



Australian Energy Market Commission

ADDITIONAL CONSULTATION ON SPECIFIC ISSUES

National Electricity Amendment (Expanding competition in metering and related services)
Rule 2015

National Energy Retail Amendment (Expanding competition in metering and related services)
Rule 2015

Rule Proponent(s)
COAG Energy Council

17 September 2015

**RULE
CHANGE**

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About the AEMC

The AEMC reports to the Council of Australian Governments (COAG) through the COAG Energy Council. We have two functions. We make and amend the national electricity, gas and energy retail rules and conduct independent reviews for the COAG Energy Council.

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1 Introduction

1.1 Background and consultation to date

In October 2013, the COAG Energy Council submitted a rule change request to the Australian Energy Market Commission (AEMC or Commission) seeking to establish arrangements that would promote competition in the provision of metering and related services in the National Electricity Market (NEM). The rule change request sought amendments to the National Electricity Rules (NER) and the National Energy Retail Rules (NERR). The following public consultation has been undertaken to date, in addition to numerous meetings with individual stakeholders:

- On 17 April 2014 the Commission published a consultation paper to facilitate stakeholder comment on the issues raised by the rule change request. The Commission received 33 submissions to the consultation paper.
- Between June 2014 and January 2015 the Commission held six stakeholder workshops to explore the issues raised by the rule change request in more detail and give stakeholders an opportunity share their views on the proposed arrangements.
- On 26 March 2015 the Commission published a draft determination and draft rule. The Commission received 47 submissions to the draft determination and draft rule, including a number of supplementary submissions. The Commission also held a public forum on 30 April 2015.
- On 16 July 2015 the Commission held an operational workshop to discuss a number of operational issues that were raised in submissions to the draft determination and draft rule.

Submissions and details of the workshops and public forum are available on the AEMC website.¹

The Commission gave notice on 2 July 2015 that the time for making a final determination on this rule change would be extended to 26 November 2015. The extension was necessary due to the complexity of implementing a competitive framework for providing metering services and to allow sufficient time to consider the large number of issues raised in submissions.

1.2 Purpose of this paper

Many important issues and proposed changes to the draft rule have been raised by stakeholders in submissions to the draft determination and draft rule and at the operational workshops.

¹ www.aemc.gov.au.

In assessing the issues and proposals raised in submissions and at the operational workshop, the Commission has identified several issues on which we seek further stakeholder input due to potential material drafting changes to the draft rule. Specifically, the issues are:

- arrangements for accessing energy and metering data;
- supply interruptions for the purpose of installing or maintaining a meter;
- customer consent for provision of network-related metering services;
- network devices;
- alterations to type 5 and 6 metering installations to make them capable of remote acquisition;
- Metering Coordinator obligations where a customer refuses to have a metering installation that meets the minimum services specification installed; and
- application of the framework to transmission connection points.

While this paper only covers the specific issues set out above, we are considering the many other issues raised in submissions and whether any changes are required to address them in the final rule. Responses to the other issues raised in submissions will be set out in the final determination.

Please also note that where indicative drafting amendments are appended to this paper, these only reflect the Commission's proposed approach to addressing the key issues detailed in this paper. The Commission is considering other issues raised in submissions that may relate to the operation of the provisions set out in the Appendices and, as such, these provisions may also be amended to address other issues as part of the final rule.

The analysis and proposed approaches set out in this paper do not reflect a final decision by the Commission. Rather, submissions on this paper will assist the Commission making its final rule determination.

This paper is not intended to provide a comprehensive summary of relevant aspects of the draft determination or the draft rule. For further details, including the Commission's assessment framework and how the draft rule meets the rule making tests, please refer to the draft rule determination.

1.3 Consultation on this paper

The Commission invites submissions on this paper by 1 October 2015. The AEMC will take into account submissions lodged within this time frame as part of its decision making. Where submissions are received by the AEMC after the closing date, the AEMC endeavours to have regard to these late submissions. However as the AEMC is itself subject to statutory time constraints for its decision making, it may not be possible

for the AEMC to give late submissions the same level of consideration as submissions lodged within time, and the AEMC would therefore urge people making submissions to lodge them within the specified time period.

Submissions should quote project number “ERC0169” and may be lodged online at www.aemc.gov.au or by mail to:

Australian Energy Market Commission
PO Box A2449
SYDNEY SOUTH NSW 1235

2 Arrangements for accessing energy and metering data

2.1 Summary of draft rule

The NER draft rule provided that only certain parties (as set out in clause 7.15.5(a)) may be granted access to energy data or may receive metering data, National Metering Identifier (NMI) Standing Data, settlements ready data or data from the metering register from a metering installation. This represented a change from the current approach to access to data in clause 7.7(a) of the NER, which provides that certain parties are 'entitled' to access energy data or receive metering data, NMI Standing Data, settlements ready data or data from the metering register for a metering installation. The draft rule also expanded on the list of parties who may receive such data to include:

- the Metering Coordinator appointed with respect to the metering installation;
- a person who has the consent of a small customer, in respect of the metering data from the small customer's metering installation; and
- a large customer or a customer authorised representative, in relation to data from the large customer's metering installation.

Clause 7.15.5(d) of the NER draft rule restricted access to metering data from the metering data services database. That clause provided that the Metering Data Provider or the Australian Energy Market Operator (AEMO) (as the case may be) who is responsible for the provision of metering data services must ensure that access to metering data is provided from the metering data services database only to the parties referred to in clauses 7.15.5(a)(1) to (6) and (a)(11). The parties listed in clauses 7.15.5(a)(1) to (6) and (a)(11) were (in summary):

- the Registered Participants with a financial interest in the metering installation or the energy measured by that metering installation;
- the relevant Metering Coordinator and Metering Provider;
- the financially responsible Market Participant (FRMP) in accordance with the meter churn procedures;
- the Network Service Provider or providers associated with the connection point;
- AEMO and its authorised agents; and
- the Australian Energy Regulator (AER) or jurisdictional regulators, upon request to AEMO.

The Commission's reasons for these aspects of the NER draft rule are set out in detail in Appendix B3 of the draft rule determination. In summary, the draft rule introduced the new role of a Metering Coordinator for purposes including facilitating the

provision of services to a broad range of parties on commercial terms. It was intended that the draft rule provide the parties listed in clauses 7.15.5(a)(1) to (6) and (a)(11) with a right to access metering data from the metering data services database. However, if such parties wished to receive metering data directly from the Metering Data Provider (e.g. because they wished to receive data more frequently), they would need to negotiate their metering data requirements on commercial terms.

2.2 Concerns raised in submissions

Stakeholders commented extensively on the access to data arrangements in the NER draft rule, with the provisions raising particular concerns for distributors. The key concern raised by stakeholders was that the NER draft rule did not provide distributors with clear rights to the data that they require to:²

- meet their statutory obligations for billing and settlement under Chapter 6 of the NER;
- undertake tariff development in accordance with the tariff structure statement requirements in Chapter 6 of the NER; and
- meet other jurisdictional based regulatory obligations.

The submissions highlighted the lack of clarity around whether the NER draft rule required the Metering Data Provider to provide access to the metering data services database to relevant Network Service Providers (and other parties listed in clauses 7.15.5(a)(1) to (6) and (a)(11)) 'free of charge'.³

Stakeholders also stated that the Metering Coordinator (or Metering Data Provider) should be required to provide metering data free of charge directly to relevant Network Service Providers and other parties who require such data for regulatory purposes, as required under the Service Level Procedures.⁴

Submissions also commented on the inconsistent terminology used in the NER draft rule, which in different provisions used the terms access to data, receipt or provision of data, and entitlement to data.⁵

Comment was also made in the submissions around the amendments introduced in the NER draft rule which substituted the term 'financially responsible Market Participant' for 'retailer' in current clause 7.13.3 of the current NER. The amendments were said to be inconsistent with the purpose behind this provision, which was to enable incoming

² See the following submissions to the draft determination: ENA, p. 26; Energex, p. 8; Ergon Energy, p. 3; NSW DNSPs, p.6; SA Power Networks, p. 10; Victorian DNSPs, Appendix pp. 22, 62- 65; AEMC Policy Paper – Access to Metering Data, p 1.

³ See the following submissions to the draft determination: Energex, p. 8; Ergon Energy, p. 3; Victorian DNSPs, p. 22.

⁴ See AusNet Services submission to the draft determination, pp. 6-7.

⁵ Ibid.

retailers access to NMI standing data in order to provide accurate quotes to customers.⁶

For further details please refer to submissions to the draft determination, which are available on our website.

2.3 Analysis

The Commission agrees that the Metering Data Provider should be required to provide access to the metering data services database to Local Network Service Providers (LNSPs), and certain other parties, as part of its regulatory obligations under Chapter 7. We also agree that the Metering Data Provider should provide metering data to LNSPs, and certain other parties, as required under AEMO procedures to enable such parties to perform their statutory obligations (including for billing and settlement purposes, tariff development and other jurisdictional-based regulatory obligations). Such parties should also have clear rights to access the metering database.

The framework for a contestable market in metering introduced in the draft rule differentiates between the regulatory obligations of Metering Coordinators, which are performed pursuant to the Metering Coordinator's appointment by the FRMP or large customer, and services which the Metering Coordinator may offer on terms commercially agreed with the person requesting the service (the latter services being referred to as "discretionary services" in this paper).

Similarly, the Metering Provider and Metering Data Provider perform their regulatory obligations under Chapter 7 of the NER draft rule pursuant to the terms of their respective appointments by the Metering Coordinator, and may provide discretionary services on terms commercially agreed with the person requesting the service. The Commission acknowledges that the draft rule provides insufficient clarity around which provisions give rise to regulatory obligations, which must be performed by the Metering Coordinator/ Metering Provider /Metering Data Provider (as applicable) in order to fulfil their obligations under the rules and procedures and pursuant to the terms of their primary appointment, and which provisions relate to discretionary services.

Accordingly, the Commission proposes to address the concern that distributors should receive any required metering data 'free of charge' by clarifying the obligations on the Metering Data Provider to provide access to the metering data services database, and to provide metering data as required under the procedures. We also propose strengthening the distinction between discretionary services and regulatory obligations more generally in the NER draft rule.

In addition, the Commission considers that greater clarity is needed around parties' rights to access and to receive different types of data under the NER draft rule. Accordingly, we have considered further amendments to the access to data provisions (in particular, draft clause 7.15.5) with the aim of improving the clarity of the

⁶ See Lumo Energy submission to the draft determination, p. 9.

provisions, while preserving existing entitlements with respect to which parties may be granted access to, or receive, metering data and energy data under the rules. In this context, we agree that certain references to 'financially responsible Market Participant' introduced in the NER draft rule should be amended to 'retailer', consistent with the current framework.

2.4 Proposed approach to address this issue

This section sets out the indicative amendments to the NER draft rule to reflect the Commission's proposed approach to addressing the concerns detailed in section 2.2 above. It also includes a discussion of certain movements in provisions and other proposed changes to assist stakeholders in understanding the indicative amendments. In addition, we have also included a high level description of proposed amendments to address the delineation of regulatory obligations and discretionary services elsewhere in the rules. The indicative amendments to the draft rule are set out in Appendix A.⁷

We are seeking feedback on any implementation that may arise if the indicative amendments were made as part of the final rule. Specifically, we are seeking feedback on:

- whether a retailer who is not the FRMP requires rights to receive metering data or access the metering data services database in order to fulfil its obligations to provide data to retail customers as required under the NERR and in accordance with the metering data provision procedures; and
- whether the proposed amendments to clause 7.15.5 of the NER draft rule will prevent any stakeholder from accessing a type of data that it requires under the procedures or otherwise to fulfil its regulatory obligations.

2.4.1 Amendments to draft clause 7.15.5

Key elements of the indicative amendments to clause 7.15.5 of the NER draft rule are as follows:

- improving the clarity around which parties may access or receive certain kinds of data (for example, energy data, metering data, NMI Standing Data), including by deleting reference to settlements ready data on the basis that it is included within the definition of metering data;
- amending the list of parties who may access or receive metering data, NMI Standing Data and data from the metering register for a metering installation to:

⁷ We note also that consequential amendments will be required to other provisions in Chapter 7 of the NER draft rule to reflect the proposed changes. Please also note that the indicative amendments set out in Appendix A only reflect the Commission's proposed approach as detailed in section 2.3. The Commission is considering other issues raised in submissions that may relate to the operation of the provisions set out in Appendix A and, as such, these provisions may also be amended to address such issues as part of the final rule.

- remove reference to FRMPs in accordance with meter churn procedures and the Network Service Provider or providers associated with the connection point, on the basis that these parties are included within paragraph (1) of revised clause 7.15.5(c) as 'Registered Participants with a financial interest in the metering installation or energy measured by that metering installation';
- include a person who was previously the Metering Coordinator or Metering Data Provider at the relevant metering installation in certain circumstances; and
- moving certain provisions previously contained in clause 7.15.5 in the NER draft rule to elsewhere in the rules to greater clarity, in particular:
 - clause 7.15.5(b) has been amended and moved to clause 7.15.5(a);
 - clause 7.15.5(f) has been moved to 7.15.5(b);
 - clause 7.15.5(d) has been amended and moved to clause 7.10.2(a)(2)-(3); and
 - clauses 7.15.5(f)-(h) have been moved to clause 7.11.1(i)-(k).

