

**NTP Draft Report – Appendix C (ii)**

**Draft National Electricity Amendment (National Transmission Planner) Rule 2008**

**Schedule 1** contains amendments to the National Electricity Rules to provide for the preparation and publication of an annual national transmission network development plan and associated matters.

**Schedule 2** contains amendments to other clauses in the Rules as a result of the proposed new transmission planning arrangements for the national electricity market.

**Schedule 3** identifies savings and transitional provisions that will be required consequent upon the implementation of the proposed new transmission planning arrangements.

## Schedule 1 National Transmission Planning

### [1] New rule 5.6A National Transmission Planning

After rule 5.6, insert:

#### 5.6A National Transmission Planning

##### 5.6A.1 Preliminary Consultation

- (a) By no later than 30 January each year, the *AEMO* must *publish* a document that sets out the *NTNDP inputs* that it proposes to use in the preparation of the *NTNDP* for the following year.
- (b) At the same time as it *publishes* the document referred to in paragraph (a), the *AEMO* must *publish* an invitation for written submissions to be made to the *AEMO* on:
  - (1) the proposed *NTNDP inputs*;
  - (2) the content of the *NTNDP* for the current year, including the location of the current and potential *national transmission flow paths* identified in that *NTNDP*; and
  - (3) the proposed budget and work-plan for the following *financial year* for the *NTP functions and powers*.
- (c) Any person may make a written submission to the *AEMO* on the proposed *NTNDP inputs*, or the content of the *NTNDP* for the current year within the time specified in the invitation referred to in paragraph (b), which must not be earlier than 20 *business days* after the invitation is *published*.

##### 5.6A.2 Preparation of NTNDP

- (a) By no later than 30 September each year, the *AEMO Board* must *publish* a draft of the *NTNDP* for the following year. At the same time as it *publishes* this draft *NTNDP*, the *AEMO Board* must *publish* an invitation for written submissions to be made to the *AEMO* on the draft *NTNDP*.
- (b) Any person may make a written submission to the *AEMO* on the draft *NTNDP* within the time specified in the invitation referred to in paragraph (a), which must not be earlier than 20 *business days* after the invitation is
- (c) By no later than 31 December each year, the *AEMO Board* must *publish* the final *NTNDP* for the following year.
- (d) In providing advice and making recommendations to the *AEMO Board* in relation to the content of the draft *NTNDP* that is to be *published* under paragraph (a) and the final *NTNDP* that is to be *published* under paragraph (c), the *NTPAC* must:

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- (1) in the case of the content of the draft *NTNDP*, take into account the submissions made in response to the invitation referred to in clause 5.6A.1(b);
  - (2) in the case of the content of the final *NTNDP*, take into account the submissions made in response to the invitation referred to in paragraph (a);
  - (3) consider the matters set out in paragraph (f); and
  - (4) have regard to the documents set out in paragraph (g).
- (e) In preparing the draft *NTNDP* referred to in paragraph (a) and the final *NTNDP* referred to in paragraph (c), the *AEMO* must:
- (1) in the case of the draft *NTNDP*, take into account the submissions made in response to the invitation referred to in clause 5.6A.1(b);
  - (2) in the case of the final *NTNDP*, take into account the submissions made in response to the invitation referred to in paragraph (a);
  - (3) have regard to the advice and recommendations of the *NTPAC*;
  - (4) consider the matters set out in paragraph (f); and
  - (5) have regard to the documents set out in paragraph (g).
- (f) The matters referred to in subparagraphs (d)(3) and (e)(4) are:
- (1) the quantity of electricity which flowed, the periods in which the electricity flowed, and *constraints*, on the *national transmission flow paths* over the previous year;
  - (2) the forecast quantity of electricity which is expected to flow, the periods in which the electricity is expected to flow, and the magnitude and significance of future *network losses* and *constraints*, on the current and potential *national transmission flow paths* over the current year or such other period to which a scenario that is used for the purposes of the draft *NTNDP* or the final *NTNDP* applies;
  - (3) the projected capabilities of the *national transmission grid*, and the *network control ancillary services* required to support the existing and future capabilities of the *national transmission grid*, under each of the scenarios that is being used for the purposes of the draft *NTNDP* or the final *NTNDP*;
  - (4) relevant intra-jurisdictional developments and any incremental works which may be needed to co-ordinate *national transmission flow path* planning with intra-jurisdictional planning; and
  - (5) such other matters as the *AEMO Board*, in consultation with the *participating jurisdictions*, considers are appropriate.
- (g) The documents referred to in subparagraphs (d)(4) and (e)(5) are:
- (1) the most recent *Annual Planning Reports* that have been *published*;

