

Drafting Note—These Rules have been approved by the Ministerial Council on Energy and will be made by the South Australian Minister shortly before the application by the first participating jurisdiction of the Schedule to the National Energy Retail Law (South Australia) Act 2010. These Rules will commence on the same date and at the same time as the application of that Schedule in that jurisdiction.

NATIONAL ELECTRICITY (MISCELLANEOUS AND CONSEQUENTIAL)
AMENDMENT RULES 2010

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1 Citation

These Rules may be cited as the *National Electricity (Miscellaneous and Consequential) Amendment Rules 2010*.

2 Rules amended

These Rules amend the *National Electricity Rules*.

3 Commencement

These Rules come into operate on [TBA].

4 Clause 2.3.1 (Registration as a Customer)

Clause 2.3.1(b)(2), substitute:

(2) registration is for the purpose of acting as a *RoLR*.

5 Clause 2.9A.3 (Approval for Transfer of Registration)

Clause 2.9A.3, after paragraph (c) insert:

(d) If an application is made for transfer of the registration of a *Market Customer* that is a *retailer*:

(1) *AEMO* must, before deciding the application, consult with the *AER* about the application; and

(2) the period of 15 *business days* allowed for deciding the application under paragraph (a) is extended by the period reasonably required for the consultation; and

(3) *AEMO* must notify the *AER* of its decision on the application.

6 Rule 2.10 (Ceasing to be a Registered Participant), clause 2.10.1 (Notification of intention)

Clause 2.10.1, after paragraph (e) insert:

- (f) If a *Market Customer* that is a *retailer* gives a notice under this clause, *AEMO* must, before deciding whether to reject the notice under paragraph (d), consult with the *AER*.

7 New clause 3.13.12A (NMI Standing Data Schedule)

After clause 3.13.12 insert:

3.13.12A NMI Standing Data Schedule

- (a) *AEMO* must, in consultation with the responsible authorities for participating jurisdictions, *Registered Participants*, and other interested persons, develop a scheme for an NMI standing data schedule (the ***NMI Standing Data Schedule***).
- (b) In developing the scheme, *AEMO* must have regard to the jurisdictional NMI standing data schedules.
- (c) The proposed scheme must include provisions dealing with:
 - (1) the obligations of *Registered Participants* and others to provide information for inclusion in the Schedule; and
 - (2) the rights of *Registered Participants* and others to have access to the Schedule; and
 - (3) amendment of the Schedule.
- (d) The scheme supersedes clause 3.13.12 and, on the date it takes effect, that clause is revoked.
- (e) *AEMO* must publish a notice of its adoption of the scheme in the South Australian Government Gazette:
 - (1) setting out the provisions of the scheme; and
 - (2) fixing a date for its commencement.
- (f) The scheme takes effect on the date fixed under paragraph (e)(2).

8 Clause 3.15.21 (Default procedure)

- (1) Clause 3.15.21(a)(1), substitute:
 - (1) the *Market Participant* does not pay money due for payment to *AEMO* under the *Rules* by the appointed time on the due date;

(2) Clause 3.15.21(a)(11), substitute:

(11) an administrator, provisional liquidator, liquidator, trustee in bankruptcy or person having a similar or analogous function is appointed in respect of the *Market Participant* or a provider of *credit support* for the *Market Participant*,

(3) Clause 3.15.21(a)(12), substitute:

(12) an order is made, or a resolution is passed, for the winding up of the *Market Participant* or a provider of *credit support* for the *Market Participant*,

(4) Clause 3.15.21(j), omit.

9 Clause 3.18.5 (Settlement residue committee)

Clause 3.18.5(c)(7), substitute:

(7) a person appointed by the *AEMC* to represent *retail customers*.

10 Clause 5.1.3 (Principles)

Clause 5.1.3(e), omit.

11 Clause 5.3.1 (Process and procedures)

Clause 5.3.1(c), omit.

12 Clause 5.3.2 (Connection enquiry)

Clause 5.3.2(a), omit “or (c)”

13 Clause 6.2.2 (Classification of direct control services as standard control services or alternative control services)

Clause 6.2.2(c)(5), omit “customer”, insert “person”.

14 Clause 6.12.1 (Constituent decisions)

Clause 6.12.1(17), substitute:

(17) a decision on the procedures for assigning *retail customers* to *tariff classes*, or reassigning *retail customers* from one *tariff class* to another (including any applicable restrictions);

15 Clauses 6.18.3 to 6.18.7 (Minor amendments)

Clauses 6.18.3 to 6.18.7, substitute “*retail customers*” for “customers” wherever occurring.

16 Clause 6.19.2 (Confidentiality of distribution network pricing information)

Clause 6.19.2(b), omit “customer”, substitute “*retail customer*”

17 Clause 7.1.1 (Purpose)

Clause 7.1.1(a), omit.

