



National Electricity and Gas Rules Update 2018

April-June 2018 | Rule changes as at 1 July 2018

National Electricity Rules

There have been six new rule change requests. These consist of proposed changes to the Reliability and Emergency Reserve Trader (**RERT**) framework, AEMO's method for settling the NEM, timeframes for meter installations for small customers, compensation for NEM participants during periods of market suspension, AER responsibility for reporting customer reliability values and prescription of three years notice for generators ceasing operation.

There have also been six new final determinations. These consist of reinstating the long-notice RERT, removing the requirement for AEMO to consider network constraints when assessing aggregate generation capacity in each region, early application of the AER's demand management incentive scheme, shorter notification requirements for routine testing of system restart ancillary services and minor changes to both the governance of the Reliability Panel and the NER.

One new draft determination has been published regarding generating systems access.

National Energy Retail Rules

There have been four new rule change requests. These consist of a requirement for retailers to inform customers of their rights regarding meter installation timeframes, a new guideline outlining minimum standards for industry hardship policies, an allowance for customers to submit meter self-reads where estimated bills are inaccurate and a requirement for retailers to notify customers prior to price changes.

There have been two new rule determinations. The first prohibits retailers from applying a discount to a retail contract if the base rate against which the discount would be applied would be higher than the retailer's equivalent standing offer. The second corrects minor and non-material issues in the NERR.

There have been no new draft determinations since the last update.

National Gas Rules

Jemena Gas Networks has requested a rule change to allow its recovery from retailers to be spread over time. The AEMC has released a draft determination for this request.

There has been one new final determination which makes minor changes to the NGR.

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Energy Retail Reform

On 15 June 2018, the Energy Security Board (**ESB**) issued the Draft Detailed Design Consultation Paper for the National Energy Guarantee (**NEG**). This paper builds on the High-Level Design Document published on 20 April 2018 and gives a more detailed view of how the NEG will be structured and work in practice.

For the emissions reduction requirement, the ESB proposes that allocation of generator output and associated emissions to market customers' load be done via an emissions registry. The ESB envisages that the registry would act as a record of all contractual arrangements under which a generator's output is allocated to retailers and large customers who directly purchase electricity in the wholesale market (market customers). By applying these allocations to generation data, the AER will be able to identify the average emissions intensity of a market customer's load to assess whether they fall below the prescribed emissions intensity target for that compliance period.

For the reliability requirement, the paper provides further detail on the design of the eight steps previously identified in the High-Level Design Document. The paper proposes a 5 MW threshold for retailers and large users to be considered liable entities for the purposes of the reliability obligation. The ESB also recommends that measures be put in place to ensure liquidity, transparency and competition in the market for qualifying contracts in the event that the reliability obligation is triggered, including a Market Liquidity Obligation on large vertically integrated retailers.

Submissions on the paper are due by 13 July 2018. Following this, the detailed design paper will be presented to the COAG Energy Council at its August 2018 meeting.

For more information, see [here](#).

Opportunities for Stakeholders

NER - Submissions on AEMO's proposal to make broad changes to the RERT framework close on 26 July 2018.

NGR – Submissions on Jemena Gas Networks' request to spread revenue recovery from retailers across two access arrangement periods close on 19 July 2018.

Introduction

The document lists all rule change requests for the NER and NERR (section 1) and the NGR (section 2), currently under consideration by the AEMC. The status of each proposed Rule is regularly updated on the AEMC website and this document is amended on a monthly basis to reflect those changes.

National Energy Retail Rules

Since 1 July 2012, the AEMC has held the role of rule maker for the Australian retail energy markets. This includes the power to amend the NERR which are part of the NECF. The NECF has commenced in South Australia, New South Wales, Queensland, Tasmania and the Australian Capital Territory. Victoria has implemented the NECF in so far as it applies to Chapter 5A of the NERR. Western Australia and the Northern Territory do not propose to implement the NECF. The AEMC may amend the NERR independently to, or in conjunction with, amendments to the NER.

