria in this Part or the BB Procedures for registration are satisfied, notwithstanding any defect in the application (including where the application is incomplete or requires clarification).
- (6) If AEMO gives effect to a registration under subrule (5) where there is a defect in the application, AEMO must specify conditions of registration for the purpose of ensuring that the applicant remedies any defect in the application within a reasonable time.
- (7) AEMO may specify as a condition of registration the time within which an applicant must provide information that this Part requires to be provided on registration.
- (8) A BB reporting entity must comply with conditions imposed by AEMO under subrule (6) or (7).

**Note**

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

## **158 Applications relating to groups**

- (1) An application for registration made by a responsible reporting entity in that capacity must contain the information about the facility operator group, field owner group or facility developer group specified by AEMO on the Bulletin Board.
- (2) A responsible reporting entity must update the information about the relevant group provided to AEMO in accordance with subrule (1) if there is any change.

**Note**

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

## **159 Early applications for registration**

- (1) The BB Procedures may provide for applications to register under this Part by an intending facility operator, field owner, facility developer or BB allocation agent.



- (2) A registration referred to in subrule (1) will take effect from the time determined by AEMO in accordance with the BB Procedures.

## **160 Revocation of registration**

- (1) A BB participant may apply to AEMO to revoke its registration under this Part if the BB participant is no longer required to be registered under this Part in any capacity.
- (2) An application under subrule (1) must:
  - (a) be in the form specified by AEMO on the Bulletin Board; and
  - (b) contain the information specified by AEMO on the Bulletin Board.
- (3) AEMO must revoke a registration the subject of an application under subrule (1) if AEMO is satisfied based on the information in the application that the BB participant is no longer required to be registered under this Part in any capacity.
- (4) The BB Procedures may provide for AEMO to revoke registration of a BB participant by giving not less than 20 business days' notice in circumstances where the BB participant is not required to be registered under this Part in any capacity or AEMO is otherwise satisfied in all the circumstances that the registration should be revoked.

## **161 Provision of contact details**

- (1) Each BB participant and each user and non-scheme pipeline user that is a registered BB shipper must provide AEMO with *contact details* for posting on the Bulletin Board.
- (2) Any other person may provide AEMO with *contact details* for posting on the Bulletin Board.
- (3) *Contact details* provided pursuant to subrule (1) must be provided to AEMO on registration (in the case of a BB participant) and within 20 business days of becoming a BB shipper (in the case of a user or non-scheme pipeline user).
- (4) A person who has provided *contact details* pursuant to subrule (1) or (2) must tell AEMO as soon as reasonably practicable of any changes to those details.
- (5) The BB Procedures may specify the form and content of the *contact details* required or provided pursuant to this rule.

### **Subdivision 3.3 [Not used]**

**162 [Not used]**

**163 [Not used]**

### **[49] Subdivision 3.6 Exemptions from Division 5**

In Division 3, renumber Subdivision 3.6 as Subdivision 3.4.

### **[50] Rule 165 Standard for information or data given under this Part or the BB Procedures**

In subrule 165(1), in the first Note, omit “natural gas services” and substitute “the natural gas industry”.

### **[51] Subdivision 5.2 [Intentionally left blank]**

Omit Subdivision 5.2, including the heading, and substitute:

### **Subdivision 5.2 Reserves and resources**

#### **171 Classification system and standards**

- (1) In this Subdivision:
  - (a) references to **2C resources** refers to estimates of contingent resources of processable gas classified as 2C as that term is used in SPE-PRMS; and
  - (b) references to **1P reserves**, **2P reserves** or **3P reserves** refers to estimates of reserves of processable gas classified as 1P, 2P or 3P as those terms are used in SPE-PRMS.
- (2) **[Not used]**.
- (3) **[Not used]**.
- (4) **[Not used]**.
- (5) **[Not used]**.
- (6) **[Not used]**.
- (7) The **reserves reporting year** for a BB field interest means, subject to subrule (8), each 12 month period ending on the date nominated by the BB reporting entity on registration of the BB field interest or if no date is nominated, ending on 30 June.

- (8) AEMO and the BB reporting entity for a BB field interest may agree to amend the date applicable under subrule (7) in accordance with the BB Procedures and may agree to a reasonable adjustment to the 12 month reporting period when transitioning to the new date.

## Schedule 5      Amendment to the National Gas Rules

(Clause 7)

### [1] Rule 141      Interpretation

In subrule 141(1), omit the following definitions:

**BB transportation facility user, capacity transaction reporting agent, excluded transaction, NT application date, NT interconnector, primary pipeline capacity, uncontracted primary pipeline capacity, uncontracted storage capacity.**

### [2] Rule 141      Interpretation

In subrule 141(1), insert the following definitions in alphabetical order:

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

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

**BB storage capacity transaction** means a secondary capacity transaction that:

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

**BB transportation capacity transaction** means a secondary capacity transaction that:

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

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

**compression delivery point** has the meaning given in Part 25.

**compression receipt point** has the meaning given in Part 25.

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

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

**excluded capacity transaction** means:

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

**excluded supply transaction** means:

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

**gas seller** means in relation to:

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

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

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

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

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

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

**LNG export transaction** means a transaction where:

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

**LNG shipment data** means:

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

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

**PJ** means petajoule.

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

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

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

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

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

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

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

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

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

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

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

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

**transaction** includes:

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

**uncontracted primary firm capacity** means:

- (a) in relation to a BB storage facility, the combination of the:

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

### **[3] Rule 141 Interpretation**

In subrule 141(1), substitute the following definitions:

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

**material change** means:

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



- (i) A is 5 TJ; and
- (ii) B is the lesser of 10% of the nameplate rating of the BB facility and 30 TJ.

**short term capacity outlook** means:

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

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

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

#### **[4] Rule 141 Interpretation**

In subrule 141(1), omit the definition of "secondary capacity transaction", including the "Note", and substitute:

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

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

**Note**

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

#### **[5] Rule 141 Interpretation**

In subrule 141(1), in the definition of "BB information standard", omit "rule 164" and substitute "rule 165".

#### **[6] Rule 141 Interpretation**

In subrule 141(1), in paragraph (a) of the definition of "BB shipper", after "a contract", insert "(including an operational transportation service agreement)".

**[7] Rule 141 Interpretation**

In subrule 141(1), omit paragraph (c) of the definition of “BB shipper” and substitute:

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

**[8] Rule 141 Interpretation**

In subrule 141(1), in the definition of “capacity seller”, omit “transportation capacity” and substitute “a capacity right”.