2.4.2 Provision of metering data and access to the metering data services database and metering database

Key elements of the indicative amendments to the NER draft rule that are proposed to clarify rights to receive metering data and to access the metering data services database and metering database are as follows:

- the Metering Data Provider must provide metering data and relevant NMI Standing Data to the parties listed in revised clauses 7.15.5(c)(1) to 7.15.5(c)(5) as required by and in accordance with the rules and procedures (see revised clause 7.10.3);
- the Metering Data Provider must provide access to the metering data services database to the parties listed in revised clauses 7.15.5(c)(1) to 7.15.5(c)(5) (see revised clause 7.10.2(a)(2)). The Metering Data Provider must also ensure that no other person may access the metering data services database (see revised clause 7.10.2(a)(3));
- AEMO must provide the parties listed in revised clauses 7.15.5(c)(1) to 7.15.5(c)(5) with access to the metering database (see revised clause 7.11.1(d)(1)). AEMO must also ensure that no other person may access the metering data services database (see revised clause 7.11.1(d)(2)); and
- deletion of draft clause 7.15.3(k) on the basis that the clause does not add anything not otherwise covered in the rules, and detracts from the clarity of the revised access to data arrangements in clause 7.15.5.

In relation to the first dot point, the proposed changes also require AEMO to ensure that the procedures authorised under the rules do not require the Metering Data Provider to provide metering data or relevant NMI Standing Data to a person except to the extent required by that person to perform its obligations under the NER and the NERR.

The rights of each of the parties listed in revised clause 7.15.5(c) and (d) to receive metering data, or access and receive metering data services, are set out in the table below.

Provision of metering data and access to metering data services database and metering database under proposed changes

Reference	Party	Access to the <i>metering database</i>	Access to the <i>metering data services database</i>	Provision of <i>metering data</i>
7.15.5(c)(1)	<i>Registered Participants</i> with a financial interest in the <i>metering installation</i> or the <i>energy</i> measured by that <i>metering installation</i>	Yes	Yes	The MDP must provide metering data to such persons as required by and in accordance with the Rules and procedures authorised under the Rules (See clause 7.10.3(a))
7.15.5(c)(2)	the <i>Metering Coordinator</i> appointed in respect of the <i>connection point</i> for that <i>metering installation</i> , or a person who was previously appointed as the <i>Metering Coordinator</i> in respect of that <i>connection point</i> , as required in connection with a <i>Metering Coordinator default event</i> in accordance with procedures authorised under the <i>Rules</i>	Yes	Yes	The MDP must provide metering data to such persons as required by and in accordance with the Rules and procedures authorised under the Rules. (See clause 7.10.3(a))
7.15.5(c)(3)	the <i>Metering Provider</i> appointed with respect to that <i>metering installation</i>	Yes	Yes	The MDP must provide metering data to such persons as required by and in accordance with the Rules and procedures authorised under the Rules. (See clause 7.10.3(a))
7.15.5(c)(4)	the <i>Metering Data Provider</i> appointed with respect to that <i>metering installation</i> , or who was previously appointed with respect to a <i>metering installation</i> as required in accordance with the Rules and procedures authorised under the Rules	Yes	Yes	The MDP must provide metering data to such persons as required by and in accordance with the Rules and procedures authorised under the Rules. (See clause 7.10.3(a))
7.15.5(c)(5)	AEMO and its authorised	Yes	Yes	The MDP must provide metering data to such persons as required by

Reference	Party	Access to the <i>metering database</i>	Access to the <i>metering data services database</i>	Provision of <i>metering data</i>
	agents			and in accordance with the Rules and procedures authorised under the Rules. (See clause 7.10.3(a))
7.15.5(c)(6)	the AER or <i>Jurisdictional Regulators</i> upon request to AEMO	No	No	The AER or Jurisdictional Regulators obtain data on request to AEMO.
7.15.5(d)(1)	a <i>retail customer</i> or <i>customer authorised representative</i> , upon request by that <i>retail customer</i> or its <i>customer authorised representative</i> to the <i>retailer</i> or <i>Distribution Network Service Provider</i> in relation to that <i>retail customer's metering installation</i> in accordance with the <i>metering data provision procedures</i>	No	No	Such parties may request metering data from the retailer or DNSP under the National Energy Retail Rules and draft NER clause 7.14.
7.15.5(d)(2)	if a <i>small customer</i> has consented to a person accessing the <i>metering data</i> from its <i>small customer metering installation</i> in accordance with clause 7.15.4(b)(2), to that person	No	No	There is no obligation on any particular party to provide metering data to such persons under the rules. However, such persons may obtain metering data on terms commercially agreed with the MC/MDP/ third party provider.
7.15.5(d)(3)	a <i>large customer</i> or a <i>customer authorised representative</i> , in relation to data from the <i>metering installation</i> in respect of the <i>connection point</i> of the <i>large customer</i>	No	No	There is no obligation on any particular party to provide metering data to such persons under the rules. However, such persons may obtain metering data on terms commercially agreed with the MC/MDP/ third party provider.
7.15.5(d)(4)	<i>energy ombudsman</i> in accordance with paragraphs 7.11.1(i)-(k)	No	No	The energy ombudsman obtains metering data from AEMO under clause 7.11.1(i)-(k).

2.4.3 Strengthening the delineation between discretionary and regulatory obligations

We also propose to amend the NER draft rule to ensure that the rules clearly articulate the obligations which:

- the Metering Coordinator must perform pursuant to its primary appointment by the FRMP or large customer; and

- the Metering Provider or Metering Data Provider must perform pursuant to their respective primary appointments by the Metering Coordinator.

This approach aims to clarify which services must be provided in performance of such parties' regulatory obligations (which will be paid for under the terms of the primary appointment, and not by the requesting party), and which services may be provided by such parties (or other third parties) on commercial terms (including as to price) agreed with the requesting party. The key aspects of this proposed approach are as follows:

- Amendments will be made to provisions of Chapter 7 of the NER draft rule to ensure that any provision which intends to give rise to an obligation on the Metering Coordinator, Metering Provider or Metering Data Provider does so with sufficient clarity.
- Clause 7.3.2 of the NER draft rule will be amended to expressly provide that the Metering Coordinator is responsible for the Metering Provider's and Metering Data Provider's compliance with obligations under the rules and procedures issued under the rules.
- Clause 7.3.1 of the NER draft rule will be amended to provide that the Metering Coordinator is the person responsible in respect of a connection point for the performance of obligations under Part D, Part E and Part F of Chapter 7 of the NER. The amendment would be drafted to ensure that any obligation which is expressly stated as applying to a third party such as AEMO, a Distribution Network Service Provider (DNSP) or retailer under those Parts will not be considered as an obligation of the Metering Coordinator.

3 Supply interruptions for the purpose of installing or maintaining a meter

3.1 Summary of draft rule

Under the current NERR, a DNSP may, subject to and in accordance with any requirement of energy laws, interrupt the supply of energy to a premises (including for a planned interruption or an unplanned interruption).⁸ In the case of a planned interruption, the DNSP must notify each affected customer of the interruption by any appropriate means at least four business days before the date of the interruption.⁹ The DNSP must also use its best endeavours to restore the customer's supply as soon as possible.¹⁰

The following additional requirements with respect to supply interruptions were included in the draft rule:

- a DNSP must effect a supply interruption when a Metering Coordinator requires an interruption to install, maintain, repair or replace metering equipment and provide such assistance as the Metering Coordinator may reasonably require to effect such installation, maintenance, repair or replacement;
- the Metering Coordinator must provide such information and assistance that the DNSP may reasonably require to enable it to carry out its obligations under rules 90 and 91 of the NERR in relation to the interruption; and
- the DNSP and the Metering Coordinator must cooperate and give all other reasonable assistance to each other in relation to the interruption.¹¹

The NERR draft rule (consistent with the current NERR) does not provide a retailer with the right to arrange supply interruptions independently of the DNSP.

Appendix C2 of the draft rule determination sets out this aspect of the NERR draft rule in more detail. The Commission included these additional requirements in the NERR draft rule on the basis that, under the new framework, parties other than the DNSP will be responsible for metering arrangements at small customer premises, and will therefore need to arrange for supply interruptions to install, maintain, repair or replace metering equipment. More specifically, rule 91A of the NERR draft rule was included on the basis that it would be the DNSP who would effect an interruption that was

⁸ See rule 89. Under the current NERR and the NERR draft rule, an *interruption* means "a temporary unavailability or temporary curtailment of the supply of energy to a customer's premises, but does not include unavailability or curtailment in accordance with the terms and conditions of a customer retail contract or customer connection contract, and any applicable tariff, agreed with the customer". See rule 88 of the NERR for the definitions of *planned interruption* and *unplanned interruption*.

⁹ See rule 90.

¹⁰ See rules 90-91 of the current NERR.

¹¹ See rule 91A of the NERR in the draft rule.

required for the installation, maintenance, repair or replacement of electricity metering equipment by a Metering Coordinator.

3.2 Concerns raised in submissions

A number of stakeholders questioned why DNSPs should continue to be responsible for supply interruptions in circumstances where they are not the party initiating or carrying out the work in relation to the metering installation.¹²

Several stakeholders considered that limiting the ability to effect supply interruptions for the purposes of carrying out metering work to DNSPs may be inefficient for industry and confusing for consumers because it would require:

- both the Metering Coordinator/Metering Provider and DNSP to be on site; and
- the interruption notification to be sent to the customer by the DNSP and any customer enquiries to be directed to the DNSP.¹³

Some considered that the ability to interrupt supply should extend to Metering Coordinators to allow them to effect interruptions for the purposes of carrying out metering work.¹⁴ AGL submitted that retailers would need a similar right to interrupt supply under the standard retail contract as that which currently exists for distributors under the deemed standard connection contract.¹⁵

The issue of supply interruptions was discussed at the operational workshop held by the Commission on 16 July 2015. Information provided by stakeholders at this workshop indicated that there are divergent views on what constitutes a supply interruption, which party can effect an interruption, and in what circumstances. Further, arrangements regarding who can interrupt supply and the process to be followed appear to differ between jurisdictions as a result of jurisdictional regulations. Nevertheless, many stakeholders were of the view that the party necessitating a supply interruption should be responsible for notifying the customer, effecting the interruption and restoring supply.

For further details please refer to submissions to the draft determination and the materials from the operational workshop, which are available on our website.

¹² See the following submissions to the draft determination: Department of State Development (SA), p. 3-4; ENA, p12, 14-15; Energex, Attachment A, p. 11; NSW DNSPs, p. 8; SA Power Networks, p. 6.

¹³ See the following submissions to the draft determination: Department of State Development (SA), p. 4; Energex, p.11; Victorian DNSPs, p. 60.

¹⁴ Active Stream, submission to the draft determination, p. 2; AGL, supplementary submission to the draft determination, p28; NSW DNSPs, submission to the draft determination, p8.

¹⁵ AGL, submission to the draft determination, p. 33.

3.3 Analysis

Under the NERR draft rule, as is the case under the current NERR, a retailer needing to arrange a supply interruption for the purposes of installing, maintaining, repairing or replacing metering equipment would be required to arrange for the LNSP to effect such an interruption. Under the new framework for competition in the provision of metering and related services, parties other than DNSPs will be responsible for metering arrangements at small customer premises, and will therefore need to arrange for supply interruptions to install, maintain, repair or replace metering equipment.

We acknowledge that the NERR draft rule may lead to inefficient practices by industry and be confusing for consumers in certain circumstances if the party initiating the interruption is not the party effecting it and complying with the relevant notification requirements under the NERR. Accordingly, the Commission proposes that changes be made to the draft rule to permit the retailer to arrange (e.g. with a Metering Coordinator)¹⁶ an interruption to their customer's supply of electricity without the involvement of the DNSP. Such an ability is proposed to be limited to where the interruption is necessary for the installation, maintenance, repair or replacement of a metering installation.¹⁷

3.4 Proposed approach to address this issue

This section sets out the indicative amendments to the draft rule to reflect the Commission's proposed approach to addressing the concerns detailed in section 3.2 above. We are seeking feedback on any implementation issues that may arise if the indicative amendments were made as part of the final rule. We note that the proposed changes to the NERR would not apply in Victoria as it has not yet adopted the National Energy Customer Framework (NECF). The indicative amendments to the draft rule are set out in Appendix B to this paper.¹⁸

We note that other issues raised in submissions in relation to supply interruptions are being considered as part of the final rule.

¹⁶ Note that the process for de-energisation under Part 6 of the NERR draft rule permits a retailer to 'arrange' for de-energisation of a customer's premises on specific grounds (See rules 107(5) and Division 2 of Part 6 of the NERR draft rule). The NERR draft rule does not specify with whom the retailer must make such arrangements. Therefore a retailer is not required to arrange the de-energisation with a DNSP and is permitted to arrange for a de-energisation to be effected by a Metering Coordinator.

¹⁷ We note that the Commission is considering aspects of the meter churn process as part of the Meter Replacement Processes rule change request. Further information about this rule change request is available on the AEMC website.

