

**CHAPTER 2**

## 2.2.1 Registration as a Generator

- (a) Subject to clause 2.2.1(c), a person must not engage in the activity of owning, controlling or operating a *generating system* that is *connected* to a *transmission system* or *distribution system* unless that person is registered by AEMO as a *Generator*.
- (b) **[Deleted]**
- (c) AEMO may, in accordance with the *registration information resource and guidelines*, exempt a person or class of persons from the requirement to register as a *Generator*, subject to such conditions as AEMO deems appropriate, where (in AEMO's opinion) an exemption is not inconsistent with the *national electricity objective*.

**Note:**

A person who is exempt from registration as a *Generator*, may register with AEMO as a *Small Generation Aggregator* under rule 2.3A or if the relevant *generating system* is *connected* to a *stand-alone distribution system* in a *regulated SAPS*, as a *SAPS Resource Provider* under rule 2.3C.

- (d) Without limitation, an exemption may be given which only relieves a person or class of persons from the requirement to register as a *Generator* in relation to certain specified *generating systems* or classes of *generating systems*.
- (e) To be eligible for registration as a *Generator*, a person must:
  - (1) obtain the approval of AEMO to classify each of the *generating units* that form part of the *generating system* that the person owns, operates or controls, or from which it otherwise sources electricity, as:
    - (i) a *scheduled generating unit*;
    - (ii) a *semi-scheduled generating unit*; or
    - (iii) a *non-scheduled generating unit*;
  - (2) classify the *generating units* in accordance with AEMO's approval as referred to in subparagraph (1);
  - (2A) if a *generating unit* is classified as a *scheduled generating unit* or a *semi-scheduled generating unit* in accordance with subparagraph (1):
    - (i) notify AEMO of the year in which the *Generator* expects the *generating unit* to cease supplying electricity to the *transmission network* or *distribution network* at its *connection point* (*expected closure year*); and
    - (ii) immediately notify AEMO of any change to the *expected closure year*; and
  - (3) ~~satisfy AEMO~~ obtain a notice under clause 5.3.7A(g) that AEMO is satisfied that each *generating system* will be capable of meeting or exceeding its *performance standards*.
- (f) Except in relation to a proposed *generating unit*, a person must also classify each of those *generating units* as either a *market generating unit* or a *non-market generating unit*.

- (f1) A *Generator* may also classify one or more of its *generating units* as an *ancillary service generating unit* where it has obtained the approval of *AEMO* to do so.
- (g) Nothing in clause 2.2.1(e) or (f) requires the classification of any *generating unit* which forms part of a *generating system* in respect of which an exemption under clause 2.2.1(c) applies.

**CHAPTER 5**

### 5.3.4A Negotiated access standards

- (a) *AEMO* must advise on *AEMO* advisory matters.
- (b) A negotiated access standard must:
  - (1) subject to subparagraph (1A), be no less onerous than the corresponding *minimum access standard* provided by the *Network Service Provider* under clauses 5.3.3(b1)(4) or S5.4B(b)(2);
  - (1A) with respect to a submission by a *Generator* under clause 5.3.9(b)(3), or a *Network User* or *Market Network Service Provider* under clause 5.3.12(b)(3), be:
    - (i) if the performance standard for that technical requirement is at or above the minimum access standard and the submission seeks to reduce that performance standard, as close as practicable to (unless otherwise agreed by the relevant Network Service Provider and AEMO); or
    - (ii) if the performance standard for that technical requirement is below the minimum access standard, no less onerous than,
 

the *performance standard* that corresponds to the technical requirement that is affected by the alteration to the *generating system* or *plant* (as applicable);
  - (2) be set at a level that will not adversely affect *power system security*;
  - (3) be set at a level that will not adversely affect the quality of *supply* for other *Network Users*; and
  - (4) in respect of *generating plant*, meet the requirements applicable to a *negotiated access standard* in Schedule 5.2.
- (b1) When submitting a proposal for a *negotiated access standard* under clauses 5.3.4(e), 5.3A.9(f), 5.3.9(b)(3), 5.3.12(b)(3) or subparagraph (h)(3), and where there is a corresponding *automatic access standard* for the relevant technical requirement, a *Connection Applicant* must propose a standard that is as close as practicable to the corresponding *automatic access standard*, having regard to:
  - (1) the need to protect the *plant* from damage;
  - (2) *power system* conditions at the location of the proposed *connection*; and
  - (3) the commercial and technical feasibility of complying with the *automatic access standard* with respect to the relevant technical requirement.
- (b2) When proposing a *negotiated access standard* under paragraph (b1), the *Connection Applicant* must provide reasons and evidence to the *Network Service Provider* and *AEMO* as to why, in the reasonable opinion of the *Connection Applicant*, the proposed *negotiated access standard* is appropriate, including:

- (1) how the *Connection Applicant* has taken into account the matters outlined in subparagraphs (b1)(1) to (3); and
  - (2) how the proposed *negotiated access standard* meets the requirements of paragraph (b).
- (c) Following the receipt of a proposed *negotiated access standard* under clauses 5.3.4(e), 5.3A.9(f), 5.3.9(b)(3), 5.3.12(b)(3) or subparagraph (h)(3), the *Network Service Provider* must consult with *AEMO* as soon as practicable in relation to *AEMO advisory matters* for that proposed standard.

**Note**

This paragraph is classified as a tier 2 civil penalty provision under the National Electricity (South Australia) Regulations. (See clause 6(1) and Schedule 1 of the National Electricity (South Australia) Regulations.)

- (d) Within 20 *business days* following the later of:
- (1) receipt of a proposed *negotiated access standard* under clauses 5.3.4(e), 5.3A.9(f), 5.3.9(b)(3), 5.3.12(b)(3) or subparagraph (h)(3); and
  - (2) receipt of all information required to be provided by the *Connection Applicant* under clauses S5.2.4, S5.5.6, S5.3.1(a1) or S5.3a.1(a1),

*AEMO* must advise the *Network Service Provider* in writing, in respect of *AEMO advisory matters*, whether the proposed *negotiated access standard* should be accepted or rejected.

- (d1) When advising the *Network Service Provider* under paragraph (d) to reject a proposed *negotiated access standard*, and subject to obligations in respect of *confidential information*, *AEMO* must:

- (1) provide detailed reasons in writing for the rejection to the *Network Service Provider*, including:
  - (i) where the basis of *AEMO's* advice is lack of evidence from the *Connection Applicant*, details of the additional evidence of the type referred to in paragraph (b2) *AEMO* requires to continue assessing the proposed *negotiated access standard*; and
  - (ii) the extent to which each of the matters identified at subparagraphs (b)(1), (b)(1A), (b)(2) and (b)(4) contributed to *AEMO's* decision to reject the proposed *negotiated access standard*; and
- (2) recommend a *negotiated access standard* that *AEMO* considers meets the requirements of subparagraphs (b)(1), (b)(1A), (b)(2) and (b)(4).

- (e) Within 30 *business days* following the later of:
- (1) receipt of a proposed *negotiated access standard* in accordance with clauses 5.3.4(e), 5.3A.9(f), 5.3.9(b)(3), 5.3.12(b)(3) or subparagraph (h)(3); and
  - (2) receipt of all information required to be provided by the *Connection Applicant* under clauses S5.2.4, S5.5.6, S5.3.1(a1) or S5.3a.1(a1),
- the *Network Service Provider* must accept or reject a proposed *negotiated access standard*.

**Note**

This paragraph is classified as a tier 2 civil penalty provision under the National Electricity (South Australia) Regulations. (See clause 6(1) and Schedule 1 of the National Electricity (South Australia) Regulations.)

- (f) The *Network Service Provider* must reject the proposed *negotiated access standard* where:
- (1) in the *Network Service Provider's* reasonable opinion, one or more of the requirements at subparagraphs (b)(1), (b)(1A), (b)(3) and (b)(4) are not met; or
  - (2) *AEMO* has advised the *Network Service Provider* under paragraph (d) to reject the proposed *negotiated access standard*.

**Note**

This paragraph is classified as a tier 2 civil penalty provision under the National Electricity (South Australia) Regulations. (See clause 6(1) and Schedule 1 of the National Electricity (South Australia) Regulations.)

