

7 November 2008

Dr John Tamblyn
Chairman
Australian Energy Market Commission
PO Box A2449
SYDNEY SOUTH NSW 1235

Dear Dr Tamblyn

**Draft Rule and Draft Determination
Confidentiality Arrangements in respect of Information Required for Power System Studies**

Vestas provides this submission in response to the Draft Rule and Draft Determination concerning confidentiality arrangements.

1. The process to date

1.1 Vestas notes that the Draft Rule differs in a number of significant and important respects from the Rule Change originally proposed by the National Generators Forum.

1.2 Vestas is pleased to note, from the Commission's Draft Determination, that the Commission proposes to:

- (a) require certain proprietary information to be disclosed only in an encrypted or otherwise confidential form;
- (b) limit disclosure of information to *Registered Participants*; and
- (c) require NEMMCO to establish, maintain and publish a register outlining the information that it has provided to *Registered Participants*,

and endorses the Draft Determination in regard to these aspects.

1.3 However Vestas remains concerned about a number of aspects of the Draft Rule. Most of our concerns stem from those parts of the Draft Rule which are new, that is, those parts that were not originally proposed as a part of the Rule Change Proposal.

2. Areas of agreement and disagreement from the submissions

2.1 The following principles appear to be agreed by the Commission and most of the parties who made submissions in response to the Rule Change Proposal:

- (a) *NEMMCO* and *NSP's* need to obtain information from *Registered* and *Intending Participants* (in particular, during the *connection* process), so that *NEMMCO* and *NSP's* can perform their respective functions under the National Electricity Rules.
- (b) There is a legitimate requirement for *NEMMCO* to disclose information that it holds to *NSP's* and *Registered Participants* in certain circumstances.
- (c) There is also a legitimate requirement for *NSP's* to disclose information that they hold to other *NSP's* and *Registered Participants* in certain circumstances.
- (d) There is also a legitimate requirement for the providers of information (*generators* and their suppliers) to have their confidential and proprietary information protected.

- (e) The National Electricity Rules already contain provisions setting out how *confidential information* must be treated, but clause 8.6.2(m) may have had unintended consequences and may operate in an unduly restrictive manner.

2.2 The area of disagreement between the parties who made submissions to the Rule Change Proposal would appear to be:

- (a) what information should be provided to *NEMMCO* and *NSP's*;
- (b) what information can be disclosed by *NEMMCO* and to whom;
- (c) can information be:
 - (i) provided to *NEMMCO*; and
 - (ii) disclosed by *NEMMCO* to *NSP's* and *Registered Participants*,

in such a way that genuinely confidential and proprietary information is protected, whilst still enabling *NEMMCO*, *NSP's* and *Registered Participants* to use that information to assist in fulfilling their obligations as specified under the NER.

2.3 In Vestas' view:

- (a) the information which should be provided by *Generators* and *Connection Applicants* is the information currently required to be provided under clause S5.2.4, together with the proposed *releasable user guide*;
- (b) information provided to *NEMMCO* under clause S5.2.4, together with the *releasable user guide*, should be able to be disclosed to *NSP's* and *Registered Participants* where that information is required for the purposes set out in clause 3.13.3; and
- (c) the provision of source code in an encrypted or confidential form (and in the case of *NSP's*, also the functional block diagram) and a *releasable user guide* containing the information described in this letter and its Attachments will enable the twin objectives (appropriate disclosure to *NSP's* and *Registered Participants* with appropriate protection of confidential and proprietary information) to be met.

