

Indicative changes to the National Gas Rules

Note:

This is an indicative version of the changes to the National Gas Rules to be made by the *National Gas Amendment (Extension of the DWGM Dandenong LNG interim arrangements) Rule 2025 No. 3*. It comprises extracts from Parts 18 and 19 of version 85 of the National Gas Rules and related provisions.

This document is provided for information purposes only. The actual amendments are set out in the *National Gas Amendment (Extension of the DWGM Dandenong LNG interim arrangements) Rule 2025 No. 3*.

The Australian Energy Market Commission does not guarantee the accuracy, reliability or completeness of this indicative mark-up of the National Gas Rules.

Part 18 Gas Bulletin Board

Division 1 Interpretation and application

141 Interpretation

- (1) In this Part:

BB facility means a BB production facility, a BB pipeline, a BB blended gas distribution system, a BB blend processing facility, a BB storage facility, a BB compression facility, a BB large user facility, a BB liquefaction facility or an LNG processing facility.

BB liquefaction facility means a liquefaction facility that is owned, operated or controlled by a declared LNG supplier.

daily capacity means:

- (a) for a production facility, the quantity of gas that can be injected into one or more pipelines from the facility on a gas day;
- (b) for a transmission pipeline, for each direction in which gas can be transported on the pipeline, the quantity of gas that can be transported through the pipeline on a gas day in that direction;
- (b1) for a distribution system, the quantity of gas that can be injected into the distribution system on a gas day;
- (c) for a gas storage facility, each of:
 - (i) the quantity of gas that can be withdrawn from the gas storage facility for injection into another facility on a gas day;
 - (ii) the quantity of gas that the gas storage facility can receive and process into storage on a gas day; and
 - (iii) the quantity of gas that the gas storage facility can hold in storage on a gas day;
- (d) for a compression service facility, the quantity of gas that can be compressed by the compression service facility on a gas day;
- (e) for a receipt point on a pipeline, the quantity of gas that can be injected into the pipeline through the receipt point on a gas day;
- (f) for a delivery point on a pipeline, the quantity of gas that can be withdrawn from the pipeline through the delivery point on a gas day;
- (g) for a user facility, the quantity of 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;
- (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; ~~and~~
- (j) for a blend processing facility, each of:
 - (i) the quantity of gas that the blend processing facility can receive on a gas day; and
 - (ii) the quantity of gas that can be injected into one or more pipelines from the blend processing facility on a gas day; ~~and~~

(k) for a liquefaction facility, the quantity of gas that the liquefaction facility can process into storage on a gas day.

declared LNG supplier means a person designated as a declared LNG supplier under legislation of an adoptive jurisdiction.

facility operator means for:

- (a) a BB production facility: each producer or user who owns, operates or controls the BB production facility;
- (b) a BB pipeline: each service provider or gas market operator for the BB pipeline;
- (b1) a BB blended gas distribution system: each service provider for the BB blended gas distribution system;
- (c) a BB storage facility: each ~~person who owns, operates or controls~~~~storage provider for~~ the BB storage facility;
- (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;
- (g) a BB blend processing facility: each blend processing service provider who owns, operates or controls the BB blend processing facility; ~~i~~
- (h) a BB liquefaction facility: the declared LNG supplier for the liquefaction facility.

gas storage facility means a facility for storing 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.

liquefaction facility means a facility for the processing of natural gas from a gaseous to a liquefied state, other than an LNG export facility.

