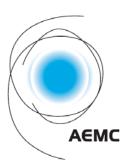# National Electricity Amendment (Confidentiality Arrangements in Respect of Information Required for Power System Studies) Rule 2009 No. 4

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.

John Tamblyn
Chairman
Australian Energy Market Commission

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National Electricity Amendment (Confidentiality Arrangements in Respect of Information Required for Power System Studies) Rule 2009 No. 4

1. Title of Rule

This Rule is the *National Electricity Amendment (Confidentiality Arrangements in Respect of Information Required for Power System Studies) Rule 2009 No. 4.*

2. Commencement

This Rule commences operation on 27 February 2009.

3. Amendment of the National Electricity Rules

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

4. Savings and Transitional Amendments to the National Electricity Rules

Chapter 11 of the National Electricity Rules is amended as set out in Schedule 2.

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Schedule 1   Amendment of National Electricity Rules

(Clause 3)

[1] Clause 3.13.3 Standing data

In clause 3.13.3(k) omit "Subject to the requirements relating to disclosure of information under clause 5.3.8(a), a" and substitute "A".

[2] Clause 3.13.3 Standing data

Omit clause 3.13.3(k)(2) and substitute:

> (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

[3] Clause 3.13.3 Standing data

Omit clause 3.13.3(l) and substitute:

> (l)   If *NEMMCO* holds information requested under clause 3.13.3(k), *NEMMCO* must provide the requested information to the *Registered Participant* as soon as practicable, subject to the following requirements:
>
> > (1)   If *NEMMCO* holds and is required under this paragraph (l) to provide a *releasable user guide* that *NEMMCO* received under clause S5.2.4(b)(8), *NEMMCO* must provide the *releasable user guide* to the *Registered Participant* in an unaltered form.
> >
> > (2)   If *NEMMCO* holds and is required under this paragraph (l) to provide a form of the model source code that *NEMMCO* received under clauses S5.2.4(b)(6) and S5.2.4(d) 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);
> > > >
> > > > (B)   encrypted information; or

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       (C) a secured format agreed by the provider of the model source code,

       unless *NEMMCO* has the written consent of the person who provided the information to *NEMMCO* to provide it in another form; and

     (ii) in a form that can be interpreted by a software simulation product nominated by *NEMMCO*.

   (3) Any information provided by *NEMMCO* under clause 3.13.3(l) to a *Registered Participant* must be treated as *confidential information*.

(l1) *NEMMCO* may charge a fee, except where the information is requested by a *Network Service Provider* under clause 3.13.3(l5)*,* to recover all reasonable costs incurred in providing information to a *Registered Participant* under this clause 3.13.3.

(l2) For the purposes of clause 3.13.3(l), the provider of the model source code is:

   (1) the *Generator* if the model source code was received from that *Generator* under clause S5.2.4(b)(6) or S5.2.4(d); or

   (2) the person required under the *Rules* to register as a *Generator* in respect of a *generating system* comprised of *generating units* with a combined *nameplate rating* of 30 MW or more, if the model source code was received from that person under clause S5.2.4(b)(6) or S5.2.4(d); or

   (3) the *Generator*, if the model source code was provided to *NEMMCO* by a *Network Service Provider* and that same *Network Service Provider* advises *NEMMCO* that the provider of the model source code is the *Generator*; or

   (4) the relevant *Network Service Provider*, if that same *Network Service Provider* advises *NEMMCO* that the provider of the model source code is itself; or

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

(l3) If *NEMMCO* is required under clause 3.13.3(l) to provide information requested under clause 3.13.3(k)(2), *NEMMCO* may provide:

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        (1)   historical information relating to the operating conditions of the *power system*;

        (2)   information and data provided to *NEMMCO* under clauses 3.13.3(f)(1) and 3.13.3(f)(3) and information of the same type provided under clause 3.13.3(g);

        (3)   *network* dynamic model parameter values obtained under clauses 3.13.3(f)(2) and 3.13.3(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 Schedules 5.5.3 and 5.5.4.