3. Suggested approach

3.1 Accordingly, Vestas suggests that:

- (a) the categories of information that must be provided to *NEMMCO* and *NSP's* should remain as currently described in the NER (particularly clause S5.2.4), with the addition only of the *Releasable User Guide*;
- (b) the *Releasable User Guide* should:
 - (i) only contain information that would be required by a *Registered Participant* requesting information under clause 3.13.3; and
 - (ii) not contain information that would disclose the confidential or proprietary information of the provider of the information;
- (c) where *NEMMCO* is entitled to release, under clause 3.13.3, information received from a *Connection Applicant* under clause S5.2.4, the description of information that can be disclosed should be the same as the information that is received (that is, there should

be no suggestion under clause 3.13.3 that *Connection Applicants* might have to provide information other than that specifically set out in clause S5.2.4);

- (d) as all information received under clause S5.2.4 is already described as being *confidential information*, the existing rules contained in clause 8.6.2 of the NER regarding the treatment and permitted disclosure of *confidential information* should prevail (with the removal of paragraph (m) of that clause).

3.2 There is an additional point. Certain parties have provided information to *NEMMCO* and *NSP's* since March 2007 on the clear understanding that the information was confidential and could not be disclosed (because of clause 8.6.2(m)). There is a risk that the current drafting of the Transitional Provisions will result in information which currently cannot be disclosed, being disclosed without reference to the parties who submitted that information. Vestas submits that the Transitional Provisions need to be amended to recognise and protect the rights and interests of those parties who provided information in good faith during this time, in reliance on clause 8.6.2(m).

Vestas elaborates on this suggested approach in Attachment 1 to this letter. Attachment 2 to this letter contains suggested changes to the Draft Rule.

We appreciate the opportunity to make a submission in relation to the Draft Rule and Draft Determination. Please do not hesitate to contact me if this submission requires further clarification.

Yours sincerely

Vestas Australia



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Attachment 1

Detailed Submission

1. **Approach**
- 1.1 Instead of commenting on an 'issue by issue' basis, this Attachment contains comments on a 'rule by rule' basis.
2. **Clause 3.13.3 of the Draft Rule**
- 2.1 We think that what clause 3.13.3 (as amended by the Draft Rule) intends to say is:
 - (a) *Registered Participants* can ask for certain information from *NEMMCO* (clause 3.13.3 (k));
 - (b) if *NEMMCO* holds the requested information, it must provide it to the *Registered Participant* promptly (and *NEMMCO* can charge a fee) (clause 3.13.3 (l));
 - (c) there is some specific information which *NEMMCO* can disclose (clause 3.13.3 (k3)); but
 - (d) there are some limitations on *NEMMCO* both as to the content and as to timing of disclosure (clause 3.13.3 (k1), (k2) and (l1));
 - (e) certain *TNSP's* can also request certain information from *NEMMCO* (clause 3.13.3 (l2));
 - (f) where *NEMMCO* holds that information, it must provide it to the *TNSP* (also clause 3.13.3 (l2)) subject to some limitations (clause 3.13.3 (l3)).
- 2.2 Vestas considers there would be considerable benefit in restructuring clause 3.13.3 in this way and has included suggested redrafting in Attachment 2.
- 2.3 Vestas has concerns with the clause 3.13.3 (l2) of the Draft Rule.
 - (a) First, the information described in paragraph (2) of that clause (i.e. '*generating unit, generating system and power system static and dynamic model information including model parameters and parameter values*') is a subset of the information that would be contained in the functional block diagram and therefore duplicates the requirement in clause 3.13.3(l2)(1). Vestas therefore considers that clause 3.13.3(l2)(2) should be deleted.
 - (b) If the Commission determines that a category of information other than the functional block diagram itself should be able to be provided to a *TNSP* under clause 3.13.3, then to the extent that this is information provided by a *Generator* or *Connection Applicant* under clause S5.2.4, Vestas submits that the description of the information should mirror

the description contained in clause S5.2.4. That is, the paragraphs under clause 3.13.3 (12) should read:

- (1) functional block diagram information provided to NEMMCO under clause S5.2.4(b)(5);
 - (2) the parameters of each functional block, including all settings, gains, time constants, delays, deadbands and limits; and
 - (3) the characteristics of non-linear elements, with sufficient detail to perform load flow and dynamic simulation studies.
- (c) In any event, it is Vestas's view that the information described in paragraph (2) is not required for a *TNSP* to provide *network* limit advice relating to *power system* stability limits to *NEMMCO*, nor would that information be reasonably required for planning and operational purposes. The information described in paragraph (2) relates to the internal workings of the *generating unit*, whereas the information that would be required to prepare *network* limit advice is only the parameters at the points where the *generating unit* or *generating system connects* to the rest of the *network*.