(2) In this Part the term **nameplate rating**:

- (a) when used in the context of:

- (i) a production facility;
- (ii) a transmission pipeline;
- (iii) a user facility; or
- (iv) a distribution system,

means the maximum daily capacity of the facility under normal operating conditions;

- (b) when used in the context of a gas storage facility means each of:

- (i) the maximum quantity of gas that can be withdrawn from the gas storage facility for injection into another facility on a gas day under normal operating conditions (the **production nameplate rating**);
- (ii) the maximum quantity of gas that the gas storage facility can receive and process into storage on a gas day under normal operating conditions (the **refill nameplate rating**); and
- (iii) the maximum quantity of gas that the gas storage facility can hold in storage under normal operating conditions (the **storage nameplate rating**);

- (c) when used in the context of a gate station means the maximum quantity of gas that can be transported through that gate station on a gas day under normal operating conditions;

- (d) when used in the context of a receipt point or delivery point, means the maximum daily capacity of the receipt point or delivery point under normal operating conditions;

- (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;

- (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 gas that can be injected into one or more pipelines from the LNG import facility on a gas day under normal operating conditions;
- (h) when used in the context of a blend processing facility means each of:
 - (i) the maximum quantity of gas that can be received by the blend processing facility on a gas day; and
 - (ii) the maximum quantity of gas that can be injected into one or more pipelines from the blend processing facility on a gas day;

(i) when used in the context of a liquefaction facility means the maximum quantity of gas that the liquefaction facility can process into storage on a gas day under normal operating conditions.

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144A Application to BB blended gas distribution systems

- (1) For the purposes of Division 5 of this Part, a BB reporting entity for a BB blended gas distribution system, in that capacity, is only required to report under rules 168 and 190G.
- (2) Subrule (1) does not limit the obligation of a person to report under Division 5 of this Part in relation to any other BB facility for which it is the BB reporting entity.

144B Application to BB liquefaction facilities

- (1) For the purposes of Division 5 of this Part, a BB reporting entity for a BB liquefaction facility, in that capacity, is only required to report under rules 168, 178 and 181.
- (2) Subrule (1) does not limit the obligation of a person to report under Division 5 of this Part in relation to any other BB facility for which it is the BB reporting entity.

Part 19 Declared Wholesale Gas Market Rules

Division 1 Preliminary

200 Definitions

~~declared LNG supplier~~ means a person designated as a declared LNG supplier under legislation of the adoptive jurisdiction.

~~declared LNG supply agreement~~ means an agreement designated as a declared LNG supply agreement under legislation of the adoptive jurisdiction.

liquefaction facility means a facility for the processing of natural gas from a gaseous to a liquefied state.

maintenance means work carried out by DWGM facility operators or a declared LNG supplier that, in AEMO's opinion, may affect:

- (a) the supply of gas through the Market; or
 - (b) AEMO's ability to operate the declared transmission system; or
 - (c) declared transmission system capacity; or
 - (d) system security; or
 - (e) the efficient operation of the declared transmission system generally,
- and includes work carried out on pipeline equipment but does not include maintenance required to avert or reduce the impact of an emergency.

relevant year means each of 2023, 2024 and 2025 year from 2023 to 2029 (inclusive).

Division 3 Technical Matters

Subdivision 2 LNG Storage

278 Obligations of AEMO

AEMO is responsible for scheduling LNG injection bids.

279 Obligations of an LNG Storage Provider

- (1) An LNG Storage Provider must ensure that its LNG storage facility is utilised with the objective of maintaining LNG stock at the highest level possible.
- (2) An LNG Storage Provider must operate its LNG storage facility in accordance with scheduling instructions issued by AEMO.

Note:

This subrule is classified as a conduct provision under the National Gas (Victoria) (Declared System Provisions) Regulations. See clause 4 and Schedule 2 of the National Gas (Victoria) (Declared System Provisions) Regulations.

- (3) **[Deleted]**

- (4) An LNG Storage Provider must as soon as reasonably practicable after the end of each gas day provide AEMO with the following information in respect of its LNG storage facility:
 - (a) the total quantity of LNG stock at the end of the gas day; and
 - (b) the total quantity of LNG stock held on behalf of Market Participants at the end of that gas day which is available to be bid into the Market.