Glossary

In this document the following definitions apply:

NER	National Electricity Rules	NEM	National Electricity Market
NERR	National Energy Retail Rules	AER	Australian Energy Regulator
NGR	National Gas Rules	DNSP	Distribution Network Service Provider
AEMC	Australian Energy Market Commission	TNSP	Transmission Network Service Provider
NECF	National Energy Customer Framework	NSP	Network Service Provider
AEMO	Australian Energy Market Operator	COAG	Council of Australian Governments
ESB	Energy Security Board	DER	distributed energy resources

For further information please contact:



Andrew Mansour

Partner
Sydney
T +61 2 9230 4552
Andrew.Mansour@allens.com.au



Anna Collyer

Partner
Melbourne
T +61 3 9613 8650
Anna.Collyer@allens.com.au



John Greig

Partner
Brisbane
T +61 7 3334 3358
John.Greig@allens.com.au



Andrew Pascoe

Partner
Perth
T +61 8 9488 3741
Andrew.Pascoe@allens.com.au

➤ National Electricity Rules & National Energy Retail Rules

Rule Change Requests

Rule Name	Proponent	Lodgement Date	Stage	Deadline for Submissions	Summary of Request
New rule change requests					
Enhancement to the Reliability and Emergency Reserve Trader	AEMO	9 March 2018	Consultation on request for rule change	26 July 2018	<p>AEMO submitted a rule change request to the AEMC proposing broad changes to the design of the Reliability and Emergency Reserve Trader (RERT) framework. These changes include a longer time horizon for procuring RERT contracts prior to identified shortfalls, redesign of the RERT trigger and the introduction of standardised RERT products. This proposal interacts with the National Energy Guarantee, as the RERT framework will act as the mechanism for procurement of reserves under the procurer of last resort function of the reliability requirement.</p> <p>On 21 June 2018, the AEMC issued a consultation paper on the rule change request with submissions due on 26 July 2018.</p> <p>For more information, see here.</p>
Global Settlement and Market Reconciliation	AEMO	16 March 2018	Consultation on request for rule change	5 July 2018	<p>AEMO submitted a rule change request that would allow it to adopt a new methodology for settling the demand side of the National Electricity Market. AEMO proposes to adopt a 'global settlement' framework that, compared with the current 'settlement by differencing' framework, will more accurately reconcile the market and allow settlement errors and anomalies to be more easily identified.</p> <p>On 7 June 2018, the AEMC issued a consultation paper on the rule change request with submissions due on 5 July 2018.</p> <p>For more information, see here.</p>
Metering installation timeframes	Hon Josh Frydenberg MP, Minister for the Environment and Energy on behalf of	1 March 2018 5 May 2018	Consultation on consolidated rule request	12 July 2018	<p>This proposed change aims to protect small customers who, as a result of rule changes which commenced on 1 December 2017, are entitled to receive new Type 4 meters from their retailer. The request includes amendments to the NER and the NERR to require retailers to provide small customers with new meters on the date agreed by the customer, or otherwise within 6 business days, as well as other changes to timeframes for repairing faulty meters and notifying customers of</p>

Rule Name	Proponent	Lodgement Date	Stage	Deadline for Submissions	Summary of Request
	Australian Government; the Australian Energy Council				<p>planned interruptions, etc.</p> <p>On 31 May 2018, the AEMC issued a consultation paper on the rule change request with submissions due on 12 July 2018.</p> <p>For more information, see here.</p>
Strengthening protections for customers in hardship	AER	21 March 2018	Initiation	Deadline passed (28 June 2018)	<p>The AER proposed a change to the NERR that would allow for the development and adoption of a Customer Hardship Policy Guideline. This Guideline would provide industry with directions on how to apply the minimum requirements for hardship policies contained in the NERR, which would also enable clearer regulatory oversight of retailer compliance.</p> <p>On 24 May 2018, the AEMC issued a consultation paper on the rule change request with submissions due on 28 June 2018.</p> <p>For more information, see here.</p>
Participant compensation following market suspension	AEMO	25 July 2017	Consultation on request for rule change	Deadline passed (14 June 2018)	<p>AEMO submitted a rule change request to the AEMC seeking changes to the NER to allow for the compensation of market participants who suffer loss due to pricing during market suspension. The purpose of the change is to reduce the need for operational intervention in order to keep the power system secure during periods of market suspension.</p> <p>On 17 May 2018, the AEMC issued a consultation paper on the rule change request. Submissions on the paper closed on 14 June 2018.</p> <p>For more information, see here.</p>
Estimated meter reads	Hon Josh Frydenberg MP, Minister for the Environment and Energy on behalf of Australian Government; Ms Kirsty Johnson, Dr Daryl Dott	6 February 2018 27 March 2018 29 March 2018	Consultation on consolidated rule request	Deadline passed (14 June 2018)	<p>This consolidated rule change request proposes changes to the NER and the NERR, aimed at minimising inaccurate estimated meter reads. In particular, the Hon Josh Frydenberg as Minister for the Environment and Energy proposed changes that would permit small customers to submit a self-read of their meter to their retailer if they receive a bill that is based on an inaccurate estimate of their energy consumption. Under the NERR a retailer may, in limited circumstances, base a small customer's bill on an estimation of their energy consumption. This rule change would reduce a small customer's exposure to over- or under-charging as a result of receiving a bill based on an inaccurate estimate by the retailer.</p> <p>On 17 May 2018, the AEMC issued a consultation paper on the rule change</p>

