

***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 GAS RETAIL MARKET AMENDMENT PROCEDURES 2010

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### TABLE OF PROVISIONS

Part 1	Formal provisions	
1	Citation .....	1
2	Commencement .....	1
Part 2	Amendment of Retail Market Procedures (Victoria)	
3	Procedures amended .....	1
4	Clause 1.1 (Definitions) .....	1
5	Clause 6.1 (Retailer of Last Resort Event) .....	2
Part 3	Amendment of Retail Market Procedures (Queensland)	
6	Procedures amended .....	3
7	Clause 1.1 (Definitions) .....	3
Part 4	Amendment of Retail Market Procedures (NSW and ACT)	
8	Procedures amended .....	3
9	Clause 1.3 (Definitions) .....	3
10	Clause 5 (Requirement to provide customer information) .....	4
11	Clause 12 (Retailer of Last Resort Information).....	5
12	Clause 13 (Last Resort Supply Event).....	6
Part 5	Amendment of Retail Market Procedures (South Australia)	
13	Procedures amended .....	8
14	Clause 2 (Definitions) .....	8
15	Part 7.1 (Explicit Informed Consent).....	8

## Part 1                    Formal provisions

### 1                    Citation

These Procedures may be cited as the *National Gas Retail Market Amendment Procedures 2010*.

### 2                    Commencement

These Procedures take effect on [TBA].

## Part 2                    Amendment of Retail Market Procedures (Victoria)

### 3                    Procedures amended

This Part amends the Retail Market Procedures (Victoria).

### 4                    Clause 1.1 (Definitions)

(1) Clause 1.1.1, definition of **complete customer listing**, omit “*non-declared host Retailer*” (twice occurring), substitute “*non-local area retailer*” (in each case)

(2) Clause 1.1.1, definition of **explicit informed consent**, omit, substitute:

**explicit informed consent** has the same meaning as in the National Energy Retail Law.

(3) Clause 1.1.1, definition of **failed Retailer**, omit, substitute:

**failed retailer** has the same meaning as in the National Energy Retail Law.

(4) Clause 1.1.1, definition of **non-declared host Retailer**, omit, substitute:

**non local area retailer** means a *retailer* that is not a *local area retailer*.

(5) Clause 1.1.1, new definitions, insert (in alphabetical order):

**designated RoLR** has the same meaning as in the National Energy Retail Law.

**local area retailer** has the same meaning as in the National

Energy Retail Law.

**RoLR notice** has the same meaning as in the National Energy Retail Law.

**5 Clause 6.1 (Retailer of Last Resort Event)**

(1) Clause 6.1.1, omit, substitute:

**6.1.1 Application of this Chapter**

This Chapter applies if:

- (a) *AEMO* issues a *suspension notice* to a *Retailer* under Part 19 of the *Rules*; or
- (b) the *AER* issues a *RoLR notice* under Part 6 of the National Energy Retail Law.

(2) Clause 6.1.3 (and note), omit, substitute:

**6.1.3 Metering register update**

Before the *RoLR gas day*, for each *MIRN* for which the *failed Retailer* is recorded as the *FRO* and to which clause 6.1.2 does not apply, *AEMO* must amend the *metering register* by recording the *designated RoLR* for the relevant *distribution area* as the *FRO*.

(3) Clause 6.1.4 omit “*declared host Retailer*” (wherever occurring), substitute “*designated RoLR*” (in each case)

(4) Clause 6.1.6 omit “*declared host Retailer*”, substitute “*designated RoLR*”

### **Part 3                   Amendment of Retail Market Procedures (Queensland)**

#### **6                   Procedures amended**

This Part amends the Retail Market Procedures (Queensland).

#### **7                   Clause 1.1 (Definitions)**

- (1) Clause 1.1.1, definition of ***explicit informed consent***, omit, substitute:

***explicit informed consent*** has the same meaning as in the National Energy Retail Law.

- (2) Clause 1.1.1, definition of ***host retailer***, omit, substitute:

***host retailer*** means the local area retailer under the National Energy Retail Law for the APT Allgas *distribution region* or the Envestra *distribution region* (as the case may require).