**[9] Rule 141 Interpretation**

In subrule 141(1), in paragraphs (a) and (b) of the definition of “daily flow data”, omit “that is metered as having been, or estimated in good faith by the pipeline operator to have been,”.

**[10] Rule 141 Interpretation**

In subrule 141(1), in paragraph (a) of the definition of “daily production data”, omit “that is metered as having been, or estimated in good faith by the facility operator to have been,”.

**[11] Rule 141 Interpretation**

In subrule 141(1), in paragraph (b)(i) of the definition of “daily production data”, omit “that is metered as having been, or estimated in good faith by the BB storage provider to have been,”.

**[12] Rule 141 Interpretation**

In subrule 141(1), omit paragraph (b)(ii) of the definition of “daily production data” and substitute:

- (ii) the quantity of natural gas received and processed into storage on the gas day;

**[13] Rule 141 Interpretation**

In subrule 141(1), after paragraph (b)(ii) of the definition of “daily production data”, insert:

- (c) for a BB compression facility, the quantity of natural gas compressed by the BB compression facility on a gas day; and
- (d) for an LNG import facility:
  - (i) the quantity of LNG received and processed into storage on a gas day;

- (ii) the quantity of LNG withdrawn from storage for processing to a gaseous state on a gas day; and
- (iii) the quantity of natural gas (in a gaseous state) injected into one or more pipelines from the LNG import facility on a gas day.

#### **[14] Rule 141 Interpretation**

In subrule 141(1), in the definition of “delivery point”, omit “*delivery or receipt point*” and substitute “*receipt or delivery point*”.

#### **[15] Rule 141 Interpretation**

In subrule 141(1), in the definition of “gas day”, omit “, commencing at the time advised by the facility operator under rule 170”.

#### **[16] Rule 141 Interpretation**

In subrule 141(1), in paragraph (a) of the definition of “LCA flag”, omit “;” and substitute “; and”.

#### **[17] Rule 141 Interpretation**

In subrule 141(1), omit paragraph (b) of the definition of “LCA flag” and substitute:

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

#### **[18] Rule 141 Interpretation**

In subrule 141(1), in the definition of “production facility”, omit “facility at which” and substitute “gas processing plant at which”.

#### **[19] Rule 141 Interpretation**

In subrule 141(1), in the definition of “receipt point”, omit “*delivery or receipt point*” and substitute “*receipt or delivery point*”.

#### **[20] Rule 141 Interpretation**

In subrule 141(1), in the definition of “related party transaction”, omit “secondary capacity transaction” and substitute “transaction”.

### **[21] Rule 141 Interpretation**

In subrule 141(1), in the definition of “service term”, omit “the capacity seller’s right to use transportation capacity” and substitute “the capacity seller’s capacity right (or a part of it)”.

### **[22] Rule 141 Interpretation**

In subrule 141(2A), in the opening paragraph, omit “or the transportation service” and substitute “or the service”.

### **[23] Rule 141 Interpretation**

In subrule 141(2A), omit paragraphs (d) to (n) and substitute:

- (d) for a BB transportation capacity transaction:
  - (i) the transportation facility by means of which the transportation service is provided;
  - (ii) except where the transaction is concluded through the gas trading exchange, whether the transaction is on the same or substantially the same terms as the standard OTSA published under Part 24 for the transportation facility;
  - (iii) where the transaction is concluded through the gas trading exchange, whether the transaction is a pre-matched trade (as defined in the exchange agreement);
  - (iv) the BB transportation service to which the transaction relates;
  - (v) the priority given to the transportation service to which the transaction relates (such as firm, as available or interruptible);
  - (vi) as relevant to the transportation service:
    - (A) in the case of a forward haul or backhaul service, the direction of service; and
    - (B) where required by the BB Procedures, each service point at or between which the service is provided, and, where the relevant transportation facility is a Part 24 facility, by reference to the specification of the service point in the transportation service point register;
  - (vii) the transaction quantity the subject of the transaction, expressed as a maximum daily quantity or MDQ (in GJ/day); and
  - (viii) except where the transaction is concluded through the gas trading exchange, the maximum hourly quantity (or MHQ) for the transportation service (in GJ/hour);

- (e) for a BB storage capacity transaction:
  - (i) the gas storage facility by means of which the service is provided;
  - (ii) the priority given to the service to which the transaction relates (such as firm, as available or interruptible);
  - (iii) the storage capacity the subject of the transaction (in GJ); and
  - (iv) where relevant, the injection and withdrawal capacity, expressed as a maximum daily quantity or MDQ (in GJ/day);
- (f) the transaction price (in \$/GJ/day or where relevant, in \$/GJ) excluding any amount on account of GST;
- (g) the price structure applicable to the transaction, for example whether it is a fixed price or a variable price or a combination of the two; and
- (h) any price escalation mechanism applicable to the transaction.

## **[24] Rule 141 Interpretation**

After subrule 141(2A), insert:

(2B) In this Part, the term **short term gas transaction information** means the following categories of information in relation to a BB short term gas transaction:

- (a) the identity of the parties to the transaction and which of the parties is a gas seller in relation to the transaction;
- (b) the trade date;
- (c) the supply period start and end dates;
- (d) the location at which the gas seller must supply the gas by reference to a *receipt or delivery point* or other location identifier specified in the BB Procedures;
- (e) in the case of a gas swap transaction, the type of swap (locational or time-based);
- (f) the transaction quantity, that is, the total maximum quantity of gas that may be sold or swapped (as applicable) under the transaction (in GJ);
- (g) the take or pay quantity, that is, the total minimum quantity of gas that may be sold or swapped (as applicable) under the transaction (in GJ);
- (h) the maximum quantity that can be required to be supplied on any gas day in the supply period (in GJ/day);
- (i) the transaction price (in \$/GJ) (excluding any amount on account of GST) determined as at the trade date, using assumptions, where applicable, about

matters such as future index values or rates provided for in the BB Procedures;

- (j) whether the price varies by reference to a change in the value of an index or rate; and
- (k) any price escalation mechanism applicable to the transaction.

## **[25] Rule 141 Interpretation**

After subrule 141(2B), insert:

(2C) In this Part, the term **short term LNG export transaction information** means the following categories of information in relation to a short term LNG export transaction:

- (a) the identity of the parties to the transaction and which of the parties is a gas seller in relation to the transaction;
- (b) the trade date;
- (c) the supply period start and end dates;
- (d) the transaction quantity the subject of the transaction (in PJ);
- (e) the LNG export facility at which the LNG is loaded;
- (f) the free on board price for the LNG (in \$/GJ) (excluding any amount on account of GST) determined as at the trade date, using assumptions, where applicable, about matters such as future index values or rates provided for in the BB Procedures; and
- (g) whether the price varies by reference to a change in the value of an index or rate.

