

Attachment A: Draft Rule

This draft is based on version 54 of the National Electricity Rules.

1 Renaming the Metering Chapter

7. Metering and Retail Markets

7.1 Introduction to ~~the Metering Chapter~~ 7

Comment [LT1]: The content of Chapter 7 is already broader than just metering. As this Chapter contains all of the existing procedures that are (or will be) defined as "Retail Market Procedures", it is helpful for the title of the Chapter to better reflect the subject matter.

2 Amendments to Rule 7.1

2.1 Amend clause 7.1.1:

Renumber the second paragraph (a) as paragraph (b).

In the renumbered paragraph (b) –

- (8) *metering data services database* and the *metering database*; ~~and~~
- (9) *metering register* requirements; ~~and~~
- (10) other matters directed at facilitating the sale and supply of electricity to retail customers and the operation of retail electricity markets.

2.2 Delete clause 7.1.3:

7.1.3 [Deleted]

- ~~(a) AEMO is responsible for the establishment and maintenance of procedures specified in Chapter 7 except for procedures established and maintained under Rule 7.2A.~~
- ~~(b) The procedures authorised by AEMO must be established and maintained by AEMO in accordance with the Rules consultation procedures.~~
- ~~(c) The Information Exchange Committee is responsible for the establishment and maintenance of procedures specified in Rule 7.2A.~~
- ~~(d) The procedures authorised by the Information Exchange Committee must be established and maintained in accordance with the requirements of Rule 7.2A.~~
- ~~(e) The procedures established or maintained under this clause must be published by the party authorised to make the procedure.~~
- ~~(f) AEMO must establish, maintain and publish a list of procedures authorised under the Rules relevant to this Chapter 7, irrespective of who authorised those procedures.~~

Comment [LT2]: Clause 7.1.3 is unnecessary as these requirements are stated in respect of each set of procedures

2.3 Amend clause 7.1.4 to provide for consultation in accordance with both the Rules consultation procedures and the Committee processes to be set out in an 'approved process':

7.1.4 **Amendment of Retail Market Procedures in the Metering Chapter**

- (a) ~~Subject to paragraph (e), AEMO may only make Retail Market Procedures in accordance with the approved process and after consultation in accordance with the Rules consultation procedures.~~
- (b) ~~Any person (the 'proponent') may submit to AEMO a proposal (the 'proposal') to make amend any Retail Market Procedures, other than the jurisdictional metrology material, including the metrology procedure except:~~
- ~~(1) in relation to the jurisdictional metrology material which is contained within the metrology procedure; and~~
 - ~~(2) procedures specified in Rule 7.2A,~~
- ~~and must include reasons for the proposed change.~~
- (c) ~~AEMO may request a proponent to provide further information or reasons to support its proposal.~~
- (d) ~~After receiving a proposal and any further information or reasons requested under paragraph (c), For proposals submitted under paragraph (a), AEMO must, subject to the approved process, either:~~
- ~~(1) publish the proposal and initiate consultation on the proposed amendment in accordance with paragraph (a); or give notice of receipt of the proposal to the proponent; and~~
 - ~~(2) reject the proposal,~~
- ~~and must advise the proponent accordingly, giving reasons for any decision to reject a proposal of the action that AEMO proposals to undertake under paragraphs (c) or (e).~~
- (e) ~~Where AEMO:~~
- ~~(1) accepts the proposal, AEMO must conduct the Rules consultation procedures in relation to that proposal;~~
 - ~~(2) requests further information from the proponent in relation to a proposal, on receiving that information AEMO must either accept, or reject the proposal; or~~
 - ~~(3) rejects a proposal, AEMO must advise the proponent of its decision and reasons for the decision in writing.~~
- (d) ~~AEMO may at the conclusion of the Rules consultation procedures amend the procedure (if necessary).~~
- (e) Where AEMO proposes to make Retail Market Procedures that, in AEMO's reasonable opinion, a proposal referred to in paragraph (a) relates to amendments that are of a minor or administrative nature, AEMO is not required to undertake the Rules consultation procedures but must comply with any relevant provisions of the approved process and:

Comment [LT3]: Note the intent is to delete and re-insert the definition of Retail Market Procedures as part of this proposed Rule, so that the definition will apply in all NEM jurisdictions. There appear to be no unintended consequences for jurisdictions that have not adopted the NECF. Other than this Chapter, the term is only used in Chapter 6B and in the definition of Electricity Procedures.

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Comment [LT4]: It is not proposed to continue to limit the right to propose B2B procedure changes.

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Comment [LT5]: This is covered by AEMO's ability to request further information/reasons, before starting consultation.

