



National Electricity Amendment (Application of rate of return guidelines to TasNetworks) Rule 2017 No. 12

under the National Electricity Law to the extent applied by:

- (a) the National Electricity (South Australia) Act 1996 of South Australia;
- (b) the Electricity (National Scheme) Act 1997 of the Australian Capital Territory;
- (c) the Electricity - National Scheme (Queensland) Act 1997 of Queensland;
- (d) the Electricity - National Scheme (Tasmania) Act 1999 of Tasmania;
- (e) the National Electricity (New South Wales) Act 1997 of New South Wales;
- (f) the National Electricity (Victoria) Act 2005 of Victoria;
- (g) the National Electricity (Northern Territory)(National Uniform Legislation) Act 2015; and
- (h) the Australian Energy Market Act 2004 of the Commonwealth.

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

John Pierce
Chairman
Australian Energy Market Commission

National Electricity Amendment (Application of rate of return guidelines to TasNetworks) Rule 2017 No. 12

1 Title of Rule

This Rule is the *National Electricity Amendment (Application of rate of return guidelines to TasNetworks) Rule 2017 No.12*.

2 Commencement

This Rule commences operation on 3 October 2017.

3 Amendment of the National Electricity Rules

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

Schedule 1 Amendment to the National Electricity Rules

(Clause 3)

[1] Clause 11.93.1 Definitions

In clause 11.93.1, omit the definition of "**affected DNSP**" and substitute:

affected DNSP means each of the following *Distribution Network Service Providers*:

- (a) ActewAGL Distribution, the joint venture between Icon Distribution Investments Limited ACN 073 025 224 and Jemena Networks (ACT) Pty Ltd ACN 008 552 663 providing *distribution services* in the Australian Capital Territory, or any successor to its business;
- (b) Ausgrid, the energy services corporation of that name (formerly known as EnergyAustralia), which is constituted under section 7 of the *Energy Services Corporations Act 1995* (NSW) and specified in Part 2 of Schedule 1 of that Act, or any successor to its business (including any 'authorised distributor' of Ausgrid's 'network infrastructure assets' (as those terms are defined in the *Electricity Network Assets (Authorised Transactions) Act 2015* (NSW)) following the transfer of the whole, or part of, those network infrastructure assets to the private sector);
- (c) Endeavour Energy, the energy services corporation of that name (formerly known as Integral Energy), which is constituted under section 7 of the *Energy Services Corporations Act 1995* (NSW) and specified in Part 2 of Schedule 1 to that Act, or any successor to its business (including any 'authorised distributor' of Endeavour Energy's 'network infrastructure assets' (as those terms are defined in the *Electricity Network Assets (Authorised Transactions) Act 2015* (NSW)) following the transfer of the whole, or part of, those network infrastructure assets to the private sector);
- (d) Essential Energy, the energy services corporation of that name (formerly known as Country Energy), which is constituted under section 7 of the *Energy Services Corporations Act 1995* (NSW) and specified in Part 2 of Schedule 1 to that Act, or any successor to its business; and
- (e) Power and Water Corporation ABN 15 947 352 360, providing *distribution services* in the Northern Territory, or any successor to its business.

[2] Clause 11.93.1 Definitions

In clause 11.93.1, omit the definition of "**current regulatory control period**" and substitute:

current regulatory control period means:

- (a) in respect of an affected DNSP or affected TNSP, the *regulatory control period* for that affected DNSP or affected TNSP, which commenced before the commencement date and, as at the commencement date, has not ended; and
- (b) in respect of TasNetworks, the *regulatory control period* which ends on 30 June 2019.

[3] Clause 11.93.1 Definitions

In clause 11.93.1, omit the definition of "**subsequent regulatory control period**" and substitute:

subsequent regulatory control period means:

- (a) in respect of an affected DNSP or affected TNSP, the *regulatory control period* for that affected DNSP or affected TNSP that immediately follows its current regulatory control period; and
- (b) in respect of TasNetworks, the *regulatory control period* that immediately follows its current regulatory control period.

[4] Clause 11.93.1 Definitions

In clause 11.93.1, insert the following definition in alphabetical order:

TasNetworks means Tasmanian Networks Pty Ltd ACN 167 357 299, providing *distribution services* in Tasmania, or any successor to its business.

[5] Clause 11.93.2 Application of current rate of return guidelines to making of a distribution determination for the subsequent regulatory control period

In clause 11.93.2, omit "for an affected DNSP's" and substitute "for both an effected DNSP's and TasNetworks".

[END OF RULE AS MADE]