## **[26] Rule 141 Interpretation**

In subrule 141(3), after “unless otherwise specified” insert “in this Part or the BB Procedures”.

## **[27] Rule 143 Application to BB facilities located in the Northern Territory**

Omit rule 143, including the heading, and substitute:

**143 [Deleted]**

**[28] Rule 144 Application to remote BB facilities**

In subrule 144(2), omit “as if each reference in Division 3 to the Part 18 replacement date were a reference to the date on which the former remote BB facility ceased to be a remote BB facility” and substitute “from the date the BB facility ceases to be a remote BB facility”.

**[29] Rule 145 Purpose of the Bulletin Board**

In rule 145, after “to make information”, insert “relating to the natural gas industry”.

**[30] Rule 145 Purpose of the Bulletin Board**

In paragraph (c) of rule 145, after “BB pipelines” insert “and other BB facilities providing third party access”.

**[31] Subdivision 3.3 [Not used]**

Omit Subdivision 3.3, including the heading, and substitute:

**Subdivision 3.3 Reporting through an agent**

**162 Appointment of an agent**

- (1) Each of the following may, with the consent of the person appointed, appoint a person registered under this Part, including a BB reporting agent, to provide the specified information to AEMO on its behalf:
  - (a) a BB reporting entity in respect of the information it is required to provide about a BB large user facility under rule 168, 169 or 189; and
  - (b) a BB reporting entity in respect of the information it is required to provide about a BB capacity transaction under rule 190C, a short term LNG export transaction under rule 190CA or a BB short term gas transaction under rule 190CB.
- (2) A person who makes an appointment under subrule (1) remains responsible under this Part for ensuring that the person’s obligations under Division 4 and under rule 168, 169, 189, 190C, 190CA or 190CB (as applicable) in relation to the information to be provided to AEMO are complied with.
- (3) An appointment under subrule (1) may be revoked by the person who made the appointment or by the person appointed.

- (4) The BB Procedures may provide for notice to be given to AEMO of an appointment under subrule (1), the consent of the person appointed or a revocation under subrule (3) and the information to be included with the notice.
- (5) AEMO is not required to verify the validity of an appointment or consent under subrule (1) or a revocation under subrule (3).

**163 [Not used]**

**[32] Rule 165                      Standard for information or data given under this Part or the BB Procedures**

Omit subrule 165(2) and substitute:

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

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

**[33] Rule 168                      Nameplate rating information**

In subrule 168(1)(b), omit “or expansion”.

**[34] Rule 168                      Nameplate rating information**

In subrule 168(2A), omit each reference to “BB transmission pipeline” and substitute “BB pipeline”.



**[35] Rule 168                      Nameplate rating information**

After subrule 168(2A) insert:

- (2B) In addition to the information under subrule (1), a BB reporting entity for a BB compression facility must provide to AEMO the nameplate rating for each compression receipt point and compression delivery point for the BB compression facility.

**[36] Rule 168                      Nameplate rating information**

In subrule 168(3), omit “subrule (2)” and substitute “subrule (2), (2A) or (2B)”.

**[37] Rule 168                      Nameplate rating information**

Omit subrules 168(4) and (5) and substitute:

- (4) A BB reporting entity must update the information provided under this rule for its BB facility (other than a BB large user facility) if:
- (a) in the case of a nameplate rating, there is a material change; or
  - (b) otherwise, if the information is no longer accurate.
- (5) [Deleted].

**[38] Rule 169                      Detailed facility information for all BB facilities**

In subrule 169(2), omit “specified in subrule (1)”.

**[39] Rule 169                      Detailed facility information for all BB facilities**

Omit subrule 169(4) and substitute:

- (4) In this rule, the term **detailed facility information**:
- (a) when used in the context of a BB pipeline, means:
    - (i) all *receipt or delivery points* on that pipeline and any production facilities, gas storage facilities, transmission pipelines, compression service facilities, BB large user facilities or LNG processing facilities to which those *receipt or delivery points* connect; and
    - (ii) all gate stations on that pipeline;
  - (b) when used in the context of:

- (i) a production facility;
- (ii) a gas storage facility;
- (iii) a compression service facility;
- (iv) a BB large user facility; or
- (v) an LNG processing facility,

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

#### **[40] Rule 170                      Gas day start times for all BB facilities**

Omit rule 170, including the heading and substitute:

#### **170            [Deleted]**

#### **[41] Rule 171                      Classification systems and standards**

Omit subrules 171(2), (3), (4), (5) and (6) and substitute:

- (2) Where this Subdivision requires reserves, resources or gas to be classified, the classification must be in accordance with:
  - (a) SPE-PRMS, in the most specific resource class in which petroleum resources can be classified under SPE-PRMS; or
  - (b) where SPE-PRMS does not provide for the relevant classification, the BB Procedures.

##### **Note**

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

- (3) A BB reporting entity must report reserves and resources estimates to AEMO under this Subdivision:
  - (a) based on its BB field interest in sales quantities of processable gas from the field;
  - (b) on a sales quantity basis in accordance with SPE-PRMS; and
  - (c) for each of its BB field interests separately (and not in aggregate across all its BB field interests).
- (4) Reserves and resources estimates provided to AEMO under this Subdivision must be prepared using a forecast case in accordance with SPE-PRMS.

- (5) Reserves and resources estimates provided to AEMO under this Subdivision must be prepared by, or under the supervision of a qualified gas industry professional.

**Note**

This subrule is classified as a tier 2 civil penalty provision under the National Gas (South Australia) Regulations. (See clause 6 and Schedule 3 of the National Gas (South Australia) Regulations.)

- (6) In preparing reserves and resources estimates, the gas price assumptions must be derived as follows:
- (a) for contracted reserves (including under a contract with a closely related entity), taking into account:
    - (i) contract prices and price escalation mechanisms over the contract term; and
    - (ii) contract prices and price escalation mechanisms over any extension of the contract term, if there is a reasonable expectation (as defined in SPE-PRMS) that the contract will be extended; and
  - (b) for uncontracted reserves, using prices the BB reporting entity forecasts it will receive for the gas which must be verified (in a verification statement to be provided to the AER under subrule 171C(2)) by an independent qualified gas industry professional as falling within the range of gas price forecasts:
    - (i) used or adopted by qualified gas industry professionals for the purpose of preparing such estimates; or
    - (ii) published by reputable independent Australian sources of gas price forecast information for Australia.