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- (2) the most recent *statement of opportunities* that has been *published*;
  - (3) the most recent [Gas *statement of opportunities*] that has been [published]; and
  - (4) the then current *revenue determination* for each *Transmission Network Service Provider*.
- (h) A draft *NTNDP* referred to in paragraph (a) and a final *NTNDP* referred to in paragraph (c) must:
- (1) contain a review of the efficient development of the *national transmission grid* for a planning horizon of at least 20 years from the beginning of the year to which the final *NTNDP* is to relate;
  - (2) take into account all *transmission elements* which are part of, or materially affect, the transmission capability of any current or potential *national transmission flow paths*;
  - (3) identify a range of credible scenarios for the geographic pattern of the demand for, and supply of, electricity for the planning horizon of the *NTNDP*;
  - (4) identify the location of the current *national transmission flow paths* and specify their transmission capability;
  - (5) identify the location of the potential *national transmission flow paths* over the planning horizon of the *NTNDP* under each of the scenarios referred to in subparagraph (3);
  - (6) specify a development strategy for each current and potential *national transmission flow path* in accordance with clause 5.6A.3;
  - (7) include a summary of the information specified in rule 3.7A in relation to congestion on each current *national transmission flow path*;

*[Drafting Note: The Commission is proposing to amend Rule Clause 3.7A to introduce an congestion information resource]*

- (8) include a consolidated summary of the *augmentations* proposed by each *Transmission Network Service Provider* in the most recent *Annual Planning Reports* they have *published* and an analysis of the manner in which the proposed *augmentations* relate to the *NTNDP* and any previous *NTNDP*;
- (9) in the case of the draft *NTNDP*, summarise the material issues arising from the submissions received in response to the invitation referred to in clause 5.6A.1(b), explain how those issues have been addressed in the draft *NTNDP* and give reasons for not addressing any of those issues in the draft *NTNDP*; and
- (10) in the case of the final *NTNDP*, summarise the material issues arising from the submissions received on the draft *NTNDP*,

explain how those issues have been addressed in the final *NTNDP* and give reasons for not addressing any of those issues in the final *NTNDP*.

- (i) The *AEMO* must *publish* the first *NTNDP*, which will be the *NTNDP* for 2010, by no later than [31 December 2009].

### **5.6A.3 Development strategies for national transmission flow paths**

A development strategy for a current or potential *national transmission flow path* that is specified in a draft *NTNDP* or final *NTNDP* in accordance with clause 5.6A.2(h)(6) must:

- (a) be proposed for each of the scenarios referred to in clause 5.6A.2(h)(3);
- (b) to the extent reasonably practicable and appropriate, be consistent with:
  - (i) the co-optimisation of *network* and non-*network* investment;
  - (ii) the maximisation of the net economic benefit to all those who produce, consume and transport electricity to the *market*; and
  - (iii) the service standards that are linked to the technical requirements of schedule 5.1 or in *applicable regulatory instruments*;
- (c) take into account:
  - (i) the current or likely capacity of the *national transmission flow path*, and the need to increase that capacity to relieve current or likely *constraints* and congestion points;
  - (ii) technically feasible *network* and non-*network* options (including additional *generation* and demand side options) for relieving such current or likely *constraints* or congestion points; and
  - (iii) possible market benefits associated with each of the options identified under subparagraph (c)(ii); and
- (d) include a high level assessment as to:
  - (i) which of the options, or combination of options, identified under subparagraph (c)(ii) provides the most efficient strategy for the development of the *national transmission grid* under each of the scenarios referred to in clause 5.6A.2(h)(3); and
  - (ii) the manner in which each such option, or combination of options, relates to the overall development of the *power system*.

### **5.6A.4 NTNDP database**

- (a) The *AEMO* must maintain and make available to the public a database (the 'NTNDP database') that includes *NTNDP inputs* used by it in preparing the most recent *NTNDP*.
- (b) The *NTNDP inputs* for a *NTNDP* include, without limitation:

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- (1) assumptions made about the cost of fuel used for the generation of electricity (including gas and coal);
- (2) the conversion factors used to relate the consumption of a given quantity of fuel to the production of electricity using that quantity of fuel;
- (3) assumptions about the capital costs associated with the generation of electricity;
- (4) assumptions about the price of carbon; and
- (5) electricity demand forecasts.