¹⁸ We note also that consequential amendments will be required to other provisions of the NERR draft rule for consistency with the proposed changes. Please note that the indicative amendments set out in Appendix B only reflect the Commission's proposed approach to addressing the concerns detailed in section 3.2. The Commission is considering other issues raised in submissions that may relate to the operation of the provisions set out in Appendix B and, as such, these provisions may also be amended to address such issues as part of the final rule.

The key elements of the indicative amendments to the draft rule are as follows:

- Amend the NERR draft rule to introduce a right for retailers to arrange, subject to and in accordance with any requirement of energy laws, an interruption of the supply of electricity to a customer without the involvement of the distributor (a “retailer planned interruption”), provided that the interruption:
 - is for the purposes of installing, maintaining, repairing or replacing metering equipment; and
 - does not involve interrupting supply of electricity to a customer that is not the customer of the retailer arranging the interruption.
- Amend the NERR draft rule to introduce obligations on a retailer that is arranging a retailer planned interruption (similar to those currently imposed on the DNSP under rules 88-91 of the NERR draft rule) to:
 - notify each affected customer by any appropriate means of the interruption at least four business days before the date of the interruption;
 - include details of, amongst other things, the expected date, time and duration of the interruption and a 24 hour telephone number for enquiries (the charge for which is no more than the cost of a local call); and
 - use its best endeavours to arrange for supply to be restored as soon as possible.
- Amend the NERR draft rule to impose notification obligations on the retailer when arranging a retailer planned interruption in respect of a life support customer (similar to the obligations imposed on DNSPs under rule 125 of the NERR draft rule).
- Maintain the new obligation in rule 91A of the NERR draft rule to ensure that the DNSP effects an interruption (and remains responsible for notifications, etc) when the DNSP's involvement is required to undertake work on the electricity metering equipment (e.g. for multiple occupancy premises, where it is not possible to only interrupt supply to the retailer’s customers).
- Require the retailer to notify the DNSP of a proposed retailer planned interruption (similar to the obligations imposed on DNSPs to notify the retailer of planned interruptions under rule 99 of the NERR draft rule).
- Amend clause 7.3.2 of the NER draft rule to prohibit Metering Coordinators from arranging a retailer planned interruption at a small customer metering installation, except when done at the request of the FRMP (i.e. the retailer) at the connection point and in accordance with the NERR (or in the case of a jurisdiction that has not adopted the NECF, a corresponding provision of the legislation of that jurisdiction).

4 Customer consent for provision of network-related services

4.1 Summary of draft rule

The draft rule sets out a minimum services specification that all new and replacement meters installed at small customer connection points must meet.¹⁹ Under the NER draft rule, a Metering Coordinator must ensure that access to services provided by a metering installation at a small customer connection point is only given to:

- in respect of a service listed in the minimum services specification, certain specified “access parties”;²⁰
- in respect of a service not listed in the minimum services specification, to a person and for a purpose to which the small customer has given prior consent; or
- otherwise, a person and for a purpose that is permitted under the NER draft rule.²¹

Under the draft rule, the LNSP may request, and the Metering Coordinator may provide to the LNSP, access to any of the services set out in the minimum services specification without the customer's prior consent.²² The provision of these services to the LNSP would be subject to commercial agreement between the LNSP and the Metering Coordinator.

Further details regarding these aspects of the NER draft rule, including the Commission’s reasons for introducing these requirements, are set out in detail in Appendix A1 of the draft rule determination.

4.2 Concerns raised in submissions

The ENA expressed concern that DNSPs would not be able to access services in addition to those set out in the minimum services specification by way of a metering installation without the customer’s consent. It argued that requiring customer consent would present a barrier to the delivery of services that benefit customers and the network as a whole.²³ No other stakeholders raised a concern with the draft rule on this issue in submissions to the draft determination. At the operational workshop held on 16 July 2015, a Victorian DNSP questioned whether, under the draft rule, it would

¹⁹ See Appendix C1 of the draft determination.

²⁰ Under the NER draft rule, an access party is a party listed in column 3 of Table s7.5.1.1 of the draft rule as being able to access one or more of services listed in the minimum services specification.

²¹ See Clause 7.15.4 of the NER draft rule.

²² See table S7.5.1.1 of the NER draft rule.

²³ See ENA submission to the draft determination, p. 16.

have to obtain customer consent to get the benefit of network-related services that are already being provided by AMI meters.

Following the workshop, the AEMC asked the ENA to provide additional information on the types of services provided by way of a metering installation that it considers should and should not require the customer's prior consent.²⁴ In summary, the ENA considered that customer consent should not be required for the provision of a service used by the DNSP to monitor, manage or protect:

- the "shared network for the benefit of all customers"; or
- the connection point for the benefit of the individual customer and/or surrounding customers, e.g. neutral integrity monitoring.

It considered that customer consent *should* be required for the provision of a service used by the DNSP that:

- is requested for a specific customer;
- does not affect any other customer; and
- is not necessary for the purpose of monitoring, managing or protecting the shared network, e.g. load management.

See the ENA's supplementary submission for an indicative list of services it sees as falling into each of the above categories.²⁵

4.3 Analysis

The Commission acknowledges that requiring customer consent to be obtained before LNSPs can access network-related metering services may present a barrier to the delivery of services that benefit customers and the network as a whole. This is particularly the case for the provision of services that monitor the integrity or safety of electricity supply (e.g. neutral integrity monitoring) as they do not have a detrimental impact on the quality or reliability of the customer's supply. Accordingly, the Commission proposes that Metering Coordinators should not be required to ensure that prior consent of the customer is obtained for the provision of certain network-related services.

4.4 Proposed approach to address this issue

This section sets out proposed amendments to the NER draft rule to address concerns raised in submissions. We are seeking feedback on any implementation issues that may arise if we were to implement the proposed approach in the final rule.

²⁴ See ENA supplementary submission to the draft determination, pp. 5-9.

²⁵ This supplementary submission is available on the AEMC website.

The key amendments that we propose making to the draft rule are:

- Subject to the exception referred to below, maintain the current requirement that the Metering Coordinator must ensure that access to services in addition to those set out in the minimum services specification is only provided to a person and for a purpose to which the small customer has given its prior consent or that is otherwise permitted under the NER.²⁶
- Establish an exception to the above requirement under which the prior consent of the customer is not required to be obtained where the service provided by way of the metering installation is being provided to the LNSP for the purposes of supporting the safe, secure and reliable operation of the network. The Commission recognises that the provision of some network-related services may affect the quality or reliability of the customer's supply, e.g. curtailment of supply at a connection point. To the extent services provided under this exception effect a curtailment of supply to a customer (e.g. through the use of load control), it is the intention that the DNSP would still need to comply with provisions in the NERR relating to interruptions to supply.²⁷

It is anticipated that the provision of network-related metering services enabled by AMI meters in Victoria would be captured by this rule to the extent they are for the purposes of supporting the safe, secure and reliable operation of the network.

²⁶ Clause 7.15.4(b) of the NER draft rule.

²⁷ The Commission believes that including a prescriptive list of services in the NER that require/ do not require the customer's consent would not be appropriate, as available services may change over time. We therefore propose that the draft rule be amended to require that the service subject to the above exception be for a particular purpose, as opposed to listing specific individual services that may be provided under the exception.

5 Network devices

5.1 Summary of draft rule

The draft rule introduced the definition of network device and allowed a DNSP to retain an existing network device, or install a new network device, for the purposes of monitoring or operating its network. The definition of *network device* was drafted to capture a variety of new and existing equipment that may be used by a DNSP to monitor or operate its network, including load control equipment and advanced meters deployed by the Victorian DNSPs under the AMI program.

The draft rule introduced a number of provisions regarding the installation and operation of network devices, including that:

- LNSPs:
 - may install a network device at or adjacent to a metering installation for the purposes of monitoring or operating their networks;
 - must not use a network device to remotely disconnect or reconnect a metering installation;
 - must not remove, damage or render inoperable a metering installation; and
 - must not disclose any information obtained from a network device to any person except as permitted under the rules.
- Metering Coordinators:
 - must cooperate with an LNSP who wishes to install a network device, and provide all reasonable assistance to facilitate its installation at or adjacent to a metering installation; and
 - must not remove, damage or render inoperable a network device, except with the LNSP's consent.²⁸

The reasons for this draft rule are set out in detail in Appendices A1, A4 and D4 of the draft rule determination. In summary, the intention of these provisions was to give DNSPs an ability to 'bypass' a Metering Coordinator in the event that they were unable to negotiate terms, conditions and/or prices for access to network-related services through the Metering Coordinator's advanced meter. It was the AEMC's view that these provisions would help to constrain any exercise of market power by Metering Coordinators when providing access to services that are of benefit to the network and consumers more broadly.

²⁸ See clause 7.8.6 of the NER in the draft rule.

5.2 Concerns raised in submissions

Stakeholders commented extensively on the network devices provisions in their submissions to the draft determination.

The following is a summary of issues raised by stakeholders that this paper seeks to address. A number of other issues were raised regarding network devices, which will be addressed in the final determination and, where relevant, the final rule.

- **What network devices can be used for.** Most stakeholders that commented on the issue were of the view that the definition of network device needed to be clarified. Some retailers were concerned that the definition was too broad, and wanted certainty that it would not allow DNSPs to provide contestable services such as demand response.²⁹ Some DNSPs suggested a number of amendments to the definition of network management to expressly state that they can be used for load control, to 'fulfil their network obligations' and for de-energisation/re-energisation.³⁰
- **Practical restrictions to the installation of network devices.** A number of stakeholders noted that not all meter boards/boxes would have the physical space to accommodate a new meter if the DNSP chose to retain existing infrastructure such as a network device.³¹

5.3 Analysis

It is helpful to view the network device provisions as having three separate objectives:

- retaining existing network-related capability, including load control devices;
- allowing the Victorian DNSPs and customers to continue to realise the benefits of the AMI program; and
- giving DNSPs bargaining power when negotiating for access to network-related services by way of a metering installation.

Stakeholders' major concerns relate to what network devices can be used for and the course of action when space on the customer's meter board is limited.

²⁹ See the following submissions to the draft determination: AGL, p. 8; ERAA, p. 2.

³⁰ See the following submissions to the draft determination: ENA, pp. 15, 22; Energex, Attachment A, p. 7; Ergon Energy, p. 4; NSW DNSPs, p. 15; SA Power Networks, p. 12; Victorian DNSPs, pp. 18-19.

³¹ See the following submissions to the draft determination: AGL, p. 8; Energy Australia, p. 3; Landis+Gyr, p. 9; Metropolis, p. 3.

5.3.1 What network devices can be used for

We understand that a large proportion of existing equipment in the NEM that would fit the definition of network device only has the capability for load control. Generally, the AEMC considers that DNSPs should be able to retain existing load control capability as was proposed in the rule change request provided there is sufficient space to house the metering installation and the network device, as discussed below.

We are cognisant of the fact that a range of other equipment currently operated by DNSPs could fit the definition of a network device that was provided in the draft rule and used by DNSPs for network-related services. For example, meters installed by DNSPs in Victoria under the AMI program would fit the definition of a network device and are capable of providing a greater range of network-related services than load control equipment.

We also acknowledge the concern raised by several retailers that the definition of network device provided in the draft rule may put DNSPs at a competitive advantage for services that could be provided on a competitive basis by other parties, e.g. retailers, Metering Coordinators or energy service companies.

Our proposed approach balances providing DNSPs with bargaining power for access to network-related services by way of a metering installation, while limiting the use of network devices so as not to provide any party with a competitive advantage in the provision of certain services.

We do not consider it necessary to expressly permit DNSPs to use network devices for the purposes of load control to 'fulfill their network obligations'. Rather, this would be captured by a provision that DNSPs can use network devices for purposes that support the safe, secure and reliable operation of the network. In recognition of retailers' concerns, the proposed amendments would prohibit DNSPs from using network devices to provide or on-sell services to third parties unless the service is provided to a customer and is incidental to the provision of network services that support the safe, secure and reliable operation of the network.

We also consider that DNSPs should be able to use network devices for the purposes of re-energisation and de-energisation. This is to provide them with additional bargaining power when negotiating for access to network-related services by way of a metering installation. Further, we note that DNSPs are unlikely to provide re-energisation and de-energisation services to other parties. This is because the only parties that can arrange for a re-energisation or de-energisation are the DNSP itself or the FRMP. The FRMP is likely to arrange for such services through the Metering Coordinator that it has appointed.

5.3.2 Course of action when space on the meter board is limited

We are of the view that the rules should support the retention of an *existing* network device if there is space on the meter board to accommodate both it and a new meter. Further, while we consider that the installation of a *new* network device should be a

last resort if all other attempts to source network-related services through the meter or other means have failed or are more costly, the rules should not prevent the installation of a new network device if there is space on the meter board to accommodate both it and the metering installation. Our reasons for permitting existing network devices to be retained or new devices to be installed are set out in the draft determination.³²

Submissions from stakeholders indicate that available space on meter boards is likely to be an issue across all jurisdictions when retaining or installing network devices, and that Metering Coordinators or Metering Providers will not have much visibility of which sites have space constraints until they arrive at site.

The Commission's view is that the primary purpose of a metering installation is to house a meter for billing and settlement of the customer's electricity consumption. A functional, accurate meter is vital to the operation of the NEM. Therefore if there is insufficient space on a meter board to house both a meter and a network device, the meter should have priority. The proposed amendments set out below are intended to reflect this position.