**Note**

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

## **[42] New rule 171A Information about BB field interests**

After rule 170, insert:

### **171A Information about BB field interests**

- (1) A BB reporting entity must provide to AEMO the following information for each of its BB field interests:
- (a) the location of the BB field and information to identify the petroleum tenements the subject of the BB field interest;

- (b) the geological basin in which the field is located, using basin names specified in the BB Procedures;
  - (c) the processing facility used to process gas from the field;
  - (d) its BB field interest in the petroleum tenements (as a percentage);
  - (e) where the BB reporting entity is reporting as the responsible field owner for a field owner group, the BB field interest (as a percentage) of each member of the field owner group;
  - (f) classification of the resources in the field as conventional or unconventional, and if unconventional, any further sub-classification provided for in the BB Procedures; and
  - (g) the nature of the gas in the field using classifications in the BB Procedures (such as dry gas, gas condensate or gas found in conjunction with oil).
- (2) A BB reporting entity must provide the information referred to in subrule (1) to AEMO:
- (a) on registration of the BB field interest; and
  - (b) annually thereafter not later than 40 business days after the end of the reserves reporting year for the BB field interest.
- (3) A BB reporting entity must update the information provided under subrule (1) if the information is no longer accurate.

### **[43] New rule 171B      Information relating to reserves and resources**

After rule 171A, insert:

#### **171B      Information relating to reserves and resources**

- (1) A BB reporting entity must provide to AEMO the following information for each of its BB field interests for each reserves reporting year:
- (a) an estimate of the BB field interest's 1P reserves, 2P reserves and 3P reserves at the end of the reserves reporting year, broken down into developed and undeveloped reserves;
  - (b) an estimate of the BB field interest's 2C resources at the end of the reserves reporting year;
  - (c) except where the BB reporting entity is reporting under paragraph (a) or (b) for the BB field interest for the first time, an estimate of the total movement in the BB field interest's 2P reserves since the end of prior reporting year, broken down using the following categories:

- (i) the production of gas;
  - (ii) extension of a field's proved area;
  - (iii) a percentage change in the BB field interest;
  - (iv) upward revision of 2P reserves arising from the reclassification of 3P reserves or resources to 2P reserves;
  - (v) downward revision of 2P reserves arising from the reclassification of 2P reserves to 3P reserves or resources; and
  - (vi) other revisions.
- (2) A BB reporting entity must provide to AEMO the following information for each of its BB field interests for which the sum of 2P reserves and 2C resources in the BB field at the end of the reserves reporting year is greater than 50 PJ:
  - (a) the project maturity sub-class for the 2P reserves and 2C resources classified in accordance with SPE-PRMS;
  - (b) the likely timing for the production of the 2P reserves or 2C resources; and
  - (c) a list of any barriers to commercial recovery of the 2C resources.
- (3) A BB reporting entity must provide to AEMO for each of its BB field interests its estimates of the change in the 2P reserves estimate reported under subrule (1)(a) arising from:
  - (a) a 10% increase in the gas price assumptions used to prepare the estimate; and
  - (b) a 10% decrease in the gas price assumptions used to prepare the estimate.
- (4) A BB reporting entity must provide to AEMO a statement of the basis of preparation of the reserves and resources estimates provided under subrule (1) including:
  - (a) the resources assessment method used to prepare the reserves and resources estimates using categories in SPE-PRMS;
  - (b) the conversion factor used to convert quantities measured in trillions of cubic feet to PJ;
  - (c) the key economic assumptions in the forecast case used to prepare the reserves and resources estimates and the source of the assumptions; and
  - (d) whether the qualified gas industry professional who prepared, or supervised the preparation of, the reserves and resources estimates is independent of the BB reporting entity.

- (5) A BB reporting entity must provide the information referred to in subrules (1) to (4) to AEMO no later than 40 business days after the end of the reserves reporting year for the BB field interest.
- (6) A BB reporting entity must update the reserves and resources estimates provided by it to AEMO under subrules (1)(a) and (b) (including in its capacity as a responsible facility operator for a field owner group) if:
  - (a) the total amount of those reserves and resources estimates across all its BB field interests is no longer accurate by 50 PJ or more (up or down) as the result of:
    - (i) a percentage change in any of its BB field interests;
    - (ii) a re-evaluation of reserves or resources; or
    - (iii) discoveries of new reserves or resources including through extension of a field's proved area; or
  - (b) a revised estimate of 1P reserves, 2P reserves, 3P reserves or 2C resources is published by the BB reporting entity or provided by the BB reporting entity to a state, federal or territory government department or government agency or a securities exchange (including the Australian Securities Exchange).

#### **[44] New rule 171C     AER monitoring of reserves and resources reporting**

After rule 171B, insert:

##### **171C     AER monitoring of reserves and resources reporting**

- (1) The AER may require a BB reporting entity to:
  - (a) retain, at the cost of the BB reporting entity, an independent qualified gas industry professional to undertake an audit of the information provided to AEMO under this Subdivision; and
  - (b) publish the outcome of the audit.
- (2) When providing a reserves and resources estimate to AEMO (including any update), a BB reporting entity must at the same time provide to the AER:
  - (a) the gas price assumptions used in preparing the estimate and a description of how the assumptions were derived; and
  - (b) the verification statement required under subrule 171(6)(b) in relation to uncontracted reserves.

- (3) Information provided to the AER under subrule (2) is taken to be information given to the AER in confidence.

**[45] Subdivision 5.3 Pipeline and storage capacity bookings**

In Subdivision 5.3, omit the heading and substitute:

**Subdivision 5.3 Capacity bookings**

**[46] Rule 172 Information about BB shipper with primary pipeline capacity**

In rule 172, in the heading, omit “primary pipeline capacity” and substitute “primary firm capacity”.

**[47] Rule 172 Information about BB shippers with primary firm capacity**

Omit subrule 172(1) and substitute:

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

- (a) BB pipelines;
- (b) BB compression facilities; and
- (c) BB storage facilities,

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

**[48] Rule 172 Information about BB shippers with primary firm capacity**

In subrule 172(2), omit ‘BB pipeline’ and substitute “BB facility”.

**[49] Rule 173 [Intentionally left blank.]**

In rule 173, omit the heading and substitute:

**173 [Not used]**

**[50] Rule 175 36 month outlook of uncontracted primary pipeline capacity**

In rule 175, in the heading, omit “primary pipeline capacity” and substitute “primary firm capacity”.