### 5.6A.5 Information collection

- (a) *A general planning information order:*
  - (1) must only require *Transmission Network Service Providers* to provide the information or documents specified in the order once a year;
  - (2) must not require *Transmission Network Service Providers* to provide information or documents that they have already provided to the *AEMO* in circumstances where the *AEMO* is authorised to use that information or those documents for the purpose of performing its functions under this clause 5.6A; and
  - (3) must comply with the *NTNDP information request guidelines*.
- (b) *A planning information notice:*
  - (1) must not require the *Transmission Network Service Provider* on which it is served to provide information or documents that it has already provided to the *AEMO* in circumstances where the *AEMO* is authorised to use that information or those documents for the purpose of performing its functions under this clause 5.6A; and
  - (2) must comply with the *NTNDP information request guidelines*.
- (c) The *AEMO* must prepare and *publish* guidelines (the '*NTNDP information request guidelines*') that specify:
  - (1) the information and documents, or categories of information or documents, that may be required to be provided under a *planning information instrument*; and
  - (2) the manner and form in which any such information and documents are required to be provided.
- (d) The *AEMO* must prepare and *publish* the *NTNDP information request guidelines* in accordance with the *Rules consultation procedures*.
- (e) The *AEMO* must prepare and *publish* the first *NTNDP information request guidelines* by [28 February 2009] and there must be a set of *NTNDP information request guidelines* available at all times after that date.

- (f) The *AEMO* may from time to time in accordance with the *Rules consultation procedures* amend or replace the *NTNDP information request guidelines*.
- (g) As soon as practicable after a *Transmission Network Service Provider* becomes aware that any information provided by it to the *AEMO* pursuant to a *planning information instrument* has changed materially, the *Transmission Network Service Provider* must provide the revised information to the *AEMO* and the reasons for the revisions.

**5.6A.6 Additional NTP functions and powers**

In addition to the *NTP functions and powers* identified in the *National Electricity Law*, the *NTP functions and powers* include the functions and powers of the *AEMO* under clause 5.6.3.

**[2] Chapter 10 New definitions**

In Chapter 10, insert the following definitions in alphabetical order:

**AEMO**

The Australian Energy Market Operator, which is established under section [#] of the *National Electricity Law*.

**AEMO Board**

Has the meaning given in the *National Electricity Law*.

**general planning information order**

Has the meaning given in the *National Electricity Law*.

**jurisdictional planning body**

Such entity as is nominated from time to time by the relevant *Minister* of a *participating jurisdiction* as having *transmission system* planning responsibility in that *participating jurisdiction*.

**jurisdictional planning representative**

Such *representative* from the *jurisdictional planning body* for a *participating jurisdiction* as is nominated from time to time by that *jurisdictional planning body* as the *jurisdictional planning representative* for that *participating jurisdiction*.

**national transmission grid**

The sum of all *connected transmission systems* within the *participating jurisdictions*.

**NTNDP**

A plan for the development of the *national transmission grid* that is *published* by the *AEMO Board* each year in accordance with clause 5.6A.2(c).

**NTNDP database**

The database that the *AEMO* is required to maintain and make available under clause 5.6A.4.

**NTNDP information request guidelines**

The guidelines prepared and *published* by the *AEMO* under clause 5.6A.5(c).

**NTNDP inputs**

The data, assumptions, forecasts, methodological approaches, and scenarios for the supply of and demand for electricity, that are used in the preparation of a *NTNDP* under clause 5.6A (see also clause 5.6A.4(b)).

**NTP functions and powers**

Has the meaning given in the *National Electricity Law*.

**NTPAC**

The committee established by the *AEMO Board* in accordance with section [#] of the *National Electricity Law*.

**planning information instrument**

Has the meaning given in the *National Electricity Law*.

**planning information notice**

Has the meaning given in the *National Electricity Law*.

**Schedule 2 Amendments consequent upon new national transmission planning arrangements**

**Other amendments to the National Electricity Rules**

**[1] Clause 2.11.3 Budgeted revenue requirements**

After clause 2.11.3(b)(4), insert:

- (4a) The *AEMO's* expenditures in relation to the performance and exercise of the *NTP functions and powers*;

**[2] Clause 3.13.3 Standing data**

In clause 3.13.3(q), omit the words "31 October" and substitute the words "30 June".

In clause 3.13.3(r)(2), omit the words "clause 5.6.5(c)(8) and (9)" and substitute the words "clauses 5.6A.2(f)(4) and 5.6A.3(c)(ii)".

Omit clause 3.13.3(s) and substitute:

**[Deleted]**

After clause 3.13.3(s), insert:

- (s1) The *AEMO* may by written notice request any *jurisdictional planning body* to provide the *AEMO* with any information or documents reasonably available to it that the *AEMO* requires for the purpose of performing its functions under paragraphs (q) or (r) and the *jurisdictional planning body* must comply with that notice.
- (s2) The *AEMO* may only use information or documents provided in accordance with paragraph (s1) for the purpose of performing its functions under paragraphs (q) or (r).