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Comment [LT6]: Note that the approved process will specify whether and how AEMO is required to consult for minor and technical changes to specified procedures.

- (1) *publish* the proposed *Retail Market Procedures* including the accompanying reasons;
 - (2) issue a notice to *Registered Participants, Metering Providers, Metering Data Providers, Ministers* and the AER advising that the *proposed amendment to the procedures have* been published;
 - (3) invite submissions on the proposed *procedures*;
 - (4) allow *at least 10 business days* for the receipt of submissions;
 - (5) allow a reasonable extension of time for submissions if requested in writing by a *Registered Participant, Metering Provider* or *Metering Data Provider*;
 - (6) *publish* submissions as soon as practicable after submissions have been received;
 - (7) consider the submissions; and
 - (8) *publish the reasons for its decision to make the relevant Retail Market Procedures, on or before the day of publication of those procedures, publish, on or before the day of publication of the procedure identified in paragraph (a), reasons for the amendments to the procedure.*
- (f) *Where AEMO decides to make Retail Market Procedures after consultation in accordance with paragraph (a) or (e), AEMO must specify a commencement date for the procedures that is not less than 10 business days after the procedures are published, unless otherwise specified in this Chapter 7 or determined in accordance with the approved process.*
- (g) *Registered Participants, AEMO, Metering Providers, Metering Data Providers and any other person to whom Retail Market Procedures are expressed to apply, must comply with the Retail Market Procedures applicable to them, except in relation to matters on which parties have otherwise agreed, to the extent that this Chapter 7 permits such agreement.*

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Comment [AEMO7]: See, for example, clause 7.14.1(b) - metrology procedures.

Comment [LT8]: AEMO does not consider that it is appropriate for compliance with all or any of the Procedures to attract civil penalties (or continue to do so).

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Comment [LT9]: Initially, a Retail Market Procedures Committee will be constituted and operate under this approved process

2.4 Insert a new clause 7.1.4A for the establishment of an approved process

7.1.4A Approved process for amending procedures in this Chapter

- (a) *AEMO must establish, in accordance with the Rules consultation procedures, a process (the approved process) for examining and assessing proposed Retail Market Procedures for the purposes of clause 7.1.4.*
- (b) *AEMO may amend the approved process in accordance with the Rules consultation procedures and any additional requirements set out in the approved process.*
- (c) *The approved process must set out the process by which AEMO will consult on the development and consideration of proposals for Retail Market Procedures, which must:*
 - (1) *allow an opportunity for input on the proposal by Registered Participants and other persons AEMO considers to be affected by the proposal, where practical before AEMO publishes any notice or report under the Rules consultation procedures; and*
 - (2) *include the grounds on which AEMO may reject a proposal under clause 7.1.4(d)(2).*

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Comment [LT10]: Some submissions have indicated that committee membership (or at least the opportunity to participate in committee procedures) should be broader than the current retailer/DNSP membership. AEMO supports this principle, and supports the inclusion of a provision in the Rules requiring broad consultation under the approved process.

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(d) ~~AEMO must publish the approved process on its website.~~

(e) ~~AEMO, Registered Participants and any other person to whom the approved process is expressed to apply, must comply with the approved process.~~

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3 Amendments to Rule 7.2 – MSATS

3.1 Amend the heading of rule 7.2 for readability and to better reflect the general subject matter of the rule:

7.2 **Responsibility for Metering Installations, and Metering Data and Market Settlement and Transfer Solution Procedures**

3.2 Amend clause 7.2.8 for consistency with amended clause 7.1.4:

7.2.8 **Market Settlement and Transfer Solution Procedures**

(a) ~~AEMO, in consultation with Registered Participants in accordance with the Rules consultation procedures, must establish, maintain and publish Market Settlement and Transfer Solution Procedures.~~

Comment [AEMO11]: Note: procedure change requirements are covered in 7.1.4 and are therefore not required here.

(b) ~~[Deleted] AEMO may from time to time amend the Market Settlement and Transfer Solution Procedures in consultation with Registered Participants in accordance with the Rules consultation procedures. AEMO must publish any such amendment to the Market Settlement and Transfer Solution Procedures.~~

(c) The Market Settlement and Transfer Solution Procedures may include roles and responsibilities for Metering Providers and Metering Data Providers.

(d) ~~[Deleted] All Registered Participants, Metering Providers and Metering Data Providers must comply with the Market Settlement and Transfer Solution Procedures.~~

Comment [LT12]: See new clause 7.1.4(g)

Note

~~This clause is classified as a civil penalty provision under the National Electricity (South Australia) Regulations. (See clause 6(1) and Schedule 1 of the National Electricity (South Australia) Regulations.)~~

(e) If a Registered Participant breaches the requirements of the Market Settlement and Transfer Solution Procedures, AEMO may send to that Registered Participant a notice in writing setting out the nature of the breach.

