

**ERC0192 – Transmission Connection and Planning Arrangements rule change**  
**Chapters 5 and 6A clause restructure**

**IMPORTANT NOTE**

The tables below provide a high-level summary of the clauses of the National Electricity Rules (NER) that have moved, have been renumbered, are new or have been deleted by the National Electricity Amendment (Transmission Connection and Planning Arrangements) Rule 2017.

A reference to an 'old provision' is a reference to a rule or clause (as the case may be) of version 91 of the NER and a reference to a 'new provision' is a reference to a rule or clause (as the case may be) introduced under the final rule.

These tables do not provide details of amendments to existing provisions of the NER by the final rule.

The information set out in these tables is for guidance only. Please refer to the final rule itself for further details.

**Clauses that have moved**

<b>Old provision</b>	<b>New provision</b>
5.3.7A (Application for connection to declared shared network)	5.3B
5.4 (Design of Connected Equipment)	5.6
5.4AA (Network support payments and functions)	5.3A.12
5.5 (Access arrangements relating to Distribution Networks)	5.3AA
5.4.5 (Register of completed embedded generation projects)	5.18B
6A.30 (Commercial arbitration for prescribed and negotiated transmission services)	5.5 (with amendments)
6A.1.2 (Meaning of terms and conditions of access for transmission services)	5.5.1(c) (with amendments)
6A.1.3 (Access to prescribed and negotiated transmission services)	5.2A.3 (with amendments)
6A.9.1 (principles relating to access to negotiated transmission services)	Schedule 5.11
6A.9.5 (preparation of and requirements for negotiating framework)	See below 'Clause 6A.9.5 changes and moves' for details

**Clauses that have been renumbered**

<b>Old provision</b>	<b>New provision</b>
5.1.2 (Purpose and Application)	5.1A.1
5.1.3 (Principles)	5.1A.2
Part B (Network Planning and Expansion)	Part D

## **New clauses**

- Clause 5.1.1 (Structure of this Chapter)
- Clause 5.1.2 (Overview of Part B and connection and access under the Rules)
- Clause 5.2.7 (Obligations of Dedicated Connection Asset Service Providers)
- All clauses in new part 5.2A (Transmission network connection and access) (incl. clauses 5.2A.1, 5.2A.2, 5.2A.3, 5.2A.4, 5.2A.5, 5.2A.6, 5.2A.7, 5.2A.8)
- Clause 5.3.1(e)
- Clause 5.3.2(g)
- Clause 5.3.3(b)(5A), 5.3.3(b)(7)-(11) and 5.3.3(c)(5)(ii) (Response to connection enquiry)
- Clause 5.3.4(b)(1)-(4) (Application for connection), 5.3.4(b1), 5.3.4(f)(3)
- Clause 5.3.6(b4) and (b5) (Offer to connect)
- Clause 5.3.7(a)(2), (f1), (f2)
- Clause 5.3.8(a1)
- Clause 5.3B(c)
- Rule 5.4 (Independent Engineer) (incl. clauses 5.4.1, 5.4.2, 5.4.3, 5.4.4, 5.4.5 and 5.4.6)
- Clause 5.7.8 (Contestable IUSA components)
- Clause 5.10.1(f1), (j1)
- Clause 5.12.2(c)(1)(i)-(iv), 5.12.2(c)(3)(i)-(iv), 5.12.2(c)(9), 5.12.2(c)(10) (Transmission Annual Planning Report)
- Clause 5.14.3 (Joint planning obligations of Transmission Network Service Providers)
- Rule 5.14B (TAPR Guidelines)
- Schedule 5.6 Part A, paragraphs (m)-(o) and Part B (Terms and Conditions of Connection agreements and network operating agreements)
- Schedule 5.10 (Information requirements for *Transmission Network Service Providers* (clause 5.2A.6))
- Schedule 5.11 (Negotiating principles for negotiated transmission services (clause 5.2A.6))
- Schedule 5.12 (Negotiating principles for large DCA services)