**[3] Clause 5.2.3 Obligations of network service providers**

Omit clauses 5.2.3(h1), (h2) and (h3) and substitute:

**[Deleted]**

**[4] Clause 5.6.2 Network Development**

Omit clause 5.6.2(b) and substitute:

Each *Transmission Network Service Provider* must conduct an annual planning review with each *Distribution Network Service Provider connected* to its *transmission network* within each *region*. The annual planning review must:

- (1) incorporate the forecast *loads* submitted by the *Distribution Network Service Provider* in accordance with clause 5.6.1 or as modified in accordance with clause 5.6.1(d);

- (2) include a review of the adequacy of existing *connection points* and relevant parts of the *transmission system* and planning proposals for future *connection points*;
- (3) take into account the most recent *NTNDP*; and
- (4) consider the potential for *augmentations*, or non-*network* alternatives to such *augmentations*, that are likely to provide a net economic benefit to all those who produce, consume and transport electricity in the *market*.

In clause 5.6.2(n), omit the words "to the *Inter-regional Planning Committee*, and".

**[5] Clause 5.6.2A Annual Planning Report**

In clauses 5.6.2A(b)(4)(v) and 5.6.2A(b)(5)(ii), omit the words "*Inter-regional Planning Committee*" and substitute the word "*AEMO*".

In clause 5.6.2A(b)(5)(ii), omit the words "clause 5.6.3(j)" and substitute the words "clauses 5.6.3(j) and (j1)".

In clause 5.6.2A(b)(5)(iii), omit the words:

in assessing whether a *new small transmission network asset* is a *reliability augmentation*, a *Transmission Network Service Provider* must consider whether the *new small transmission network asset* satisfies the criteria for a *reliability augmentation published by the Inter-regional Planning Committee* in accordance with clause 5.6.3(l) (if any such criteria have been *published by the Inter-regional Planning Committee*).

In clause 5.6.2A(b)(5), omit the matter "." and substitute the word "; and", and after that clause insert:

- (6) the manner in which the proposed *augmentations* referred to in subparagraphs (4) and (5) relate to the most recent *NTNDP* and the development strategies for current or potential *national transmission flow paths* that are specified in that *NTNDP*.

**[6] Clause 5.6.3 Inter-regional planning committee**

Omit clause 5.6.3 (including the heading) and substitute:

**5.6 3 Transmission planning related functions**

- (a) The functions of the *AEMO* include to:

(1)[Deleted]

(2)[Deleted]

(3)publish an objective set of criteria for assessing whether a proposed *transmission network augmentation* is reasonably likely to have a *material inter-network impact* in accordance with clause 5.6.3 (i);

(4)prepare and *publish*, in accordance with clauses 5.6.3 (j) and (j1), *augmentation technical reports* on proposed *transmission network*

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*augmentations* that are reasonably likely to have a *material inter-network impact*;

(5)[Deleted]

(6)publish guidelines to assist *Registered Participants* to determine when an *inter-network test* may be required, in accordance with clause 5.7.7(k); and

(7)[Deleted]

(8)provide advice to the *AEMC* as requested in relation to the exercise of the *last resort planning power*.

(b) The *jurisdictional planning bodies* must provide such assistance to the *AEMO* as the *AEMO* reasonably requests in connection with the performance and exercise by the *AEMO* of the *NTP functions and powers*.

(c) [Deleted]

(d) [Deleted]

(e) [Deleted]

(f) [Deleted]

(g) [Deleted]

(h) [Deleted]

(i) The *AEMO* must develop and *publish*, and may vary from time to time, an objective set of criteria for assessing whether or not a proposed *transmission network augmentation* is reasonably likely to have a *material inter-network impact*, in accordance with the *Rules consultation procedures*. In developing the objective set of criteria referred to in this clause, the *AEMO* must have regard to the relevant guiding objectives and principles provided by the *AEMC* and advice of the *jurisdictional planning representatives*.

