Akaysha Head Office,
Level 7, 22 Gordon Street
Cremorne VIC 3121

Marcel Lima

Australian Energy Market Commission (AEMC)

Submitted via AEMC webportal

22 January 2026

Dear Marcel,

REL0095: Compliance Template Review 2026 – Issues Paper

Akaysha Energy (Akaysha) appreciates the opportunity to provide the Australian Energy Market Commission (AEMC) with a response to the Compliance Template Review 2026 – Issues Paper.

Akaysha is a leading Australian developer and operator of utility scale BESS in the NEM. Having achieved commercial operation on several projects in 2025 and 2026, Akaysha has recent experience in establishing compliance programs based on the current version of the AEMC's template. As such, we believe we can offer a valuable perspective based on our experience using the template and how it might be improved to provide greater assistance to participants.

Akaysha's objectives in establishing compliance programs are to:

1. Ensure compliance with a plant's GPS and the NER
2. Minimise cost

Our approach to achieving these objectives has revolved around:

- Reducing (or ideally eliminating) any shut down time required for compliance purposes by selecting continuous monitoring or event-based monitoring methodologies
- Automating compliance assessment procedures to provide more robust and faster non-compliance detection as well as reducing human time required to complete assessments

We believe many other participants will share common objectives and approaches, leveraging continuous monitoring and event-based assessment methodologies. Any steps that can be taken in modifying the template to improve the description relating to these methods will support more effective and efficient compliance programs across the NEM.

Akaysha has reviewed the Terms of Reference and Issues Paper published by the AEMC in relation to the template review. Specific feedback is included below as responses to the questions posed in the Issues Paper. For more information on any of the responses provided below, please contact Emma Fagan (emma.fagan@akayshaenergy.com)

Kind regards

Emma Fagan

General Manager – Policy and Regulatory Affairs

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Question 1: ***Effectiveness of the Template in providing guidance for compliance programs***

What are stakeholders' experiences of using the Template? Does the current Template provide useful guidance to help parties with their obligations under the NER? What opportunities are there to improve the Template to provide better guidance in relation to compliance with NER technical performance standards**?**

Section 1 of the current template does a good job of explaining the context and requirements for compliance, as well as listing out general principles to follow in creating and maintaining compliance programs.

Section 2 includes a table intended to help generators develop their own compliance programs. We have not found this table to be particularly useful in establishing compliance programs for BESS in the NEM. In many cases the methods provided for use by synchronous or conventional plant are well defined, but the methods remaining available to inverter-based resources (IBRs) are vague and harder to convert into practical assessment protocols. Including more detail and clarity around the methods applicable to IBRs would improve the usefulness of the table to many participants.

The addition of event signals and sampling rates required to be collected as part of a continuous monitoring assessment method would also assist greatly in establishing compliance programs.

Lastly, recommending or suggesting which method is best suited for a specific technology type would reduce some of the complexity of the table. Or an alternative approach might be to provide a separate table for synchronous and asynchronous plant types.

Question 2: ***Proposed assessment principles and rationale***

Do you agree with the proposed high level assessment criteria? Are there additional criteria the Panel should consider, or criteria included here that are not relevant?

To ensure balanced and appropriate prescription there should be greater emphasis placed on compliance aspects that relate to market revenue stream such as dispatch conformance and FCAS with moderate emphasis placed on Power System performance such as voltage control etc. This will ensure the AER is able to signal clear compliance and enforcement and allows participants to create more efficient compliance programs that prioritise more frequent assessments of compliance in these key areas.

Akaysha suggests that cost should be included as an assessment criteria used to guide this review. This factor is a fundamental trade-off against many other assessment criteria, and a balanced approach cannot be taken without considering its impact.

We recognise that cost is included as part of compliance principle 4. It is not clear what the distinction is between the assessment criteria and the compliance principles, as both appear to be intended to guide the panel's review. It would simplify the review if these could be unified, or the distinction between them better explained.

Question 3: ***Proposed revised compliance principles***

Do you agree with the revised compliance principles? Are there any key concepts that are not currently outlined in the compliance principles, that should be included?

We agree with principles 1,2,3.

In respect of "Principle 4: Efficacy of compliance program", we suggest that the wording of this proposed principle is reviewed. It is currently confusing. Potentially there is an error in the wording. It would provide more clarity if it was written as:

A Registered Participant's active use and implementation of a compliance program that has been developed consistent with these compliance principles and with the template must provide a reasonable assurance of compliance with the Registered Participant's ***registered performance standards*** ~~*compliance management framework*~~*. A Registered Participant should review and update its compliance program(s) periodically.*

In respect of "Principle 5: Reflection of good electricity industry practice", this principle is not particularly useful as good practice is a vague concept. Its inclusion does not help with the development of compliance programs.