(l4)   Despite clause 3.13.3(l), *NEMMCO* must not provide information relating to *plant* that is the subject of an *application to connect* or a *connection agreement*, until the later of:

        (1)   the date when the relevant *connection agreement* is executed; and

        (2)   three months before the proposed start of commissioning of that *plant*.

(l5)   Subject to clause 3.13.3(l6), if a *Transmission Network Service Provider* is responsible for provision of *network* limit advice relating to *power system* stability limits to *NEMMCO* under clause S5.1.2.3, *NEMMCO* must, on request from that *Transmission Network Service Provider*, provide all *power system* and *generating system* model information that is reasonably required for planning and operational purposes, if *NEMMCO* holds that information, including:

        (1)   functional block diagram information, including information provided to *NEMMCO* under clause S5.2.4(b)(5);

        (2)   *generating unit*, *generating system* and *power system* static and dynamic model information, including model parameters and parameter values; and

        (3)   information provided to *NEMMCO* in accordance with clause S5.2.4(a).

(l6)   If *NEMMCO* is required to provide information to a *Transmission Network Service Provider* under paragraph (l5), this must not include:

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(1)   model source code provided to *NEMMCO* under clauses S5.2.4(b)(6) and S5.2.4(d)\, except as allowed under clause 3.13.3(l); and

(2)   information relating to *plant* that is the subject of an *application to connect* until after the execution of the relevant *connection agreement*.

(l7)   Any information provided by *NEMMCO* under clause 3.13.3(l5) to a *Transmission Network Service Provider* must be treated as *confidential information*.

[4]   Clause 3.13.3   Standing data

After clause 3.13.3(p), insert:

(p1)   *NEMMCO* must establish, maintain and *publish* a register which identifies:

(1)   the *Registered Participant* to whom any information is provided under clause 3.13.3(l); and

(2)   the date on which such information was provided.

[5]   Clause 5.3.8   Provision and use of information

Omit clause 5.3.8(a)(2) and substitute:

(2)   not be disclosed or made available by the recipient to a third party except as set out in clause 3.13.3 or this clause 5.3.8.

[6]   Clause 5.3.8   Provision and use of information

In clause 5.3.8(d), omit "paragraphs (b) and (c)" and substitute "paragraphs (b) or (c)".

[7]   Clause 5.7.6   Tests of generating units requiring changes to normal operation

After clause 5.7.6(f), insert:

(f1)   If requested by a *Network Service Provider* who required the test under clause 5.7.6(a), a *Generator* must provide to the *Network Service Provider* any relevant information relating to the *plant* which is the subject of a test

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carried out under this clause 5.7.6, including model source code provided to *NEMMCO* under clause S5.2.4(b)(6);

[8]   Clause 5.7.6   Tests of generating units requiring changes to normal operation

In clause 5.7.6(h) omit "to *NEMMCO* and the relevant *Generator*" and substitute "and any new or revised model source code to the relevant *Generator*".

[9]   Clause S5.2.4 Provision of information

In clause S5.2.4(b)(6) omit "and" where last occurring.

[10]   Clause S5.2.4   Provision of information

Omit clause S5.2.4(b)(7) and substitute "**[Deleted]**".

[11]   Clause S5.2.4   Provision of information

After clause S5.2.4(b)(7), insert:

> (8)   to *NEMMCO* and the relevant *Network Service Providers* (including the relevant *Transmission Network Service Provider* in respect of an *embedded generating unit*) a *releasable user guide*.

[12]   Clause S5.2.4   Provision of information

Omit clause S5.2.4(d) and substitute:

> (d)   The *Generator* must provide to *NEMMCO* information that updates the information provided under clause S5.2.4(b) and must provide to the relevant *Network Service Providers* information that updates the information provided under clause S5.2.4(b)(5):
>
> > (1)   within 3 months after commissioning tests or other tests undertaken in accordance with clause 5.7.3 are completed;
> >
> > (2)   when the *Generator* becomes aware that the information is incomplete, inaccurate or out of date; or
> >
> > (3)   on request by *NEMMCO* or the relevant *Network Service Provider*, where *NEMMCO* or the relevant *Network Service Provider* considers that the information in incomplete, inaccurate or out of date.