(j) Immediately upon receipt of a written request for an *augmentation technical report* on a proposed *transmission network augmentation* that is reasonably likely to have a *material inter-network impact*, being a report that:

(1)includes sufficient information to enable the *AEMO* to carry out a review pursuant to this clause 5.6.3 (j); and

(2)is accompanied by payment of any reasonable fees to recover the *AEMO's* direct costs and expenses of the preparation of the *augmentation technical report*,

the *AEMO* must:

(3)undertake a review of all matters referred to it by the *Transmission Network Service Provider* in order to assess the *augmentation proposal*;

(4)consult with the *jurisdictional planning representatives* in relation to the *augmentation proposal*; and

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(5) after taking into account the recommendations of the *jurisdictional planning representatives*, determine:

- (i) the performance requirements for the equipment to be *connected*;
- (ii) the extent and cost of *augmentations* and changes to all affected *transmission networks*; and
- (iii) the possible material effect of the new *connection* on the *network power transfer capability* including that of other *transmission networks*.

(j1) Within 90 *business days* of the receipt of a written request under paragraph (j) (or within such other period as may be agreed by the *Transmission Network Service Provider* and the *AEMO*), the *AEMO* must *publish an augmentation technical report* that sets out:

- (6) the determinations of the *AEMO* referred to in subparagraph (j)(5);
- (7) the information considered; and
- (8) the assumptions used.

(k) For the purposes of clause 5.6.3(j1), the period in which the *AEMO* must publish an augmentation technical report will be automatically extended by the period of time taken by the *Transmission Network Service Provider* to provide additional information requested by the *AEMO*.

(k1) The *AEMO* may by written notice request any *Transmission Network Service Provider* to provide the *AEMO* with any additional information or documents reasonably available to it that the *AEMO* requires for the purpose of performing its functions under paragraphs (j) or (j1) and the *Transmission Network Service Provider* must comply with that notice.

(k2) The *AEMO* may only use information or documents provided in accordance with paragraph (k1) for the purpose of performing its functions under paragraphs (j) and (j1).

(l) **[Deleted]**

(m) Should the objective set of criteria referred to in clause 5.6.3(i) be changed after a *project assessment draft report* has been made available to *Registered Participants* and the *AEMO*, then the relevant *Network Service Provider* is entitled to choose whether the new criteria, or the criteria that existed at the time the *project assessment draft report* was made available to *Registered Participants* and the *AEMO* or the *Annual Planning Report* was *published*, is to be applied.

(n) **[Deleted]**

**[7] Clause 5.6.4 Last Resort Planning Power**

In clause 5.6.4(e), the heading that immediately precedes clause 5.6.4(e), and clauses 5.6.4(g)(1), (o)(3) and (4), omit the words "*Inter-regional Planning Committee*" and substitute the word "*AEMO*".

Omit clauses 5.6.4(f) and (o)(2) and substitute:

**[Deleted]**

In clause 5.6.4(g), omit the words "*Annual National Transmission Statements*" and substitute the word "*NTNDPs*".

**[8] Clause 5.6.5 Annual National Transmission Statement**

Omit clause 5.6.5.

**[9] Clause 5.6.6 Applications to establish new large transmission network assets**

In clauses 5.6.6(c)(5) and 5.6.6(j)(2)(ii), omit the words "*Inter-regional Planning Committee*" and substitute the word "*AEMO*".

In clause 5.6.6(c)(5), omit the words "clause 5.6.3(j)" and substitute the words "clauses 5.6.3(j) and (j1)".

Omit clause 5.6.6(d) and substitute:

(d) In assessing whether a *new large transmission network asset* is reasonably likely to have a *material inter-network impact* for the purposes of clause 5.6.6(c)(5), an applicant must have regard to the objective set of criteria *published* by the *AEMO* in accordance with clause 5.6.3(i), but only if any such criteria have been *published*.

Omit clause 5.6.6(j)(4) and substitute:

**[Deleted]**

In clause 5.6.6(m), omit the words "clauses 5.6.6(j)(1)-(4)" and substitute the words "clauses 5.6.6(j)(1)-(3)".

**[10] Clause 5.6.6B Construction of Funded Augmentations**

In clause 5.6.6B(b)(3), omit the words "*Inter-regional Planning Committee*" and substitute the word "*AEMO*", and omit the words "clause 5.6.3(j)" and substitute the words "clauses 5.6.3(j) and (j1)".

**[11] Clause 5.7.7 Inter-network power system tests**

In item 5 of chart 1 in clause 5.7.7(a), omit the words "*Inter-regional Planning Committee* or".