280 Provision of information relating to an LNG storage facility

- (1) An LNG Storage Provider must, ~~subject to the terms and conditions of a declared LNG supply agreement (where relevant),~~ keep AEMO informed in a timely manner of all matters or circumstances relating to the operation of its LNG storage facility that may affect the ability of AEMO to schedule LNG injection bids or use the LNG reserve.

Note:

This subrule is classified as a conduct provision under the National Gas (Victoria) (Declared System Provisions) Regulations. See clause 4 and Schedule 2 of the National Gas (Victoria) (Declared System Provisions) Regulations.

- (2) A declared LNG supplier must keep AEMO informed in a timely manner of all matters or circumstances relating to the operation of its liquefaction facility that may affect the refilling of the LNG storage facility or the ability of AEMO to schedule LNG injection bids or use the LNG reserve.

Note:

The AEMC has recommended the classification of this rule as a civil penalty provision under the National Gas (Victoria) (Declared System Provisions) Regulations.

The AEMC has recommended that subrule (1) no longer be classified as a conduct provision.

282 Uncontracted LNG storage capacity

- (1) At all times during the relevant years, AEMO and an LNG Storage Provider must have in force an LNG storage agreement under which AEMO may contract for use of the uncontracted LNG storage capacity to satisfy AEMO's obligations under subrule (3).
- (2) The LNG storage agreement under subrule (1) must:
 - (a) be consistent with this rule, rule 285(1) and rules 286(3) and (4);
 - (b) allow AEMO to relinquish its contracted capacity from time to time where required by rule 286(1); and
 - (c) otherwise be on substantially the same terms (including as to price and price structure) as the 2022 LNG storage agreement, subject to variations that:
 - (i) ~~[Deleted] are reasonably necessary for the safe and reliable operation of the LNG storage facility; or~~
 - (ii) give effect to terms of the 2022 LNG storage agreement providing for variation in specified circumstances or applying specified methodologies, as if the 2022 LNG storage agreement had continued through the relevant years.

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- (3) If, at the end of 1 March of any relevant year, there is any uncontracted LNG storage capacity in relation to an LNG storage facility for the upcoming winter months, AEMO must:
- (a) contract for use of the uncontracted LNG storage capacity, subject to subrule (3A); and
 - (b) subject to any relinquishment of capacity to a Market Participant in accordance with rule 286(1), purchase gas for storage on its behalf as LNG, with the objective of achieving the target level determined in accordance with subrule (4) by the start of the winter months in the relevant year.

(3A) Subrule (3) does not require AEMO to contract for the use of uncontracted LNG storage capacity:

- (a) that AEMO reasonably considers is subject to a temporary or permanent constraint limiting the use of this capacity; or
 - (b) in excess of the capacity required to meet a different target level determined by AEMO under subrule (4)(b) and approved by the Minister of the adoptive jurisdiction under subrule (5).
- (4) The target level is a quantity of LNG stock held on AEMO's behalf utilising the LNG reserve (taking into account capacity contracted in accordance with this rule and any other capacity contracted by AEMO) that is:
- (a) the highest level reasonably possible; or
 - (b) such other level determined by AEMO and approved by the Minister of the adoptive jurisdiction under subrule (5).
- (5) For the purposes of subrule (4)(b), AEMO may, if it considers that there are extraordinary circumstances warranting a target level that is less than the highest level reasonably possible, apply to the Minister of the adoptive jurisdiction for approval of a different target level.
- (6) AEMO may contract for use of any uncontracted LNG storage capacity for the winter months of a relevant year that becomes available after 1 March of that year.
- (7) AEMO may purchase further gas for storage on its behalf as LNG stock during or after the winter months of the relevant year that AEMO considers reasonably necessary having regard to forecast market conditions and whether AEMO considers it reasonably necessary to mitigate the risk of potential threats to system security.
- (8) This rule does not:
- (a) prevent AEMO and an LNG storage provider from agreeing to amend an LNG storage agreement under which AEMO already holds LNG storage capacity to satisfy the requirements of this rule; or
 - (b) affect AEMO's power to enter into LNG storage agreements at any other time or for any other purpose.
- (9) In this rule, **2022 LNG storage agreement** means the LNG storage agreement between AEMO and the LNG Storage Provider for the LNG storage facility at

Dandenong dated 20 January 2022 as varied by agreements dated 1 July 2022, 20 December 2022 and 28 March 2023.