2.4 For these reasons, Vestas requests that clause 3.13.3(12)(2) be removed.

2.5 As regards clause 3.13.3(14) of the Draft Rule, Vestas considers that all the clause needs to say is that information disclosed under clause 3.13.3 is confidential information. Clause 8.6.2 then governs that confidential information.

3. **Schedule 5.2.4 of the Draft Rule**

3.1 As indicated in our covering letter Vestas agrees with the concept of a *releasable user guide* but has concerns about its proposed content. These are detailed in our comments on Clause 10, the Glossary.

3.2 Vestas also suggests amending clause S 5.2.4(f) to remove the words 'Subject to clauses'. As indicated elsewhere, in our view having declared the information provided under clause S5.2.4 to be *confidential information*, clause 8.6.2 is sufficient to specify how that *confidential information* is to be dealt with.

4. **Clause 10 Definition of Releasable User Guide**

4.1 Vestas submits that the definition of *releasable user guide* contained in clause 10 of the Draft Rule:

- (a) includes requirements that may disclose information of a confidential and proprietary nature;
- (b) specifies information that would not reasonably be required by a *Registered Participant* to carry out *power system* studies (including

load flow and dynamic simulations) for planning and operational purposes;

- (c) refers to information that is not specifically defined in the Rules (for example, 'model parameters', 'model parameters and their values');
- (d) potentially also includes information that *Generators* and *Connection Applicants* are not currently required to provide under clause S5.2.4 or elsewhere.

- 4.2 To elaborate on paragraph 4.1(a) above, information provided in accordance with Schedule 5.5 is required to be consistent with the functional block diagram. Vestas acknowledges that, technically, 'being consistent with' the functional block diagram is not the same as 'containing the same information as the functional block diagram'.
- 4.3 However, in practice, to prepare the information required under Schedule 5.5 in accordance with the documents released by NEMMCO (Generating System Design Data Sheet, Generating System Setting Data Sheet and Generating System Model Guidelines) does, in fact, require information normally contained in a functional block diagram to be disclosed.
- 4.4 In the Commission's Consideration and Reasoning regarding the definition of *releasable user guide*, the Commission concedes that a functional block diagram 'contains confidential design information' and therefore '(t)o maintain confidentiality of design information the Commission will not mandate the release of functional block diagrams in Releasable User Guides' (see Draft Determination section A.2.3.2, page 28).
- 4.5 Vestas is concerned that requiring the inclusion in the *releasable user guide* of the information described in paragraph (v) of the definition of that term in the Draft Rule will have exactly the effect that the Commission accepted should be avoided and that this paragraph should therefore be deleted..
- 4.6 The paragraphs that are of concern to Vestas, as described in (a), (b) and (d) above, are paragraphs (i), (ii) and, as mentioned, (v) of the definition of *releasable user guide* contained in the Draft Rule.
- 4.7 The Commission's Consideration and Reasoning concerning the definition of *releasable user guide* states that 'the drafting proposed by Vestas adds clarity to the definition and has been included in the draft Rule' (see paragraph A.2.3.1, page 28 of the Draft Determination). However there appears to have been an oversight, as the drafting proposed by Vestas has been omitted from the draft Rule.
- 4.8 Vestas therefore requests that the definition of *releasable user guide* be amended as set out in Attachment 2, to address both of these issues.