- (3) Clause 1.1.1, definition of ***Procedures***, omit “made in accordance with the *Rules*”

### **Part 4                   Amendment of Retail Market Procedures (NSW and ACT)**

#### **8                   Procedures amended**

This Part amends the Retail Market Procedures (NSW and ACT).

#### **9                   Clause 1.3 (Definitions)**

- (1) Clause 1.3, definition of ***affected user***, omit, substitute:

***affected user*** means a *failed retailer*.

- (2) Clause 1.3, definitions of ***last resort supply event*** and ***last resort supply arrangements***, omit.

- (3) Clause 1.3, definition of ***Procedures***, omit “made and amended in accordance with the National Gas Law and the *Rules*”

- (4) Clause 1.3, definition of **retailer of last resort**, omit, substitute (in alphabetical order):

**RoLR** means retailer of last resort.

- (5) Clause 1.3, definition of **RoLR affected delivery point**, paragraph (2), omit, substitute:

(2) a *default RoLR* is recorded in the *delivery point registry*.

- (6) Clause 1.3, definition of **RoLR effective date**, paragraph (1), omit, substitute:

(1) the *transfer date*; or

- (7) Clause 1.3, new definitions, insert (in alphabetical order):

**default RoLR** has the same meaning as in Part 6 of the National Energy Retail Law.

**designated RoLR** has the same meaning as in Part 6 of the National Energy Retail Law.

**failed retailer** has the same meaning as in Part 6 of the National Energy Retail Law.

**RoLR event** has the same meaning as in Part 6 of the National Energy Retail Law.

**RoLR notice** has the same meaning as in Part 6 of the National Energy Retail Law.

**transfer date** has the same meaning as in Part 6 of the National Energy Retail Law.

## 10 **Clause 5 (Requirement to provide customer information)**

- (1) Clause 5.1, definition of **customer information**, paragraph (14) omit, substitute:

(14) the identity of the *default RoLR*.

- (2) Clause 5.2(2), omit “*retailer of last resort*”, substitute “*default RoLR*”

- (3) Clause 5.3, heading, omit “**last resort supply event**”, substitute “**RoLR event**”

- (4) Clause 5.3, omit “*low consumption delivery point*”, substitute “*delivery point identifier*”

- (5) Clause 5.4(2), omit, substitute:

(2) If the *Rules administrator* receives a *RoLR notice*, the *Rules*

*administrator* will provide the *designated RoLR* for the *RoLR affected delivery point* with:

- (a) the latest *customer information* supplied by the *affected user* under **clause 5.2** in relation to that *delivery point* within one *business day* of receipt of the *RoLR notice*; and
- (b) the *customer information* supplied by the *affected user* under **clause 5.3** in relation to that *delivery point* within one *business day* of receipt of that information from the *affected user*.

## **11 Clause 12 (Retailer of Last Resort Information)**

- (1) Clause 12.1, omit, substitute:

### **12.1 Incoming users to identify default RoLR in change of user transaction**

If:

- (1) an *incoming user* initiates a change of user transaction for a *delivery point* under **clause 6**; and
- (2) the *incoming user* is not the *default RoLR* for that *delivery point*,

then the *incoming user* must provide the *registry operator* with the name of the *default RoLR* for the relevant *delivery point* under **clause 6.2(3)**.

- (2) Clause 12.2, omit, substitute:

### **12.2 Current user to identify default RoLR in creation of delivery point transaction**

If:

- (1) a *current user* initiates a creation of *delivery point* transaction for a new *delivery point* under **clause 9**; and
- (2) the *current user* is not the *default RoLR* for that *delivery point*,

then the *current user* must provide the *registry operator* with the name of the *default RoLR* for the relevant *delivery point* under **clause 9.2(3)**.

- (3) Clause 12.3, amend as follows:

- (a) heading and subclauses (1), (2) and (3), omit "*retailer of last resort*" (wherever it occurs), substitute in each case "*default*"

*RoLR*

- (b) subclauses (1) and (2), omit “any regulatory agency” (wherever occurring), substitute “the AER” (in each case)
- (c) subclause (3), omit “*low consumption*”
- (4) Clauses 12.4 and 12.5, omit.

