



## **National Energy Retail Amendment (Metering installation timeframes) Rule 2018 No. 7**

under the National Energy Retail Law as applied by:

- (a) the National Energy Retail Law (South Australia) Act 2011 of South Australia;
- (b) the National Energy Retail Law (ACT) Act 2012 of the Australian Capital Territory;
- (c) the National Energy Retail Law (Adoption) Act 2012 of New South Wales;
- (d) the National Energy Retail Law (Queensland) Act 2014 of Queensland;
- (e) the National Energy Retail Law (Tasmania) Act 2012 of Tasmania; and
- (f) the Australian Energy Market Act 2004 of the Commonwealth.

The Australian Energy Market Commission makes the following Rule under the National Energy Retail Law.

John Pierce  
Chairman  
Australian Energy Market Commission

## **National Energy Retail Amendment (Metering installation timeframes) Rule 2018 No. 7**

### **1 Title of Rule**

This Rule is the National Energy Retail Amendment (Metering installation timeframes) Rule 2018 No. 7.

### **2 Commencement**

Schedules 1, 2 and 3 commence on 1 February 2019, immediately after the commencement of Schedules 1 and 2 of the *National Energy Retail Amendment (Strengthening protections for customers requiring life support equipment) Rule 2017*.

### **3 Amendment to the National Energy Retail Rules**

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

### **4 Amendment to the National Energy Retail Rules**

Schedules 1 and 2 of the National Energy Retail Rules are amended as set out in Schedule 2.

### **5 Savings and Transitional Amendment to the National Energy Retail Rules**

The National Energy Retail Rules are amended as set out in Schedule 3.

## **Schedule 1            Amendment to the National Energy Retail Rules**

(Clause 3)

### **[1] Rule 5                    Business premises—aggregated application of upper consumption thresholds by agreement**

At the end of subrule 5(2)(b)(ii), omit ", " and substitute "; or".

### **[2] Rule 5                    Business premises—aggregated application of upper consumption thresholds by agreement**

After subrule 5(2)(b)(ii), insert:

- (iii) clauses 7.8.10A, 7.8.10B or 7.8.10C of the NER as specified in the agreement,

### **[3] New rule 56C          Information on timeframes for installing electricity meters (SRC and MRC)**

After rule 56B, insert:

#### **56C            Information on timeframes for installing electricity meters (SRC and MRC)**

- (1) A retailer selling electricity to small customers must:
  - (a) publish on its website the following information in relation to the timeframes for installing electricity *meters*:
    - (i) where a *meter* is installed for a new connection – the obligations on retailers under clause 7.8.10A of the NER;
    - (ii) where the customer requests a *meter* to be installed and there is no new connection or connection alteration required – the obligations on retailers under clause 7.8.10B of the NER; and
    - (iii) where the customer requests a *meter* to be installed and a connection alteration is required – the obligations on retailers and distributors under clause 7.8.10C of the NER; and
  - (b) when a small customer requests a *meter* to be installed, provide the information set out under subrule 1(a) (as applicable) to the customer in writing.
- (2) This rule applies in relation to standard retail contracts and market retail contracts.

**[4] Rule 59C                      Retailer interruption to supply – electricity  
(SRC and MRC)**

Omit subrule 59C(1) and substitute:

- (1) A retailer may, subject to and in accordance with any requirements of the energy laws, arrange a *retailer planned interruption* by:
  - (a) giving the affected customer the notice under subrule (2); or
  - (b) other than in the circumstances described in paragraph (c), obtaining the affected customer's explicit consent to the *interruption* occurring:
    - (i) on any day within a date range of 5 business days; or
    - (ii) on a specified date,  
in which case subrule (1A) applies; or
  - (c) where a person residing at the premises requires *life support equipment*, obtaining the affected customer's explicit consent to the *interruption* occurring on a specified date, in which case subrule (1A) applies.

**[5] Rule 59C                      Retailer interruption to supply – electricity  
(SRC and MRC)**

After subrule 59C(1), insert:

- (1A) If the retailer obtains the consent of the affected customer pursuant to subrule (1)(b) or (1)(c):
  - (a) the retailer must retain the record of consent for a period of at least 2 years in a format and including such information to enable the retailer to answer enquiries from the customer relating to the consent; and
  - (b) subrules (2), (3) and (4) regarding planned *interruption* notices will not apply.