5. **Clause 11.22**
- 5.1 As the Commission is of course aware, in March 2007 the *National Electricity Amendment (Technical Standards for Wind Generation and other Generator Connections) Rule 2007 No. 2* came into effect.
- 5.2 Amongst other changes, that Rule amended clause 8.6.2 to include paragraph (m), which of course is now proposed to be deleted under the current Draft Rule and Draft Determination.
- 5.3 Since March 2007, any party who has submitted information to *NEMMCO* and to *NSP's* under clause S5.2.4(a), (b)(5) and (b)(6) would have done so in the knowledge that clause 8.6.2(m) operated to prevent the disclosure of that information.
- 5.4 Vestas is concerned that an unintended consequence of the Transitional Provisions contained in clause 11.22 is to, in effect, change the categorisation of information which has been provided under these clauses since March 2007 from 'confidential' to 'able to be disclosed', without the disclosing party being consulted.
- 5.5 Whilst Vestas supports in principle the removal of clause 8.6.2(m), Vestas considers that the rights and expectations of parties who provided information in good faith under these clauses in this time frame should be respected and protected.
- 5.6 Vestas therefore requests that the Transitional Provisions be amended in the manner set out in Attachment 2.

Attachment 2

Suggested amendments to Draft Rules

3.13.3 Standing data

- (a) *NEMMCO* must establish, maintain, update and *publish*:
- (1) a list of all of the *Scheduled Generators* and *Market Participants* and a list of all applications to become a *Scheduled Generator* or *Market Participant*, including the *Scheduled Generator* and *Market Participant* information as set out in schedule 3.1;
 - (2) a list of all of the *Scheduled Generators* and *Market Participants* who will cease to be *Scheduled Generators* or *Market Participants* and the time that each listed *Scheduled Generator* or *Market Participant* will cease to be a *Scheduled Generator* or *Market Participant*;
 - (3) a list of all of the *Scheduled Generators* and *Market Participants* who are or are going to be suspended and the time at which each listed *Scheduled Generator* or *Market Participant* was suspended or will be suspended.
- (b) All *Scheduled Generators* and *Market Participants* must provide *NEMMCO* with the *registered bid and offer data* relevant to their *scheduled loads*, *scheduled network services* and *generating units* in accordance with schedule 3.1.
- (c) All *Scheduled Generators* and *Market Participants* will be required to provide *NEMMCO* with information as set out below:
- (1) forecasts for *connection points* as prescribed in clause 5.6.1; and
 - (2) *metering* information for *settlements* purposes as prescribed in Chapter 7.
- (d) *Network Service Providers* are to maintain a register of data provided by *Scheduled Generators* and *Market Participants* for planning and design purposes in accordance with schedule 5.7 of Chapter 5 and are to provide a copy of this register of data to *NEMMCO* on request and in a form specified by *NEMMCO*.
- (e) *Network Service Providers* must, without delay, notify and provide *NEMMCO* with details of any additions or *changes* to the register of data described in clause 3.13.3(d).
- (f) Each year, by a date to be specified by *NEMMCO*, *Network Service Providers* must provide *NEMMCO* with the following information:
- (1) expected *network capability* under normal, *outage* and emergency conditions;
 - (2) electrical data sufficient to allow *power system* modelling under steady state and dynamic conditions, this data to be made available in hard copy and an acceptable industry standard electronic format approved by *NEMMCO*; and