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					request. Submissions on the paper closed on 14 June 2018. For more information, see here .
Establishing values of customer reliability	COAG Energy Council	21 December 2017	Consultation on request for rule change (expedited)	Deadline passed (7 June 2018)	The COAG Energy Council submitted a rule change request that would make the AER responsible for establishing values of customer reliability (VCRs). This responsibility would include the AER developing the methodology for calculating VCRs, and reviewing and updating VCRs on an ongoing basis. The purpose of this change is to improve the transparency and consistency of VCRs, which are used in the market and by regulators as an important measure of reliability. On 10 May 2018, the AEMC issued a consultation paper on the rule change request. Submissions on the paper closed on 7 June 2018. For more information, see here .
Generator three year notice of closure	Dr Kerry Schott AO, Chair of the ESB	6 March 2018	Consultation on request for rule change	Deadline passed (7 June 2018)	Dr Kerry Schott AO, the Chair of the ESB, submitted this rule change request proposing changes to the NER that would require scheduled and semi-scheduled generators to provide AEMO with at least three years' notice of when they will cease operation. This proposed rule change stems from one of the recommendations of the Finkel Review and aims to provide market participants with clear and specific information on closure dates so they can better plan for the introduction of new capacity. On 10 May 2018, the AEMC issued a consultation paper on the rule change request. Submissions on the paper closed on 7 June 2018. For more information, see here .
Advance notice of price changes	Hon Josh Frydenberg MP, Minister for the Environment and Energy on behalf of Australian Government; Hon Don Harwin	1 March 2018	Initiation	Deadline passed (24 May 2018)	This rule change request seeks changes to the NERR to require electricity retailers to provide their customers with prior notice of energy price changes. At present, customers must be informed by retailers of changes in the prices they pay for energy no later than their next bill, which for households can be up to three months after a change is made. The purpose of this change is to provide customers with sufficient time and information to consider their options prior to a price change taking effect. On 26 April 2018, the AEMC issued a consultation paper on the rule change request. Submissions on the paper closed on 25 May 2018.

Rule Name	Proponent	Lodgement Date	Stage	Deadline for Submissions	Summary of Request
	MLC, Minister for Energy and Utilities on behalf of the NSW Government				For more information, see here .
Existing rule change requests					
Register of distributed energy resources	COAG Energy Council	5 October 2017	Consultation on draft determination	7 August 2018	<p>The COAG Energy Council has proposed a rule change to the NER and the NERR to establish a register of distributed energy resources (DER) following the identification of gaps in the collection of DER data under the current regulatory mechanisms in AEMO's 2017 report, 'Visibility of Distributed Energy Resources in the National Electricity Market'. The proposed rule intends to provide AEMO with obligations to obtain and share information on DER with industry participants (within appropriate privacy constraints). The objectives of this rule change request include improving power system and network security by providing AEMO with visibility over DER and providing key information to consumers and installers.</p> <p>On 26 June 2018, the AEMC published a draft determination, following an earlier consultation process. Submissions on this draft determination are due on 7 August 2018.</p> <p>For more information, see here.</p>
Generator technical performance standards	AEMO	11 August 2017	Consultation on draft determination	13 July 2018	<p>AEMO submitted a rule change request to the AEMC seeking changes to the access standards for generating systems in the NER and changes to the negotiating framework. Those changes also impact access standards into the standard of performance required of the physical equipment that makes up and connects to the power system.</p> <p>On 31 May 2018, the AEMC published a draft rule determination, following an earlier consultation process. Submissions on this draft rule determination are due on 13 July 2018.</p> <p>For further information, see here.</p>