5.4 Proposed approach to address this issue

This section sets out proposed amendments to the draft rule to address concerns raised in submissions. We are seeking feedback on any implementation issues that may arise if we were to implement the proposed approach in the final rule.

Submissions received on issues related to network devices that are not addressed in this paper are being considered as part of the final rule.³³

5.4.1 What network devices can be used for

The key amendments that we propose making to the draft rule are:

- Revise the definition of network device to be "apparatus or equipment associated with the provision or the monitoring, operating and control of *network services*, which may include switching devices, measurement protection and control protection".
- Provide that an LNSP may only use a network device for the provision of network services that support the safe, secure and reliable operation of the network. This provision will permit an LNSP to use a network device to temporarily interrupt the supply of energy to a customer's premises (by curtailing or making supply unavailable) provided the interruption is to support the safe, secure and reliable operation of the network and is otherwise in accordance with the NER and the NERR.

³² See section D4.5.2 of the draft determination.

³³ For example, clarifications relating to a DNSP's access to a network device and the use of network device data.

- Provide that an LNSP may not use a network device to provide/on-sell services to third parties unless the service is provided to a customer and is incidental to the provision of network services that support the safe, secure and reliable operation of the network.
- Permit an LNSP to use network devices for remote de-energisation/re-energisation where they are permitted to re-energise or de-energise a customer's premises under the NER or NERR.

5.4.2 Course of action when space on the meter board is limited

The key amendments that we propose making to the draft rule are:

- Provide that a Metering Coordinator or Metering Provider³⁴ must not remove, damage or render inoperable an existing network device if there is sufficient space to house both the metering installation and the network device within the existing facility used to house the metering installation.
- Provide that if, at the point in time that a Metering Coordinator or Metering Provider is replacing the meter, the Metering Coordinator or Metering Provider reasonably determines that there is insufficient space to house both the network device and the metering installation within the existing facility used to house the metering installation, then the Metering Coordinator or Metering Provider may remove a network device to install the meter without the LNSP's consent.
- Require the Metering Coordinator to notify the LNSP as soon as practicable if for any reason the Metering Coordinator or Metering Provider removes a network device or if its actions could reasonably be expected to have damaged or rendered inoperable the network device or made it noncompliant with the NER. We do not propose to amend the ability for a Metering Coordinator to remove a network device with the consent of the LNSP as provided in the draft rule.
- Allow the LNSP to install a new network device within the existing facility used to house the metering installation where it has reasonably determined that there is sufficient space to do so, and provided that the installation of the network device does not remove the metering installation or otherwise damage it or render it inoperable or non-compliant with the NER.
- Require the LNSP to provide prior written notification to the Metering Coordinator of its intention to install a network device, as soon as practicable but no later than five business days before the proposed installation of the network device.
- Require the LNSP to notify the Metering Coordinator if it removes a metering installation or if its actions could reasonably be expected to have damaged or

³⁴ The draft rule already prevents a Metering Coordinator from, among other things, removing, damaging or rendering inoperable the DNSP's network devices without consent. We are considering whether such obligations should also, or instead, apply to Metering Providers.

rendered inoperable the metering installation or made it noncompliant with the NER.

- Provide that the network device provisions do not apply at transmission connection points.
- Require AEMO to develop procedures for the Metering Coordinator to consider in managing the removal of a network device, including the return of a network device to the DNSP.

6 Alterations to type 5 and 6 metering installations to make them capable of remote acquisition

6.1 Summary of draft rule

Currently the NER permits LNSPs to alter a type 5, 6 or 7 metering installation to make it capable of remote acquisition where the LNSP decides that "operational difficulties" reasonably require the metering installation to be capable of remote acquisition.³⁵ Where this occurs, the classification of that metering installation does not change.³⁶ In other situations an alteration to, or replacement of, a metering installation by a FRMP must be managed in accordance with the meter churn procedures.

The NER specifies that operational difficulties "may include locational difficulties where the metering installation is: (1) at a site where access is difficult; or (2) on a remote rural property".

Under the draft rule we have maintained the intent of the above with some wording changes.³⁷ It now refers to:

- Metering Coordinators being able to alter a type 5 or 6 metering installation to be capable of remote acquisition without the metering installation being reclassified as a type 4 or 4A metering installation; and
- AEMO Meter Churn Procedures extending to Metering Coordinators, Metering Providers, Metering Data Providers and FRMPs (the current clause just refers to FRMPs).

6.2 Concerns raised in submissions

A number of DNSPs commented on this provision. The ENA stated that the restriction on LNSPs being able to upgrade interval meters should be removed to enable remote reading,³⁸ suggesting the following benefits could be achieved:³⁹

- it would clarify the definition of 'operational difficulties' to enable type 5 or 6 meters to be read remotely where the meter is or has become difficult to access for manual meter reading; and
- using the existing monitoring and logging capabilities of an electronic type 5 or 6 meter can be an effective and low-cost means to capture data for network planning and quality of supply management purposes.

³⁵ Current NER clauses 7.3.4(e) and (f).

³⁶ Current NER clause 7.3.4(g).

³⁷ Draft clause 7.8.9(b) and (c).

³⁸ ENA submission to the Draft Determination, p. 28.

³⁹ ENA, Further advice on metering, 10 August 2015, pp. 1-2.

The ENA also submitted that clause 7.10.6(a) of the NER draft rule, which relates to metering data performance standards, should be amended to exclude metering installations that have been altered to be capable of remote acquisition under clause 7.8.9 of the NER draft rule.⁴⁰ They note that letters of no-action from the AER have been required with respect to potential non-compliance with this clause.

SAPN⁴¹ and Energex⁴² provided similar comments regarding expanding the scope of clause 7.8.9 of the NER draft rule. AGL also commented on the current ambiguity in this clause and queried both its purpose and how it would work in practice.⁴³ For further details please refer to submissions to the draft determination.

6.3 Analysis

We have considered three scenarios under the new framework in which a Metering Coordinator may wish to alter a type 5/6 meter to make it capable of remote acquisition of metering data:

- where there are genuine practical difficulties in manually reading a meter;
- where metering installations are used to monitor and operate the network; and
- where the metering installations are used for services beyond network monitoring and operation.

Each of these is considered in turn, followed by discussion on exempting altered meters from specific data requirements.

6.3.1 Practical difficulties in reading the meter manually

The first scenario is essentially what the current NER and the draft rule provides for. We continue to consider that metering installations should be permitted to be upgraded where there are practical difficulties in reading a meter manually, without the meter being reclassified as a type 4 meter. Such meters should make up a minority of an LNSP's metering asset base and allowing for an alteration to allow remote acquisition is likely to improve the efficiency and accuracy of meter reads where it would otherwise be difficult or very costly to read the meters. Consequently the benefits of allowing these meters to be altered to be capable of remote acquisition are likely to outweigh the costs.

⁴⁰ ENA, Further advice on metering, 10 August 2015, pp. 1, 3.

⁴¹ SAPN submission to the Draft Determination, p. 13.

⁴² Energex submission to the Draft Determination, p. 13.

⁴³ AGL supplementary submission, p. 14, issue 23.

6.3.2 Using metering installations to monitor and operate the network

It may be appropriate to permit an LNSP that is a Metering Coordinator for type 5/6 meters to upgrade a meter so that it can be remotely read where the primary purpose for which the LNSP is upgrading the meter is to assist the LNSP to meet its obligations to provide a safe, secure and reliable network as determined by the LNSP, acting reasonably. For example, depending on the location of a meter on the network, the ability to remotely read a meter may assist the LNSP to control voltage in order to meet power quality standards. An example provided by the ENA is having such meters at several locations within areas of high solar penetration so the LNSP can monitor and manage localised swings in voltage that result from the intermittent nature of solar generation.⁴⁴

This clause would not give a LNSP any additional rights to recover any expenditure incurred in upgrading meters. The efficiency of proposed expenditure on altering such meters would be assessed by the AER as part of a LNSP's revenue determination.

Given that an LNSP would only be permitted to upgrade the meter where the primary purpose of the upgrade is to assist the LNSP to meet its obligations to provide a safe, secure and reliable network, this approach should not significantly impact competition in the market for metering services. This is because it is unlikely that an LNSP could justify upgrading a significant number of metering installations in a particular geographic area on the basis of providing a safe, secure and reliable network.

On balance, therefore, we consider there is merit in permitting LNSPs to upgrade meters to make them capable of remote acquisition on the basis outlined above.

6.3.3 Using the meter for services beyond monitoring and operating the network

The ENA and Energex submitted that the restrictions on LNSPs being able to upgrade interval meters already installed to enable remote reading should be removed. Energex considered that if these restrictions were not removed, the clause should be expanded to allow upgrades for reasons of "efficiency" as well as "operational difficulties", while maintaining the type 5 or 6 classification.⁴⁵

While such metering installations may not meet the minimum services specification,⁴⁶ they could be used to provide many similar services as metering installations that do meet the minimum services specification. Consequently if the ENA and Energex's proposal was adopted, LNSPs could use such metering installations to compete with other Metering Coordinators while recovering costs via their regulated revenue. Further, they would potentially face lower costs if they do not have to comply with as many obligations as they would for a type 4 meter. They are also unlikely to be subject

⁴⁴ ENA, Further advice on metering, 10 August 2015, p. 2.

⁴⁵ Energex, submission to the Draft Determination, p. 13.

⁴⁶ The AEMC's understanding is that, for example, some of these meters may not be capable of remote disconnection or reconnection.

to any distribution ring-fencing requirements in relation to these meters. This raises significant competition concerns.

While the cost of installing these meters has already been incurred and upgrading them could in some cases be a cost effective outcome, additional costs will need to be incurred to enable remote communications. Further, a new meter may provide additional services that are desired either by a retailer or a customer that would warrant installing a new meter. It is therefore appropriate that the efficiency of the costs of upgrading a meter is tested by the market.

Consequently we consider that LNSPs should not be able to upgrade type 5 or 6 metering installations for broader efficiency reasons (e.g. to achieve efficiencies in the provision of services as a Metering Coordinator) without them being reclassified as a type 4 metering installation.

For this reason we do not propose to broaden draft clause 7.8.9 to allow type 5 or 6 metering installations to be altered to be capable of remote acquisition and retain the type 5 or 6 classification for general efficiency purposes.

For clarity, the NER do not prevent LNSPs from altering a metering installation to make it capable of remote acquisition for other reasons. However, the metering installation would become classified as a type 4 metering installation. This would have implications for the LNSP in terms of cost recovery and compliance obligations. If the LNSP considers that altering a meter to make it capable of remote acquisition is an efficient outcome, it can propose that the FRMP appoints it as the Metering Coordinator and agree on how to fund the upgrade on a competitive basis. That will allow the efficiency of the proposed upgrade to be tested by the market rather than recovering the costs through regulated revenues.

6.3.4 Exempting altered meters from specific data requirements

The ENA's concerns regarding complying with metering data performance standards appear valid. The primary purpose of permitting the meters to be altered without requiring them to be reclassified is to facilitate more accurate meter reads where the meter is difficult to read manually. There is no intention that the meter be read more frequently or be subject to more stringent data collection requirements.

Instead, these meters should be captured in draft clause 7.10.6(d), which relates to metering installations that are not capable of remote acquisition. This is more appropriate given that they are deemed to be a type 5 or 6 meter and should therefore be subject to the same requirements as other type 5 and 6 meters.

6.4 Proposed approach to address this issue

This section sets out proposed amendments to the draft rule to address concerns raised in submissions. We are seeking feedback on any implementation issues that may arise if we were to implement the proposed approach in the final rule.

The key amendments that we propose making to the draft rule are:

- Permit a Metering Coordinator to alter a type 5 or 6 metering installation to make it capable of remote acquisition in two scenarios:
 - where, in the Metering Coordinator's reasonable opinion, operational difficulties require the metering installation to be capable of remote acquisition; and
 - where the Metering Coordinator is also the LNSP for the relevant connection point under clause 11.78.7(h) of the NER draft rule, the Metering Coordinator's primary purpose for upgrading the meter is to assist it to meet its obligations as an LNSP to provide a safe, secure and reliable network, as determined by the LNSP acting reasonably.
- Limit the definition of "operational difficulties" to circumstances where manually reading the meter is difficult or potentially unsafe, such as:
 - in remote locations;
 - in secure facilities to which access is not readily available;
 - where the metering installation is physically difficult to access; and/or
 - where the metering installation is in close proximity to hazardous materials.
- Provide that where a meter is altered under the second scenario, once the LNSP ceases to be the Metering Coordinator under clause 11.78.7(h) of the draft NER, the metering installation ceases to be deemed as type 5 or 6.
- Amend clause 7.10.6(a) of the draft NER to exclude metering installations that are capable of remote acquisition of metering data but are not classified as a type 4 metering installation, where permitted under clause 7.8.9(c) of the draft NER.
- Amend clause 7.10.6(d) of the draft NER to include metering installations that are capable of remote acquisition of metering data but are not classified as a type 4 metering installation, where permitted under clause 7.8.9(c) of the draft NER.

7 Metering Coordinator obligations where a customer refuses to have an advanced meter installed

7.1 Summary of draft rule

The draft rule places an obligation on:

- the relevant Metering Coordinator to ensure that all new and replacement meters installed at small customer connection points meet the minimum services specification; and
- the relevant Metering Provider to ensure that all meters installed in respect of a new connection for a small customer meet the minimum services specification.