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[13] Clause S5.2.4   Provision of information

After clause S5.2.4(d), insert:

(d1)   A *Generator* is only required to provide new information under clause S5.2.4(d) to the extent that it is different to the information previously provided under clause S5.2.4(b).

[14] Clause S5.2.4   Provision of information

Omit clause S5.2.4(e) and substitute:

(e)   For the purposes of clause S5.2.4(e1), a *Connection Applicant* must be registered as an *Intending Participant* in accordance with rule 2.7.

(e1)   For the purposes of clause 5.3.2(f), the technical information that a *Network Service Provider* must, if requested, provide to a *Connection Applicant* in respect of a proposed *connection* for a *generating system* includes:

(1)   the highest expected single phase and three phase fault levels at the *connection point* with the *generating system* not *connected*;

(2)   the clearing times of the existing *protection systems* that would clear a fault at the location at which the new *connection* would be *connected* into the existing *transmission system* or *distribution system*;

(3)   the expected limits of *voltage* fluctuation, harmonic *voltage* distortion and *voltage* unbalance at the *connection point* with the *generating system* not *connected*;

(4)   technical information relevant to the *connection point* with the *generating system* not *synchronised* including equivalent source impedance information, sufficient to estimate fault levels, *voltage* fluctuations, harmonic *voltage* distortion (for harmonics relevant to the *generating system*) and *voltage* unbalance; and

(5)   information relating to the performance of the *national grid* that is reasonably necessary for the *Connection Applicant* to prepare an *application to connect*, including:

(i)   a model of the *power system*, including relevant *considered projects* and the range of expected operating conditions, sufficient to carry out load flow and dynamic simulations; and

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(ii)   information on *inter-regional* and *intra-regional power transfer capabilities* and relevant *plant* ratings.

[15] Clause S5.2.4   Provision of information

Omit clause S5.2.4(f) and substitute:

(f)   All information provided under this clause S5.2.4 must be treated as *confidential information*.

[16] Clause S5.2.8   Fault current

In clauses S5.2.8(a)(2)(i) and S5.2.8(b)(2), omit "clause S5.2.4(e)(1)" and substitute "clause S5.2.4(e1)(1)".

[17] Clause 8.6.2   Exceptions

Omit clause 8.6.2(m) and substitute "**[Deleted]**".

[18] Chapter 10   New definition

In Chapter 10, insert the following new definition in alphabetical order:

releasable user guide

A document associated with a functional block diagram and model source code provided under clause S5.2.4(b) (combined, forming the "**model**"), that contains sufficient information to enable a *Registered Participant* to use encrypted model source code provided under clause 3.13.3(l) to carry out *power system* studies for planning and operational purposes. The information in a *releasable user guide* must include, but is not limited to:

(1)   the **model** parameters and their values;

(2)   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*;

(3)   instructions relevant to the use and operation of the encrypted model source code provided under clause 3.13.3(l);

(4)   settings of *protection systems* that are relevant to load flow or dynamic simulation studies;

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    (5)   information provided in accordance with Schedule 5.5 only to the extent that the information is not a part of the **model** or the **model** parameters and that is reasonably necessary to allow modelling of the *generating unit, generating system* or related *plant* in *power system* load flow or dynamic simulation studies;

    (6)   *connection point* details including its parameters and values, location, *network augmentations* or modifications and other relevant *connection* information; and

    (7)   if the *generating unit* or *generating system*, as appropriate, is not yet *connected*, the expected *connection* and commissioning dates.