Question 4: ***Structure and form of the Template***

Do stakeholders support the Panel's proposed approach to revise the Template structure based on plant type to include schedule 5.2, schedule 5.3 and schedule 5.3a plant? Do stakeholders have any suggestions for how the Template should provide guidance to different plant types? Do stakeholders propose any alternative approaches to revising the Template structure to accommodate additional plant types and align with the revised NER?

Akaysha agrees with the proposal to revise the template according to plant type. In recent times there has been significant increase in the installation of new renewable and BESS projects, the review should on these plants as opposed to putting resource on HVDC links operated in very limit numbers across the NEM. The updated NER technical rules have attempted to remain technology agnostic, only separating by synchronous and asynchronous generation type. The revised template should align with this delineation in coordination with the NER and GPS.

Question 5: ***Testing and monitoring regimes for schedule 5.3 plant and schedule 5.3a plant***

In general terms, what kinds of tests and monitoring regimes are included in existing compliance programs for schedule 5.3 plant (certain loads and distribution networks) and schedule 5.3a plant (HVDC links)? Is there a consistent structure for these programs that can be leveraged for the Template? Are there any existing methodologies in the Template that would be appropriate to apply for new plant types? Are there any specific testing or monitoring methodologies that are unique to a specific plant type that the Panel should consider including in the Template?

Not applicable for Akaysha. IRP (BESS) are schedule 5.2 plant. No comments.

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Question 6: ***Appropriateness of existing testing and monitoring regimes***

Despite the extensive changes to the technical requirements in Schedule 5.2, which existing testing and monitoring regimes in the Template are likely to remain suitable for new plant? Are there any specific details about existing testing or monitoring regimes in the Template that should be amended to account for the rule changes listed above? For example, should the suggested frequency of testing of methodologies be amended for more effective compliance programs?

In modern plant, the settings and configuration are readily available making comparison to previous configuration and model settings relatively easy. One suggestion is to reduce the amount of plant testing by checking and comparing current plant settings with previous settings and the plant models.

Beyond this, Akaysha does not see a need to significantly modify the existing testing methods to account for rule changes. We see new technology and data availability as being the key drivers for changes to be made to the template. This is discussed in our response to question 7.

Question 7: ***Suggestions for new testing or monitoring regimes***

Are stakeholders aware of any new testing or monitoring regimes that could contribute to making more effective compliance programs for performance standards made under the amended access standards? Are there any commonly used regimes that are not currently listed in the Template?

Akaysha is employing automated assessment methods which trigger on events and provide notifications if a non-compliance is detected. This is technically covered under the existing methods listed in table 1 due to the generic nature of descriptions against most in-service monitoring methods. Further detail should be added to include this type of assessment as its own method, ideally with the inclusion of appropriate trigger events and thresholds for notification.

The most relevant changes to the access standard have been the focus of S5.2.5.13 on the Primary and Secondary control modes. The compliance template should be aligned to only test these control modes and to minimise the outage times of plant.

Question 8: ***Reflecting changes in technology and cost in the Template***

Does the current Template appropriately consider all technology types? If not, how can the Template be amended to better reflect newer technologies? Have the costs of the compliance methods listed in the Template changed significantly? What changes, if any, could be made to the Template to reflect updated information on the costs of testing and compliance regimes?

Some methods in table 1 refer to solar and wind plant. These descriptions need to be expanded to include BESS/ bidirectional units.

Continuous monitoring equipment is commonly installed on many connecting projects now. There is no additional marginal cost to use it for compliance monitoring. We strongly support updating the template to shift towards in-service monitoring of compliance using this equipment and away from retrospective assessments or testing requiring plant down time. Automated event-based assessments can be setup

which reduce the need for manual analysis, minimise data-processing effort, and significantly improve efficiency. They also enable near-real-time detection of non-compliance, which enhances both responsiveness and overall compliance management.

We appreciate the opportunity to contribute to the 2026 Compliance Template Review. The review is timely and necessary, and we support the AEMC and the Reliability Panel's efforts to modernise the Template to reflect contemporary technologies and compliance expectations. We look forward to continued engagement as the Panel progresses its work.