In the draft determination the AEMC stated that it would recommend to the COAG Energy Council that these obligations be classified as civil penalty provisions.

These obligations do not apply where the Metering Coordinator has an exemption under clause 7.8.4 of the NER draft rule. An exemption under clause 7.8.4 is only available in limited circumstances and allows for the installation of 'type 4A' meter that would be capable of providing the minimum specification services if remote access was activated.⁴⁷

The NERR draft rule provides that small customers may opt out of having a type 4 metering installation that meets the minimum services specification installed as part of a "new meter deployment" (defined in the NERR draft rule) and retain their existing metering installation. The NERR draft rule imposes obligations on retailers to notify their small customers of a proposed replacement of the small customer's meter under a new meter deployment and provide them with the ability to opt out of having a new meter installed.⁴⁸

With the exception of the opt out arrangements referred to above, the draft rule does not make provision for small customers who refuse to have a meter that meets the minimum services specification installed, e.g.:

- by physically preventing access to the metering installation; or
- otherwise objecting to the installation of a remotely read interval meter, e.g. by phone or in writing.

⁴⁷ A type 4A metering installation is a meter that is capable of providing the services set out in the minimum services specification, but is not connected to a telecommunications network that enables remote access to the metering installation. See Appendix C1 of the draft determination for further explanation of type 4A metering installations.

⁴⁸ Rule 59A of the draft NERR. See Appendix C2 of the draft determination for further discussion.

Nor does the draft rule allow a customer to have a meter that meets the minimum services specification removed and replaced with a meter that does not meet the minimum services specification, e.g. an accumulation meter.

Under the current NERR, a retailer may estimate a small customer's energy consumption if it cannot access a site to read the meter.⁴⁹ Following three unsuccessful attempts to read the meter, the retailer has grounds to de-energise the premises.⁵⁰

Under the current NERR, a distributor has grounds to disconnect a customer if the customer fails to give safe and unhindered access to the premises for, among other things, the repair and replacement of meters.⁵¹ In order to disconnect a customer on the basis of this ground, the distributor must, in addition to issuing a disconnection warning notice and allowing the customer 6 business days to rectify the issue leading to the issue of the disconnection warning notice, use best endeavours to contact the customer to arrange access to the premises. The draft rule did not provide for the retailer to have a ground to de-energise a small customer's premises on this basis.

7.2 Concerns raised in submissions

Most stakeholders supported the draft rule's opt out arrangements for new meter deployments, subject to minor proposed changes.

However, several jurisdictions expressed concern that, under the draft rule, customers would not be able to opt out of the installation of a meter that meets the minimum services specification in fault, maintenance replacement and new connection scenarios, and asked that further consideration be given to customers who refuse to have an advanced meter installed.⁵²

Some consumer groups shared this concern. The Ethnic Communities' Council of NSW considered that not providing an ability to opt out in all scenarios would place considerable strain on consumer-retailer relations unless the rationale of why the replacement is necessary is explained and comprehended by the consumer.⁵³ CALC was of the view that the rules should require retailers to proactively communicate with consumers well in advance of any meter replacement and again immediately prior, including (among other things) the right of the consumer to opt out.⁵⁴

Several retailers interpreted that the draft rule relating to special sites and type 4A metering installations would operate to manage sites where the customer refuses the

⁴⁹ Rule 21(1) of the NERR.

⁵⁰ Rule 113(1) of the NERR.

⁵¹ Rule 119(1)(f) of the current NERR; clause 12.1(f) of the Deemed Standard Connection Contract (Schedule 2 of the current NERR).

⁵² See Department of State Development (SA) submission to the draft determination, p. 2; Department of State Growth (Tas) submission to the draft determination, p. 6.

⁵³ See Ethnic Communities Council of NSW submission to the draft determination, p. 2.

⁵⁴ CALC, submission to the draft determination, p. 3.

installation of a meter that meets the minimum services specification.⁵⁵ However, we note that this interpretation is not consistent with the obligation on the Metering Coordinator to install a meter that meets the minimum services specification.

For further details please refer to submissions to the draft determination.

7.3 Analysis

For the reasons set out in the draft determination, the Commission's current position is that it is not practical or appropriate to extend the ability under the draft rule for small customers to opt out of the installation of a meter that meets the minimum specification (which applies in new meter deployment scenarios) to:

- faults;
- maintenance replacements; or
- new connections.⁵⁶

However, the Commission acknowledges that it is likely that a minority of small customers will seek to prevent or refuse the installation of a meter that meets the minimum services specification, or have one removed (e.g. because of concerns that some consumers have about the meter's ability to be read/managed remotely via a telecommunications network).

Under the NER draft rule, a Metering Coordinator would be in breach if it installs any meter other than one that meets the minimum services specification in these scenarios.⁵⁷ The only recourse available to the retailer would be to estimate the customer's energy consumption for the purposes of billing and settlement, and eventually de-energise the customer's premises if access to the meter continues to be denied.⁵⁸

We understand from discussions with stakeholders that the great majority of concerns that some consumers have about advanced meters lie in the meter's ability to be read/managed remotely via a telecommunications network. We also note that one of the key benefits of advanced meters to efficient market operation lies in interval metering, a capability that will still be supported by a type 4A metering installation. Further, type 4A metering installations would require only a small change to enable them to provide remote services (i.e. to render them a type 4 metering installation).

⁵⁵ See ERAA submission to the draft determination, p. 4; Lumo and Red Energy submission to the draft determination, pp. 4-5.

⁵⁶ These scenarios are set out in detail in Appendix C2 of the draft determination.

⁵⁷ If, as is recommended in the draft determination, the provision is classified as a civil penalty provision, the breach of the provision will give rise to potential monetary penalties.

⁵⁸ Under Rule 113 of the NERR.

Given the views of stakeholders and the analysis set out above, we propose that changes be made to the draft rule to provide that a Metering Coordinator (or Metering Provider in the case of a new connection) is not in breach of the NER if it installs a type 4A meter where a customer refuses the installation of a type 4 meter that meets the minimum services specification.

Rather than providing customers with an express right to opt out of the installation of a meter that meets the minimum services specification in the case of faults, maintenance replacements or new connections, the proposed changes to the draft rule would operate as a qualification to the Metering Coordinator or Metering Provider's obligation to install a meter that meets the minimum services specification at the relevant site.

7.4 Proposed approach to address this issue

This section sets out the indicative amendments to the draft rule to reflect the Commission's proposed approach to addressing the concerns detailed in section 7.2 above. We are seeking feedback on any implementation issues that may arise if the indicative amendments were made as part of the final rule. The indicative amendments to the draft rule are set out in Appendix C to this paper.⁵⁹

The key elements of the indicative amendments to the draft rule are as follows:

- Amend clause 7.8.4 of the NER draft rule to allow a Metering Coordinator or Metering Provider (in the case of a new connection) to install a type 4A meter if the customer has communicated its refusal to have a meter that meets the minimum services specification (i.e. a type 4 meter) installed.
 - A 'refusal' may be communicated verbally, in writing or by conduct to the FRMP, Metering Coordinator or Metering Provider.
 - If the customer communicates its refusal to the FRMP or Metering Provider, that party must notify the Metering Coordinator, including details of the date of the refusal, the relevant NMI and the form in which the customer's refusal was communicated.
 - The Metering Coordinator must maintain a written record of refusals for a period of at least seven years.
 - The Metering Coordinator may activate the remote access capabilities with the consent of the small customer at the connection point, in which case the metering installation becomes classified as type 4.

⁵⁹ Please note that the indicative amendments set out in Appendix C only reflect the Commission's proposed approach to addressing the concerns detailed in section 7.2. The Commission is considering other issues raised in submissions that may relate to the operation of the provisions set out in Appendix C and, as such, these provisions may also be amended to address other issues as part of the final rule.

In addition, we are considering amendments to the draft NERR to provide a retailer with grounds to arrange for de-energisation of a customer's premises if the customer fails to allow access to the premises for the purposes of repairing a meter or installing or replacing a meter where the replacement is a maintenance replacement or as a result of a metering installation malfunction. This ability would not apply where the retailer is attempting to install a meter as part of a new meter deployment. It would be subject to the issue of a disconnection warning notice.

The main reason for proposing this additional ground for de-energisation is to address situations where a customer does not have a working NER-compliant meter and refuses access to allow it to be replaced with either a type 4 or type 4A metering installation. This situation is likely to be very uncommon, but retailers need to be able to take appropriate steps if it does arise.

Providing a retailer with this additional ground to disconnect a customer's premises is consistent with the right a distributor currently has under the NERR to disconnect a customer if the customer fails to give safe and unhindered access to the premises for, among other things, the repair and replacement of meters. We note that in order to disconnect a customer on the basis of this ground, the distributor must, in addition to issuing a disconnection warning notice and allowing the customer 6 business days to rectify the issue leading to the issue of the disconnection warning notice, use best endeavours to contact the customer to arrange access to the premises. It appears appropriate to impose this additional requirement on retailers if retailers are to be given a ground to disconnect on the basis of a customer's failure to give safe and unhindered access to the premises for the repair and replacement of meters.

8 Application of the framework to transmission connection points

8.1 Summary of draft rule

The draft rule provides that any party registered with AEMO as a Metering Coordinator would be able to provide metering services at a transmission connection point. This is a change from the current exclusivity arrangements under the NER for the provision of metering services, whereby only an LNSP or a FRMP can act as the Responsible Person at a connection point.⁶⁰ Under the draft rule, a FRMP at a transmission connection point must appoint a Metering Coordinator for that connection point, except where a large customer has appointed its own Metering Coordinator at that connection point.⁶¹

The draft rule provides that the FRMP at a transmission connection point may request in writing an offer from the LNSP to act as the Metering Coordinator⁶² for that connection point. If an LNSP receives such an offer, the LNSP must, amongst other things, offer to act as the Metering Coordinator for the connection point and provide the FRMP with the terms and conditions relating to such offer. This requirement was included in the draft rule due to concerns that in the absence of such a requirement there may not be any party with the appropriate capabilities and expertise willing and available to act as the Metering Coordinator at transmission network connection points. This is because the technology for these metering installations is specialised and there are only a relatively small number of such connection points.⁶³

8.2 Concerns raised in submissions

Grid Australia⁶⁴ and the ENA⁶⁵ raised concerns about the practicalities of parties other than the TNSP undertaking the Metering Coordinator role at transmission connection points. Grid Australia noted that there are "differences in the roles and complexity between metering installations at transmission connection points that are often embedded and intrinsic to the transmission network compared to those at other voltages, most often at retail premises".⁶⁶

⁶⁰ Clause 7.1.2 of the current NER. See discussion in section A1.2.1 of the draft determination.

⁶¹ Clause 7.6.2 of the NER in the draft rule. See discussion in section A1.5.3 of the draft determination. Note also that the draft rule requires the LNSP to take on the Metering Coordinator role for all type 7 metering installations.

⁶² Clause 7.6.3 of the NER in the draft rule.

⁶³ See Draft Determination p. 102. This requirement in the NER draft rule is similar to the obligation imposed on LNSPs under clause 7.2.3 of the current NER, under which an LNSP is required to make an offer to act as the Responsible Person for a connection point with a type 1-4 metering installation when requested to do so by the Market Participant.

⁶⁴ See Grid Australia submission to the Draft Determination.

⁶⁵ See ENA submission to the Draft Determination, pp. 32-33.

⁶⁶ Grid Australia, submission to the Draft Determination, p1.

For reasons set out in these submissions, Grid Australia and the ENA sought an exemption for TNSPs from aspects of the draft rule that relate to the ability of third parties to undertake the Metering Coordinator role at a transmission connection point. For further details please refer to their submissions to the draft determination.⁶⁷

8.3 Analysis

We understand that the technology required for metering installations at transmission connection points is highly specialised and often integrated into a substation with other TNSP assets that are used to operate the transmission network.

The primary purpose of this rule change is to promote competition in metering services in the small customer market. Under the current NER, the FRMP can already elect to be the Responsible Person, yet at the majority of transmission connection points we understand that it is the TNSP that performs this role.

Further, there are relatively few transmission connection points and, given the specialised nature of the metering required at these connection points, the market for metering services would likely be small.

For these reasons we consider that the complexity and cost of permitting parties other than the LNSP or the FRMP to provide Metering Coordinator services at transmission connection points is likely to outweigh the benefits. Therefore our proposed approach is to exclude transmission connection points from the competitive framework and instead retain the existing provisions in the NER that only permit either an LNSP or a FRMP to be the Metering Coordinator at a transmission connection point.

8.4 Proposed approach to address this issue

This section sets out the indicative amendments to the draft rule to reflect the Commission's proposed approach to addressing the concerns detailed in section 8.2 above. We are seeking feedback on any implementation issues that may arise if the indicative amendments were made as part of the final rule. The indicative amendments to the draft rule are set out in Appendix D to this paper.⁶⁸

The key elements of the indicative amendments to the draft rule are as follows:

- Amend clause 7.6.2 of the NER draft rule to provide that only the FRMP can appoint a Metering Coordinator in respect of a transmission connection point.