**[51] Rule 175                      36 month outlook of uncontracted primary firm capacity**

In rule 175, omit subrule (1) and substitute:

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

- (a) BB pipelines;
- (b) BB compression facilities;
- (c) BB storage facilities;
- (d) BB production facilities; and
- (e) LNG import facilities,

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

**[52] Rule 176                      [Intentionally left blank.]**

In rule 176, omit the heading and substitute:

**176              [Not used]**

**[53] Rule 177                      12 month outlook of uncontracted storage capacity**

Omit rule 177, including the heading and substitute:

**177              [Deleted]**

**[54] Rule 178                      Short term capacity outlooks for BB facilities**

In rule 178, in the heading, after “BB facilities” insert “excluding BB large user facilities”.

**[55] Rule 178                      Short term capacity outlooks for BB facilities excluding BB large user facilities**

In subrule 178(1), after “BB facilities” insert “other than BB large user facilities”.

**[56] Rule 178                      Short term capacity outlooks for BB facilities excluding BB large user facilities**

In subrule 178(2), after “each gas day” insert “D-1 for the period D to D+6”.



**[57] Rule 179                      Linepack/capacity adequacy indicator for all BB pipelines**

In subrule 179(2), omit “in respect of each gas day D for gas days D to D+2” and substitute “each gas day D-1 for gas days D to D+2”.

**[58] Rule 180                      [Intentionally left blank.]**

Omit rule 180, including the heading and substitute:

**180                      Linepack/capacity adequacy indicator for all BB compression facilities**

- (1) A BB reporting entity must provide to AEMO the LCA flag for each of its BB compression facilities.
- (2) The BB reporting entity must provide the LCA flag each gas day D-1 for gas days D to D+2, except in circumstances where, in accordance with rule 167, the BB Procedures permit the BB reporting entity to rely on an exemption and the use of default values for a gas day.
- (3) A BB reporting entity must update the current LCA flag for a BB compression facility for a gas day if at any time the LCA flag for the gas day no longer reflects the actual or expected capability of the BB compression facility to meet the aggregated nominations for use of the BB compression facility on that gas day.

**[59] Rule 181                      Medium term capacity outlooks for BB facilities**

In rule 181, in the heading, after “BB facilities” insert “excluding BB large user facilities”.

**[60] Rule 181                      Medium term capacity outlooks for BB facilities excluding BB large user facilities**

In subrule 181(1), after “BB facilities” insert “other than BB large user facilities”.

**[61] Rule 181                      Medium term capacity outlooks for BB facilities excluding BB large user facilities**

In subrule 181(2), after “for the BB facility” insert “or at the times required under the BB Procedures”.

**[62] Subdivision 5.5              Nominated and forecast use of storage and pipelines**

In Subdivision 5.5, omit the heading and substitute:

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

### **[63] Rule 182 Nominated and forecast use of BB storage facilities**

In rule 182, omit subrules (1) and (2) and substitute:

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

### **[64] Rule 183 Nominated and forecast delivery information for BB pipelines**

Omit subrule 183(1) and substitute:

- (1) A BB reporting entity must, in respect of each of its BB pipelines (other than a BB pipeline forming part of a declared transmission system), provide to AEMO in respect of each gas day D:
  - (a) the quantities for injections into the BB pipeline for the gas day aggregated at each receipt point as nominated by BB shippers or if nominations are not provided, as forecast by the BB reporting entity;

- (b) the quantities for withdrawals from the BB pipeline for the gas day aggregated at each delivery point as nominated by BB shippers or if nominations are not provided, as forecast by the BB reporting entity;
- (c) the forecast injections into the BB pipeline for gas days D+1 to D+6 aggregated at each receipt point which may be based on the BB reporting entity's forecast or on forecast nominations from BB shippers if BB shippers on the BB pipeline have provided forecast receipt point nominations under contract or applicable market rules; and
- (d) the forecast withdrawals from the BB pipeline for gas days D+1 to D+6 aggregated at each delivery point which may be based on the BB reporting entity's forecast or on forecast nominations from BB shippers if BB shippers on the BB pipeline have provided forecast delivery point nominations under contract or applicable market rules.

**[65] Rule 183                      Nominated and forecast delivery information  
for BB pipelines**

Omit subrule 183(4) and substitute:

- (4)     **[Deleted].**

**[66] Rule 184                      [Intentionally left blank.]**

Omit rule 184, including the heading, and substitute:

**184                      Nominated and forecast use of compression facilities**

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

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

**[67] Rule 185                      Nominated and forecast use of production facilities**

In rule 185, in the heading, after “production facilities” insert “and LNG import facilities”.

**[68] Rule 185                      Nominated and forecast use of production facilities and LNG import facilities**

In rule 185, omit subrules (1) and (2) and substitute:

- (1) A BB reporting entity must, in respect of each of its BB production facilities and LNG import facilities, provide to AEMO in respect of each gas day D:
- (a) the aggregate quantity of natural gas to be injected into one or more BB facilities from the BB facility for the gas day as nominated by BB shippers or if nominations are not provided, as forecast by the BB reporting entity; and
  - (b) the aggregate forecast quantity of natural gas to be injected into one or more BB facilities from the BB facility for gas days D+1 to D+6, which may be based on the BB reporting entity’s forecast or on forecast nominations if BB shippers have provided forecast nominations under contract or applicable market rules.
- (2) **[Deleted]**.

**[69] Subdivision 5.6    Actual production and flow data**

Omit the heading to Subdivision 5.6 and substitute:

**Subdivision 5.6    Information about actual use**

**[70] Rule 186                      Basis of calculation**

In rule 186, omit ‘this subdivision’ and substitute ‘this Subdivision’.

**[71] Rule 186                      Basis of calculation**

In rule 186, renumber the existing paragraph as subrule (1).

**[72] Rule 186                      Basis of calculation**

After subrule 186(1), before the “Note”, insert:

- (2) Where operational metering is not installed, the information to be provided to AEMO under this Subdivision is to be determined by the BB reporting entity on a basis agreed by the BB reporting entity with AEMO.

**[73] Rule 187                      Daily flow data for BB pipelines**

Omit subrule 187(1) and substitute:

- (1) A BB reporting entity must provide to AEMO on each gas day D+1 the daily flow data for each of its BB pipelines (other than BB pipelines forming part of a declared transmission system) for gas day D.

**[74] Rule 187                      Daily flow data for BB pipelines**

In subrule 187(2), omit “Each gas day D a BB reporting entity” and substitute “A BB reporting entity”.