(f) If the Registered Participant remains in breach for more than 5 business days after receipt of the notice from AEMO, AEMO must advise:

(1) the authority responsible for administering jurisdictional electricity legislation in the participating jurisdiction in which the connection point to which the breach relates is located; and

(2) the AER.

4 Amendments to Rule 7.2A – B2B

4.1 Delete clause 7.2A.2:

~~7.2A.2 [Deleted] Information Exchange Committee~~

- ~~(a) AEMO must establish the Information Exchange Committee in accordance with the Information Exchange Committee Election Procedures.~~
- ~~(b) The Information Exchange Committee must only be constituted by:~~
- ~~(1) three Distribution Network Service Provider Members;~~
 - ~~(2) three Local Retailer/Market Customer Members; and~~
 - ~~(3) two Independent Members.~~

~~Local Retailers and Market Customers together and Distribution Network Service Providers must, in relation to categories of Members in relation to which they are entitled to vote under the Information Exchange Committee Election Procedures, use their reasonable endeavours to ensure that the Information Exchange Committee is established in accordance with the Information Exchange Committee Election Procedures. Each Member must serve on the Information Exchange Committee for the term specified in the Information Exchange Committee Election Procedures and must only be removed or replaced in accordance with the Information Exchange Committee Election Procedures.~~

- ~~(c) Local Retailers, Market Customers and Distribution Network Service Providers must ensure that the Information Exchange Committee Election Procedures include provisions in respect of Member qualifications, procedures for voting for Members, the term of a Member, determination and publication of results of elections and the removal and resignation of a Member.~~
- ~~(d) The first Information Exchange Committee Election Procedures must be published by the time this clause 7.2A.2 comes into operation. The Information Exchange Committee Election Procedures may only be amended in accordance with the procedure set out in the Information Exchange Committee Election Procedures and with the support of:~~
- ~~(1) not less than 75% of all Registered Participants registered by AEMO as Distribution Network Service Providers under clause 2.5.1; and~~
 - ~~(2) not less than 75% of that class of Registered Participants comprising:~~
 - ~~(A) Registered Participants who are included on the list of Local Retailers published by AEMO; and~~
 - ~~(B) Market Customers who are not included on the list of Local Retailers published by AEMO and who are not a related body corporate of a Local Retailer.~~

~~Neither a Registered Participant nor AEMO is obliged to comply with an amendment to the Information Exchange Committee Election Procedures unless that amendment is made in accordance with this clause. AEMO must publish the current version of the Information Exchange Committee Election Procedures.~~

- ~~(e) A Registered Participant must ensure that a person it nominates as a Member for a category satisfies the requirements for that particular category of Member as set out in the Information Exchange Committee Election Procedures.~~

Comment [LT13]: The subject matter of this clause will be covered in the Election Procedures and Operating Manual

~~(f) The first *Information Exchange Committee Operating Manual* must be published by the time this clause 7.2A.2 comes into operation. The *Information Exchange Committee Operating Manual* may only be amended in accordance with the procedure set out in the *Information Exchange Committee Election Procedures* and with the support of:~~

~~(1) not less than 75% of all *Registered Participants* registered by AEMO as *Distribution Network Service Providers* under clause 2.5.1; and~~

~~(2) not less than 75% of that class of *Registered Participants* comprising:~~

~~(A) *Registered Participants* who are included on the list of *Local Retailers* published by AEMO; and~~

~~(B) *Market Customers* who are not included on the list of *Local Retailers* published by AEMO and who are not a related body corporate of a *Local Retailer*.~~

~~Neither a *Registered Participant* nor AEMO is obliged to comply with an amendment to the *Information Exchange Committee Operating Manual* unless that amendment is made in accordance with this clause. AEMO must publish the current version of the *Information Exchange Committee Operating Manual*.~~

~~(g) The functions and powers of the *Information Exchange Committee* include:~~

~~(1) developing, consulting on and making an *Information Exchange Committee Recommendation*;~~

~~(2) managing the ongoing development of the *B2B Procedures* and any changes to them;~~

~~(3) establishing the *Information Exchange Committee Working Groups*;~~

~~(4) developing, consulting on and approving the *Information Exchange Committee Works Programme*;~~

~~(5) reviewing and considering work completed by the *Information Exchange Committee Working Groups*;~~