⁶⁷ These submissions also raised a number of additional issues relating to the application of the draft rule to TNSPs, such as the requirement to use the B2B Hub for B2B communications (except where the Metering Coordinator has agreed with the recipient of the communication to use another form of communication). These issues will be addressed in the Final Determination.

⁶⁸ Please note that the indicative amendments set out in Appendix D only reflect the Commission's proposed approach to addressing the concerns detailed in section 8.2. The Commission is considering other issues raised in submissions that may relate to the operation of the provisions set out in Appendix D and, as such, these provisions may also be amended to address such issues as part of the final rule.

- Amend clause 7.6.3 of the NER draft rule to provide that only the LNSP or the FRMP at a transmission connection point can be appointed as the Metering Coordinator at that connection point.
- Amend clause 2.4A.2 of the NER draft rule to provide that the following do not apply to an LNSP or FRMP only appointed as a Metering Coordinator in respect of one or more transmission connection points:
 - the prohibition on a Market Customer being registered as Metering Coordinator; and
 - the requirement that a Metering Coordinator must have processes in place to determine that a person seeking access to a service listed in the minimum services specification is an “access party” in respect of that service.⁶⁹

⁶⁹ See discussion in section A1.5.4 of the draft determination for further discussion on access party arrangements.

Abbreviations

AEMC	Australian Energy Market Commission
AEMO	Australian Energy Market Operator
AER	Australian Energy Regulator
Commission	See AEMC
DNSP	Distribution Network Service Provider
FRMP	financially responsible Market Participant
LNSP	Local Network Service Provider
NEL	National Electricity Law
NERL	National Energy Retail Law
NGL	National Gas Law
NEO	National electricity objective
NERO	National energy retail objective
NGL	National gas objective
NMI	National metering identifier

A Arrangements for accessing energy and metering data

Excerpts of Chapter 7 of the NER draft rule

7.10.1 Metering Data Services

- (a) *Metering Data Providers* must provide *metering data services* in accordance with the *Rules* and procedures authorised under the *Rules*, including:
- (1) collecting *metering data* by local access or by *remote acquisition*;
 - (2) the validation and substitution of *metering data* for a type 1, 2, 3 and 4 *metering installation*;
 - (3) the validation, substitution and estimation of *metering data* for a type 4A, 5 and 6 *metering installation*;
 - (4) the calculation, estimation and substitution of *metering data* for a type 7 *metering installation*;
 - (5) establishing and maintaining a *metering data services database* associated with each *metering installation* and providing access to the *metering data services database* in accordance with clause 7.10.2;
 - (6) delivery of *metering data* and relevant *NMI Standing Data* for a *metering installation* ~~to a person entitled to receive data~~ in accordance with clause ~~7.15.5~~10.3;
 - (7) the delivery of *metering data* and relevant *NMI Standing Data* to AEMO for settlements;
 - (8) ensuring the *metering data* and other data associated with the *metering installation* is protected from local access or remote access while being collected and while held in the *metering data services database* and that *data* is provided only in accordance with clause ~~7.15.5~~the Rules;
 - (9) maintaining the standard of accuracy of the time setting of the *metering data services database* and the *metering installation* in accordance with clause ~~7.15~~10.5;
 - (10) notifying the Metering Coordinator of any *metering installation* malfunction of a *metering installation* within 1 business day; and
 - (11) management and storage of *metering data* in accordance with clause 7.10.2.
- (b) Despite anything to the contrary in the *Rules*, AEMO may obtain *energy data* directly from a *metering installation* for the *settlements* process.

7.10.2 Data management and storage

- (a) Metering Data Providers must:
- (1) retain *metering data* for all relevant *metering installations* in the *metering data services database*:
 - (i) online in an accessible format for at least 13 months;
 - (ii) following the retention under subparagraph (1)(i), in an accessible format for an overall period of not less than 7 years; and
 - (2) provide the persons referred to in clauses 7.15.5(c)(1) to 7.15.5(c)(5) with access to the *metering data* and *NMI Standing Data* in the *metering data services database*; and
 - (3) except as specified in subparagraph (2), ensure that no other person has access to the *metering data services database*;

...

7.10.3 Provision of *metering data* to certain persons

- (a) The *Metering Data Provider* must provide *metering data* and relevant *NMI Standing Data* to the persons referred to in clauses 7.15.5(c)(1) to 7.15.5(c)(5) as required by and in accordance with the *Rules* and procedures authorised under the *Rules*.
- (b) AEMO must ensure that the procedures authorised under the *Rules* do not require the *Metering Data Provider* to provide *metering data* or relevant *NMI Standing Data* to a person under paragraph (a) except to the extent that such *metering data* or relevant *NMI Standing Data* is required by that person to perform its obligations under the *Rules* and the *National Energy Retail Rules*.

...

7.11 Metering data and database

7.11.1 Metering databases

- (a) AEMO must create, maintain and administer a metering database (either directly or under a contract for provision of the database) containing information for each *metering installation* registered with AEMO.
- (b) ~~The AEMO must ensure that the~~ *metering database* ~~must have~~ has the capacity for ~~electronic~~ remote access ~~by relevant Market Participants and Network Service Providers~~.
- (c) The *metering database* must include *metering data*, *settlements ready data*, and information for each *metering installation* registered with AEMO in accordance with rule 7.12.
- (d) ~~Persons who may be granted~~ AEMO must:

- (1) provide the persons referred to in clauses 7.15.5(c)(1) to 7.15.5(c)(5) with access to ~~data held within the metering database~~ ~~are set out in clause 7.15.5~~; and
 - (2) except as specified in subparagraph (1), ensure that no other person has access to the metering database.
- (e) For all types of *metering installations*, the *metering database* must contain *metering data* that is:
- (1) retained online in an accessible format for at least 13 months; and
 - (2) following the retention under subparagraph (1), archived in an accessible format for an overall period of not less than 7 years.
- (f) The *settlements ready data* held in the *metering database* must be used by AEMO for *settlements* purposes.
- (g) The *settlements ready data* held in the *metering database* may be used by *Distribution Network Service Providers* for the purpose of determining *distribution service charges* in accordance with clause 6.20.1.
- (h) AEMO must retain *settlements ready data* for all *metering installations* for a period of 7 years.
- (i) Despite anything to the contrary in this Rule, AEMO may provide an *energy ombudsman* with *metering data* relating to a *Registered Participant* from a *metering installation*, the *metering database*, or the *metering register* if the *energy ombudsman* has received a complaint to which the data is relevant from a *retail customer* of the *Registered Participant*.
- (j) AEMO must notify the relevant *Registered Participant* of any information requested by the *energy ombudsman* under paragraph (i) and, if it is requested by that *Registered Participant*, supply the *Registered Participant* with a copy of any information provided to the *energy ombudsman*.
- (k) AEMO must, acting jointly with the *energy ombudsman*, develop procedures for the efficient management of timely access to data by *energy ombudsman* in consultation with *Registered Participants* in accordance with the *Rules consultation procedures*.

7.13 Disclosure of NMI information

7.13.1 Application of this Rule

A *retailer* is entitled to information under this *Rule* only if the relevant information is not available to the *retailer* through the *Market Settlement and Transfer Solution Procedures*.

7.13.2 NMI and NMI checksum

- (a) A *Distribution Network Service Provider* must, at the request of a *retailer*, and within 1 *business day* of the date of the request, provide the *retailer* with the *NMI* and *NMI* checksum for premises identified in the request by reference to:
- (1) a unique meter identifier held by the *Distribution Network Service Provider*; or
 - (2) a street address; or
 - (3) the code used by Australia Post to provide a unique identifier for postal addresses.
- (b) If a computer search by the *Distribution Network Service Provider* does not produce a unique match for the information provided by the *retailer*, the *Distribution Network Service Provider* must provide the *retailer* with any computer matches achieved up to a maximum of 99.

7.13.3 NMI Standing Data

A *Distribution Network Service Provider* must, at the request of a ~~*financially responsible Market Participant*~~*retailer*, and within 2 *business days* of the date of the request, provide the ~~*financially responsible Market Participant*~~*retailer* with the *NMI Standing Data* for premises identified in the request by reference to the *NMI* for the premises.

7.14 Metering data provision to retail customers

- (a) *AEMO* must establish, maintain and *publish* the *metering data provision procedures* in accordance with this rule 7.14, this Chapter 7, and otherwise in accordance with the *Rules*.
- (b) The objective of the *metering data provision procedures* is to establish the minimum requirements for the manner and form in which *metering data* should be provided to a *retail customer* (or its *customer authorised representative*) in response to a request for such data from the *retail customer* or *customer authorised representative* to the retailer or the *Distribution Network Service Provider*.
- (c) The *metering data provision procedures* must:
- (1) specify the manner and form in which *retail customers' metering data* must be provided, including a:
 - (i) detailed data format; and
 - (ii) summary data format;
 - (2) for *retail customers* for whom *interval metering data* is available, specify the summary data format, which, at a minimum should include the *retail customer's*:

- (i) nature and extent of *energy* usage for daily time periods;
 - (ii) usage or *load* profile over a specified period; and
 - (iii) a diagrammatic representation of the information referred to in subparagraph (i);
- (3) for *retail customers* for whom accumulated *metering data* is available, specify a summary data format;
- (4) include timeframes in which a ~~*financially responsible Market Participant*~~*retailer* or a *Distribution Network Service Provider* must, using reasonable endeavours, respond to requests made ~~under clause 7.15.5~~(by a)(8)-a *retail customer or customer authorised representative*. The timeframe to be included must:
- (i) be no more than 10 *business days*, except where requests are made under clause 7.15.5(a)(8) by a *customer authorised representative* in relation to more than one *retail customer* of either the ~~*financially responsible Market Participant*~~*retailer* or *Distribution Network Service Provider* to whom the request is made; and
 - (ii) take account of procedures in place relating to the validation of *metering data*; and
- (5) specify a minimum method of delivery for the requested *metering data*.
- (d) ~~*Financially responsible Market Participants*~~*Retailers* and *Distribution Network Service Providers* must comply with the *metering data provision procedures* when responding to requests ~~under clause 7.15.5(a)(8)~~by a *retail customer or customer authorised representative*.

7.15.3 Security controls for energy data

- (a) The *Metering Coordinator* must ensure that *energy data* held in the *metering installation* is protected from local access and remote access by suitable password and security controls in accordance with paragraph (c).
- (b) The *Metering Provider* must keep records of passwords secure.
- (c) Except as otherwise specified in clause 7.15.4(e), the *Metering Provider* must allocate 'read only' passwords to *Market Participants*, *Local Network Service Providers* and *AEMO*, except where separate 'read only' and 'write' passwords are not available, in which case the *Metering Provider* must allocate a password to *AEMO* only. For the avoidance of doubt, a *financially responsible Market Participant* may allocate that 'read only' password to a *retail customer* who has ~~sought~~requested access to its *energy data* ~~or *metering data*~~ in accordance with clause ~~7.15.5(a)(8)~~3(g).
- (d) The *Metering Provider* must hold 'read only' and 'write' passwords.

- (e) The *Metering Provider* must forward a copy of the passwords held under paragraph (d) to *AEMO* on request by *AEMO* for *metering installations* types 1, 2,3 and 4.
- (f) *AEMO* must hold a copy of the passwords referred to in paragraph (e) for the sole purpose of revealing them to a *Metering Provider* in the event that the passwords cannot be obtained by the *Metering Provider* by any other means.
- (g) Subject to the authorisation of the *Metering Coordinator* which is for the purpose of managing congestion in accordance with clause 7.15.5(e), if a *retail customer* of a *financially responsible Market Participant* requests a ‘read only’ password, the *financially responsible Market Participant* must:
 - (1) obtain a ‘read only’ password from the *Metering Provider* in accordance with paragraph (c); and
 - (2) provide a ‘read only’ password to the retail *customer* within 10 *business days*.
- (h) The *Metering Coordinator* referred to in paragraph (g) must not unreasonably withhold the authorisation required by the *financially responsible Market Participant*.
- (i) The *Metering Provider* must allocate suitable passwords to the *Metering Data Provider* that enables the *Metering Data Provider* to collect the *energy data* and to maintain the clock of the *metering installation* in accordance with clause 7.10.5.
- (j) The *Metering Data Provider* must keep all *metering installation* passwords secure and not make the passwords available to any other person.
- ~~(k) The *Metering Provider* must provide remote access to the *metering installation* in accordance with the requirements of clause 7.15.5(b) and remote or local access, as the case may be, to the *metering installation* to facilitate the requirements of clause 7.10.5(d).~~

7.15.5 Access to data

- (a) ~~The~~Access to *energy data* recorded by a *metering installation* must only ~~persons who may~~ be ~~granted~~provided where passwords are allocated in accordance with rule 7.15.
- (b) The *Metering Coordinator* must ensure that access to *energy data* from the *metering installation* is scheduled appropriately to ensure that congestion does not occur.
- (c) Except as specified in paragraphs (d) or ~~may~~(e), only the following persons may access or receive *metering data*, *NMI Standing Data*, ~~settlements ready data or~~ and data from the *metering register* for a *metering installation* ~~are~~:

- (1) *Registered Participants* with a financial interest in the *metering installation* or the *energy* measured by that *metering installation*;
 - (2) the *Metering Coordinator* appointed ~~with~~in respect ~~to~~of the connection point for that *metering installation*; ~~or a person who was previously appointed as the Metering Coordinator in respect of that connection point, as required in connection with a Metering Coordinator default event in accordance with procedures authorised under the Rules;~~
 - (3) the *Metering Provider* ~~who has been~~ appointed with respect to that *metering installation* ~~in accordance with clause 7.3.2(a);~~
 - (4) ~~financially responsible Market Participants~~the Metering Data Provider appointed with respect to that *metering installation*, or who was previously appointed with respect to a *metering installation* as required in accordance with the ~~meter churn~~Rules and procedures; authorised under the Rules;
 - (5) ~~the Network Service Provider or providers associated with the connection point;~~
 - ~~(6)~~—AEMO and its authorised agents; and
 - ~~(7)~~(6) the ~~energy ombudsman~~AER or Jurisdictional Regulators upon request to AEMO.
- (d) In addition to the persons listed in paragraph (c), the following persons may access or receive metering data in accordance with ~~paragraphs (f), (g)~~the Rules and ~~(h)~~procedures authorised under the Rules:
- ~~(8)~~(1) a *retail customer* or *customer authorised representative*, upon request by that *retail customer* or its *customer authorised representative* to the ~~financially responsible Market Participant~~retailer or *Distribution Network Service Provider* in relation to that *retail customer's metering installation* in accordance with the metering data provision procedures;
 - ~~(9)~~(2) if a *small customer* has consented to a person accessing the *metering data* from its *small customer metering installation* in accordance with clause 7.15.4(b)(2), to that person;
 - ~~(10)~~(3) a *large customer* or a *customer authorised representative*, in relation to data from the *metering installation* in respect of the *connection point* of the *large customer*; and
 - ~~(11)~~(4) the ~~AER or Jurisdictional Regulators upon request to AEMO;~~ and
 - ~~(12)~~—~~the Metering Data Provider who has been appointed to provide metering data services with respect to that metering installation~~energy ombudsman in accordance with ~~clause 7.3.2(d)~~paragraphs 7.11.1(i) – (k).