**[75] Rule 187                      Daily flow data for BB pipelines**

In subrule 187(2), after “must provide to AEMO” insert “on each gas day D+1”.

**[76] Rule 187                      Daily flow data for BB pipelines**

In subrule 187(2), omit “for gas day D-1” and insert “for gas day D”.

**[77] Rule 188                      Daily production and storage data**

In subrule 188(1), omit “Each gas day D, a BB reporting entity must provide to AEMO” and substitute “A BB reporting entity must provide to AEMO on each gas day D+1”.

**[78] Rule 188                      Daily production and storage data**

In subrule 188(1)(a), omit “for gas day D-1” and substitute “for gas day D”.

**[79] Rule 188                      Daily production and storage data**

In subrule 188(1)(b), omit “for gas day D-1; and” and substitute “for gas day D;”.

**[80] Rule 188                      Daily production and storage data**

In subrule 188(1)(c), omit “of gas day D-1.” and substitute “of gas day D and of that amount, how much is storage cushion gas;”.

**[81] Rule 188                      Daily production and storage data**

In subrule 188(1) after paragraph (c), insert:

- (d) the daily production data for each of its BB compression facilities for gas day D;
- (e) the daily production data for each of its LNG import facilities for gas day D; and
- (f) the actual quantity of LNG held in storage at each of its LNG import facilities at the end of gas day D.

## **[82] New rule 188A LNG shipment data**

After rule 188, insert:

### **188A LNG shipment data**

- (1) A BB reporting entity for an LNG export facility must provide to AEMO the LNG shipment data for each shipment of LNG loaded at the facility no later than the business day after completion of loading.
- (2) A BB reporting entity for an LNG import facility must provide to AEMO the LNG shipment data for each shipment of LNG unloaded at the facility no later than the business day after commencement of unloading.
- (3) A BB reporting entity must update the information provided under subrule (1) or (2) for its LNG processing facility if the information is no longer accurate.

## **[83] Rule 189 [Intentionally left blank.]**

Omit rule 189, including the heading, and substitute:

### **189 Daily consumption data for BB large user facilities**

- (1) A BB reporting entity must provide to AEMO the daily consumption data for each gas day D for each of its BB large user facilities unless:
  - (a) the information for the BB large user facility is required to be reported by the retail market operator under subrule (2); or
  - (b) an exemption from reporting is in effect under rule 190 for the BB large user facility.
- (2) The retail market operator must provide to AEMO the daily consumption data for each gas day D for each BB large user facility that takes its supply of gas through a regulated retail gas market.
- (3) The daily consumption data for gas day D must be provided to AEMO under subrule (1) or (2) as soon as practicable after the operational metering data is available and no later than the time specified in the BB Procedures.

- (4) A BB reporting entity must update the information provided under subrule (1) for its BB large user facility if the information is no longer accurate.
- (5) The retail market operator must update the information provided by it under subrule (2) for a BB large user facility if the information is no longer accurate.

**[84] New rule 189A      Daily consumption data for LNG export facilities**

After rule 189, insert:

**189A      Daily consumption data for LNG export facilities**

- (1) A BB reporting entity must provide to AEMO on each gas day D+1 the daily consumption data for each gas day D for each of its LNG export facilities unless an exemption from reporting is in effect under rule 190 for the LNG export facility.
- (2) A BB reporting entity must update the information provided under subrule (1) for its LNG export facility if the information is no longer accurate.

**[85] Rule 190                      [Intentionally left blank.]**

Omit rule 190, including the heading, and substitute:

**190      Exemptions for the provision of daily consumption data**

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

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

**[86] Rule 190B                      Daily auction service curtailment information**

In subrule 190B(1), omit “Each gas day D” and substitute “Each gas day D+1”.

**[87] Rule 190B                      Daily auction service curtailment information**

In subrule 190B(1), omit “for gas day D-1” and substitute “for gas day D”.

**[88] Subdivision 5.8      Capacity transaction reporting**

In Subdivision 5.8, omit the heading and substitute:

**Subdivision 5.8      Transaction reporting**

**[89] Rule 190C                      Obligation to report**

In subrule 190C, omit the heading and substitute:

**190C                      Capacity transactions**

**[90] New rule 190CA      Short term LNG export transactions**

After rule 190C, insert:



## **190CA Short term LNG export transactions**

- (1) A person who is a gas seller for a short term LNG export transaction must provide to AEMO the short term LNG export transaction information for the transaction, subject to subrule (2).
- (2) The BB Procedures may provide for an item of short term LNG export transaction information provided to AEMO under subrule (1) to be a reasonable estimate or approximation, where the provision of the information is not otherwise practicable having regard to the nature or terms of the transaction.
- (3) The information referred to in subrule (1) must be provided to AEMO by the earlier of:
  - (a) 1 business day after the trade date for the short term LNG export transaction; and
  - (b) the day prior to the day on which the supply period for the short term LNG export transaction starts.
- (4) Where the transaction price for a short term LNG export transaction is expressed in a currency other than Australian dollars or the transaction is priced on a basis other than free on board (such as delivered ex ship), for the purpose of reporting the short term LNG export transaction information for the transaction under this Part, the seller must convert the transaction price to a free on board price in Australian dollars in accordance with the BB Procedures.
- (5) A gas seller for a short term LNG export transaction must update the information it has provided to AEMO under subrule (1) if the information is no longer accurate due to an amendment to the terms of the short term LNG export transaction.

## **[91] New rule 190CB BB short term gas transactions**

After rule 190CA, insert:

### **190CB BB short term gas transactions**

- (1) A person who is a gas seller for a BB short term gas transaction (excluding a BB short term gas transaction concluded through the gas trading exchange or through a regulated gas market) must provide to AEMO the short term gas transaction information for the transaction, subject to subrule (2).
- (2) The BB Procedures may provide for an item of short term gas transaction information provided to AEMO under subrule (1) to be a reasonable estimate or approximation, where the provision of the information is not otherwise practicable having regard to the nature or terms of the transaction.

- (3) Unless subrule (4) applies, the information referred to in subrule (1) must be provided to AEMO by the earlier of:
  - (a) 1 business day after the trade date for the BB short term gas transaction; and
  - (b) the day prior to the day on which the supply period for the BB short term gas transaction starts.
- (4) Where the supply period for a BB short term gas transaction starts on the trade date for the transaction, the information referred to in subrule (1) must be provided to AEMO as soon as reasonably practicable on the trade date.
- (5) A gas seller for a BB short term gas transaction must update the information it has provided to AEMO under subrule (1) if the information is no longer accurate due to an amendment to the terms of the BB short term gas transaction.