Division 4 Market information and system planning

Subdivision 2 Forecasts and Planning and Maintenance Reviews

324 Participant disclosure obligations

- (1) All Registered participants must provide to AEMO forecasts in respect of the matters set out in subrule (2) as follows:
 - (a) annual forecasts for each year in the 5 year period commencing on each 1 January must be provided to AEMO by 30 September in the immediately preceding year; and
 - (b) monthly forecasts for each month in the 12 month period commencing on each 1 January must be provided to AEMO by 30 September in the immediately preceding year.

Note:

This subrule is classified as a conduct provision under the National Gas (Victoria) (Declared System Provisions) Regulations. See clause 4 and Schedule 2 of the National Gas (Victoria) (Declared System Provisions) Regulations.

- (2) Information supplied by each Registered participant must include forecasts in respect of the following matters, where relevant to the operation or security of the declared transmission system:
 - (a) available and prospective supply available to that Registered participant and the source of that supply;
 - (b) storage capacities and inventory available to that Registered participant;
 - (c) gas supply, storage, blend processing facility, transmission and distribution projects, including extensions and expansions of such facilities;
 - (d) storage operating parameters, including injection and withdrawal rates and pressures and sustainability of those rates and pressures; and
 - (e) blend processing facility capacities.
- (3) Market Customers and Distributors must include the following additional forecasts, where relevant, with the information provided to AEMO under subrule (2):
 - (a) peak daily demand for 1 in 2 peak demand conditions ; and
 - (b) anticipated material constraints on the capacity of the declared distribution system and the location of such constraints, where that constraint may have a material effect on the operation of the declared transmission system.

Note:

This subrule is classified as a conduct provision under the National Gas (Victoria) (Declared System Provisions) Regulations. See clause 4 and Schedule 2 of the National Gas (Victoria) (Declared System Provisions) Regulations.

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- (4) DWGM facility operators must include the following additional forecasts, where relevant to the operation or security of the declared transmission system, with the information provided to AEMO under subrule (2):
- (a) the availability of equipment;
 - (b) details of any constraints on the availability of equipment;
 - (c) the time and duration of any proposed maintenance;
 - (d) full details of the proposed maintenance;
 - (e) the longest period likely to be required to recall into operation relevant equipment during the course of maintenance; and
 - (f) operational requirements for maintenance to be performed including:
 - (i) the gas pressure under which the maintenance will be performed;
 - (ii) gas requirements for testing; and
 - (iii) compressor test operations required,

and this additional information must be provided to AEMO in accordance with subrule (1) and also in the form of week-ahead forecasts commencing from Monday in each week which must be provided to AEMO by no later than the immediately preceding Wednesday.

Note:

This subrule is classified as a conduct provision under the National Gas (Victoria) (Declared System Provisions) Regulations. See clause 4 and Schedule 2 of the National Gas (Victoria) (Declared System Provisions) Regulations.

- (5) A Registered participant must notify AEMO as soon as practicable having regard to the nature of the change if it becomes aware of a material change to information previously provided under subrules (2), (3) and (4).

Note:

This subrule is classified as a conduct provision under the National Gas (Victoria) (Declared System Provisions) Regulations. See clause 4 and Schedule 2 of the National Gas (Victoria) (Declared System Provisions) Regulations.

- (6) Information provided to AEMO under this rule is confidential information.
- (7) Registered participants must provide the information required under this rule in good faith and must take all reasonable measures to ensure that the information is accurate.
- (8) AEMO may use information provided to it under this rule to prepare, review, revise or publish the gas statement of opportunities.