- (3) operating procedures and practices for *network* operation and maintenance.
- (g) *Network Service Providers* must notify *NEMMCO* of any *changes* to the information provided under clause 3.13.3(f) as soon as practicable.
- (h) *Scheduled Generators* and *Market Participants* must notify *NEMMCO* of any *changes* to *registered bid and offer data* one month prior to the implementation of planned *changes* and without unreasonable delay in the event of unplanned *changes*.
- (i) *Network Service Providers* must notify *NEMMCO* of any *changes* or additions to technical data one month prior to the implementation of planned *changes* and without unreasonable delay in the event of unplanned *changes*.
- (j) *NEMMCO* must conduct an annual review of *Scheduled Generator* and *Market Participant registered bid and offer data* in consultation with *Scheduled Generators* and *Market Participants* and *Scheduled Generators* and *Market Participants* must advise *NEMMCO* of any required *changes* to the data.
- (k) ~~A Subject to the requirements relating to disclosure of information under clause 5.3.8(a), a Registered Participant~~ may request from *NEMMCO*:
 - (1) *registered bid and offer data*;
 - (2) information that is reasonably required by the *Registered Participant* to carry out *power system studies* (including load flow and dynamic simulations) for planning and operational purposes; and
 - ~~(2) information that is reasonably required by the Registered Participant to carry out power system studies (including load flow and dynamic simulations) for planning and operational purposes including:~~
 - ~~(i) historical information relating to the operating conditions of the power system that is not confidential information;~~
 - ~~(ii) information and data provided to NEMMCO under paragraphs (f)(1), (f)(3) and (g); and~~
 - ~~(iii) details of the shared transmission and distribution network impedance data and other technical data as listed in schedules 5.5.3 and 5.5.4; and~~
 - (3) operation and maintenance procedures and practices for *transmission network* or *distribution network* operation, developed for the purposes of schedule 5.1 sufficient to enable the *Registered Participant* to carry out *power system modelling* under normal, *outage* and emergency conditions.

(l) Subject to paragraph ~~vv~~ (13), where *NEMMCO* holds information requested under paragraph (k), *NEMMCO* must provide the requested information to the *Registered Participant* as soon as practicable subject to the following conditions:

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 (1) . only in the form of, at *NEMMCO*'s discretion:¶
 (i) . compiled information (such as, for example, compiled Fortran code in object code or dynamic link library (DLL) form);¶
 (ii) . encrypted information; or¶
 (iii) . a secured format agreed by the provider of the source code, unless *NEMMCO* obtains the written consent of the person who provided the information to *NEMMCO* to provide it in another form; and¶
 (2) . in a form that can be interpreted by a software simulation product nominated by *NEMMCO*

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 (1) . historical information relating to the operating conditions of the *power system*;¶
 (2) . information and data provided to *NEMMCO* under subparagraphs (f)(1) and (f)(3) and information of the same type provided under paragraph (g);¶
 (3) . *network* dynamic model parameter values obtained under subparagraph (f)(2) and paragraph (g);¶
 (4) . model parameter values and load flow data derived from a *releasable user guide*;¶
 (5) . a *network* model of the *national grid*, suitable for load flow and fault studies; and¶
 (6) . other technical data as listed in clauses S5.5.3 and S5.5.4.