**[6] Rule 59C                      Retailer interruption to supply – electricity  
(SRC and MRC)**

Omit subrule 59C(2), except the "Note", and substitute:

- (2) If the retailer has not obtained an affected customer's consent to the *retailer planned interruption* occurring within a date range or on a specified date in accordance with subrule (1) (as applicable), the retailer must notify the affected customer of the *retailer planned interruption* by any appropriate means at least 4 business days before the date of the *interruption*.

**[7] Rule 59C                      Retailer interruption to supply – electricity  
(SRC and MRC)**

In subrule 59C(5), insert ":" after the first occasion of "Note".

**[8] Rule 90                      Distributor planned interruptions**

Omit subrule 90(1) and substitute:

**(1) Planned interruption arrangements**

A distributor may arrange a *distributor planned interruption* by:

- (a) giving the affected customer the notice under subrule (1B); or
- (b) other than in the circumstances described in paragraph (c), obtaining the affected customer's explicit consent to the *interruption* occurring:
  - (i) on any date within a date range of 5 business days; or
  - (ii) on a specified date,in which case subrule (1A) applies; or
- (c) where a person residing at the premises requires *life support equipment*, obtaining the affected customer's explicit consent to the *interruption* occurring on a specified date, in which case subrule (1A) applies.

**(1A) Record of consent**

If the distributor obtains the consent of the affected customer pursuant to subrule (1)(b) or (c):

- (a) the distributor must retain the record of consent for a period of at least 2 years in a format and including such information to enable the distributor to answer enquiries from the customer relating to the consent; and
- (b) subrules (1B) and (2) regarding planned *interruption* notices will not apply.

**(1B) Notice to be given**

If the distributor has not obtained an affected customer's consent to the *distributor planned interruption* occurring within a date range or on a specified date in accordance with subrule (1) (as applicable), the distributor must notify each affected customer by any appropriate means of the *interruption* at least 4 business days before the date of the *interruption*.

**[9] Rule 99                      Information on distributor planned  
interruptions**

Omit subrule 99(1) and substitute:

- (1) The distributor:
  - (a) must notify the retailer of *distributor planned interruptions* and specify the expected date, time and duration of the *distributor planned interruption*;
  - (b) must provide the notification under paragraph (a) within (as applicable):
    - (i) on the same day the customer provides consent to the distributor under subrule 90(1); or
    - (ii) within the same time period as the distributor is required to notify the customer under subrule 90(1B).

**[10] Rule 99 Information on distributor planned interruptions**

Omit subrule 99(2) and substitute:

- (2) The information under subrule (1) must also include information regarding the area in which the *distributor planned interruption* is to occur.

**[11] Rule 99A Information on retailer planned interruptions - electricity**

Omit subrule 99A(1) and substitute:

- (1) The retailer:
  - (a) must notify the distributor of *retailer planned interruptions* and specify the expected date, time and duration of the *retailer planned interruption*; and
  - (b) must provide the notification under paragraph (a) (as applicable):
    - (i) on the same day the customer provides consent to the retailer under subrule 59C(1); or
    - (ii) within the same time period as the retailer is required to notify the customer under subrule 59C(2).

**[12] Rule 124B Ongoing retailer and distributor obligations**

In subrule 124B(1)(d), after "under rule 59C" insert ", other than in the circumstances described in paragraph (e),".

**[13] Rule 124B Ongoing retailer and distributor obligations**

At the end of subrule 124B(1)(d), omit "." and substitute "; and".

**[14] Rule 124B Ongoing retailer and distributor obligations**

After subrule 124B(1)(d), insert:

- (e) in the case of a *retailer planned interruption* where the customer has provided consent to the retailer under subrule 59C(1)(c), give written notice to the customer of the expected time and duration of the *retailer planned interruption*, and specify a 24 hour telephone number for enquiries (the charge for which is no more than the cost of a local call).

**[15] Rule 124B            Ongoing retailer and distributor obligations**

In subrule 124B(2)(a)(iii), omit "and".