324B Application of provisions to declared LNG suppliers

- (1) A declared LNG supplier must comply with rule 324 and rule 326 as if the declared LNG supplier were a Registered participant and a DWGM facility operator under those rules.

- (2) In rules 324, 325 and 326, a reference to a Registered participant or a DWGM facility operator is taken to include a reference to a declared LNG supplier.
- (3) Information provided by a declared LNG supplier to AEMO under subrule (1) is confidential information and may be used by AEMO in accordance with rule 324(8).
- (4) The maintenance planning procedures may impose obligations on a declared LNG supplier with respect to the subject matter of those procedures.

325 Disclosure exemptions

- (1) AEMO, in its absolute discretion, may exempt a Registered participant from all or any of the disclosure obligations under rules 324(2), (3) and (4).
- (2) AEMO, in its absolute discretion, may require a Registered participant, who has previously been exempted from the disclosure obligations under rules 324(2), (3) and (4), to make all or any of the disclosures required under those rules.

326 Maintenance planning

- (1) AEMO must, having regard to information provided by Registered participants (under rule 324(4) or otherwise), coordinate all maintenance planned by DWGM facility operators to minimise any threats to system security as a consequence of the unavailability of equipment undergoing maintenance.
- (2) AEMO must make Procedures (**maintenance planning procedures**) with respect to maintenance including the following:
 - (a) notification of maintenance;
 - (b) requests to carry out maintenance;
 - (c) approval of requests (including conditions of approval);
 - (d) initiation of maintenance (including initiation at the request of AEMO);
 - (e) risk assessment and management;
 - (f) information exchange and release (including release of confidential information);
 - (g) timing (including deferral) of maintenance;
 - (h) the types of equipment to be taken off line and brought back on line in the course of maintenance operations and the procedures for taking it off line and bringing it back on line;
 - (i) any other matter contemplated by, or reasonably incidental to, rule 324 or this rule.
- (3) A DWGM facility operator that has provided information under rule 324(4), concerning time and duration of proposed maintenance, must act in accordance with those forecasts unless:

- (a) those forecasts are updated in the manner specified in the maintenance planning procedures more than 5 days before that maintenance is due to commence; or
- (b) if the update is to occur within 5 days of the day on which that maintenance was due to commence, consent to an update has been obtained from AEMO in the manner specified in the maintenance planning procedures.

Note:

This subrule is classified as a conduct provision under the National Gas (Victoria) (Declared System Provisions) Regulations. See clause 4 and Schedule 2 of the National Gas (Victoria) (Declared System Provisions) Regulations.

- (4) If AEMO believes that any maintenance proposed by a DWGM facility operator will threaten system security, AEMO must notify the DWGM facility operator and that DWGM facility operator must co-operate with AEMO in good faith to minimise any threat to system security that in AEMO's reasonable opinion would be likely to result from that proposed maintenance.
- (5) AEMO may direct a DWGM facility operator to cancel, delay or suspend any maintenance if in AEMO's reasonable opinion:
 - (a) the DWGM facility operator is conducting or proposing to conduct maintenance in a way that does not minimise threats to system security; and
 - (b) the relevant equipment will not be materially damaged by deferring that maintenance.
- (6) If equipment owned or operated by a DWGM facility operator breaks down or is likely to break down, and the breakdown threatens or could threaten system security, the DWGM facility operator:
 - (a) must immediately provide AEMO with full details of:
 - (i) the breakdown or threatened breakdown; and
 - (ii) its proposed response to the breakdown or threatened breakdown; and
 - (b) must co-operate with AEMO in good faith to minimise the threat to system security.

Note:

This subrule is classified as a conduct provision under the National Gas (Victoria) (Declared System Provisions) Regulations. See clause 4 and Schedule 2 of the National Gas (Victoria) (Declared System Provisions) Regulations.