~~(6) developing proposed amendments to the *Information Exchange Committee Election Procedures*; and~~

~~(7) developing proposed amendments to the *Information Exchange Committee Operating Manual*.~~

~~(h) The *Information Exchange Committee* must provide to AEMO the current version of the *B2B Procedures* and the *Information Exchange Committee Works Programme*.~~

~~(i) AEMO must publish the *B2B Procedures* and the *Information Exchange Committee Works Programme* provided to it by the *Information Exchange Committee*.~~

~~(j) The *Information Exchange Committee*, AEMO, *Local Retailers*, *Market Customers* and *Distribution Network Service Providers* must comply with the *Information Exchange Committee Election Procedures* and the *Information Exchange Committee Operating Manual*.~~

~~(k) The *Information Exchange Committee* must meet at least once every three months.~~

- ~~(l) The quorum for a meeting of the *Information Exchange Committee* is five *Members* comprising two *Distribution Network Service Provider Members*, two *Local Retailer/Market Customer Members* and one *Independent Member*.~~
- ~~(m) A decision of the *Information Exchange Committee* is not valid and enforceable unless it is made as follows:~~
- ~~(1) an *Information Exchange Committee Recommendation* requires the support of six or more *Members*;~~
 - ~~(2) any decision that a proposal under clause 7.2A.3(a) should not be considered further after initial consideration under clause 7.2A.3(b), and any decision to not recommend *B2B Procedures* or a change to the *B2B Procedures* for approval by *AEMO* requires the support of six or more *Members*;~~
 - ~~(3) any decision to approve the *Information Exchange Committee Works Programme* requires the support of six or more *Members*; and~~
 - ~~(4) any other decision by the *Information Exchange Committee* requires the support of five or more *Members*.~~
- ~~(n) Each *Member* in performing his or her duties or in exercising any right, power or discretion must have regard to the *B2B Objective* and the *B2B Principles* and must:~~
- ~~(1) at all times act honestly;~~
 - ~~(2) exercise the degree of care and diligence that a reasonable person in a like position would exercise;~~
 - ~~(3) not make improper use of information acquired by virtue of his or her position to gain, directly or indirectly, an advantage for himself or herself, or the *Registered Participants* by which he or she is employed and/or which nominated him or her to be a *Member*; and~~
 - ~~(4) not make improper use of his or her position to gain, directly or indirectly, an advantage for himself or herself or the *Registered Participants* by which he or she is employed and/or which nominated him or her to be a *Member*.~~
- ~~(o) Subject to clause 7.2A.2(n), a *Distribution Network Service Provider Member* may take into account the interests of *Distribution Network Service Providers* in performing his or her duties or in exercising any right, power or discretion.~~
- ~~(p) Subject to clause 7.2A.2(n), a *Local Retailer/Market Customer Member* may take into account the interests of *Local Retailers* and *Market Customers* in performing his or her duties or in exercising any right, power or discretion.~~
- ~~(q) The *Information Exchange Committee* must prepare the *Information Exchange Committee Annual Report* for the period ended 31 December in the first calendar year following the establishment of the *Information Exchange Committee* and the year ended 31 December in each year thereafter. The *Information Exchange Committee* must provide the *Information Exchange Committee Annual Report* to *AEMO* by the following 31 March and *AEMO* must publish that *Information Exchange Committee Annual Report*.~~
- ~~(r) The *Information Exchange Committee Annual Report* must contain the information required by the *Information Exchange Committee Operating Manual*.~~
- ~~(s) By 28 February each year the *Information Exchange Committee* must prepare a draft budget for the following *financial year* in a form which is consistent with the~~

~~budget procedures of AEMO. Following discussion with AEMO the Information Exchange Committee must prepare a budget by 31 March and provide that budget to AEMO. When AEMO publishes its budget pursuant to clause 2.11.3, AEMO must advise the Information Exchange Committee of the final budget for the Information Exchange Committee for that financial year.~~

Comment [LT14]: The subject matter of this clause (to the extent still required) will be covered in the [RMC] Operating Manual