## **Deleted clauses**

- Clause 5.1.2(a)(1) (Purpose and Application) (now 5.1A.1(a)(1))
- Clause 5.3.4A(a)
- Clause 5.3.6(i) and (k) (Offer to connect)
- Rule 5.4A (Access arrangements relating to Transmission Networks)
- Clause 6A.1.1(a)(2), 6A.1.1(c), 6A.1.1(j) (Economic regulation of transmission services generally)
- Clause 6A.1.2
- Clause 6A.1.3

- Clause 6A.1.5(b) and (c)
- Clause 6A.2.1(2)
- Clause 6A.2.2(2) and (3)
- Rule 6A.9 (except clause 6A.9.1 – moved to Schedule 5.11)
- Clause 6A.10.1(b), (d)
- Clause 6A.11.1(a)(2)
- Clause 6A.11.3(a)(2)
- Clause 6A.12.1(d)
- Clause 6A.12.3(a)(2), (d), (f)(2)
- Clause 6A.13.2(c)
- Clause 6A.14.1(6) and (7)
- Clause 6A.14.3(f) and (i)
- Schedule 6A.4.2(e) and 6A.4.2(f)(1)(a)(2), (1)(ca), 6A.4.2(l)

#### Clause 6A.9.5 changes and moves

Subclause	Summary	Contained in Chapter 5	Comment
(a)	The Transmission Network Service Provider (TNSP) must prepare the negotiating framework setting out the procedure to be followed during negotiations between the TNSP and an applicant.	No	Not required in schedule 5.11 – there is no longer a negotiating framework.
(b)(1)	The negotiating framework must comply with and be consistent with the applicable requirements of a transmission determination applying to the provider.	No	Not required in schedule 5.11 – this is redundant.
(b)(2)	The negotiating framework must comply with and be consistent with paragraph (c), which sets out the minimum requirements for a negotiating framework.	No	Not required in schedule 5.11 – this is redundant.
(c)(1)	The negotiating framework must specify a requirement for the TNSP and an applicant to negotiate the terms and conditions of access for provision of the negotiated transmission service in good faith.	5.2A.3(c), 5.3.6 and 5.3.7	
(c)(2)	The negotiating framework must specify a requirement for the TNSP to provide all such commercial information as an applicant may reasonably require to enable that applicant to engage in effective negotiation.	5.2A.5(c)	

(c)(3)(i)	The negotiating framework must specify a requirement for the TNSP to identify and inform an applicant of the reasonable costs and/or the increase/decrease in costs of providing the service.	5.2A.6(b)	
(c)(3)(ii)	The negotiating framework must specify a requirement for the TNSP to demonstrate to an applicant that the charges for providing the service reflect those costs and/or the cost increment or decrement.	5.2A.6(b)	
(c)(4)	The negotiating framework must specify a requirement for the applicant to provide all commercial information as the TNSP may reasonably require to enable that TNSP to engage in effective negotiation.	5.2A.5(c)	
(c)(5)	The negotiating framework must specify a reasonable period of time for commencing, progressing and finalising negotiations with an applicant for the provision of the service, and a requirement that each party to the negotiation must use its reasonable endeavours to adhere to those time periods during the negotiations.	5.3	Stipulated time periods are outlined in proposed amendments in rule 5.3.
(c)(6)	The negotiating framework must specify a process for dispute resolution which provides that all disputes as to the terms and conditions of access for provision of the service are to be dealt with in accordance with Part K of Chapter 6A [now rule 5.5].	Rule 5.5	
(c)(7)	The negotiating framework must specify the arrangements for payment by an applicant of the TNSP's reasonable direct expenses incurred in processing the application.	5.3.3(c)(5)	
(c)(8)	The negotiating framework must specify a requirement that the TNSP determine the potential impact on other users of the provision of the service.	Clause 5.2A.6(b)	
(d)	The negotiating framework must not be inconsistent with any of the other requirements of Chapters 4, 5 and 6A of the NER.	No	Not required in schedule 5.11 – this is redundant.

(e)	Each TNSP and applicant who is negotiating for the provision of a service by the TNSP must comply with the requirements of the negotiating framework.	No	Not required in schedule 5.11 – this is redundant.
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