- (7) If AEMO becomes aware of defective equipment that could adversely affect system security, AEMO must promptly provide all relevant DWGM facility operators with full details of the defect.
- (8) In this rule:

equipment means plant or equipment:

 - (a) that forms part of a pipeline or a related facility; or
 - (b) that is relevant to the safe, secure and reliable operation of a pipeline or related facility,

and includes pipeline equipment.

Schedule 1 Transitional Provisions

Part 21 2025 transitional provisions

Division 2 Transitional provisions consequent on the National Gas Amendment (Extension of the DWGM Dandenong LNG interim arrangements) Rule 2025

109 Definitions

- (1) Unless otherwise specified, terms defined in the new DWGM rules or new Part 18 have the same meaning when used in this Division.

- (2) For the purposes of this Division:

Amending Rule means the *National Gas Amendment (Extension of the DWGM Dandenong LNG interim arrangements) Rule 2025*.

commencement date means the date of commencement of Schedule 1 of the Amending Rule, being 30 October 2025.

current expiry date means the expiry date of the expiring LNG storage agreement as in effect on the commencement date.

current LNG stock means the LNG stock held on AEMO's behalf utilising the LNG reserve on the current expiry date, as may vary from time to time due to use or transfer by AEMO.

expiring LNG storage agreement means the LNG storage agreement between AEMO and an LNG Storage Provider required by rule 282(1) of the old DWGM rules that is in effect on the commencement date and is for the relevant years 2022 to 2025 (inclusive).

extended LNG storage agreement means the LNG storage agreement required by, and that satisfies the requirements of, rules 282(1) and (2) of the new DWGM rules and that is for the relevant years 2026 to 2029 (inclusive).

new DWGM rules means Part 19 as in force immediately after the commencement date.

new Part 18 means Part 18 as in force immediately after the reporting commencement date.

old DWGM rules means Part 19 as in force immediately before the commencement date.

reporting commencement date means the date of commencement of Schedule 2 of the Amending Rule, being 1 April 2026.

transition period means the period starting immediately following the current expiry date and ending when storage under the extended LNG storage agreement starts.

transitional storage agreement means an agreement between AEMO and an LNG Storage Provider for the storage of the current LNG stock during the transition period and that complies with rule 111(2).

110 Commencement of rule 282

For rule 282(1) of the new DWGM rules, AEMO and an LNG Storage Provider are not required to have the extended LNG storage agreement in force until 28 February 2026.

111 Transitional storage agreement

- (1) AEMO and an LNG Storage Provider must negotiate in good faith with a view to reaching agreement on the terms of the transitional storage agreement as soon as practicable after the commencement date and not later than 31 December 2025.
- (2) The transitional storage agreement must be on substantially the same terms as the expiring LNG storage agreement.
- (3) The transitional storage agreement may (without limitation):
 - (a) take the form of an extension to the expiring LNG storage agreement for the transition period; or
 - (b) be incorporated in the extended LNG storage agreement.
- (4) Nothing in this rule prevents AEMO from using or transferring the current LNG stock in accordance with the Rules.

112 Establishing an agreement for use of uncontracted LNG storage capacity

- (1) AEMO and an LNG Storage Provider must negotiate in good faith with a view to reaching agreement on the terms of the extended LNG storage agreement as soon as practicable after the commencement date.
- (2) Without limitation to subrule (1), an LNG Storage Provider must give to AEMO an offer that complies with subrule (4) within 5 business days of a request from AEMO, if that request is made after 1 December 2025.
- (3) An LNG Storage Provider must give to AEMO a revised offer that complies with subrule (4) and that reflects the outcome of good faith negotiations within a reasonable time of a request from AEMO for the revised offer and in any event not later than 5 business days after the request.
- (4) An offer under subrule (2) and any revised offer under subrule (3) must be in a form that, if accepted by AEMO, will give rise to a binding LNG storage agreement that satisfies the requirements of rules 282(1) and (2) of the new DWGM rules.

