



National Electricity Amendment (National Transmission Statement) Rule 2009 No. 9

under the National Electricity Law as applied by:

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

The Australian Energy Market Commission makes the following Rule under the National Electricity Law.

A handwritten signature in black ink, appearing to read 'John Tamblyn', is written over a circular blue gradient that matches the AEMC logo's central element.

John Tamblyn
Chairman

Australian Energy Market Commission

National Electricity Amendment (National Transmission Statement) Rule 2009 No. 9

1. Title of Rule

This Rule is the *National Electricity Amendment (National Transmission Statement) Rule 2009 No. 9*.

2. Commencement

This Rule commences operation on 16 April 2009.

3. Amendment of the National Electricity Rules

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

Schedule 1 Amendment of National Electricity Rules

(Clause 3)

[1] Chapter 11 Savings and transitional arrangements

After rule 11.26, insert:

Part W National Transmission Statement

11.27 Rules consequent on the making of the National Electricity Amendment (National Transmission Statement) Rule 2009

11.27.1 Definitions

For the purposes of this rule 11.27:

Amending Rule 2009 means the National Electricity Amendment (National Transmission Statement) Rule 2009.

commencement date means the date on which the Amending Rule 2009 commences operation.

jurisdictional planning body means an entity nominated from time to time by the relevant *Minister of a participating jurisdiction* as having *transmission system* planning responsibility in that *participating jurisdiction*.

National Transmission Network Development Plan means the document that is to replace the *Annual National Transmission Statement*, the first of which is to be *published* by *NEMMCO* after 2009.

National Transmission Statement means the statement *published* by *NEMMCO* in accordance with clause 11.27.4.

National Transmission Statement review or **NTS review** means the review conducted by *NEMMCO* in accordance with clause 11.27.4.

11.27.2 Purpose

The purpose of this rule 11.27 is to require *NEMMCO* to publish a National Transmission Statement by 31 December 2009 in the place of an *Annual National Transmission Statement* for 2009. This will facilitate the efficient transition from the *Annual National Transmission Statement* in 2008 to the first National Transmission Network Development Plan to be *published* after 2009.

11.27.3 Application of rule 11.27

From the commencement date, rule 11.27 applies despite any other provision of the *Rules* (including any guideline or procedure made under the *Rules*) applicable to the *ANTS review* and *publication* of an *Annual National Transmission Statement* for 2009.

11.27.4 National Transmission Statement

- (a) *NEMMCO* must conduct a review of the following matters:
- (1) *national transmission flow paths*;
 - (2) historical and forecast utilisation of *national transmission flow paths*;
 - (3) historical and forecast *constraints* in respect of *national transmission flow paths*, including those identified in the *Annual Planning Reports*;
 - (4) *augmentations* proposed by each *Transmission Network Service Provider* in their most recent *Annual Planning Reports* and the manner in which the proposed *augmentations* relate to the *national transmission flow paths*;
 - (5) other *network* and non-*network* options identified during the consultation described in paragraph (b) and the manner in which the options relate to the *national transmission flow paths*,
- (the “**NTS review**”) and prepare and *publish* the National Transmission Statement by 31 December 2009 setting out the results of the NTS review.
- (b) *NEMMCO* must, in carrying out the NTS review, consult with *Registered Participants* and *interested parties* in relation to:
- (1) the data and assumptions to be used as part of the review;

- (2) the potential options for addressing identified *constraints* impacting *national transmission flow paths*; and
 - (3) the content of the National Transmission Statement.
- (c) In carrying out the NTS review, *NEMMCO* must consider the following matters:
- (1) the location of the current *national transmission flow paths* and the current capacities, *constraints* and congestion points on those flow paths;
 - (2) the location of the potential *national transmission flow paths* over the next 20 years, and the likely capabilities, *constraints* and congestion points on those flow paths;
 - (3) the quantity of electricity which flowed, the periods in which the electricity flowed, and *constraints*, on the *national transmission flow paths* over the previous *financial year* or such other period as determined by *NEMMCO* having regard to data which is available to *NEMMCO*;
 - (4) the forecast quantity of electricity which is expected to flow, and the periods in which the electricity is expected to flow, the magnitude and significance of future *network losses* and *constraints* on the current and potential *national transmission flow paths* over the current *financial year* or such other period as determined by *NEMMCO* having regard to data which is available to *NEMMCO*;
 - (5) the projected capabilities of the existing *transmission network* and the *network control ancillary services* required to support existing and future *transmission network* capabilities;
 - (6) demand forecasts for the next 20 *financial years*;
 - (7) possible scenarios for additional *generation* and demand side options to meet demand forecasts;
 - (8) relevant intra-jurisdictional developments and any incremental works which may be needed to coordinate *national transmission flow path* planning with intra-jurisdictional planning;
 - (9) the options for relieving forecast *constraints* on the *national transmission flow paths* identified in the *Annual Planning Reports* or through the consultation required under paragraph (b); and

- (10) such other matters as *NEMMCO*, in consultation with the *participating jurisdictions*, considers are appropriate.
- (d) In considering the matters described in paragraph (c), *NEMMCO* must have regard to:
 - (1) the *Annual Planning Reports published in 2009*; and
 - (2) information obtained for the purposes of preparing the *statement of opportunities to be published in 2009*;and may include information from the *Annual Planning Reports* and the *statement of opportunities* in the National Transmission Statement.
- (e) In carrying out the NTS review, *NEMMCO* may seek the assistance of each jurisdictional planning body.
- (f) *NEMMCO* may by written notice request a jurisdictional planning body to provide *NEMMCO* with any additional information or documents reasonably available to it that *NEMMCO* reasonably requires for the purpose of the NTS review.
- (g) A jurisdictional planning body must comply with a written notice from *NEMMCO* issued under paragraph (f).
- (h) *NEMMCO* may only use information or documents provided in accordance with paragraphs (f) and (g) for the purpose of preparing the National Transmission Statement or, where relevant, the *statement of opportunities to be published in 2009*.

11.27.5 Scope and Content of National Transmission Network Development Plan

The National Transmission Statement must also identify the expected scope and content of the first National Transmission Network Development Plan.

11.27.6 Energy Adequacy Assessment Projection

Despite anything to the contrary in rule 3.7C, until the first *National Transmission Network Development Plan* is published, clause 3.7C(b)(6)(B) is to be taken as requiring the *EAAP* to take into account, where relevant, the matters *NEMMCO* is required to consider for the purposes of clause 11.27.4(c) in carrying out the *NTS review*.

11.27.7 Amendment to Last Resort Power

The National Transmission Statement is deemed to be an *Annual National Transmission Statement* for 2009 for the purposes of clause 5.6.4(g)(2).

11.27.8 Actions taken prior to commencement of Rule

Any relevant action taken by *NEMMCO* prior to the commencement date is taken to have been made or done in accordance with the *Rules* for the purpose of the Amending Rule 2009.

END OF RULE AS MADE