~~(b) Remote access to energy data recorded by a metering installation by persons referred to in paragraph (a) must only be provided where passwords in accordance with rule 7.15 are allocated, otherwise access shall be to metering data from the metering data services database or the metering database.~~

~~(ee)~~ Without limiting ~~paragraph (a);~~ [this clause 7.15.5 or clause 7.13.3:](#)

- ~~(1) a financially responsible Market Participant is entitled to access or~~ [retailer may](#) receive NMI Standing Data;
- ~~(2) a customer authorised representative is entitled to access or~~ [may](#) receive ~~the relevant~~ [metering](#) data referred to in paragraph (a); and
- ~~(3) a financially responsible Market Participant~~ [retailer](#) or a Distribution Network Service Provider ~~is entitled to access~~ [may receive](#) or provide ~~the relevant~~ [metering](#) data referred to in paragraph (a) to a customer authorised representative,

after having first done whatever may be required or otherwise necessary, where relevant, under any applicable privacy legislation (including if appropriate making relevant disclosures or obtaining relevant consents from retail customers).

~~(d) The Metering Data Provider or AEMO (as the case may be) who is responsible for the provision of metering data services must ensure that access is provided to metering data from the metering data services database only to the persons referred to in subparagraphs (a)(1) to (6) and (a)(11).~~

~~(e) The Metering Coordinator must ensure that access to energy data from the metering installation by persons referred to in paragraph (a) is scheduled appropriately to ensure that congestion does not occur.~~

~~(f) Despite anything to the contrary in this Rule, AEMO may provide an energy ombudsman with metering data relating to a Registered Participant from a metering installation, the metering database, or the metering register if the ombudsman has received a complaint to which the data is relevant from a retail customer of the Registered Participant.~~

~~(g) AEMO must notify the relevant Registered Participant of any information requested by the energy ombudsman under paragraph (e) and, if it is requested by that Registered Participant, supply the Registered Participant with a copy of any information provided to the energy ombudsman.~~

~~(h) AEMO must, acting jointly with the energy ombudsman, develop procedures for the efficient management of timely access to data by energy ombudsman in consultation with Registered Participants in accordance with the Rules consultation procedures.~~

B Supply interruptions for the purpose of installing or maintaining a meter

Excerpt of Chapter 10 of the NER draft rule

Chapter 10 New Definitions

retailer planned interruption

- (a) In a participating jurisdiction where the National Energy Retail Rules apply as a law of that participating jurisdiction, has the meaning given in the National Energy Retail Rules.
- (b) Otherwise, has the meaning given in jurisdictional electricity legislation.

Excerpt of Chapter 7 of the NER draft rule

7.3.2 Role of the Metering Coordinator

....

Access to small customer metering installation

- (h) The *Metering Coordinator* must, for each *small customer metering installation at a connection point* for which it is responsible:
 - (1) ensure that a service listed in the *minimum services specification* in column 1 of table S7.5.1.1 is only accessed by an *access party*;
 - (2) ensure that access to the *metering installation*, the services provided by the *metering installation* and *energy data* held in the *metering installation* is only granted to persons entitled to access that *metering installation*, or the services provided by the *metering installation* or *energy data* held in the *metering installation* in accordance with this Chapter 7; and
 - (3) not arrange to disconnect or reconnect ~~a~~ the *metering installation* except:
 - (i) on the request of the *financially responsible Market Participant* or *Local Network Service Provider*;
 - (ii) where such *disconnection* or *reconnection* is effected via remote access; ~~and~~
 - (iii) in accordance with the *emergency priority procedures*; and
 - (iv) in accordance with jurisdictional electricity legislation.
 - (4) not arrange a retailer planned interruption of the supply of electricity at the metering installation except:
 - (i) on request of the financially responsible Market Participant in accordance with:

- (A) the *National Energy Retail Rules* where such rules apply as a law of the *participating jurisdiction*; or
 - (B) where such rules do not apply in a *participating jurisdiction*, a corresponding provision of the *jurisdictional electricity legislation* of the *participating jurisdiction*.
- (ii) in accordance with the *emergency priority procedures*; and
 - (iii) in accordance with *jurisdictional electricity legislation*.

Exerpts of the NERR draft rule

Part 1 Preliminary

3 Definitions

distributor planned interruption—see rule 88;

interruption—~~see rule 88;~~

- (a) in the case of Division 9A of Part 2, means a temporary unavailability or temporary curtailment of the supply of electricity to a customer's premises; and
- (b) in all other cases, a temporary unavailability or temporary curtailment of the supply of energy to a customer's premises, but does not include unavailability or curtailment in accordance with the terms and conditions of a customer retail contract or customer connection contract, and any applicable tariff, agreed with the customer.

planned interruption—see rule 88;

retailer planned interruption—see rule 59B;

Part 2 Customer retail contracts

Division 9A Retailer interruption to supply

59B Definitions

In this division:

retailer planned interruption means an *interruption* of the supply of electricity to a customer that:

- (a) is for the purposes of installing, maintaining, repairing or replacing an electricity meter; and
- (b) does not involve either:
 - (i) the distributor effecting the *interruption* under rule 89; or
 - (ii) *interrupting* supply of electricity to a customer that is not the customer of the retailer arranging the *interruption*.

59C Retailer interruption to supply – electricity (SRC and MRC)

- (1) A retailer may, subject to and in accordance with any requirements of the energy laws, arrange a *retailer planned interruption*.
- (2) The retailer must notify each affected customer by any appropriate means of the *retailer planned interruption* at least 4 business days before the date of the *interruption*.
- (3) The notice given by a retailer under subrule (2) may be given in the same notice required to be given under rule 59A(2)(b).
- (4) The notification must:
 - (a) specify the expected date, time and duration of the *retailer planned interruption*; and
 - (b) include a 24 hour telephone number for enquiries (the charge for which is no more than the cost of a local call); and
 - (c) include a statement that any enquiries regarding the *retailer planned interruption* are to be directed to the retailer.
- (5) In the case of a *retailer planned interruption*, the retailer must use its best endeavours to arrange to restore the customer's supply as soon as possible.

Note:

Rule 107(4) provides that Part 6 (relating to de-energisation or disconnection of premises) does not apply to *interruptions* under this rule.

(6) Application of this rule to standard retail contracts

This rule applies in relation to standard retail contracts.

(7) Application of this rule to market retail contracts

This rule applies in relation to market retail contracts.

Part 4 Relationship between distributors and customers

Division 6 Distributor interruption to supply

88 Definitions

In this Division:

~~**interruption** means a temporary unavailability or temporary curtailment of the supply of energy to a customer's premises, but does not include unavailability or curtailment in accordance with the terms and conditions of a customer retail contract or customer connection contract, and any applicable tariff, agreed with the customer;~~

Note:

Rule 107 (4) provides that Part 6 (relating to de-energisation or disconnection of premises) does not apply to *interruptions* under this Division.

distributor planned interruption means an *interruption* of the supply of energy for:

- (a) the planned maintenance, repair or augmentation of the transmission system; or
- (b) the planned maintenance, repair or augmentation of the distribution system, including planned or routine maintenance of *metering* equipment; or
- (c) the installation of a new connection or a connection alteration;

...

89 Distributor's right to interrupt supply

A distributor may, subject to and in accordance with any requirements of the energy laws, *interrupt* the supply of energy at any time, including for a **distributor planned interruption** or an *unplanned interruption*.

90 Planned interruptions

(1) Notice to be given

In the case of a **distributor planned interruption**, ~~a~~ **the** distributor must notify each affected customer by any appropriate means of the *interruption* at least 4 business days before the date of the *interruption*.

(2) Contents of notification

The notification must:

- (a) specify the expected date, time and duration of the *interruption*; and
- (b) include a 24 hour telephone number for enquiries (the charge for which is no more than the cost of a local call); and
- (c) include a statement that any enquiries regarding **distributor planned interruptions** are to be directed to the distributor.

(3) Restoration of supply

~~The~~ **In the case of an interruption effected by a distributor, the** distributor must use its best endeavours to restore the customer's supply as soon as possible.

Note:

This rule is a civil penalty provision for the purposes of *the Law*. (See the National Regulations, clause 6 and Schedule 1.)

91A Metering coordinator and distributor to assist and cooperate - electricity

Where the installation, maintenance, repair or replacement of *metering* equipment is to be undertaken by the *metering coordinator* and requires [the distributor to effect](#) an *interruption* of supply to the customer's premises:

- (a) the *metering coordinator* must provide such information and assistance as the distributor may reasonably require to enable the distributor to carry out its obligations under rules 90 and 91; and
- (b) the distributor must effect the *interruption* and provide such assistance as the *metering coordinator* may reasonably require to enable the *metering coordinator* to carry out the installation, maintenance, repair or replacement of *metering* equipment; and
- (c) the distributor and the *metering coordinator* must give all other reasonable assistance to each other, and cooperate with each other, in relation to the *interruption* and their respective obligations under these Rules.

Part 5 Relationship between distributors and retailers—retail support obligations

99 Information on [distributor](#) planned interruptions

- (1) The distributor:
 - (a) must notify the retailer of [distributor](#) *planned interruptions* and give the retailer all information that the distributor is required to give to a customer under rule 90; and
 - (b) must do so within the same time period as the distributor is required to notify the customer.
- (2) The information must include information regarding the area in which the [distributor](#) *planned interruption* is to occur.
- (3) At the request of the retailer, and if the information is readily available, the information must include information regarding specific premises affected.
- (4) If a customer contacts the retailer about a [distributor](#) *planned interruption* requested or proposed by the distributor, the retailer must:
 - (a) refer the customer to the distributor; or
 - (b) if the customer does not wish to contact the distributor, give the customer the information provided by the distributor under this rule.

Note:

This subrule is a civil penalty provision for the purposes of *the Law*. (See the National Regulations, clause 6 and Schedule 1.)

[99A Information on retailer planned interruptions – electricity](#)

- (1) [The retailer:](#)

- (a) must notify the distributor of *retailer planned interruptions* and give the distributor all information that the retailer is required to give to a customer under rule 59C(4); and
- (b) must do so within the same time period as the retailer is required to notify the customer.
- (2) The information must include information regarding the area in which the *retailer planned interruption* is to occur.
- (3) At the request of the distributor, and if the information is readily available, the information must include information regarding specific premises affected.
- (4) If a customer contacts the distributor about a *retailer planned interruption* proposed by the retailer, the distributor must:
 - (a) refer the customer to the retailer; or
 - (b) if the customer does not wish to contact the retailer, give the customer the information provided by the retailer under this rule.

Part 6 De-energisation (or disconnection) of premises—small customers

Division 1 Preliminary

107 Application of this Part

...

- (4) This Part does not apply to *interruptions* under Division 6 of Part 4 or under rule 59C.

...

Part 7 Life support equipment

124 Retailer obligations

(1) Life support equipment

Where a customer provides a retailer with confirmation from a registered medical practitioner that a person residing at the customer's premises requires *life support equipment*, the retailer must:

- (a) register the premises as having *life support equipment*; and
- (b) advise the distributor that a person residing at the premises requires *life support equipment*; and
- (c) give the distributor relevant information about the premises for the purposes of updating the distributor's distribution records and registers; and
- (d) except in the case of a *retailer planned interruption*, not arrange for the de-energisation of the premises while the person continues to reside at the premises and requires *life support equipment*; ~~and~~
- (e) give the customer an emergency telephone contact number for the distributor (the charge for which is no more than the cost of a local call); and

(f) in the case of a *retailer planned interruption*, give the customer at least 4 business days written notice of the *retailer planned interruption* to supply at the premises (the 4 business days to be counted from, but not including, the date of receipt of the notice).

