

6 March 2009

Dr John Tamblyn
Chair
Australian Energy Market Commission
PO Box A2449
Sydney South NSW 1235

Dear Dr Tamblyn

Request for consolidated rule request pursuant to Section 93 of the National Electricity Law (NEL) – Project Number ERC0083

On 19 February 2009, the AEMC published a section 95 and 96 Notice concerning a Rule change proposal by the AER, namely that the date for release of the AER's final decision on the WACC parameters be extended to 1 May 2009.

On 4 March 2009, ETSA Utilities by letter requested that the AEMC make an urgent Rule change, as a direct consequence of the Rule change proposed by the AER, to ensure that:

- (a) the AER's proposed Rule change does not change the timing or process for the second review; and
- (b) ETSA Utilities receive an extension of time to conduct the complex analysis required and to work through the internal approval process envisaged by the Rules in lodging its revenue proposal.

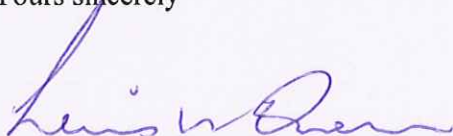
We refer you to our letter dated 4 March 2008 for the full reasons for this request.

Under this letter, and pursuant to section 93(1)(a) of the National Electricity Law (NEL), ETSA Utilities requests that the AEMC treat the AER's rule change request and ETSA Utilities' Rule change request (which is attached as **Appendix A**) as one request for the purposes of Part 7 of the NEL (a consolidated Rule request).

Further, and in accordance with the provisions in Part 7, ETSA Utilities requests that the Rule change request at Appendix A be treated as having been received by the AEMC on 16 February 2009: see section 93(2).

The request is not made pursuant to section 93(1)(b) of the NEL.

Yours sincerely



Lewis W Owens
Chief Executive Officer

APPENDIX A - PROPOSED AMENDMENTS

SUPPLEMENTARY RULE CHANGE REQUEST TO ACCOMPANY THE PROPOSED EXTENSION OF TIME FOR THE AER TO CONCLUDE ITS REVIEW OF THE WACC PARAMETERS FOR ELECTRICITY TRANSMISSION AND DISTRIBUTION

TEXT OF PROPOSED AMENDMENTS

Clause 6A.6.2(g) to be amended to read:

- (g) The AER must conclude the first review by 1 May 2009. The AER must conclude the second review by 31 March 2014 and conclude subsequent reviews at intervals of five years thereafter.

Clause 6A.6.4(c) to be amended to read:

- (g) The AER must conclude the first review by 1 May 2009. The AER must conclude the second review by 31 March 2014 and conclude subsequent reviews at intervals of five years thereafter.

Clause 6.5.4(b) to be amended to read:

- (c) The AER must conclude the first review by 1 May 2009. The second review must be concluded by 31 March 2014 and further reviews are to follow at intervals not exceeding, in any case, 5 years.

11.X ETSA Utilities Partnership Distribution Network Service Providers

11.X.X Definitions

ETSA Utilities means the ETSA Utilities Partnership.

11.X.X Application of Part E to ETSA Utilities 2010-2015 distribution determination

- (a) In relation to the regulatory proposal required to be submitted, pursuant to clause 6.8.2, by ETSA Utilities for the regulatory control period 2010-2015:
 - (i) ETSA Utilities is not required to submit its revenue proposal at least 13 months before the expiry of its distribution determination, as provided in clause 6.8.2(b); and
 - (ii) ETSA Utilities must submit its revenue proposal within 60 days of the AER publishing its Statement of Regulatory Intent.