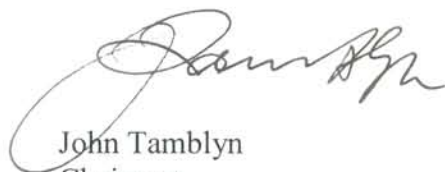


National Electricity Amendment (EnergyAustralia Participant Derogation (Metering Installations)) Rule 2006 No.11

under the National Electricity Law as applied by:

- (a) the National Electricity (South Australia) Act 1996; and
- (b) the Electricity (National Scheme) Act 1997 of the Australian Capital Territory; and
- (c) the National Electricity (New South Wales) Act 1997 of New South Wales; and
- (d) the Electricity - National Scheme (Queensland) Act 1997 of Queensland; and
- (e) the Electricity - National Scheme (Tasmania) Act 1999 of Tasmania; and
- (f) the National Electricity (Victoria) Act 1997 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

National Electricity Amendment (EnergyAustralia Participant Derogation (Metering Installations)) Rule 2006 No.11

1. Title of Rule

This Rule is the *National Electricity Amendment (EnergyAustralia Participant Derogation (Metering Installations)) Rule 2006 No.11*.

2. Commencement

This Rule commences operation on 1 July 2006.

3. Amendment of the National Electricity Rules

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

Schedule 1 Amendment of National Electricity Rules

(Clause 3)

[1] Chapter 8A Participant derogations

After clause 8A.2, insert:

8A.2A Derogation from inspection and testing of metering installations

8A.2A.1 Definitions

In this *participant derogation*, rule 8A.2A:

EnergyAustralia means the energy distributor known as EnergyAustralia and established under the Energy Services Corporations Act 1995 (NSW).

EnergyAustralia transmission metering installations means any type 2 and type 3 *metering installation* located at the interface between EnergyAustralia's *transmission network* and EnergyAustralia's *distribution network* in New South Wales on the date that the National Electricity Amendment (EnergyAustralia Participant Derogation (Metering Installations)) Rule 2006 commences operation.

expiry date means 1 July 2009 or the publishing of an expiration notice by the *AEMC* under clause 8A.2A.2(h) of this *participant derogation*.

report means a report in writing submitted by EnergyAustralia at 6 monthly intervals, which is prepared as soon as practicable after the EnergyAustralia transmission metering installations are tested, that outlines compliance of the EnergyAustralia transmission metering installations with the requirements of the derogated provisions of the *Rules* as identified in clause 8A.2A.2.

type 2 and type 3 metering installation means the meaning given to type 2 and type 3 *metering installations* in Chapter 7 of the *Rules*.

8A.2A.2 Derogation

- (a) Until the expiry date, the following clauses of the *Rules* (referred to as the '**derogated provisions of the Rules**') do not apply to EnergyAustralia transmission *metering installations*:
 - (1) clause 7.3.1(a)(2);
 - (2) clause 7.3.4(a); and
 - (3) clause 7.6.1(a).
- (b) Until the expiry date, the EnergyAustralia transmission *metering installations* and the *metering data* generated from them is taken to comply with the requirements of the derogated provisions of the *Rules*.

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- (c) Until the expiry date, EnergyAustralia must provide a report to *NEMMCO*.
 - (d) If *NEMMCO* is not satisfied that a report is satisfactory, *NEMMCO* may give notice to EnergyAustralia that it will recommend to the *AEMC* the issue of a notice under paragraph (f) if the next report continues to be unsatisfactory.
 - (e) Where a report is unsatisfactory, *NEMMCO* may make appropriate adjustments to the *metering data* in the report to take account of errors in that data, in order to minimise adjustments to the final *settlements* account or for any other requirement of the *Rules*.
 - (f) If notice was given to EnergyAustralia under paragraph (d) and *NEMMCO* considers that the next report continues to be unsatisfactory, *NEMMCO* may recommend to the *AEMC* the issue of an expiration notice under paragraph (g).
 - (g) If *NEMMCO* recommends to the *AEMC* the issue of an expiration notice, the *AEMC* may issue a notice having regard to that recommendation and the *NEM objective*.
 - (h) A notice must be published in the South Australian Government Gazette and takes effect 4 weeks after it is published.
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