113 Reference to arbitration

- (1) If AEMO and an LNG Storage Provider have not entered into the extended LNG storage agreement by 1 February 2026, AEMO or the LNG Storage Provider may refer the matter to the AER for resolution as a rule dispute by a Dispute resolution panel comprised of a single arbitrator, by giving a notice to the AER and to the other person at any time after that date.
- (2) If there is a referral to the AER under subrule (1), AEMO and the LNG Storage Provider must negotiate in good faith to agree who is to be the arbitrator and must promptly notify the AER if agreement is reached.
- (3) If AEMO and the LNG Storage Provider do not notify the AER under subrule (2) within 5 business days after the notice under subrule (1), the AER must select the arbitrator after consultation with AEMO and the LNG Storage Provider.
- (4) The arbitrator selected by the AER must be a person that is:
 - (a) independent of the parties to the dispute; and
 - (b) properly qualified to act in the resolution of the dispute.
- (5) The arbitrator may be a person that is also a member of a pool of arbitrators under another Part of the Rules.
- (6) The AER must use reasonable endeavours to refer the matter for resolution by the arbitrator agreed by the parties or selected by the AER (as applicable) within 15 business days after the notice under subrule (1).
- (7) The dispute must be heard and determined in Victoria.
- (8) Unless the arbitration is terminated in accordance with the procedural provisions applicable to the arbitration, the arbitrator must determine the terms and conditions of the extended LNG storage agreement.

Note:

For the procedural provisions applicable to the arbitration, refer to section 270B of the *NGL*.

- (9) Where the arbitrator determines the terms and conditions of the extended LNG storage agreement, an agreement between AEMO and the LNG Storage Provider on the terms determined by the arbitrator is taken to come into effect on and from the date specified in the determination.
- (10) The arbitrator may, at the request of AEMO or the LNG Storage Provider, make an interim determination specifying the terms and conditions of an LNG storage agreement to apply on a temporary basis until the extended LNG storage agreement comes into effect.
- (11) The arbitrator may give directions as to the procedures to apply to enable the arbitrator to make an interim determination.

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- (12) If the arbitrator makes an interim determination, an agreement between AEMO and the LNG Storage Provider is taken to come into effect on the terms determined by the arbitrator in the interim determination on and from the date specified in the interim determination until the extended LNG storage agreement comes into effect.
 - (13) The arbitrator's final determination may, in addition to the matters contemplated by subrule (8), determine adjustments to be made between AEMO and the LNG Storage Provider to account for differences between the terms and conditions of the LNG storage agreement determined under an interim determination and the terms and conditions of the extended LNG storage agreement determined under the final determination.
 - (14) Each party must bear its own costs of an arbitration under this rule.
 - (15) Part 15C does not apply to an arbitration under this rule.

114 Revised statements after 30 June 2030

Despite the repeal by Schedule 3 of the *National Gas Amendment (DWGM interim LNG storage measures) Rule 2022* (as amended by the Amending Rule) of any provisions inserted by Schedule 1 of the *National Gas Amendment (DWGM interim LNG storage measures) Rule 2022*, AEMO may continue to include in revised statements amounts arising under or in respect of the repealed provisions.

115 Instruments made by AEMO

- (1) By the reporting commencement date, AEMO must review, and where necessary, update the following instruments to take into account the Amending Rule:
 - (a) the Wholesale Market Procedures; and
 - (b) the BB Procedures.
- (2) Amendments made in accordance with subrule (1) must take effect from the reporting commencement date.

116 Part 18 registration changes

- (1) By 30 January 2026, the declared LNG supplier must apply to AEMO to register as the BB reporting entity for its BB liquefaction facility.
- (2) AEMO may register, and may report data relating to, a BB liquefaction facility as if it were a BB storage facility until such time, if any, as AEMO considers it is convenient and cost effective to create a separate registration category for stand-alone BB liquefaction facilities.