## **[92] Rule 190D                      Reporting through an agent**

Omit rule 190D, including the heading, and substitute:

### **190D            [Not used]**

#### **Note**

The content of this rule has been moved to rule 162.

## **[93] Rule 190E                      Reporting by the GSH Operator**

Omit subrule 190E(1) and substitute:

- (1) For each BB capacity transaction or BB short term gas transaction concluded through the gas trading exchange, the GSH Operator must provide to AEMO the capacity transaction information or short term gas transaction information as applicable.

## **[94] Rule 190E                      Reporting by the GSH Operator**

In subrule 190E(2), omit “the BB capacity transaction” and substitute “the relevant transaction”.

## **[95] New Subdivision 5.9      Facility development project reporting**

After Subdivision 5.8 insert:

## **Subdivision 5.9 Facility development project reporting**

### **190F Obligation to report**

- (1) A BB reporting entity must provide to AEMO the following information for each of its facility development projects:
  - (a) the type of facility;
  - (b) the facility's proposed nameplate rating, or the estimated likely range;
  - (c) the location of the facility;
  - (d) the proposed name of the facility, if known;
  - (e) the proposed commissioning date for the facility, or a range of dates; and
  - (f) the BB reporting entity's assessment of the stage of development of the facility development project, applying the assessment framework in the BB Procedures.
- (2) The information referred to in subrule (1) must be provided to AEMO:
  - (a) on registration of the facility development project under this Part; and
  - (b) annually, by the date specified in the BB Procedures.
- (3) A BB reporting entity must update the information provided to AEMO under subrule (1) if the information is no longer accurate.

### **[96] Rule 194 Publication of information provided to AEMO under Division 5**

In rule 194, omit subrules (1) and (2) and substitute:

- (1) Subject to subrule (2) and rules 195A and 195C, AEMO must publish on the Bulletin Board:
  - (a) the information provided to AEMO by BB reporting entities in accordance with the obligations of BB reporting entities under Division 5; and
  - (b) aggregated and anonymised information about the sensitivity of 2P reserves estimates to an increase or decrease in gas prices of 10% based on the information provided to AEMO under rule 171B(3).
- (2) AEMO must not publish information about:
  - (a) nominations and forecasts provided to AEMO under rule 183, unless the information is published in aggregated form in accordance with subrule (3); or

- (b) actual flows for gas day D provided to AEMO under Subdivision 5.6 of Division 5 before gas day D+1; or
- (c) the sensitivity of 2P reserves estimates to changes in gas prices provided to AEMO under rule 171B(3), unless the information is aggregated by participating jurisdiction and is in an anonymised form; or
- (d) a shipment of LNG from an LNG export facility provided to AEMO under Subdivision 5.6 of Division 5 before 20 business days after the end of the month in which the LNG is loaded.

**[97] Rule 194                      Publication of information provided to AEMO under Division 5**

In subrule 194(3)(b) omit “for gas day D+1 to gas day D+6” and substitute “for gas days D+1 to D+6”.

**[98] Rule 194                      Publication of information provided to AEMO under Division 5**

In subrule 194(4)(b), after “National Electricity Rules”, insert “or a facility for generating electricity that participates in a wholesale electricity market operating from time to time in the Northern Territory”.

**[99] Rule 194                      Publication of information provided to AEMO under Division 5**

In subrule 194(5), omit “for subrule (3)” and substitute “for this rule”.

**[100] Rule 195A                  Publication of capacity transaction information**

Omit subrule 195A(2) and substitute:

- (2) AEMO must not publish the names of the parties to a BB capacity transaction.

**[101] Rule 195A                  Publication of capacity transaction information**

In subrule 195A(5), omit “AEMO may” and substitute “Subject to subrules (2), (3) and (4), AEMO may”.

**[102] New rule 195C          Publication of gas transaction information**

After rule 195B insert:

## **195C Publication of gas transaction information**

- (1) Subject to subrules (2), (3) and (6), AEMO must publish short term LNG export transaction information and short term gas transaction information provided to AEMO under Subdivision 5.8 on the Bulletin Board.
- (2) AEMO must not publish:
  - (a) the names of the parties to a short term LNG export transaction or a BB short term gas transaction; or
  - (b) information about a short term LNG export transaction provided to AEMO under Subdivision 5.8 of Division 5 earlier than 20 business days after the trade date for the transaction.
- (3) AEMO must only publish information under subrule (1):
  - (a) in a form that so far as practicable does not identify the person to whom the information relates or allow that to be determined; and
  - (b) except in the case of a BB capacity transaction or BB short term gas transaction concluded through the gas trading exchange, if the information has been combined or arranged with other information so that so far as practicable it does not reveal the price applicable to any particular transaction or allow that price to be calculated.
- (4) AEMO must determine and may amend from time to time the arrangements to be used by AEMO for subrule (3).
- (5) The arrangements to be used by AEMO for subrule (3) may aggregate by:
  - (a) participating jurisdiction, trading location established under the exchange agreement or the location of multiple trading locations under the exchange agreement (such as Wallumbilla or Moomba); or
  - (b) other location specified in the BB Procedures,and may allow for the level of aggregation to vary according to circumstances, subject in all cases to subrule (3) being satisfied.
- (6) AEMO may exclude from publication under subrule (1) information about one or more BB short term gas transactions or LNG export transactions where reasonable to improve the quality or reliability of the published information or to satisfy subrule (3).
- (7) AEMO must publish on the Bulletin Board an overview of the arrangements used by AEMO for subrule (3).
- (8) Subject to subrules (2) and (3), AEMO may also publish on the Bulletin Board, based on the information referred to in subrule (1), data about short term LNG

export transactions or BB short term gas transactions in the form and containing the information determined by AEMO.

## **Schedule 6      Amendment to the National Gas Rules**

(Clause 8)

### **[1] New Part 16      Transitional provisions consequent on the National Gas Amendment (Market Transparency) Rule 2022**

In Schedule 1, after Part 15 insert a new Part:

### **Part 16      Transitional provisions consequent on the National Gas Amendment (Market Transparency) Rule 2022**

#### **77      Definitions**

- (1) Terms defined in the Amending Rule have the same meaning when used in this Part.
- (2) For the purposes of this Part 16:

**ACCC** means the Australian Competition and Consumer Commission.

**ACCC gas inquiry** means the ACCC's inquiry into gas supply in Australia conducted at the direction of the Treasurer made on 19 April 2017 pursuant to section 95H(1) of the *Competition and Consumer Act* 2010 (Cth), as extended from time to time.