Rule Changes: recent and not yet commenced

Rule Name	Commencement Date	Amending Rule	Date of Final Determination	Details
Final rule determinations since last Update				
Reinstatement of long notice Reliability and Emergency Reserve Trader	21 June 2018 13 July 2018	2018 No. 7	21 June 2018	<p>This change to the NER reinstates the long-notice Reliability and Emergency Reserve Trader (RERT). Previously, AEMO could only contract for reserves under the RERT up to 10 weeks ahead of when it projected a reserve shortfall, but this rule change seeks to increase this period to nine months. AEMO considered that the previous lead time was not enough to procure reserves in the most competitive way and at lowest cost. It was concerned that the trend towards a broader range of energy resources creates variability in supply and demand which increases the risk that the reliability standard may not be met under certain scenarios, such as extreme demand conditions. This change</p> <p>An expedited process was used for this rule change. The AEMC determined that it should make the rule as proposed. The change which will introduce the nine-month lead time will commence on 13 July 2018.</p> <p>For more information, see here.</p>
Reliability Panel governance arrangements	1 July 2018	2018 No. 6	7 June 2018	<p>This change to the NER clarifies aspects of the Reliability Panel's governance arrangements. These changes were identified as part of an internal review into the Panel's governance structure, and include minor changes to appointment procedures, updates to the Panel's consultation procedures and a requirement for the Panel to represent persons with interests in security and safety of electricity supply (as well as reliability).</p> <p>An expedited process was used for this rule change. The AEMC determined that it should make the rule as proposed, with amendments. The rule change commences on 1 July 2018.</p> <p>For more information, see here</p>
Reporting of aggregate generation capacity for MT PASA	31 May 2018	2018 No. 5	24 May 2018	<p>This rule amends the NER to remove the requirement that AEMO take into account network constraints when assessing, and reporting on, the aggregate generation capacity in each region. This rule change allows AEMO to adopt a redeveloped tool to conduct the Medium-term Projected Assessment of System Adequacy (MT PASA) (ie, whether or not electricity supply is projected to meet demand in the medium term).</p>

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				An expedited process was used for this rule change. The AEMC determined that it should make the rule as proposed. The rule change commenced on 31 May 2018. For more information, see here .
Preventing discounts on inflated energy rates	1 July 2018	2018 No. 2	15 May 2018	This rule change amended the NERR to prohibit electricity retailers from applying a discount to an electricity market retail contract if the base rate against which the discount would be applied would be higher than the retailer's equivalent standing offer. This is to be enforced by the issuing of infringement notices with penalties. This change was developed following the Prime Minister's meeting with energy retailers in August 2017 with the aim of addressing potentially confusing retailer discounting practices. An expedited process was used for this rule change. The rule change commences on 1 July 2018. For further information, see here .
Implementation of Demand Management Incentive Scheme	10 April 2018	2018 No. 3	3 April 2018	This rule change amended the NER to allow for early application of the AER's revised demand management incentive scheme. The NER previously did not allow for application of the scheme until the commencement of the next regulatory control period, in response to concerns that application of the scheme midway through a regulatory control period would require a reopening of current distribution determinations. This rule change reflects the fact that the final design of the scheme eliminates these concerns associated with early implementation. This was undertaken as a non-controversial rule change proposal under an expedited process. The rule change commenced on 10 April 2018. For more information, see here .
Minor changes	10 April 2018 30 September 2018	ERC: 2018 No. 4 NERR: 2018 No. 1	3 April 2018	This AEMC-initiated rule corrects minor and non-material errors in the NER and NERR, including formatting and typographical errors and the deletion of redundant definitions. The rule further inserted notes for each new civil penalty provision in the NER and NERR as a result of the <i>National Electricity (South Australia) (Civil Penalties) Variation Regulations 2017</i> and the <i>National Energy Retail (Civil Penalties) Variation Regulations 2017</i> . This was undertaken as a non-controversial rule change proposal under an expedited