**[16] Rule 124B            Ongoing retailer and distributor obligations**

In subrule 124B(2)(a)(iv), after "*distributor planned interruption*", insert "other than in the circumstances described in subparagraph (v)".

**[17] Rule 124B            Ongoing retailer and distributor obligations**

At the end of subrule 124B(2)(a)(iv), omit "." and substitute "; and"

**[18] Rule 124B            Ongoing retailer and distributor obligations**

After subrule 124B(2)(a)(iv), insert:

- (v) in the case of a *distributor planned interruption* where the customer has provided consent to the distributor under subrule 90(1)(c), give written notice to the customer of the expected time and duration of the *distributor planned interruption*, and specify a 24 hour telephone number for enquiries (the charge for which is no more than the cost of a local call);

## **Schedule 2            Amendment to the National Energy Retail Rules**

(Clause 4)

### **[1] Schedule 1            Model terms and conditions for standard retail contracts**

Omit clause 6.3(d)(iii) and substitute:

- (iii) at least 4 business days' notice in writing of any *retailer planned interruption* to the supply of electricity to the premises unless we have obtained your explicit consent to the *interruption* occurring on a specified date;

### **[2] Schedule 1            Model terms and conditions for standard retail contracts**

Omit clause 11A.1 and substitute:

#### **11A.1    Retailer may arrange retailer planned interruptions (maintenance repair etc)**

- (a) We may arrange *retailer planned interruptions* to the supply of electricity to your premises where permitted under the energy laws for the purpose of the installation, maintenance, repair or replacement of your electricity *meter*.
- (b) If your electricity supply will be affected by a *retailer planned interruption* arranged by us and clause 6.3(d)(iii) does not apply:
  - (i) we may seek your explicit consent to the *interruption* occurring on a specified date; or
  - (ii) we may seek your explicit consent to the *interruption* occurring on any day within a specified 5 business day range; or
  - (iii) otherwise, we will give you at least 4 business days notice of the *interruption* by mail, letterbox drop, press advertisement or other appropriate means.

### **[3] Schedule 2            Model terms and conditions for deemed standard connection contracts**

Omit clause 6.4(d)(iii) and substitute:

- (iii) at least 4 business days' notice in writing of any *distributor planned interruptions* to the supply of energy to the premises unless we have obtained your explicit consent to the *interruption* occurring on a specified date; and

**[4] Schedule 2 Model terms and conditions for deemed standard connection contracts**

Omit clause 10.2(b) and substitute:

- (b) If your energy supply will be affected by a *distributor planned interruption* and clause 6.4(d)(iii) does not apply:
  - (i) we may seek your explicit consent to the *interruption* occurring on a specified date; or
  - (ii) we may seek your explicit consent to the *interruption* occurring on any day within a specified 5 business day range; or
  - (iii) otherwise, we will give you at least 4 business days notice of the *interruption* by mail, letterbox drop, press advertisement or other appropriate means.

## **Schedule 3 Savings and Transitional Amendment to the National Energy Retail Rules**

(Clause 5)

### **[1] New Part 12 Rules consequential on the making of Schedule 2 of the National Energy Retail Amendment (Metering installation timeframes) Rule 2018**

In Schedule 3, after Part 11, insert:

#### **Part 12 Rules consequential on the making of Schedule 2 of the National Energy Retail Amendment (Metering installation timeframes) Rule 2018**

##### **1 Definitions**

(1) In this Part:

**Amending Rule** means the National Energy Retail Amendment (Metering installation timeframes) Rule 2018.

**effective date** means 1 February 2019, immediately after the commencement of Schedules 1 and 2 of the National Energy Retail Amendment (Strengthening protections for customers requiring life support equipment) Rule 2017 No. 3.

**required alterations** means the amendments required by Schedule 2 of the Amending Rule to standard retail contracts and deemed standard connection contracts as in force from the effective date.

##### **2 Variation date**

(1) Retailers must make the required alterations to their standard retail contracts by the effective date.

(2) Distributors must make the required alterations to their deemed standard connection contracts by the effective date.

(3) Alterations made under subrules (1) and (2) must take effect on and from the effective date.

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[END OF RULE AS MADE]

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