18 New Rule (Disclosure of NMI information)

After Rule 7.5, insert:

7.5A Disclosure of NMI information

7.5A.1 Application of this Rule

A *retailer* is entitled to information under this *Rule* only if the relevant information is not available to the *retailer* through the *Market Settlement and Transfer Solution Procedures*.

7.5A.2 NMI and NMI checksum

(a) A *Distribution Network Service Provider* must, at the request of a *retailer*, and within 1 *business day* of the date of the request, provide the *retailer* with the *NMI* and *NMI checksum* for premises identified in the request by reference to:

(1) a unique meter identifier held by the *Distribution Network Service Provider*, or

- (2) a street address; or
 - (3) the code used by Australia Post to provide a unique identifier for postal addresses.
- (b) If a computer search by the *Distribution Network Service Provider* does not produce a unique match for the information provided by the *retailer*, the *Distribution Network Service Provider* must provide the *retailer* with any computer matches achieved up to a maximum of 99.

7.5A.3 NMI Standing Data

A *Distribution Network Service Provider* must, at the request of a *retailer*, and within 2 *business days* of the date of the request, provide the *retailer* with the *NMI Standing Data* for premises identified in the request by reference to the *NMI* for the premises.

19 Rule 7.7 (Entitlement to metering data)

Rule 7.7(d), substitute:

- (d) Despite anything to the contrary in this *Rule*, *AEMO* may provide an *energy ombudsman* with *metering data* relating to a *Registered Participant* from a *metering installation*, the *metering database*, or the *metering register* if the ombudsman has received a complaint to which the data is relevant from a *retail customer* of the *Registered Participant*.

20 Rule 7.8 (Security of Metering Installations and Data)

- (1) Clause 7.8.1(e)(1), substitute:
- (1) the *financially responsible Market Participant* if the seal was broken by a *retail customer* of that *Market Participant*;
- (2) Clause 7.8.2(g), substitute “*retail customer*” for “customer” (first occurring)

21 New Rule (Power to make Electricity Procedures)

After Rule 8.2A insert:

8.3 Power to make Electricity Procedures

- (a) *AEMO* may make *Electricity Procedures*.
- (b) *Electricity Procedures* may govern:
 - (1) the operation of the *national electricity market*, or
 - (2) the sale and supply of electricity to *retail customers*.
- (c) *Electricity Procedures* may amend or revoke procedures formerly made under this Part or *AEMO*'s general administrative powers to regulate electricity markets.

22 Rule 8.10 (Consumer advocacy funding obligation)

Rule 8.10(b), substitute:

- (b) *AEMO* may recover the costs of meeting its consumer advocacy funding obligation from *participant fees* and may allocate the costs to *Market Customers*.

23 Chapter 10 (Glossary)

- (1) Substitute the following definitions:

Distribution Customer

A Customer, Distribution Network Service Provider, Non-Registered Customer, franchise customer, or retail customer having a connection point with a distribution network.

tariff class

A class of retail customers for one or more direct control services who are subject to a particular tariff or particular tariffs.

- (2) Omit the following definition:

retailer of last resort

In relation to a jurisdiction, means a person or persons required under the retailer of last resort arrangements of that jurisdiction to assume the obligations under the Rules (including the obligation to pay trading amounts and other amounts due under the Rules) of a Market Customer

- (3) Insert the following definitions (in alphabetical order):

Electricity Procedures

Procedures made under these *Rules* including:

- (a) *Retail Market Procedures*; and
- (b) procedures governing the operation of the *National Electricity Market*; and
- (c) *RoLR procedures* for electricity; and
- (d) procedures dealing with any other subject on which these *Rules* empower the making of procedures.

energy ombudsman

Has the same meaning as in the *NERL*.

National Energy Retail Law

Means the *National Energy Retail Law* set out in the Schedule to the *National Energy Retail Law (South Australia) Act 2010* of South Australia.

National Energy Retail Rules

Has the same meaning as in the *National Energy Retail Law*.

NERL

National Energy Retail Law.

NERR

National Energy Retail Rules.

retail customer

Has the same meaning as in the *National Electricity Law*.

retailer

Has the same meaning as in the *National Electricity Law*.

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) the *Market Settlement and Transfer Solution* (MSATS) Procedures; and
- (c) the *metrology procedures*; and
- (d) other procedures dealing with, or incidental to, the retail sale or supply of electricity or related services.

RoLR cost recovery scheme distributor payment determination

Has the same meaning as in the *National Energy Retail Law*.

RoLR Procedures

Has the same meaning as in the *National Energy Retail Law*.

RoLR

Has the same meaning as in the *National Energy Retail Law*.
