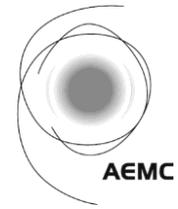


**Access, pricing and incentive arrangements for distributed energy resources (ERC0311, RRC0039)  
Report on rule not made within 12 months under NEL section 108A and NERL section 269**



**Purpose**

The Commission is required under s. 108A of the National Electricity Law (NEL) and section 269 of the NERL to publicly report on rules not made within 12 months of the publication of the notice of the commencement of the rule change process.

**Background**

In early July 2020, the Australian Energy Market Commission (AEMC) received three rule change requests from:

- SA Power Networks (SAPN) – ERC0311 and RRC0039
- St Vincent de Paul Society Victoria (SVDP) - ERC0310
- and Total Environment Centre (TEC) together with the Australian Council of Social Service (ACOSS) – ERC0309

These proponents requested that amendments be made to the National Electricity Rules and National Energy Retail Rules to integrate distributed energy resources more efficiently into the electricity grid.

On 30 July 2020, the Commission published a consultation paper and notice advising of its commencement of the rule making process and consultation in respect of these rule change requests. The Commission received 52 submissions as part of the first round of consultation.

**Reason for the final rule determination not being made within 12 months**

On 12 November 2020 the Commission published a consolidation notice related to the consolidation of ERC0311, ERC0310 and ERC0309 and extended the timeline for publishing a draft determination to 25 March 2021. The Commission considered that the time extension was necessary to further consider concerns regarding potential impacts of export pricing on customers and to further engage with key stakeholders on some key policy issues. The Commission published the draft rule determination 25 March 2021.

On 6 May 2021, the Commission extended the submissions due date for the second round of consultation to provide stakeholders more time to prepare their submissions. The timeline was extended by two weeks with the submissions closing on 27 May 2021. The Commission received 47 submissions from organisations, 100 from private individuals and a bundle of 912 private individual submissions in response to the draft rule determination.

On 2 July 2021, the Commission extended the period of time for making the final determination to 12 August 2021. The extension follows a large amount of diverse feedback received as part of the submissions process. The timeline was extended to carefully consider the large amount of feedback received and develop rules drafting for the final policy decisions.

**Expected time for making a final rule determination**

The final rule determination is due to be made by **12 August 2021**.