Omit clauses 5.7.7(f)-(s) and substitute:

(f) **[Deleted]**

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- (g) The *AEMO* or the *Relevant TNSP* in respect of a development or activity may notify the *Proponent* of the development or activity that the *AEMO* or the *Relevant TNSP* believes that an *inter-network test* is required in relation to that development or activity.
- (h) The *AEMO* or the *Relevant TNSP* may only give a notice under clause 5.7.7(g) if the *AEMO* or the *Relevant TNSP* considers that:
  - (9) the development or activity may have a material impact on the magnitude of the *power transfer capability* of more than one *transmission network* and, in the circumstances, an *inter-network test* is required; or
  - (10) if the *AEMO* has *published* guidelines under clause 5.7.7(k), an *inter-network test* is required having regard to those guidelines and the surrounding circumstances.
- (i) If the *Relevant TNSP* gives a notice under clause 5.7.7(g), then it must also promptly give a copy of the notice to the *AEMO*.
- (j) A *Registered Participant* undertaking a development or activity listed in chart 1 must provide such information to the *AEMO* or the *Relevant TNSP* in respect of the development or activity as the *AEMO* or the *Relevant TNSP* reasonably requests in order to make an assessment under this clause 5.7.7.
- (k) The *AEMO* may develop, *publish* and amend from time to time, in accordance with the *Rules consultation procedures*, a set of guidelines to assist *Registered Participants* to determine when an *inter-network test* may be required.
- (l) If the *AEMO* has *published* guidelines in accordance with clause 5.7.7(k), then the *AEMO* and the *Relevant TNSP* must consider those guidelines in determining whether an *inter-network test* is required under clause 5.7.7(g) or 5.7.7(n).
- (m) If the *AEMO* or the *Relevant TNSP* gives notice under clause 5.7.7(g), then the *Proponent* must, in consultation with the *AEMO*, prepare a draft *test program* for the *inter-network test* and submit it to the *AEMO* and the *Relevant TNSP* (if the *Relevant TNSP* gave the notice given under clause 5.7.7(g)).
- (n) If the *AEMO* determines that an *inter-network test* is required for a reason contemplated in item 5 or 6 of chart 1, then it must prepare a draft *test program* for the *inter-network test* in consultation with the *jurisdictional planning representatives*.
- (o) **[Deleted]**
- (p) The *AEMO* must:
  - (1) *publish* a copy of the draft *test program* and any relevant changes recommended by any *jurisdictional planning representative* and invite interested *Registered Participants* to make written submissions;

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- (2) only accept as valid submissions received not later than the date specified in the notice *publishing* the copy of the draft *test program* (not to be less than 14 *days* after the date of *publication*); and
- (3) provide the *jurisdictional planning representatives* with copies of all valid submissions and seek any further recommendations they may have.
- (q) **[Deleted]**
- (r) The *AEMO* must determine and *publish* in accordance with clause 3.13.13 the *test program* for an *inter-network test* after taking into account the recommendations of the *jurisdictional planning representatives* and any valid submissions received from *Registered Participants*.
- (s) In determining the *test program*, the *AEMO* must so far as practicable have regard to the following principles:
  - (1) *power system security* must be maintained in accordance with Chapter 4;
  - (2) the variation from the *central dispatch* outcomes that would otherwise occur if there was no *inter-network test* should be minimised;
  - (3) the duration of the tests should be as short as possible consistent with test requirements and *power system security*; and
  - (4) subject to subparagraphs (1), (2) and (3), the test facilitation costs borne or payable under paragraph (aa) by the *Proponent* should be minimised.

In clause 5.7.7(ad), omit the words "*Inter-regional Planning Committee*" and substitute the word "*AEMO*".

### **[12] Clause 5.8.3 Control and production settings for equipment**

In clause 5.8.3(d), omit the words "*Inter-regional Planning Committee*" and substitute the word "*AEMO*", and omit the word "majority".

### **[13] Clause S5.1.2.3 Network service between regions**

In clause S5.1.2.3, omit the word "5.6.5" and substitute the word "5.6A".

### **[14] Clause 6A.10.1 Submission of proposal, framework, pricing methodology and information**

After clause 6A.10.1(c), insert:

- (c1) The *Revenue Proposal* must also include an explanation of how it is consistent with the most recent *NTNDP* and, if it is inconsistent with the most recent *NTNDP*, the reasons for that inconsistency.

**[15] 6A.6.6 and 6A. 6.7 Forecast operating expenditure and Forecast capital expenditure**

After clause 6A.6.6(e)(11), insert:

- (12) the most recent *NTNDP* and any submissions made by the *AEMO*, in accordance with the *Rules*, on the documents and information referred to in clause 6A.11.3(a)(1)-(4).

After clause 6A.6.7(e)(11), insert:

- (12) the most recent *NTNDP* and any submissions made by the *AEMO*, in accordance with the *Rules*, on the documents and information referred to in clause 6A.11.3(a)(1)-(4).