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Schedule 2   Savings and Transitional Amendments to the National Electricity Rules

(Clause 4)

[1]   Chapter 11   Savings and transitional arrangements

After rule 11.24, insert:

Part U   Confidentiality Arrangements concerning Information required for Power System Studies

11.25   Rule consequential on the making of the National Electricity Amendment (Confidentiality Arrangements in Respect of Information Required for Power System Studies) Rule 2009

11.25.1 Definitions

For the purposes of rule 11.25:

Amending Rule means the National Electricity Amendment (Confidentiality Arrangements in Respect of Information Required for Power System Studies) Rule 2009.

Commencement date means the date on which the Amending Rule commences operation.

11.25.2 Transitional arrangements for the provision of information

(a)   A *Generator* must provide *NEMMCO* with a *releasable user guide* by 29 May 2009 or a date which *NEMMCO* considers to be reasonable in the circumstances but which must be no later than 27 November 2009, except in relation to the following information:

(1)   information provided to *NEMMCO* before 15 March 2007 that *NEMMCO* holds at the commencement date only to the extent that such information is of a type required in a *releasable user guide* and was authorized by the *Rules* to be released for the same purpose as intended by clause 3.13.3(l) as at the date that information was provided to *NEMMCO*; and

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(2) information provided to *NEMMCO* after 15 March 2007 only if the relevant *Generator* has provided to *NEMMCO* model source code under clause S5.2.4(b)(6), being the provider identified in clause 3.13.3(l2), and provides its written consent to *NEMMCO* for *NEMMCO* to use information that *NEMMCO* holds at the commencement date of a type required in a *releasable user guide* for the purposes of clause 3.13.3(l).

(b) A person required under the *Rules* to register as a *Generator* in respect of a *generating system* comprised of *generating units* with a combined *nameplate rating* of 30 MW or more, must provide *NEMMCO* with a *releasable user guide* by 29 May 2009 or a date which *NEMMCO* considers to be reasonable in the circumstances but which must be no later than 27 November 2009, except in relation to the following information:

(1) information provided to *NEMMCO* before 15 March 2007 that *NEMMCO* holds at the commencement date only to the extent that such information is of a type required in a *releasable user guide* and was authorized by the *Rules* to be released for the same purpose as intended by clause 3.13.3(l) as at the date that information was provided to *NEMMCO*; and

(2) information provided to *NEMMCO* after 15 March 2007 only if the relevant person described in this paragraph as required under the *Rules* to register as a *Generator*, has provided to *NEMMCO* model source code under clause S5.2.4(b)(6), being the provider identified in clause 3.13.3(l2), and provides its written consent to *NEMMCO* for *NEMMCO* to use information that *NEMMCO* holds at the commencement date of a type required in a *releasable user guide* for the purposes of clause 3.13.3(l).

(c) If a *Generator* provided to *NEMMCO* model source code under clause S5.2.4(b)(6) between 15 March 2007 and the commencement date:

(1) it may provide to *NEMMCO* a substitute model source code in respect of its *generating system* in conjunction with a *releasable user guide* provided under rule 11.25.2(a); and

(2) that substitute model source code will be taken to be the model source code provided under clause S5.2.4(b)(6) only if it complies with clause S5.2.4(c).

(d) If a person required under the *Rules* to register as a *Generator* in respect of a *generating system* comprised of *generating units* with a combined *nameplate rating* of 30 MW or more, provided to *NEMMCO* model source

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             code under clause S5.2.4(b)(6) between 15 March 2007 and the commencement date:

    (1)   it may provide to *NEMMCO* a substitute model source code in respect of its generating system in conjunction with a *releasable user guide* provided under rule 11.25.2(b); and

    (2)   that substitute model source code will be taken to be the model source code provided under clause S5.2.4(b)(6) only if it complies with clause S5.2.4(c).

(e)   *Releasable user guide* information provided to *NEMMCO* under clauses 11.25.2(a) and 11.25.2(b) is deemed to be *releasable user guide* information provided under clause S5.2.4(b)(8) and for the purposes of clause 3.13.3(l).

(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.

<div align="center">END OF RULE AS MADE</div>