Note:

This subrule is a civil penalty provision for the purposes of *the Law*. (See the National Regulations, clause 6 and Schedule 1.)

Schedule 1 Model terms and conditions for standard retail contracts

6 YOUR GENERAL OBLIGATIONS

6.3 Life support equipment

- (a) If a person living at your premises requires *life support equipment*, you must register the premises with us or your distributor. To register, you will need to give written confirmation from a registered medical practitioner of the requirement for *life support equipment* at the premises.
- (b) You must tell us or your distributor if the *life support equipment* is no longer required at the premises.
- (c) If the premises are registered as having *life support equipment*, and we have arranged a *retailer planned interruption* to the supply of electricity, we must give you:
 - (i) general advice relating to the *retailer planned interruption* to the supply of electricity to the premises;
 - (ii) at least 4 business days notice in writing of any *retailer planned interruption* to the supply of electricity to the premises; and
 - (iii) an emergency telephone contact number.

11A INTERRUPTION TO ELECTRICITY SUPPLY

11A.1 Retailer may arrange retailer planned interruptions (maintenance repair etc)

- (a) We may arrange *retailer planned interruptions* to the supply of electricity to your premises where permitted under the energy laws for the purpose of the installation, maintenance, repair or replacement of your electricity *meter*.
- (b) If your electricity supply will be affected by a *retailer planned interruption* arranged by us, we will give you at least 4 business days notice by mail, letterbox drop, press advertisement or other appropriate means.

11A.2 Your right to information about retailer planned interruptions

- (a) If you request us to do so, we will use our best endeavours to explain a *retailer planned interruption* to the supply of electricity to the premises which was arranged by us.
- (b) If you request an explanation be in writing we must, within 10 business days of receiving the request, give you either:
 - (i) the written explanation; or

(ii) an estimate of the time it will take to provide a more detailed explanation if a longer period is reasonably needed.

(c) For interruptions made by your distributor, we may refer you to your distributor to provide information.

23 GENERAL

Simplified explanation of terms

interruption means a temporary unavailability or temporary curtailment of the supply of electricity from a distribution system to a customer, but does not include disconnection;

retailer planned interruption means an interruption that:

(a) is for the purposes of the installation, maintenance, repair or replacement of your electricity meter; and

(b) does not involve the distributor effecting the interruption.

Schedule 2 Model terms and conditions for deemed standard connection contracts

10 INTERRUPTION TO SUPPLY

10.1 Distributor may interrupt supply

We may *interrupt* the supply of energy to your premises where permitted under the energy laws, including for a *distributor planned interruption* or where there is an *unplanned interruption* or in accordance with the conditions of any applicable tariff or under a contract with your retailer.

10.2 **Distributor p**lanned interruptions (maintenance, repair, etc)

(a) We may make *distributor planned interruptions* to the supply of energy to the premises under the Rules for the following purposes:

(i) for the maintenance, repair or augmentation of the transmission system or the distribution system, including maintenance of *metering* equipment; or

(ii) for the installation of a new connection or a connection alteration to another customer.

(b) If your energy supply will be affected by a *distributor planned interruption*, we will give you at least 4 business days notice by mail, letterbox drop, press advertisement or other appropriate means.

...

10.4 Your right to information about interruptions

(a) If you request us to do so, we will use our best endeavours to explain:

(i) an *interruption* to the supply of energy to the premises; or

(ii) a supply of energy to the premises of a quality in breach of any relevant standards under the energy laws.

- (b) If you request an explanation be in writing we must, within 10 business days of receiving the request, give you either:
 - (i) the written explanation; or
 - (ii) an estimate of the time it will take to provide a more detailed explanation if a longer period is reasonably needed.
- (c) For any *retailer planned interruption* arranged by your retailer, we may refer you your retailer to provide information.

19 GENERAL

Simplified explanation of terms

distributor planned interruption means an *interruption* of the supply of energy for:

- (a) the planned maintenance, repair or augmentation of the transmission system; or
- (b) the planned maintenance, repair or augmentation of the distribution system, including planned or routine maintenance of a *meter*; or
- (c) the installation of a new connection or a connection alteration;

retailer planned interruption means an *interruption* that:

- (a) is for the purposes of the installation, maintenance, repair or replacement of your *electricity meter*; and
- (b) does not involve the distributor effecting the interruption.

C Metering Coordinator obligations where a customer refuses to have an advanced meter installed

Excerpts of Chapter 7 of the NER draft rule

7.8.3 Small customer metering installations

- (a) Except as specified in clause 7.8.4, a *Metering Coordinator* must ensure that any new or replacement *metering installation* in respect of the *connection point* of a *small customer* is a type 4 *metering installation* that meets the *minimum services specification*.
- (b) Except ~~where as specified in a clause 7.8.4(b1) applies or where the~~ *Metering Coordinator* ~~has obtained an exemption is exempt~~ under clause 7.8.4-(a) from complying with clause 7.8.3(a) in respect of a *connection point*, a *Metering Provider* must ensure that any *metering installation* installed or proposed to be installed in respect of a *new connection* for a *small customer* at that *connection point* is a type 4 *metering installation* that meets the *minimum services specification*.
- (c) *AEMO* must establish, maintain and *publish* procedures relating to the *minimum services specification* that set out for each service specified in the *minimum service specification*:
 - (1) minimum service levels, including service availability and completion timeframes; and
 - (2) minimum standards, including completion rates against the service levels and accuracy requirements.
- (d) The procedures established under paragraph (c) may also include technical requirements of one or more of the services specified in the *minimum services specification*.

7.8.4 Type 4A metering installation

- (a) *AEMO* may exempt a *Metering Coordinator* from complying with clause 7.8.3(a) in respect of a *connection point* for one or more periods of up to 5 years each if the *Metering Coordinator* demonstrates to *AEMO's* reasonable satisfaction that there is no existing *telecommunications network* which enables remote access in respect of the *metering installation* at that *connection point*.
- (b) Notwithstanding clause 7.8.3(a), a *Metering Coordinator* is not required to ensure that a new or replacement *metering installation* is a type 4 *metering installation* that meets the *minimum services specifications* where, in the *Metering Coordinator's* reasonable opinion, the *small customer* has communicated its refusal to the installation or proposed installation of a type 4 *metering installation* at that *connection point* in accordance with paragraph (c).
- (b1) Notwithstanding clause 7.8.3(b), a *Metering Provider* is not required to ensure that a *metering installation* installed or proposed to be installed in respect of a *new connection* for a *small customer* at a *connection point* is a type 4 *metering installation* that meets the *minimum services specification* where, in the *Metering Provider's* reasonable opinion, the *small customer* has communicated

its refusal to the installation or proposed installation of a type 4 metering installation at that connection point in accordance with paragraph (c).

(c) For the purposes of paragraph (b) and (b1), a small customer refusal to the installation or proposed installation of a type 4 metering installation must be communicated:

(1) verbally, in writing or by conduct; and

(2) to the financially responsible Market Participant, Metering Coordinator or Metering Provider.

(d) If the small customer communicates its refusal under paragraph (c) to the financially responsible Market Participant or Metering Provider, the financially responsible Market Participant or Metering Provider (as the case may be) must promptly provide written notice of the refusal to the Metering Coordinator which must include:

(1) the date of the refusal;

(2) how the refusal was communicated; and

(3) details of the NMI at the relevant connection point.

(e) A Metering Coordinator must retain a written record of a small customer refusal under paragraph (c) for a period of at least 7 years.

(f) Where paragraph (b) applies:

(1) the Metering Coordinator must ensure that the new or replacement metering installation installed at that connection point is a type 4A metering installation; and

(2) clause 7.8.3(a) will apply to any subsequent installation or proposed installation of a new or replacement metering installation at that connection point, subject to the reapplication of clause 7.8.4(b).

(f1) Where paragraph (b1) applies the Metering Provider must ensure that the metering installation installed in respect of a new connection for a small customer at that connection point is a type 4A metering installation.

(g) Nothing in paragraph (f) or (f1) prevents a Metering Coordinator from activating the remote access capabilities of a metering installation with the consent of the small customer at the connection point.

~~(b)A Metering Coordinator that~~ (h) Where the Metering Coordinator is exempt under paragraph (a) from complying with clause 7.8.3(a) in respect of a connection point under paragraph (a), the Metering Coordinator must ensure that any new or replacement metering installation in respect of that connection point including, for the avoidance of doubt, a metering installation at a new connection, is a type 4A metering installation that has the capability of providing the services in table S7.5.1.1.

(ei) On and from the date that an exemption under paragraph (a) ceasing ceases to apply in respect of a connection point, the Metering Coordinator must ensure that the metering installation at that connection point is a type 4 metering installation that meets the minimum services specification.

S7.4.3 Accuracy requirements for metering installations

Table S7.4.3.1 Overall Accuracy Requirements of Metering Installation Components

Type	Volume limit per annum per connection point	Maximum allowable overall error ($\pm\%$) at full load (Item 7) active reactive		Minimum acceptable class or standard of components	Metering installation clock error (seconds) in reference to EST
4A	less than 750 MWh	1.5	n/a	Either 0.5 CT and 1.0 meter Wh; or whole current general purpose meter Wh: <ul style="list-style-type: none"> • meets the requirements of clause 7.8.2(a)(10); and • has the capability <u>if remote access is activated</u>, of providing the services in table S7.5.1.1; and • meets the requirements of clause 7.10.6(d) <u>7.10.7(a)</u>. 	± 20 (Item 2a)

Appendix D: Application of the framework to transmission connection points

D Application of the framework to transmission connection points

Excerpt of Chapter 2 of the NER draft rule

2.4A.2 Eligibility

- (a) To be eligible for registration as a *Metering Coordinator*, a person must:
- (a1) subject to paragraph (b), not be a *Market Customer*;
 - (b2) satisfy *AEMO* that it is complying with and will comply with the *Rules* and the procedures authorised under the *Rules*;
 - (e3) subject to paragraph (b), have appropriate processes in place to determine that a person seeking access to a service listed in the *minimum services specification* is an *access party* in respect of that service;
 - (d4) have an appropriate security control management strategy and associated infrastructure and communications systems for the purposes of preventing unauthorised local access or remote access to *metering installations*, services provided by *metering installations* and *energy data* held in *metering installations*;
 - (e) (5) have insurance as considered appropriate by *AEMO*; and
 - (f6) pay the prescribed fees determined in accordance with rule 2.11.
- (b) Subparagraphs (a)(1) and (a)(3) do not apply to a person who is only appointed, or is proposed to be only appointed, as *Metering Coordinator* in respect of one or more *connection points* that connect, or are proposed to connect, to a *transmission network*.

Excerpt of Chapter 7 of the NER draft rule

7.6.2 Appointment by financially responsible Market Participant or large customer

- (a) A *Metering Coordinator* may only be appointed:
- (1) with respect to a *connection point* ~~by (1)~~ that connects, or is proposed to connect, to a *transmission network*, by the *Market Participant* which is *financially responsible* for the connection point; or
 - (2) with respect to any other *connection point*, by the *Market Participant* which is *financially responsible* for the connection point or the *large customer* whose premises are supplied at the *connection point*.
- (b) A *financially responsible Market Participant* or *large customer* making an appointment under paragraph (a) must do so in accordance with the *Rules* and procedures authorised under the *Rules*.
- (c) The *Market Settlements and Transfer Solution Procedures* may specify that an incoming *Metering Coordinator* is responsible for the *metering installation*:

Appendix D: Application of the framework to transmission connection points

- (1) on the day that a *market load* transfers from one *financially responsible Market Participant* to another *financially responsible Market Participant* for the period within that day; or
- (2) on any other day.

7.6.3 Appointment with respect to transmission network connection

~~(a)~~(a) With respect to a connection point that connects, or is proposed to connect, to a transmission network, only the Local Network Service Provider or the financially responsible Market Participant at the connection point may be appointed as Metering Coordinator under clause 7.6.2.

(b) Where a *connection point* connects, or is proposed to connect, to a *transmission network*, the *financially responsible Market Participant* with respect to that connection point may request in writing an offer from the *Local Network Service Provider* to act as the *Metering Coordinator* in respect of the *connection point*. ~~For the avoidance of doubt, nothing in this clause 7.6.3 affects the right of a large customer to appoint a Metering Coordinator under clause 7.6.2(a)(2).~~

~~(b)~~(c) If the *Local Network Service Provider* receives a request under paragraph (a), the *Local Network Service Provider* must:

- (1) offer to act as the *Metering Coordinator* in respect of that *connection point*;
- (2) provide the *financially responsible Market Participant* with the name of the *Metering Provider* and the *Metering Data Provider* that would be appointed under clause 7.3.2(a)(1) and 7.3.2(d), if requested by the *financially responsible Market Participant*; and
- (3) provide the *financially responsible Market Participant* with the terms and conditions relating to that offer no later than 15 *business days* after the *Local Network Service Provider* receives a written request from the *financially responsible Market Participant*.