*(Drafting Note: These clauses are also being amended under the proposed Regulatory Investment Test for Transmission-see appendix D)*

**[16] Clause 9.28.3 System Planning**

Omit clause 9.28.3(ab) and substitute:

**[Deleted]**

**[17] Chapter 10 Substituted definitions**

Omit the following definition and substitute:

**augmentation technical report**

A report by the *AEMO* on an *augmentation* under clauses 5.6.3(j) and 5.6.3(j1).

**[18] Chapter 10 Deleted definitions**

In Chapter 10, omit the following definitions:

**annual national transmission review or ANTS review**

The review conducted by *NEMMCO* in accordance with clause 5.6.5.

**Annual National Transmission Statement or ANTS**

The statement *published* by *NEMMCO* in accordance with clause 5.6.5.

**Convener**

The *representative* appointed by *NEMMCO* in accordance with clause 5.6.3 to convene the *Inter-regional Planning Committee*.

**Inter-regional Planning Committee**

The committee established in accordance with clause 5.6.3.

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### Schedule 3 Savings and Transitional Rules

#### 11.21 Rules consequent on making of the National Electricity Amendment (National Transmission Planner) Rule 2008

##### 11.21.1 Definitions

In this rule 11.21:

**Amending Rule** means the National Electricity Amendment (National Transmission Planner) Rule 2008.

**commencement date** means the date the Amending Rule commences operation.

**new National Electricity Rules** means the National Electricity Rules as in force on and from the commencement date.

**old National Electricity Rules** means the National Electricity Rules as in force immediately prior to the commencement date.

##### 11.21.2 Jurisdictional planning bodies and representatives

(a) On and from the commencement date, the entity that was nominated by the relevant *Minister* of a *participating jurisdiction*, for the purposes of clause 5.6.3(b)(2) of the old National Electricity Rules, as having *transmission system* planning responsibility in that *participating jurisdiction* is deemed to be the *jurisdictional planning body* for that *participating jurisdiction* under the new National Electricity Rules until the relevant *Minister* nominates a different entity under the new National Electricity Rules.

(b) On and from the commencement date, the *representative*:

(1) from the entity that was nominated by the relevant *Minister* of a *participating jurisdiction*, for the purposes of clause 5.6.3(b)(2) of the old National Electricity Rules, as having *transmission system* planning responsibility in that *participating jurisdiction*; and

(2) who was a member of the *Inter-regional Planning Committee* immediately prior to the commencement date,

is deemed to be the *jurisdictional planning representative* for that *participating jurisdiction* under the new National Electricity Rules until another person is nominated for that purpose under the new National Electricity Rules.

##### 11.21.3 Criteria and guidelines published by the Inter-regional Planning Committee

- (a) Any criteria for assessing whether a proposed *transmission network augmentation* is reasonably likely to have a *material inter-network impact*, being criteria which are *published* by the *Inter-regional Planning Committee* under clause 5.6.3(i) of the old National Electricity Rules and which apply immediately prior to the commencement date, are deemed to be the criteria that are *published* by the *AEMO* under clause 5.6.3(i) of the new National Electricity Rules except to the extent that such criteria are subsequently varied by the *AEMO* on or after the commencement date.
- (b) Any guidelines for assisting *Registered Participants* to determine when an *inter-network test* may be required, being guidelines which are *published* by the *Inter-regional Planning Committee* under clause 5.7.7(k) of the old National Electricity Rules and which apply immediately prior to the commencement date, are deemed to be the guidelines that are *published* by the *AEMO* under clause 5.7.7(k) of the new National Electricity Rules except to the extent that such guidelines are subsequently amended by the *AEMO* on or after the commencement date.

#### **11.21.4 Augmentation technical reports**

- (a) Where a written request for an *augmentation technical report* has been received by the *Inter-regional Planning Committee* under clause 5.6.3(j) of the old National Electricity Rules, that written request is deemed to have been received by the *AEMO* under clause 5.6.3(j) of the new National Electricity Rules.
- (b) Where fees have been paid to the *Inter-regional Planning Committee* under clause 5.6.3(j) of the old National Electricity Rules, those fees are deemed to have been paid to the *AEMO* under clause 5.6.3(j) of the new National Electricity Rules.
- (c) Where a review has been undertaken by the *Inter-regional Planning Committee* under clause 5.6.3(j) of the old National Electricity Rules, that review is deemed to have been undertaken by the *AEMO* under clause 5.6.3(j) of the new National Electricity Rules.
- (d) A determination that has been made by the *Inter-regional Planning Committee* under clause 5.6.3(j)(1) of the old National Electricity Rules is deemed to be a determination of the *AEMO* under clause 5.6.3(j)(5) of the new National Electricity Rules.
- (e) Where a period has been agreed between a *Transmission Network Service Provider* and the *Inter-regional Planning Committee* under clause 5.6.3(j)(2) of the old National Electricity Rules, that period is deemed to have been agreed between the *Transmission Network Service Provider* and the *AEMO* under clause 5.6.3(j1) of the new National Electricity Rules.