**12 Clause 13 (Last Resort Supply Event)**

- (1) Clause 13.1, omit, substitute:

**13.1 Notification of last resort supply event**

- (1) If the *Rules administrator* receives a *RoLR notice*, the *Rules administrator* will as soon as practicable, but in any event not later than one *business day* after receiving the notice:
  - (a) notify each *market participant*:
    - (i) that a *RoLR event* has occurred; and
    - (ii) of the *transfer date*; and
    - (iii) of the name of the *affected user*, and
  - (b) request the *affected user* to provide it with *customer information* (as defined in **clause 5.1**) in accordance with **clause 5.3**; and
  - (c) create a list by *network section* of all the *delivery points* for which the *affected user* is the *current user* (current as at the time and date the list is provided) specifying the *designated RoLR* for each *delivery point*.
- (2) The *Rules administrator* must, as soon as practicable, but in any event not more than 2 *business days* after the *transfer date* provide each *designated RoLR* with:
  - (a) a list by *network section* of the *delivery points* for which the *affected user* is the *current user*, and
  - (b) the latest information required to be notified under **clause 32.1**;
- (3) The *Rules administrator* must, as soon as practicable but in any event not more than 2 *business days* after the *transfer date*, provide the relevant *network operators* with a list of *delivery points* in their *network section* transferred from the *affected user* to the *designated*

*retailer.*

(2) Clause 13.2, omit, substitute:

### **13.2 Acceleration of transactions**

(1) AEMO will, no later than 2 *business days* after the *transfer date*:

(a) identify the following *open* transactions in respect of *RoLR affected delivery points* (each an **affected user open transaction**):

(i) all *open* change of *standing data*, creation of *delivery point*, and *deactivation* of *delivery point* transactions initiated by the *affected user*;

(ii) all *open* correction of error transactions initiated by the *affected user*;

(iii) all *open* correction of error transactions where:

(A) the relevant transaction (as defined in **clause 11**) was a change of user transaction for a *delivery point*; and

(B) at the time the change of user transaction was initiated, the *affected user* was the *current user* of the *delivery point*; and

(b) notwithstanding any contrary provisions:

(i) complete each *affected user open* transaction in the *delivery point registry*; and

(ii) notify the parties to those transactions of their completion.

(3) Clause 13.3, omit, substitute:

### **13.3 Cancellation of open change of user transactions**

AEMO will, no later than 2 *business days* after the *transfer date*:

(a) identify all *open* change of user transactions initiated by:

(i) the *affected user* in respect of *delivery points*; or

(ii) a *user* other than the *affected user* in respect of *delivery points* for which the *current user* is the *affected user*; and

(b) notwithstanding any contrary provisions:

(i) cancel those transactions in the *delivery point registry*;

and

- (ii) notify the former parties to those transactions of their cancellation.

(4) Clause 13.4, omit “retailer of last resort” wherever it occurs in the heading and subclauses (1), (2) and (3), substitute in each case “*designated RoLR*”

(5) Clause 13.5, omit, substitute:

**13.5 Provision of meter reading for transfer to designated RoLR**

As soon as practicable, but in any event not later than 30 *business days* after the *RoLR notice* is issued, the *meter data agent* must provide AEMO with a *meter reading* for the relevant *delivery point* up to the *RoLR effective date* as the end date.

(6) Clauses 13.6, 13.7, 13.8, 13.9 and 13.10, omit.

**Part 5 Amendment of Retail Market Procedures (South Australia)**

**13 Procedures amended**

This Part amends the Retail Market Procedures (South Australia).

**14 Clause 2 (Definitions)**

(1) Clause 2, definition of “**explicit informed consent**”, omit, substitute:

“**explicit informed consent**” has the same meaning as in the National Energy Retail Law.

(2) Clause 2, definitions of **ROLR**, **ROLR administrator**, **ROLR event** and **ROLR scheme**, omit

**15 Part 7.1 (Explicit Informed Consent)**

Part 7.1 (comprising clause 349), omit.