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- (1) if NEMMCO holds, and is therefore required under paragraph (l) to provide to a Registered Participant who has made a request under paragraph (k), a releasable user guide, NEMMCO must provide the releasable user guide to the Registered Participant in an unaltered form; and Formatted: Indent: Left: 1.27 cm, Space After: 4 pt
- (2) if NEMMCO holds, and is therefore required under paragraph (l) to provide to a Registered Participant who has made a request under paragraph (k), a form of the source code that NEMMCO received under clause S5.2.4(b)(6) or from any other source, NEMMCO must provide that information:
- (i) only in the form of, at NEMMCO's discretion:
- (a) compiled information (such as, for example, compiled Fortran code in object code or dynamic link library (DLL) form); Formatted: Indent: Left: 3.81 cm, Space After: 4 pt
- (b) encrypted information; or Formatted: Indent: Left: 3.81 cm, Space After: 4 pt
- (c) a secured format agreed by the provider of the source code, unless NEMMCO obtains the written consent of the person who provided the information to NEMMCO to provide it in another form; and Formatted: Indent: Left: 3.81 cm, Space After: 4 pt
- (ii) in a form that can be interpreted by a software simulation product nominated by NEMMCO; Formatted: Indent: Left: 2.54 cm, Space After: 4 pt
- (11) The information that NEMMCO may provide to a Registered Participant making a request under paragraph (k) specifically includes: Formatted: Space After: 4 pt
- (1) historical information relating to the operating conditions of the power system;
- (2) information and data provided to NEMMCO under subparagraphs (f)(1) and (f)(3) and information of the same type provided under paragraph (g);
- (3) network dynamic model parameter values obtained under subparagraph (f)(2) and paragraph (g);
- (4) model parameter values and load flow data derived from a releasable user guide;
- (5) a network model of the national grid, suitable for load flow and fault studies; and
- (6) other technical data as listed in clauses S5.5.3 and S5.5.4. Formatted: Indent: Left: 1.27 cm, Space After: 4 pt
- (12) NEMMCO may charge a fee to recover all reasonable costs incurred in providing information to a Registered Participant under this clause 3.13.3. Formatted: Space After: 4 pt
- ~~(1) Where NEMMCO holds information requested under paragraph (k), it must be provided to the Registered Participant as soon as practicable.~~ Deleted: and
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- (13) Despite paragraph (l), NEMMCO must not provide to a Registered Participant information relating to plant that is the subject of an application to connect or a connection agreement, until the later of: Deleted: 1
- (1) the date when the relevant connection agreement is executed; and Deleted: Where
- (2) three months before the proposed start of commissioning of that plant. Deleted: is required to
- (3) information under paragraph (l), this must not include Deleted: 2
- (14) Subject to paragraph (17), a Transmission Network Service Provider which is responsible for provision of network limit advice relating to power system stability limits to NEMMCO under clause S5.1.2.3, may request NEMMCO to Deleted: Where
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provide all *power system* and *generating system* model information that is reasonably required for planning and operational purposes.

- (15) Where NEMMCO holds the information described in paragraph (14), NEMMCO must provide the requested information to the Transmission Network Service Provider as soon as practicable.
- (16) The information that NEMMCO may provide to a Transmission Network Service Provider making a request under paragraph (14) specifically includes:
- (1) functional block diagram information provided to NEMMCO under clause S5.2.4(b)(5);
 - and
 - (2) information provided to NEMMCO in accordance with clause S5.2.4(a).
- (17) Despite paragraph (14), NEMMCO must not provide to a Transmission Network Service Provider:
- (1) source code information provided to NEMMCO under clause S5.2.4(b)(6), unless that source code information is provided in one of the forms described in clause 3.13.3 (1)(2); and
 - (2) information relating to *plant* that is the subject of an *application to connect* until after the execution of the relevant *connection agreement*.
- (14) Any information provided either to a Registered Participant or to a Transmission Network Provider under this clause 3.13.3 is confidential information.
- (m) Where special approvals or exemptions have been granted by NEMMCO, including approval to aggregate *generating units*, *market network services*, *loads for central dispatch*, or exemptions from *central dispatch*, details of such special arrangements must be *published* by NEMMCO.
- (n) NEMMCO must determine and *publish intra-regional loss factors* in accordance with clause 3.6.2 by 1 April each year and whenever changes occur.
- (o) *Network Service Providers* must advise NEMMCO of their *distribution loss factors*, duly authorised by the AER, and NEMMCO must *publish such distribution loss factors* in accordance with clause 3.6.3(i).
- (p) NEMMCO must *publish* on a quarterly basis details of:
- (1) *interconnector* transfer capability; and
 - (2) the discrepancy between *interconnector* transfer capability and the capacity of the relevant *interconnector* in the absence of *outages* on the relevant *interconnector* only, for each day of the preceding quarter for all *interconnectors*.
- (p1) NEMMCO must establish, maintain and publish a register detailing:
- (1) the person to whom any information is provided under this clause 3.13.3;
 - (2) the information which was so provided; and
 - (3) the date on which such information was provided.