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				process. The rule change commenced on 10 April 2018. For further information, see here .
Testing of System Restart Ancillary Services	10 April 2018	2018 No. 2	20 March 2018	<p>This rule change alters the notification requirements for routine testing of system restart ancillary services (SRAS). AEMO's rule change request followed the publication of its new SRAS Guideline, which includes enhanced requirements for the testing of contracted SRAS. Under the new SRAS Guideline, AEMO may undertake a 'short notice' test which requires only 5 business days' notice to the relevant NSP. This notification period was inconsistent with the previous requirement under clause 5.7.5(a) of the NER which required at least 15 business days' notice, except in an emergency. This rule change amended the NER to remove this inconsistency and to allow AEMO to undertake its 'short notice' tests.</p> <p>An expedited process was used for this rule change. The AEMC determined that it should make the rule as proposed, with minor amendments. The rule change commenced on 10 April 2018.</p> <p>For more information, see here.</p>
Other rules not yet commenced				
Generating System Model Guidelines	19 September 2017 1 July 2018	2017 No. 11	19 September 2017	<p>Through this rule, the AEMC clarifies the scope and level of detail of model data that registered participants and connection applicants are required to submit to AEMO and NSPs to allow those parties to be better supported when fulfilling their obligations for maintaining system strength.</p> <p>Schedule 5 of the Amending Rule commenced operation on 19 September 2017 while Schedules 1, 2, 3 and 4 commence operation on 1 July 2017, immediately after Schedules 4 to 9 of the National Electricity Amendment (Managing power system fault levels) Rule 2017 No. 10 commences operation.</p> <p>For further information, see here.</p>
Managing power system fault levels	17 November 2017 1 July 2018	2017 No. 10	19 September 2017	<p>This rule places an obligation on TNSPs to maintain minimum levels of system strength. The South Australian Minister for Mineral Resources and Energy proposed a rule change to ensure the NER can accommodate issues associated with low fault levels and to allocate responsibility for controlling fault levels across different parts of the network.</p>

Rule Name	Commencement Date	Amending Rule	Date of Final Determination	Details
				<p>This rule change request was processed as part of the AEMC's self-initiated System Security Market Frameworks Review.</p> <p>For further information, see here.</p>
Managing the rate of change of power system frequency	1 July 2018	2017 No. 9	19 September 2017	<p>This rule places an obligation on TNSPs to procure minimum required levels of inertia or alternative frequency control services to meet these minimum levels. The rule seeks to provide confidence that system security can be maintained in all regions of the NEM while minimising cost to consumers.</p> <p>For further information, see here.</p>
Strengthening protections for customers requiring life support equipment	1 February 2018 1 February 2019	2017 No. 3	19 December 2017	<p>This rule amends the NERR to provide greater protection from de-energisation to life support customers who have not validly registered with the NERR. The final rule amends the life support provisions in the NERR to entitle customers to life support protections from the time they first inform either their retailer or distributor of their status as life support customer. It also contains amendments which alter the minimum requirements for retailers and distributors to register and deregister customers for life support protections. Further, the rule change clarifies the role of retailers and distributors with regards to the registration, medical confirmation and deregistration processes.</p> <p>For further information, see here.</p>

Rule Name	Commencement Date	Amending Rule	Date of Final Determination	Details
Five Minute Settlement	19 December 2017 1 July 2021	2017 No. 15	28 November 2017	<p>This rule amends the NER to reduce the settlement interval from 30 minutes to five minutes. As a result, the spot price for electricity on the wholesale market will be determined for each five minute trading interval instead of the average of dispatch prices across a 30-minute timeframe. This change aligns the operational dispatch and financial settlement periods, with a view to encouraging contestability of demand response technology and improving incentives for more efficient generation.</p> <p>The rule applies differently between meter specifications. Types 1, 2 and 3 meters will need to record and provide five minute data from 1 July 2021. With certain exceptions, data from type 4, 4A, 5 and 6 meters that have already been installed will be profiled to five minute intervals by AEMO. From 1 December 2018 and 1 December 2019, all new or replaced type 4 and type 4A meters will need to provide five minute data, respectively.</p> <p>The rule provides for transition period starting on 19 December 2017. The rule will then come into full effect on 1 July 2021.</p> <p>For further information, see here.</p>