4.2 Delete clause 7.2A.3:

7.2A.3 ~~B2B Procedures~~

- ~~(a) AEMO, a Local Retailer, a Market Customer or a Distribution Network Service Provider may propose B2B Procedures, or a change to the B2B Procedures, to the Information Exchange Committee. The proposal must be submitted in writing to the Information Exchange Committee and must provide details of the proposal and supporting information, including reasons for any change or B2B Procedure.~~
- ~~(b) Within 25 business days of receipt by the Information Exchange Committee of a proposal under clause 7.2A.3(a), the Information Exchange Committee must meet to determine whether on a prima facie basis making new B2B Procedures and/or changing the B2B Procedures is warranted having regard to the B2B Objective and the B2B Principles.~~
- ~~(c) If, after its consideration under clause 7.2A.3(b), the Information Exchange Committee decides that the proposal made under clause 7.2A.3(a) should not be considered further, the Information Exchange Committee must within five business days provide written reasons for that decision to whichever of AEMO, the Local Retailer, Market Customer or Distribution Network Service Provider who made the proposal.~~
- ~~(d) If, after its consideration under clause 7.2A.3(b), the Information Exchange Committee decides that the proposal made under clause 7.2A.3(a) should be considered further, the Information Exchange Committee must develop the proposal into a B2B Proposal (which may differ from the proposal originally made) and an accompanying B2B Procedures Change Pack for consultation. The Information Exchange Committee must seek AEMO's advice on whether a conflict with the Market Settlement and Transfer Solution Procedures arises from the B2B Proposal and include any such advice in the B2B Procedures Change Pack.~~
- ~~(e) The Information Exchange Committee must comply with the Rules consultation procedures in relation to the B2B Proposal. For the purposes of rule 8.9(b), the nominated persons to whom notice must be given are Local Retailers, Market Customers, Distribution Network Service Providers and AEMO. For the purposes of the notice, the particulars of the matters under consultation must include a copy of the B2B Procedures Change Pack.~~
- ~~(f) AEMO must publish the notice of consultation within 3 business days of its receipt and must notify all Local Retailers, Market Customers and Distribution Network Service Providers of the consultation.~~
- ~~(g) In addition to the matters which rule 8.9(g) requires be included in the draft report, the draft report must contain details of the Information Exchange Committee's consideration of the B2B Objective and each of the B2B Principles and how the Information Exchange Committee has considered each submission made having regard to the B2B Objective and the B2B Principles.~~

- ~~(h) In addition to the matters which rule 8.9(k) requires be included in the final report, the final report must contain details of the *Information Exchange Committee's* consideration of the *B2B Objective* and each of the *B2B Principles* and how the *Information Exchange Committee* has considered each submission having regard to the *B2B Objective* and the *B2B Principles*.~~
- ~~(i) The *Information Exchange Committee* can conclude not to recommend the proposed *B2B Procedures* be made or not to recommend a *change* to the *B2B Procedures*. Alternatively, the *Information Exchange Committee* may make an *Information Exchange Committee Recommendation* and in doing so may recommend a different *B2B Procedure* or *change* to the *B2B Procedures* from that originally proposed under clause 7.2A.3(a). A conclusion not to recommend the proposed *B2B Procedures* be made or not to recommend a *change* to the *B2B Procedures*, or the making of an *Information Exchange Committee Recommendation*, must be included in the final report required under rule 8.9(k).~~
- ~~(j) In coming to a conclusion not to recommend the proposed *B2B Procedures* or not to recommend a *change* to the *B2B Procedures*, or in making an *Information Exchange Committee Recommendation*, the *Information Exchange Committee* must seek to achieve the *B2B Objective* and, in seeking to achieve the *B2B Objective*, must have regard to the *B2B Principles*. To the extent of any conflict between the *B2B Principles*, the *Information Exchange Committee* may determine the manner in which those principles can best be reconciled or which of them should prevail.~~
- ~~(k) If the *Information Exchange Committee* recommends not to make the proposed *B2B Procedures* or not to *change* the *B2B Procedures*, *AEMO* must take no further action in respect of the proposal. If the *Information Exchange Committee* makes an *Information Exchange Committee Recommendation*, *AEMO* must consider the *Information Exchange Committee Recommendation* and must approve that *Information Exchange Committee Recommendation*, unless it concludes that:~~
- ~~(1) the *Information Exchange Committee* has failed to have regard to the *B2B Objective* and/or the *B2B Principles*;~~
 - ~~(2) the *Information Exchange Committee Recommendation* would conflict with the *Market Settlement and Transfer Solution Procedures*; or~~
 - ~~(3) the *Information Exchange Committee* has not followed the *Rules consultation procedures* (as supplemented by this clause 7.2A.3).~~
- ~~(l) In considering an *Information Exchange Committee Recommendation*, *AEMO* must not consider:~~
- ~~(1) the manner in which the *Information Exchange Committee* considered the *B2B Objective* and the *B2B Principles* or the weight given by the *Information Exchange Committee* to the different *B2B Principles* or the balancing between them; or~~
 - ~~(2) the merits of the *Information Exchange Committee Recommendation*.~~
- ~~(m) *AEMO* must not amend the *Information Exchange Committee Recommendation* and must not conduct any further consultation on the *Information Exchange Committee Recommendation* prior to making its *B2B Decision*.~~
- ~~(n) *AEMO* must publish and make available on its website its *B2B Decision*, with reasons, within 10 business days of receiving an *Information Exchange Committee Recommendation* from the *Information Exchange Committee*.~~

