

Part 1 Preliminary

1 Citation

These rules may be cited as the *National Gas Rules 2008*.

2 Commencement

[Deleted]

3 Interpretation

In these rules:

access arrangement information – See rule 42.

access arrangement period for an applicable access arrangement means any of the following periods that may be applicable to the access arrangement:

- (a) the period between the commencement of the access arrangement and the commencement of the first revision of the access arrangement;
- (b) if the first revision of the access arrangement has not yet taken effect – the period between the commencement of the access arrangement and the revision commencement date for the access arrangement;
- (c) if revision of the access arrangement prior to its expiry is not contemplated – the period between the commencement of the access arrangement and the *expiry date* for the access arrangement;
- (d) the period between the actual commencement of successive revisions of the access arrangement;
- (e) the period between the commencement of the last revision of the access arrangement and the revision commencement date for the access arrangement;
- (f) if the access arrangement has been revised but further revision prior to its expiry is not contemplated – the period between the commencement of the last revision of the access arrangement and the *expiry date* for the access arrangement;

Note:

One should bear in mind that the actual date on which a revision takes effect may differ from a revision commencement date stated in the access arrangement (which is a date fixed some time in advance as the intended date for the revision to take effect). The revision commencement date is relevant to the definition of the *access arrangement period* only until the revision actually takes effect and the date thus crystallises.

access arrangement proposal means:

- (a) a full or limited access arrangement submitted for the AER's approval; or
- (b) an *access arrangement revision proposal*; or
- (c) an *access arrangement variation proposal*.

access arrangement revision proposal means a proposal for the revision of an access arrangement submitted for the AER's approval under rule 52.

access arrangement variation proposal means a proposal for the variation of an access arrangement submitted for the AER's approval under rule 65.

allowed rate of return see rule 87(1).

allowed rate of return objective see rule 87(3).

approved CTP process means a tender process approved by the AER under Part 5 as a competitive tender process.

contact details of a person means:

- (a) the street address of the person's place of residence or business; and
- (b) the person's postal address; and
- (c) the person's telephone number; and
- (d) the person's fax number; and
- (e) if the person has a website – the website address; and
- (f) the person's email address.

credit support means:

- (a) for the purposes of Part 19 – see rule 200.
- (b) for the purposes of Part 20 – see rule 364.
- (c) for the purposes of Part 21 – see rule 523.

CTP access arrangement means the access arrangement (based on the result of an *approved CTP process*) for a *CTP pipeline*.

CTP pipeline means a pipeline to which an irrevocable *tender approval decision* relates.

decision includes a recommendation, determination or order.

default interest rate means a rate of 2% above the interest rate.

distributor means:

- (a) For the purposes of Part 12A – see rule 119A.
- (b) For the purposes of Part 15A – as set out in that Part.
- (c) For the purposes of Part 19 – see rule 200.
- (d) For the purposes of Part 20 – see the definition of STTM distributor in rule 364.
- (e) For the purposes of Part 21 – see rule 502.

downstream location means a location to which natural gas is delivered by means of a pipeline and includes a location to which natural gas from the pipeline is delivered by means of a branch pipeline (a **lateral**).

element of an access arrangement proposal includes a part or provision of the *access arrangement proposal*.

energy laws has the meaning given in section 2(1) of the *NERL*.

expedited consultative procedure means the procedure for consultative *decision* making laid down in rule 9.

expiry date means a date fixed in an access arrangement for the expiry of the access arrangement.

extended consultative procedure means the procedure for consultative *decision* making laid down in rule 9A.

full access arrangement proposal means an *access arrangement proposal* consisting of, or relating to, a full access arrangement.

full regulation pipeline means a covered pipeline other than a *light regulation pipeline*.

incremental services means pipeline services provided by means of an extension to, or expansion of the capacity of, the pipeline.

insolvency official means a receiver, receiver and manager, administrator, provisional liquidator, liquidator, trustee in bankruptcy or person having a similar or analogous function.

interest rate means:

- (a) the most recent 1 month Bank Bill Swap Reference Rate mid rate determined by the Australian Financial Markets Association, as identified by AEMO on its website; or
- (b) if the above rate ceases to exist, or that rate becomes, in AEMO's reasonable opinion, inappropriate, the interest rate determined and published by AEMO on its website.

Law means the *NGL* and these rules.

light regulation pipeline means a pipeline by means of which light regulation services are provided.

limited access arrangement proposal means an *access arrangement proposal* consisting of, or relating to, a limited access arrangement.

National Energy Retail Law means the National Energy Retail Law set out in the Schedule to the *National Energy Retail Law (South Australia) Act 2011* of South Australia.

National Energy Retail Rules has the same meaning as in the *National Energy Retail Law*

NERL means the *National Energy Retail Law*.

NERR means the *National Energy Retail Rules*.

NGL means the National Gas Law.

non-delegable duty means a duty that a service provider cannot carry out through the instrumentality of another service provider under section 10 of the *NGL*.

rate of return consultative procedure means the procedure for consultative decision making laid down in rule 9B.

rate of return guidelines means the guidelines made under rule 87.

receipt or delivery point means a point on a pipeline at which a service provider takes delivery of natural gas, or delivers natural gas.

reclassification application means an application under section 128 of the *NGL* for reclassification of a pipeline.

reference tariff variation mechanism – See rules 92 and 97.

retail customer has the same meaning as in the *NGL*.

retailer has the same meaning as in the *NGL*.

retailer insolvency event – see rule 531.

review submission date means a date on or before which an *access arrangement revision proposal* is required to be submitted – See rules 49 to 52.

revision commencement date for an applicable access arrangement means the date fixed in the access arrangement as the date on which revisions resulting from a review of an access arrangement are intended to take effect.

scheme pipeline service provider means a service provider for a scheme pipeline.

serve – a pipeline *serves* a particular location or point if there is a *receipt or delivery point* at that location or point into which natural gas is injected, or from which natural gas is delivered.

standard consultative procedure means the procedure for consultative *decision* making laid down in rule 8.

tender approval decision means a *decision* by the AER under Part 5 approving a tender process as a competitive tender process;

upstream location means a location at which natural gas is injected into a pipeline.