- (g) If a *Network Service Provider* rejects a proposed *negotiated access standard*, the *Network Service Provider* must, at the same time:
- (1) subject to obligations in respect of *confidential information*, provide to the *Connection Applicant*:
    - (i) where the basis for the *Network Service Provider's* rejection is lack of evidence from the *Connection Applicant*, details of the additional evidence of the type referred to in paragraph (b2) the *Network Service Provider* requires to continue assessing the proposed *negotiated access standard*;
    - (ii) detailed reasons in writing for the rejection, including the extent to which each of the matters identified at subparagraphs (b)(1), (b)(1A), (b)(3) and (b)(4) contributed to the *Network Service Provider's* decision to reject the proposed *negotiated access standard*; and
    - (iii) the detailed reasons and recommendation (if any) provided by *AEMO* to the *Network Service Provider* in respect of an *AEMO advisory matter* under subparagraphs (d1)(1) and (2); and
  - (2) advise the *Connection Applicant* of a *negotiated access standard* that the *Network Service Provider* considers meets the requirements of subparagraphs (b)(1), (b)(1A), (b)(3) and (b)(4).

**Note**

This paragraph is classified as a tier 2 civil penalty provision under the National Electricity (South Australia) Regulations. (See clause 6(1) and Schedule 1 of the National Electricity (South Australia) Regulations.)

- (h) The *Connection Applicant* may in relation to a proposed *negotiated access standard* advised by a *Network Service Provider* in accordance with subparagraph (g)(2):
- (1) accept the proposed *negotiated access standard*;
  - (2) reject the proposed *negotiated access standard*;

- (3) propose an alternative *negotiated access standard* to be further evaluated in accordance with the criteria in paragraph (b); or
  - (4) elect to adopt the relevant *automatic access standard* or a corresponding *plant standard*.
- (i) An *automatic access standard* or if the procedures in this clause 5.3.4A have been followed a *negotiated access standard*, that forms part of the terms and conditions of a *connection agreement*, is taken to be the *performance standard* applicable to the *connected plant* for the relevant technical requirement.

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### **5.3.7A Satisfaction of capability to meet or exceed performance standards**

- (a) Following execution of the *connection agreement*, the *Connection Applicant* may provide the *Network Service Provider* and *AEMO* with data and information demonstrating the capability of a *generating system*, and request that the *Network Service Provider* and *AEMO* assess the capability of the *generating system* to meet or exceed its *performance standards*.
- (b) Within 5 *business days* after receiving a request under paragraph (a), the *Network Service Provider* and *AEMO* must each provide the *Connection Applicant* with written acknowledgment of receipt of the request, and in the case of *AEMO*, confirming that it will commence its assessment for the purposes of clause 2.2.1(e)(3).
- (c) Following receipt of a request under paragraph (a), the *Network Service Provider* or *AEMO* may request that the *Connection Applicant* prepare and provide additional data and information to enable it to assess the capability of the *Connection Applicant's generating system*.
- (d) If the *Connection Applicant* has:
  - (1) provided to the *Network Service Provider* and *AEMO* adequate data and information to enable the assessment of the capability of the *generating system* to meet or exceed its *performance standards*;
  - (2) where the *Connection Applicant* has submitted a proposal for a *negotiated access standard* in accordance with clause 5.3.4A(b1), provided to the *Network Service Provider* and *AEMO* reasons and evidence for the proposed *negotiated access standard* in accordance with clause 5.3.4A(b2); and
  - (3) otherwise complied with its obligations under rules 5.2A, 5.3 and 5.3A to provide data and information to the *Network Service Provider* and *AEMO*,

then, the *Connection Applicant* may request that the *Network Service Provider* or *AEMO* provide reasons for its request under paragraph (c) by reference to relevant requirements of schedule 5.2, 5.3 or 5.3a.



(e) Within a reasonable period after the *Connection Applicant's* request to the *Network Service Provider* under paragraph (d), the *Network Service Provider* must provide the *Connection Applicant* with:

- (1) if the *Network Service Provider* reasonably considers that the *Connection Applicant* has not complied with paragraph (d), then details of the non-compliance; and
- (2) otherwise, written reasons for its request under paragraph (c) in accordance with paragraph (d).

**Note**

The AEMC intends that this paragraph will be classified as a tier 2 civil penalty provision under the National Electricity (South Australia) Regulations. (See clause 6(1) and Schedule 1 of the National Electricity (South Australia) Regulations.)