- ~~(e) If AEMO decides not to approve an Information Exchange Committee Recommendation, the reasons for the B2B Decision which are to be published and made available in accordance with clause 7.2A.3(n) must include an explanation of the following, where applicable:~~
- ~~(1) to which of the B2B Objective and/or the B2B Principles AEMO considers the Information Exchange Committee failed to have regard;~~
 - ~~(2) how the Information Exchange Committee Recommendation would give rise to a conflict with the Market Settlement and Transfer Solution Procedures; or~~
 - ~~(3) how the Information Exchange Committee did not follow the Rules consultation procedures (as supplemented by this clause 7.2A.3).~~

4.3 Amend clause 7.2A.4:

7.2A.4 Content of the B2B Procedures

- (a) The *B2B Procedures* may provide for *B2B Communications*.
- (b) For each *B2B Communication*, the *B2B Procedures* must contain:
 - (1) the required *B2B Data* inputs and *B2B Data* outputs;
 - (2) the required business process flows and related timing requirements;
 - (3) the required content and format;
 - (4) the required delivery method; and
 - (5) the back-up delivery method to be used where the required delivery method cannot be used.
- (c) The *B2B Procedures* may include obligations in relation to the information to be maintained and provided to support *B2B Communications*.
- (d) For each *B2B Communication* the *B2B Procedures* may also include:
 - (1) details for testing and certification;
 - (2) provisions relating to contingency arrangements;
 - (3) examples of how a *B2B Communication* may operate in practice; and
 - (4) the method for dealing with a dispute (which may include provisions deferring the use of the dispute resolution procedures in the *Rules* and access to the courts); and
 - (5) any other matters relevant to the operation of the B2B e-hub.
- (e) ~~[Deleted] The *B2B Procedures* or a change to the *B2B Procedures* must also include a date for the commencement of the *B2B Procedures* or the change. That date must be not less than 10 business days after the related *B2B Decision* is published. The *Information Exchange Committee* may extend that date following consultation with AEMO and affected *Registered Participants*. If the date is extended by the *Information Exchange Committee*, the *Information Exchange Committee* must provide AEMO with that date and AEMO must publish that date.~~
- (f) ~~[Deleted] A change to the *B2B Procedures* may also include provisions relating to a date for the end of a process related to a *B2B Communication*. That date may be after the date of commencement of the change and may be left to the discretion of the *Information Exchange Committee*. If the date is set by the *Information*~~

Comment [LT15]: See clause 7.1.4(f)

~~Exchange Committee, the Information Exchange Committee must provide AEMO with that date and AEMO must publish that date.~~

- (g) ~~[Deleted]The B2B Procedures may be constituted by one or more separate documents.~~
- (h) The B2B Procedures may include roles and responsibilities for Metering Providers and Metering Data Providers.
- (i) ~~[Deleted]Subject to the Information Exchange Committee following the requirements placed upon it in the Rules in relation to the B2B Procedures, Local Retailers, Market Customers, Distribution Network Service Providers, AEMO, Metering Providers and Metering Data Providers must comply with the B2B Procedures.~~
- (k) Local Retailers, Market Customers and Distribution Network Service Providers may, on such terms and conditions as agreed between them, ~~make communicate~~ a B2B Communication on a basis other than as set out in the B2B Procedures, in which case the parties to the agreement need not comply with the B2B Procedures to the extent that the terms and conditions agreed between them are inconsistent with the B2B Procedures.
- (l) B2B Data is confidential information and may only be disclosed as permitted by the Rules.
- (m) ~~[Deleted]If a change to the B2B Procedures is of a minor or procedural nature or is necessary to correct a manifest error in the B2B Procedures, the Information Exchange Committee may recommend the change to AEMO and need not consult on the change in accordance with the Rules consultation procedures. Clauses 7.2A.3(i) to (o) (inclusive) and clauses 7.2A.4(e) and (f) apply to such a change (with any necessary modifications). In addition to publishing its B2B Decision in relation to such a change, AEMO must notify all Local Retailers Market Customers and Distribution Network Service Providers of the change.~~

Comment [LT16]: This is unnecessary and is not specified for other procedures, eg MSATS.