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- (f) Where information has been requested by the *Inter-regional Planning Committee* under clause 5.6.3(k) of the old National Electricity Rules, that information is deemed to have been requested by the *AEMO* under clause 5.6.3(k) of the new National Electricity Rules.
- (g) Any *augmentation technical report* that has been *published* by the *Inter-regional Planning Committee* under clause 5.6.3(j) of the old National Electricity Rules is deemed to be an *augmentation technical report* that has been *published* by the *AEMO* under clause 5.6.3(j1) of the new National Electricity Rules.

### 11.21.5 Last Resort Planning Power

For the purposes of clause 5.6.4(g)(2) of the new National Electricity Rules:

- (a) where no *NTNDP* has been *published* by the *AEMO Board* in accordance with clause 5.6A.2(c) of the new National Electricity Rules, clause 5.6.4(g)(2) shall be taken to refer to the two most recent *Annual National Transmission Statements* that have been *published* under clause 5.6.5 of the old National Electricity Rules; and
- (b) where only one *NTNDP* has been *published* by the *AEMO Board* in accordance with clause 5.6A.2(c) of the new National Electricity Rules, clause 5.6.4(g)(2) shall be taken to refer to that *NTNDP* and the most recent *Annual National Transmission Statement* that has been *published* under clause 5.6.5 of the old National Electricity Rules.

### 11.21.6 Inter-network power system tests

- (a) Where a copy of a notice has been given by a *Relevant TNSP* to each member of the *Inter-regional Planning Committee* under clause 5.7.7(i) of the old National Electricity Rules, a copy of that notice is deemed to have been given to the *AEMO* under clause 5.7.7(i) of the new National Electricity Rules.
- (b) Where a draft *test program* has been submitted to each member of the *Inter-regional Planning Committee* under clause 5.7.7(m) of the old National Electricity Rules, that draft *test program* is deemed to have been submitted to the *AEMO* under clause 5.7.7(m) of the new National Electricity Rules.
- (c) Any recommendations made by the *Inter-regional Planning Committee* under clause 5.7.7(o)(2) of the old National Electricity Rules, as amended (if at all) by the *Inter-regional Planning Committee* under clause 5.7.7(q) of the old National Electricity Rules, are deemed to be the recommendations of the *jurisdictional planning representatives* under clauses 5.7.7(p1) and 5.7.7(r) of the new National Electricity Rules.
- (d) Where, under clause 5.7.7(ad) of the old National Electricity Rules, an officer has been nominated by the *Inter-regional Planning Committee* for

the purposes of coordinating an *inter-network test*, that officer is deemed to be the officer nominated by the *AEMO* for the purposes of that test under clause 5.7.7(ad) of the new National Electricity Rules.

- (e) Where, under clause 5.7.7(ad) of the old National Electricity Rules, the *Inter-regional Planning Committee* has determined pre-approved guidelines for the purposes of an *inter-network test*, those guidelines are deemed to be pre-approved guidelines that have been determined by the *AEMO* for the purposes of that test under clause 5.7.7(ad) of the new National Electricity Rules.

#### **11.21.7 Control and protection settings for equipment**

If a matter has been referred to the *Inter-regional Planning Committee* under clause 5.8.3(d) of the old National Electricity Rules and the *Inter-regional Planning Committee* has not given a decision in respect of that matter by the commencement date, that matter is deemed to have been referred to the *AEMO* under clause 5.8.3(d) of the new National Electricity Rules and the *AEMO* must give its decision in respect of that matter within 20 *business days* after the commencement date, which decision is to be final.

#### **11.21.8 Revenue Proposals**

- (a) Clause 6A.10.1(c1) of the new National Electricity Rules only applies in respect of a *Revenue Proposal* which has been submitted to the *AER* under clause 6A.10.1 of the new National Electricity Rules more than [20] *business days* after the commencement date.
- (b) Clauses 6A.6.6 (e) (12) and 6A 6.7 (e) (12) of the new National Electricity Rules only apply in respect of a *Revenue Proposal* which has been submitted to the *AER* under clause 6A.10.1 of the new National Electricity Rules more than [20] *business days* after the commencement date.