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S5.2.4 Provision of information

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(f) All information provided under this clause S5.2.4 is confidential information.

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Chapter 10 Glossary – definition of *Releasable User Guide*

Releasable user guide

A document associated with a functional block diagram and source code provided under clause S5.2.4(b) (combined, forming the “**model**”) that contains the numerical values associated with the software model for the purposes of a Registered Participant using the encrypted source code provided under clause 3.13.3(l) to carry out power system studies for planning and operational purposes. The information contained in a Releasable User Guide must include, but is not limited to:

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- (i) instructions relevant to the use and operation of the encrypted source code provided under clause 3.13.3(l);
- (ii) settings of protection systems that are relevant to load flow or dynamic simulation studies;
- (iii) connection point details including parameters and values, location, network augmentations or modifications and other relevant connection information; and
- (iv) if the generating unit or generating system, as appropriate, is not yet connected, the expected connection and commissioning dates.

Deleted: (i) the model parameters and their values;¶

Deleted: (ii) information about how the model parameter values vary with the operating state or output level of the plant or with the operating state or output level of any associated plant;¶

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Deleted: (v) information provided in accordance with Schedule 5.5 that is not a part of the model or the model parameters, which are required to allow modelling of the generating unit, generating system or related plant in power system load flow or dynamic simulation studies; ¶

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Part Q Confidentiality Arrangements concerning Information required for Power System Studies

11.22 Rule consequential on the making of the National Electricity Amendment (Confidentiality Arrangements in Respect of Information Required for Power System Studies) Rule 2008

11.22 Transitional provision for information

(a) For the purposes of clause 11.22:

Amending Rule means the National Electricity Amendment (Confidentiality Arrangements in Respect of Information Required for Power System Studies) Rule 2008.

Commencement date of the Amending Rule means the date of commencement of the National Electricity Amendment (Confidentiality Arrangements in Respect of Information Required for Power System Studies) Rule 2008.

(b) Where, at the commencement date of the Amending Rule, NEMMCO holds information that is of a type required to be contained in a releasable

user guide, NEMMCO must obtain the consent of the person who provided that information to NEMMCO to treat that information as a releasable user guide.

(c) Subject to clause 11.22 (d), if:

- (i) NEMMCO has obtained consent referred to in clause 11.22(b); or
- (ii) despite using reasonable endeavours to ascertain the person who provided the information to NEMMCO, NEMMCO has been unable to ascertain or locate that person in order to obtain that consent.

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NEMMCO may treat information that NEMMCO holds at the commencement date of the Amending Rule that is of a type required to be contained in a releasable user guide, as if it were a releasable user guide provided under clause S5.2.4(7).

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(d) Unless NEMMCO has obtained the prior written consent of the person who provided information to NEMMCO under clause S5.2.4 during the period from the commencement of the National Electricity Amendment (Technical Standards for Wind Generation and other Generator Connections) Rule 2007 No. 2 until the commencement date of the Amending Rule, NEMMCO may not treat that information as a releasable user guide or otherwise disclose that information except as would have been permitted under the Rules in force immediately prior to the commencement date of this Amending Rule.

(e) For the purpose of clause 3.13.3(k2), from the commencement date of the Amending Rule, the provider of the source code information received by NEMMCO is:

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(1) where NEMMCO knows or reasonably ought to know the person who provided the source code information – that person;

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(2) if paragraph (1) does not apply, the *Generator*, where the information was received from a *Generator* under clause S5.2.4(b)(6);

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(3) if paragraph (1) does not apply, the *Generator*, if the information was provided to NEMMCO by a *Network Service Provider* and that same *Network Service Provider* advises NEMMCO that the provider of the information is the *Generator*; and

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(4) otherwise, the relevant *Transmission Network Service Provider*.

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(f) NEMMCO must implement any changes to its systems needed to comply with its obligations under the Amending Rule within 12 months of the commencement date of the Amending Rule.

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