Comment [LT17]: See new clause 7.1.4(g)

4.4 Delete clause 7.2A.6:

7.2A.6 ~~[Deleted]Cost Recovery~~

- ~~(a) The costs of the development of the B2B Procedures, the costs of the establishment and operation of the Information Exchange Committee (including the engagement costs of specialist advisers, and the remuneration and payment of the reasonable expenses of the Independent Members), all of which must be set out in the budget prepared by the Information Exchange Committee pursuant to clause 7.2A.2(s) and the Information Exchange Committee Annual Report, and the operational costs associated with any service provided by AEMO to facilitate B2B Communications (including providing and operating a B2B e Hub) must be paid by AEMO in the first instance and recouped by AEMO as Participant fees.~~
- ~~(b) Subject to clause 7.2A.6(a), the cost of any Member (other than an Independent Member) and involvement of individuals in the Information Exchange Committee Working Groups is not to be borne by AEMO.~~
- ~~(c) The cost to a Local Retailer, Market Customer and Distribution Network Service Provider of implementing and maintaining the necessary systems and processes to ensure compliance with B2B Procedures must be met by that Local Retailer, Market Customer or Distribution Network Service Provider.~~

5 Amendment of Rule 7.13

7.13 Evolving Technologies and Processes and Development of the Market

- (a) Evolving New technologies or processes that:
- (1) meet or improve the performance and functional requirements of this Chapter; or
 - (2) facilitate the development of the *market*,
- may be used if provided for in procedures made by AEMO under paragraph (b1) or other relevant Retail Market Procedures, or as agreed between the relevant *Market Participant(s)*, the *Local Network Service Provider* and *AEMO*, and the agreement of the *Local Network Service Provider* and *AEMO* must not be unreasonably withheld.
- (b) No agreement contemplated by rule 7.13(a) can be entered into if it materially and adversely affects the interests of persons other than the *Market Participant(s)* and the *Local Network Service Provider* who are parties to the agreement.

Note

This rule is classified as a civil penalty provision under the National Electricity (South Australia) Regulations. (See clause 6(1) and Schedule 1 of the National Electricity (South Australia) Regulations.)

- (b1) AEMO may establish and maintain procedures for the use of new technologies and processes, and must publish those procedures.
- (c) *AEMO* must, at least annually, *publish* a report on the application of newevolving technologies and processes.
- (d) *AEMO* must, at least annually, submit a written report to the *AEMC* on the extent to which this Chapter 7 may need to be amended in order to accommodate the new or evolving technologies and processes or the development of the *market*.
- (e) *AEMO* must, at least annually, prepare and *publish* a report on the impact of the introduction of retail competition on the wholesale market, including:
- (1) the scope for improvement in the operation of wholesale *market settlements*;
 - (2) developments in metering technology suited to more timely operation of the *market*; and
 - (3) the effectiveness of the provisions of this Chapter 7.
- (f) Having regard to the need to remove barriers to the adoption of economically efficient metering solutions and other economically efficient technology ('**efficient solutions**'), *AEMO* must:
- (1) monitor developments in the Australian metering standards; and
 - (2) consult with the *participating jurisdictions* and other interested parties on any changes proposed to be made to the Australian metering standards that may have the potential to create such barriers,
- and include any relevant findings in its report under paragraph (c).
- (g) The *Ministers of participating jurisdictions* must, by 30 June 2009, conduct and complete a review of type 5 and 6 *metering installations* and the *metrology procedure*.

- (h) In undertaking the review referred to in paragraph (g), the *Ministers of the participating jurisdictions* may:
- (1) review the outcomes from the Joint Jurisdictional Review of Metrology Procedures: Final Report of October 2004 (**the JJR report**) and identify any outstanding issues from the JJR report;
 - (2) make recommendations to resolve any outstanding issues from the JJR report;
 - (3) identify any additional barriers to the adoption of efficient solutions and make recommendations to reduce those barriers; and
 - (4) have regard to the need to maintain the regulatory certainty, in recognition that regulatory uncertainty is itself a major barrier to the adoption of efficient solutions.

6 Amendment of Rule 7.14 – Metrology and service level procedures

6.1 Amend clause 7.14.1:

7.14.1 Requirements of the metrology procedure

- (a) *AEMO* must establish, maintain and *publish* the *metrology procedure* that will apply to *metering installations* ~~in accordance with this rule 7.14 and this Chapter 7.~~

6.2 Amend clause 7.14.1A:

7.14.1A Requirements of the service level procedures

- (a) *AEMO* must establish, maintain and *publish* the *service level procedures* that will apply to the relevant categories of registration that apply to *Metering Providers* and *Metering Data Providers*, ~~in accordance with this Chapter 7 and this rule 7.14.~~
- (b) ~~[Deleted] *AEMO* must establish and *publish* the *service level procedures* in accordance with clause 7.1.3.~~

Comment [AEMO18]: This is unnecessary and is not specified for MSATS or metrology procedures

7 Amendment of Chapter 10

7.1 Insert the following definitions, in alphabetical order:

approved process

The process established under clause 7.1.4A.