**Amending Rule** means the *National Gas Amendment (Market Transparency) Rule 2022* made by the South Australian Minister under section 294FA of the *NGL*.

**GSOO survey commencement date** means the date of commencement of Schedule 2 of the Amending Rule.

**new BB registration rules** means Part 18 as in force on and from the registration commencement date.

**new BB rules** means Part 18 as in force on and from the reporting commencement date.

**new price reporting rules** means Part 17 as in force on and from the price reporting commencement date.

**old BB registration rules** means Part 18 as in force immediately before the registration commencement date.

**old BB reporting rules** means Part 18 as in force immediately before the registration commencement date.

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

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

**reporting commencement date** means the date of commencement of Schedule 5 of the Amending Rule.

**reporting entity** has the meaning given in rule 1 of Part 5 of Schedule 5.

**transitional compression facility** has the meaning given in rule 1 of Part 5 of Schedule 5.

## **78 AEMO Procedures**

- (1) By no later than the registration commencement date, AEMO must in accordance with Part 15B review, and where necessary, amend and publish the BB Procedures to take into account the Amending Rule.
- (2) The amendments to the BB Procedures referred to in subrule (1) must take effect:
  - (a) with respect to the new BB registration rules, on and from the registration commencement date; and
  - (b) with respect to the new BB rules, on and from the reporting commencement date.
- (3) AEMO must make and publish the initial GSOO Procedures in accordance with Part 15B by no later than 60 business days before the GSOO survey commencement date.
- (4) The initial GSOO Procedures must take effect on and from the GSOO survey commencement date.
- (5) For the purposes of Part 15B, information and notices published by AEMO and consultation undertaken by AEMO in relation to:
  - (a) proposed amendments to the BB Procedures in accordance with subrule (1);  
or
  - (b) proposed GSOO Procedures in accordance with subrule (3),

before the commencement date specified in the relevant subrule are taken to satisfy the requirements for publication and consultation under rules 135EE, 135EF or 135EG, if and to the extent that publication and consultation would have satisfied those requirements if it had been conducted after that date.



## **79 Transition of existing registrations**

- (1) Subject to subrules (2) and (3), each registration under the old BB registration rules in effect immediately before the registration commencement date continues as a registration under the new BB registration rules on and from the registration commencement date.
- (2) A person who immediately before the registration commencement date was registered under the old BB registration rules as a capacity transaction reporting agent is taken to be registered under the new BB registration rules as a BB reporting agent on and from the registration commencement date.
- (3) A person who immediately before the registration commencement date was registered under the old BB registration rules as a BB transportation facility user is taken to be registered under the new BB registration rules in the capacity of BB shipper on and from the registration commencement date.
- (4) A person who immediately before the registration commencement date was a reporting entity for a transitional compression facility is taken to be registered under the new BB registration rules as the BB reporting entity for the transitional compression facility on and from the reporting commencement date.
- (5) A compression service facility that immediately before the registration commencement date was a transitional compression facility is taken to be registered under the new BB registration rules as a BB compression facility on and from the reporting commencement date.
- (6) On and from the registration commencement date, a registration mentioned in this rule may be amended or revoked in accordance with the new BB registration rules.
- (7) To avoid doubt, the reporting obligations of a person who immediately before the registration commencement date was a BB reporting entity or a reporting entity:
  - (a) continue from the registration commencement date to the reporting commencement date under the old BB reporting rules; and
  - (b) on and from the reporting commencement date, are subject to the new BB rules.

## **80 Obligation to register existing facilities, fields and projects**

- (1) Subrule (2) applies to a person required to register under:
  - (a) rule 150 of the new BB registration rules in respect of a BB compression facility, a BB large user facility or an LNG processing facility commissioned before the registration commencement date;

- (b) rule 151 of the new BB registration rules in respect of a BB field interest held by the person immediately before the registration commencement date; or
  - (c) rule 152 of the new BB registration rules in respect of a facility development project that satisfies the definition of facility development project in rule 141(1) of the new BB rules before the registration commencement date.
- (2) Subject to any applicable exemption from registration under the new BB registration rules, a person mentioned in subrule (1) must apply to AEMO to register under the new BB registration rules as the BB reporting entity for the relevant BB facility, BB field or facility development project no later than 20 business days after the registration commencement date.

**Note**

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

- (3) In relation to a registration application made by a person mentioned in subrule (1), rule 157(3) of the new BB registration rules is taken to apply as if “5 business days” were omitted and substituted with “15 business days”.
- (4) Despite anything in the old BB reporting rules, the obligations of a BB reporting entity to provide information to AEMO under Division 5 of Part 18 in relation to its BB compression facility, BB large user facility, LNG processing facility, BB field interest or facility development project commence on and from the reporting commencement date.

## **81 AER price reporting function**

- (1) The AER must not publish information pursuant to a determination made under rule 140B of the new price reporting rules until after the ACCC publishes its final report made for the purposes of the ACCC gas inquiry.
- (2) Subrule (1) does not prevent the AER from:
- (a) publishing information pursuant to a price information determination that relates to a period before that date; or
  - (b) publishing gas price assumptions in accordance with rule 140A of the new price reporting rules at any time after the price reporting commencement date.
- (3) The AER must consult in accordance with the *standard consultative procedure* about the initial price information order under the *NGL* and the initial determination under rule 140B(2) of the new price reporting rules.

## **82 Information otherwise provided on registration**

- (1) Subject to subrule (4), a person who is the BB reporting entity for a BB facility immediately before the reporting commencement date must provide to AEMO the detailed facility information for the BB facility in accordance with rule 169(1) of the new BB rules no later than 20 business days after the reporting commencement date.
- (2) Subject to subrule (4), a person who is the BB reporting entity for a BB field interest immediately before the reporting commencement date must provide to AEMO the information for the BB field interest in accordance with rule 171A(1) of the new BB rules no later than 20 business days after the reporting commencement date.
- (3) Subject to subrule (4), a person who is the BB reporting entity for a facility development project immediately before the reporting commencement date must provide to AEMO the information for the facility development project in accordance with rule 190F(1) of the new BB rules no later than 20 business days after the reporting commencement date.
- (4) A BB reporting entity is not required to provide information to AEMO in accordance with subrule (1), (2) or (3) to the extent that the BB reporting entity provided the information to AEMO before the reporting commencement date and the information provided satisfies the requirements of rule 169, 171A or 190F (as applicable) of the new BB rules.

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[END OF RULE AS MADE]

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