(f) Within a reasonable period after the *Connection Applicant's* request to *AEMO* under paragraph (d), *AEMO* must provide the *Connection Applicant* with:

- (1) if *AEMO* reasonably considers that the *Connection Applicant* has not complied with paragraph (d), details of the non-compliance; and
- (2) otherwise, written reasons for its request under paragraph (c) in accordance with paragraph (d).

(g) Within 5 *business days* after completing the assessment of the capability of the *generating system* to meet or exceed its *performance standards*, the *Network Service Provider* and *AEMO* must jointly notify the *Connection Applicant* in writing that the assessment has been completed and whether they are satisfied with the outcome of the assessment, including for the purposes of clause 2.2.1(e)(3).

### 5.3.8 Provision and use of information

- (a) The data and information provided under rules 5.2A, 5.3 and 5.3A is *confidential information* and must:
  - (1) be prepared, given and used in good faith; and
  - (2) not be disclosed or made available by the recipient to a third party except as set out in rule 3.7F, clause 3.13.3, this clause 5.3.8 or in accordance with rule 8.6.
- (a1) The data and information provided to a *Primary Transmission Network Service Provider* in relation to its provision of non-contestable services as specified under clause 5.2A.4(a) must not be used by the *Primary Transmission Network Service Provider* for the purpose of tendering for, or negotiating, *contestable* services specified under clause 5.2A.4(a) in the *connection* process in which the data or information was given, or in future *connection* processes, without the consent of the *Connection Applicant*.
- (b) The data and information to be provided under this rule 5.3 may be shared between a *Network Service Provider* and *AEMO* for the purpose of enabling:

- (1) the *Network Service Provider* to advise *AEMO* of *ancillary services* ;  
and
- (2) either party to:
  - (i) assess the effect of a proposed *facility* or proposed alteration to *generating plant* (as the case may be) on:
    - (A) the performance of the *power system*; or
    - (B) another proposed *facility* or another proposed alteration;
  - (ii) assess proposed *negotiated access standards*;
  - (iii) determine the extent of any required *augmentation* or *extension* or *system strength connection works*; ~~or~~
  - (iv) assess *system strength remediation scheme* proposals; or
  - (v) assess the capability of a *generating system* to meet or exceed its *performance standards*.
- (c) A *Network Service Provider* may disclose the data and information to be provided under rules 5.2A, 5.3 and 5.3A to another *Network Service Provider* if the *Network Service Provider* considers the information or data is materially relevant to that provider for *connection*.
- (d) A person intending to disclose information under paragraphs (b) or (c) must first advise the relevant *Connection Applicant* of the extent of the disclosure, unless the information may be disclosed in accordance with rule 8.6.
- (d1) If a *Connection Applicant* becomes aware of any material change to information contained in or relevant to a *connection* enquiry under rule 5.3 following receipt of the response from the *Network Service Provider* under clause 5.3.3, that *Connection Applicant* must promptly notify the *Network Service Provider* of that change.
- (e) If a *Connection Applicant* or *Network Service Provider* becomes aware of any material change to any information contained in or relevant to an *application to connect*, it must promptly notify the other party in writing of that change.

**Note**

This paragraph is classified as a tier 3 civil penalty provision under the National Electricity (South Australia) Regulations. (See clause 6(1) and Schedule 1 of the National Electricity (South Australia) Regulations.)

- (e1) If a *Connection Applicant* becomes aware of any material change to any data or information provided to the *Network Service Provider* or *AEMO* to enable the assessment of the capability of a *generating system* to meet or exceed its *performance standards* under clause 5.3.7A, that *Connection Applicant* must promptly notify the *Network Service Provider* or *AEMO* of that change.
- (f) A *Registered Participant* must, within 5 *business days* of becoming aware that any information provided to *AEMO* in relation to a *performance standard* or other information of a kind required to be provided to *AEMO* under clause 5.3.7 is incorrect, advise *AEMO* of the correct information.

**Note**

This paragraph is classified as a tier 2 civil penalty provision under the National Electricity (South Australia) Regulations. (See clause 6(1) and Schedule 1 of the National Electricity (South Australia) Regulations.)