Retail Market Procedures

Procedures made under these *Rules* for or in connection with the sale and *supply* of electricity to *retail customers* or the operation of retail electricity markets, including:

(a) *B2B Procedures*; and

(b) *Market Settlement and Transfer Solution Procedures*; and

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Comment [LT19]: Note: this is intended to replace the existing definition so that the definition inserted by this rule is applicable in all NEM jurisdictions

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- [\(c\) metrology procedure; and](#)
- [\(d\) service level procedures; and](#)
- [\(e\) procedures referred to in clause 7.13\(b1\) in relation to new technologies or processes; and](#)
- [\(f\) other procedures dealing with, or incidental to, the sale or supply of electricity or related services.](#)

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7.2 Delete the following definitions:

B2B Decision

A decision of AEMO to approve or not approve an *Information Exchange Committee Recommendation*.

B2B Determination Dispute

A dispute in relation to either a *B2B Decision* or an *Information Exchange Committee Recommendation*.

B2B Objective

The benefits from *B2B Communications* to *Local Retailers*, *Market Customers* and *Distribution Network Service Providers* as a whole should outweigh the detriments to *Local Retailers*, *Market Customers* and *Distribution Network Service Providers* as a whole.

B2B Principles

The following principles:

- (a) *B2B Procedures* should provide a uniform approach to *B2B Communications* in participating jurisdictions in which there are no franchise customers;
- (b) *B2B Procedures* should detail operational and procedural matters and technical requirements that result in efficient, effective and reliable *B2B Communications*;
- (c) *B2B Procedures* should avoid unreasonable discrimination between *Local Retailers*, *Market Customers* and *Distribution Network Service Providers*; and
- (d) *B2B Procedures* should protect the confidentiality of commercially sensitive information.

Comment [LT20]: AEMO considers that the B2B principles and the B2B objective (to the extent they remain relevant) are adequately covered by the NEO or other provisions of the regulatory framework. Accordingly there seems to be no justification for retaining multiple objectives in the NER.

B2B Procedures Change Pack

A document consisting of:

- (a) a *B2B Proposal*;
- (b) a report setting out an overview of the likely impact of the *B2B Proposal* on AEMO, *Local Retailers*, *Market Customers* and *Distribution Network Service Providers*;
- (c) draft *B2B Procedures* (incorporating proposed changes in mark up, where appropriate); and
- (d) an issues paper explaining why the *B2B Proposal* is being presented.

B2B Proposal

A proposal for *B2B Procedures*, or a *change* to the *B2B Procedures*, which is the subject of consultation by the *Information Exchange Committee*.

Distribution Network Service Provider Member

A *Member* appointed to the *Information Exchange Committee* in that membership category as set out in the *Information Exchange Committee Election Procedures*.

Independent Member

A *Member* appointed to the *Information Exchange Committee* in that membership category as set out in the *Information Exchange Committee Election Procedures*.

Information Exchange Committee

The committee established under clause 7.2A.2(a).

Information Exchange Committee Annual Report

The annual report prepared by the *Information Exchange Committee* in accordance with the *Information Exchange Committee Operating Manual*.

Information Exchange Committee Election Procedures

The procedures of that title which set out the process for election of *Members*.

Information Exchange Committee Operating Manual

The manual of that title prepared by the *Information Exchange Committee* which sets out the processes pursuant to which the *Information Exchange Committee* operates.

Information Exchange Committee Recommendation

A recommendation made by the *Information Exchange Committee* to AEMO to make *B2B Procedures* or to change the *B2B Procedures*.

Information Exchange Committee Working Groups

The groups established by the *Information Exchange Committee* to assist with the *Information Exchange Committee Works Programme*.

Information Exchange Committee Works Programme

The work programme prepared by the *Information Exchange Committee* in respect of the development, implementation and operation of the *B2B Procedures* and other matters which are incidental to effective and efficient *B2B Communications*.

Local Retailer/Market Customer Member

A *Member* appointed to the *Information Exchange Committee* in that membership category as set out in the *Information Exchange Committee Election Procedures*.

Member

A person appointed to the *Information Exchange Committee* pursuant to the *Information Exchange Committee Election Procedures*, and includes all membership categories, unless a contrary intention appears.