



## **Draft National Electricity Amendment (Retailer reliability obligation exemption for scheduled bi-directional units) Rule 2024**

The Australian Energy Market Commission makes the following Rule under the National Electricity Law to the extent applied by:

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

Anna Collyer  
Chairperson  
Australian Energy Market Commission

## **Draft National Electricity Amendment (Retailer reliability obligation exemption for scheduled bi-directional units) Rule 2024**

### **1 Title of Rule**

This Rule is the *Draft National Electricity Amendment (Retailer reliability obligation exemption for scheduled bi-directional units) Rule 2024*.

### **2 Commencement**

This Rule commences operation on [15 November 2024].

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

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

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

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

## Schedule 1      Amendment to the National Electricity Rules

(Clause 3)

### [1] Clause 4A.A.1      Definitions

In clause 4A.A.1, insert new definition in alphabetical order:

**exempt market connection point** has the meaning given in clause 4A.D.1A.

### [2] Clause 4A.D.1      Application

In clause 4A.D.1(b), omit ", but does not include a reference to a *connection point* in a *regulated SAPS*".

### [3] New clause 4A.D.1A      Exempt market connection points

After clause 4A.D.1, insert new clause:

#### **4A.D.1A      Exempt market connection points**

Each of the following is an **exempt market connection point**:

- (a) a *connection point* for a *generating system* that comprises one or more *market generating units*;
- (b) a *connection point* for an *integrated resource system* that comprises one or more *market generating units* (and may comprise other *plant*) where the only consumption of electricity on the *integrated resource system* side of the *connection point* is by a *non-market bidirectional unit* or is *auxiliary load* of a *bidirectional unit* or *generating unit*;
- (c) a *connection point* for an *integrated resource system* that comprises one or more *bidirectional units* that have been classified as a *scheduled generating unit* under clause 2.2.2(b2) and as a *scheduled load* under clause 2.3.4A(b) (and may comprise other *plant*); and
- (d) a *connection point* for an *integrated resource system* that comprises one or more *market bidirectional units* (and may comprise other *plant*) where either:
  - (1) the only consumption of electricity on the *integrated resource system* side of the *connection point* is by a *market bidirectional unit* or is *auxiliary load* of a *bidirectional unit* or *generating unit*; or
  - (2) the aggregate consumption of electricity on the *integrated resource system* side of the *market connection point*, including the consumption of any *bidirectional unit* and *auxiliary load* of a *bidirectional unit* or *generating unit*, is less than 10 GWh per annum as determined in accordance with the Contracts and Firmness Guidelines; and

(e) a *connection point* in a *regulated SAPS*.

**Note**

In accordance with clause 2.3.4(a), a *connection point* mentioned in paragraphs (a), (b), (c) or (d) is the *market connection point* of the *Registered Participant* that classified the *production unit*.

**[4] Clause 4A.D.2      Liable entities**

In clause 4A.D.2(b)(2), omit "(excluding any *market connection point* for a *market generating unit* or *small generating unit*)" and substitute "(excluding any exempt market connection points)".

**[5] Clause 4A.D.3      New entrants**

In clause 4A.D.3, in the opening paragraph, omit "the person".

**[6] Clause 4A.D.3      New entrants**

In clause 4A.D.3(a), omit "is a *Market Customer*" and substitute "the person is a *Market Customer*".

**[7] Clause 4A.D.3      New entrants**

In clause 4A.D.3(b), omit "was not a liable entity" and substitute "the person was not a liable entity".

**[8] Clause 4A.D.3      New entrants**

In clause 4A.D.3(c), omit "for which it is *financially responsible*" and substitute "for which the person is *financially responsible*".

**[9] Clause 4A.D.3      New entrants**

In clause 4A.D.3(c), omit "(excluding any *small resource connection points*)" and substitute "(excluding any exempt market connection points)".

**[10] Clause 4A.F.1      Application**

Omit clause 4A.F.1(c).

**[11] Clause 4A.F.3      Share of one-in-two year peak demand forecast**

In clause 4A.F.3(b)(1), omit "*market connection point* for a *market generating unit* or *small generating unit*" and substitute "exempt market connection points".

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

(Clause 4)

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

In Part ZZZZZI, insert:

#### 11.[XXX] Rules consequential on the making of the National Electricity Amendment (Retailer reliability obligation exemption for scheduled bi-directional units) Rule 2024

##### 11.[XXX].1 Definitions

For the purposes of this rule 11.[XXX]:

**Amending rule** means the *National Electricity Amendment (Retailer reliability obligation exemption for scheduled bi-directional units) Rule 2024*.

**contract position day** has the meaning given in the *NEL*.

**effective date** means 15 November 2024, being the date of commencement of Schedule 1 of the Amending Rule.

**Existing IRS Participant** has the meaning given in clause 11.145.1.

**Existing Non-Customer Load Participant** has the meaning given in clause 11.145.1.

**new clause 4A.D.1A** means clause 4A.D.1A as will be in effect on and from the effective date.

**new clause 4A.D.2(b)(2)** means clause 4A.D.2(b)(2) as will be in effect on and from the effective date.

**transition period** means the period commencing on the effective date and ending on 3 December 2024.

**transitioning connection point** has the meaning given in clause 11.[XXX].2(c).

**transitioning generating system** means an *integrated resource system* of an Existing IRS Participant where, as at the effective date, the Existing IRS Participant has not completed the classification required by clause 11.145.2(c)(2) of any *bidirectional unit* or *generating unit* comprised in the system.

**transitioning scheduled load** means the *scheduled load* of an Existing Non-Customer Load Participant where, as at the effective date, the Existing Non-Customer Load Participant has not completed the classification required by clause 11.145.2(d)(2) of the *plant* comprising the *scheduled load*.

## **11.[XXX].2 Liabe entity threshold calculations for transitioning load**

- (a) This clause applies to the calculation of aggregate consumption at the *market connection points* of an Existing IRS Participant or Existing Non-Customer Load Participant under new clause 4A.D.2(b)(2) where the contract position day used for the calculation falls in the transition period.
- (b) For the purposes of the calculation referred to in paragraph (a), the consumption at a transitioning connection point must not be included.
- (c) A **transitioning connection point** is a *connection point* that, immediately after the end of the transition period, satisfies both the following criteria:
  - (1) it is a *connection point* for:
    - (i) a transitioning generating system for which an Existing IRS Participant is *financially responsible* on the contract position day; or
    - (ii) a transitioning scheduled load for which an Existing Non-Customer Load Participant is *financially responsible* on the contract position day; and
  - (2) it is an exempt market connection point within the meaning of new clause 4A.D.1A.

## **11.[XXX].3 Review of the Contracts and Firmness Guidelines**

- (a) By 12 months after the effective date, the *AER* must review and where necessary amend and *publish* the Contracts and Firmness Guidelines made under clause 4A.E.8 to take into account the Amending Rule, in accordance with the *Rules consultation procedures*.
- (b) Amendments to the Contracts and Firmness Guidelines made under paragraph (a) must take effect prior to the date 12 months after the effective date.