National Gas Rules

Rule Change Requests

Rule Name	Proponent	Lodgement Date	Stage	Deadline for Submissions	Summary of Request
New rule change requests since last Update					
Cross period revenue smoothing (Gas)	Jemena Gas Networks (NSW) Ltd	14 December 2017	Consultation on Draft Determination	19 July 2018	<p>Jemena Gas Networks (NSW) Ltd proposed a rule change to amend the NGR to allow the recovery of its revenue from retailers (and ultimately customers) to be spread across two access arrangement periods, rather than one.</p> <p>The AER's final decision regarding JGN's 2015-20 access arrangement was subject to judicial review and merits review. The AER must remake its final decision regarding JGN's 2015-20 access arrangement and this will result in a need to make revenue adjustments for the remaining two years of JGN's access arrangement period. There is uncertainty as to how this may affect prices in coming years.</p> <p>The proposed rule change would operate as a one-off power and aims minimise price volatility for NSW gas customers that may occur following the delay in the finalisation of JGN's 2015-20 access arrangement by shifting revenue recovery between access arrangement periods.</p> <p>On 7 June 2018, the AEMC published a draft rule determination. Submissions on this determination close on 19 July 2018.</p> <p>For more information, see here.</p>
Existing rule change requests					
No existing rule change requests.					

Rule Changes: recent and not yet commenced

Rule Name	Commencement Date	Amending Rule	Date of Final Determination	Details
Final rule determinations since last Update				
Minor changes	10 April 2018 1 July 2018 30 September 2018 1 February 2019	2018 No. 1	3 April 2018	<p>This AEMC-initiated rule change corrected minor and non-material errors in the NGR, including formatting and typographical errors and the deletion of redundant definitions. The rule further inserts notes for each new civil penalty provision in the NGR as a result of the <i>National Gas (South Australia) (Civil Penalties) Variation Regulations 2017</i>.</p> <p>This was undertaken as a non-controversial rule change proposal under an expedited process.</p> <p>For more information, see here.</p>
Other rules not yet commenced				
Improvements to the Natural Gas Services Bulletin Board	3 October 2017 15 May 2018 30 September 2018	2017 No. 3	26 September 2017	<p>This rule change amends Part 18 of the NGR to provide greater confidence in, and clarity to, the information reported in the Natural Gas Services Bulletin Board (BB). These amendments clarify and expand the purpose of the BB, updating the information to be reported and implementing a reporting standard to improve information quality.</p> <p>The final rule allows AEMO to recover costs for the provision of the BB service, to exempt certain entities on a case-by-case basis and to carve out certain provisions specifically for declared transmission system pipelines.</p> <p>From 3 October 2017, AEMO is obliged to publish the new BB procedures by 30 April 2018. The new cost recovery provisions will commence on 15 May 2018 and the remaining rules will commence on 30 September 2018.</p> <p>For further information, see here.</p>

Rule Name	Commencement Date	Amending Rule	Date of Final Determination	Details
Gas day harmonisation	1 April 2021	2017 No. 2	16 February 2017	<p>This rule amends the NGR to implement a recommendation of the AEMC Stage One Final Report on the East Coast Wholesale Gas Market and Pipeline Frameworks Review, relating to its proposal to harmonise the gas day start time of the eastern Australian facilitated gas markets.</p> <p>From 1 April 2021, a single definition of 'gas day' will apply, bringing the gas day start times in the Short Term Trading Markets and the Wallumbilla Gas Supply Hub into conformity with the Victorian Declared Wholesale Gas Market. The 'gas day' is a 24 hour period during which gas flows are measured. The purpose of this amendment is to remove unnecessary complexities and inconsistencies between the different markets to incentivise inter-regional trade and reduce compliance costs.</p> <p>The commencement date of the rule has been set to coincide with the expected completion of the integration of the east coast gas markets.</p> <p>For more information, see here.</p>

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