



Draft National Electricity Amendment (Congestion Information Resource) Rule 2009

under the National Electricity Law as applied by:

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

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

John Tamblyn

Chairman

Australian Energy Market Commission

Draft National Electricity Amendment (Congestion Information Resource) Rule 2009

1. Title of Rule

This Rule is the *Draft National Electricity Amendment (Congestion Information Resource) Rule 2009*.

2. Commencement

This Rule commences operation on [insert date].

3. Amendment of the National Electricity Rules

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

4. Amendment of the National Electricity Rules

The National Electricity Rules are amended as set out in Schedule 2.

Schedule 1 Amendment of National Electricity Rules

(Clause 3)

[1] Rule 3.7A Market information on planned network outages

Omit rule 3.7A and substitute:

3.7A Congestion information resource

- (a) The objective of the *congestion information resource* is to provide information in a cost effective manner to *Market Participants* to enable them to understand patterns of *network* congestion and make projections of *market* outcomes in the presence of *network* congestion ('the *congestion information resource objective*').

Development of congestion information resource

- (b) To implement the *congestion information resource objective*, *NEMMCO* must develop and *publish*, in accordance with this rule 3.7A, an information resource comprising:
- (1) information on *planned network events*;
 - (2) historical data on *mis-pricing* at *transmission network* nodes in the *national electricity market*; and
 - (3) any other information that *NEMMCO*, in its reasonable opinion, considers relevant to implement the *congestion information resource objective*,
- which is to be known as the *congestion information resource*.
- (c) The *congestion information resource* must contain at least the same level of detail as is required to be included in the interim congestion information resource *published* under clause 11.X.2.
- (d) *NEMMCO* must develop, and amend from time to time, the *congestion information resource*:
- (1) consistently with the *congestion information resource objective*;
 - (2) in accordance with the *congestion information resource guidelines*; and

- (3) to incorporate any new, or amend any existing, aspect of the *congestion information resource* where *NEMMCO* forms the view that such an amendment will improve the implementation of the *congestion information resource objective*.
- (e) Subject to paragraph (f), *NEMMCO* must update and *publish* the information contained in the *congestion information resource* (whether in whole or in part) at intervals to be determined by *NEMMCO* in accordance with the *congestion information resource guidelines*.
- (f) The intervals determined by *NEMMCO* for updating and *publishing* the *congestion information resource* must be included in the *timetable*.
- (g) Where there has been a material change to the information contained in the *congestion information resource* and *NEMMCO* considers *Market Participants* require the new information prior to the next periodic update of the *congestion information resource* in accordance with paragraph (e), *NEMMCO* may provide *Market Participants* with the new information in accordance with the *congestion information resource guidelines*.
- (h) *NEMMCO* must *publish* the first *congestion information resource* by [DATE B] and there must be a *congestion information resource* available at all times after that date.
Note: DATE B is intended to be 1 year after this Rule commences operation.
- (i) For the purpose of *publishing* the first *congestion information resource* under paragraph (b), *NEMMCO* may, subject to paragraph (d), *publish* the interim congestion information resource referred to in clause 11.X.2, as the first *congestion information resource*, in whole or in part.
- (j) *NEMMCO* must not *publish confidential information* as part of, or in connection with, the *congestion information resource*.

Congestion information resource guidelines

- (k) *NEMMCO* must develop and *publish* guidelines ('the *congestion information resource guidelines*') for and with respect to:
 - (1) the categories of information to be contained in the *congestion information resource* including the source of that information;
 - (2) the scope and type of the information to be provided by *Transmission Network Service Providers* in accordance with paragraphs (n) and (o);

- (3) the processes to be implemented by *NEMMCO* to obtain the information from *Transmission Network Service Providers* in accordance with paragraphs (n) and (o);
 - (4) the determination of the intervals for updating and *publishing* the *congestion information resource* under paragraph (e); and
 - (5) the processes to be implemented by *NEMMCO* for providing *Market Participants* with information under paragraph (g).
- (l) *NEMMCO* must develop and *publish* the first *congestion information resource guidelines* in accordance with the *Rules consultation procedures* by [DATE A] and there must be a set of *congestion information resource guidelines* available and up to date at all times after this date.

Note: DATE A is intended to be 6 months after this Rule commences operation.

- (m) *NEMMCO* must amend the *congestion information resource guidelines* in accordance with the *Rules consultation procedures*.

Information of Transmission Network Service Providers

- (n) In addition to the obligations imposed on *Transmission Network Service Providers* by rule 3.7, *Transmission Network Service Providers* must provide *NEMMCO* with the information specified in the *congestion information resource guidelines* as information that is to be provided by them:
- (1) in a form which clearly identifies *confidential information*; and
 - (2) in accordance with the *congestion information resource guidelines*.
- (o) Where there has been a material change to the information provided by a *Transmission Network Service Provider* under paragraph (n), the *Transmission Network Service Provider* must provide *NEMMCO* with the revised information as soon as practicable.
- (p) Information contained in the *congestion information resource* which has been provided by, or has been derived from information provided by, a *Transmission Network Service Provider* under this rule 3.7A:
- (1) represents the *Transmission Network Service Provider's* current intentions and best estimates regarding *planned network events* at the time the information is made available;

- (2) does not bind the *Transmission Network Service Provider* to comply with an advised *outage* program; and
- (3) may be subject to change due to unforeseen circumstances outside the control of the *Transmission Network Service Provider*.

[2] Clause 3.13.4 Spot market

After clause 3.13.4(y), insert:

- (z) At intervals to be determined by *NEMMCO* under rule 3.7A(e), *NEMMCO* must, in accordance with the *timetable*, *publish* updates to the *congestion information resource*.

[3] Chapter 10 New Definitions

In Chapter 10, insert the following new definitions in alphabetical order.

congestion information resource

An information resource comprising:

- (a) information on *planned network events* that are likely to materially affect *network constraints* in relation to a *transmission system*;
- (b) historical data on *mis-pricing* at *transmission network* nodes in the *national electricity market*; and
- (c) any other information that *NEMMCO*, in its reasonable opinion, considers relevant to implement the *congestion information resource objective*,

that is developed, *published* and amended from time to time by *NEMMCO* in accordance with rule 3.7A.

congestion information resource guidelines

Guidelines developed and *published* by *NEMMCO* in accordance with rule 3.7A(k) to (m).

congestion information resource objective

The objective of the *congestion information resource* which is set out in rule 3.7A(a).

mis-pricing

For a particular *network* node within a nominated *region*, the difference between:

- (a) the *regional reference price* for the *region*; and
- (b) an estimate of the marginal value of *supply* at the *network* node, which marginal value is determined as the price of meeting an incremental change in *load* at that *network* node.

network support agreement

An agreement between a *Network Service Provider* and a *Market Participant* to improve *network capability* by providing a non-network alternative to a *network augmentation*.

planned network event

An event which has been planned by a *Transmission Network Service Provider*, *NEMMCO* or a *Market Participant* that is likely to materially affect *network constraints* in relation to a *transmission system*, including but not limited to:

- (a) a *network outage*;
- (b) the *connection* or *disconnection* of *generating units* or *load*;
- (c) the commissioning or decommissioning of a *network* asset or the provision of new or modified *network control ancillary services*; and
- (d) the provision of services under a *network support agreement*.

[4] Chapter 10 Deleted Definitions

Omit the following definition:

hedge contract

A contract between two or more parties affording one or each of them protection against certain financial risks.

Schedule 2 Amendment of National Electricity Rules

(Clause 4)

[1] Chapter 11 Savings and transitional arrangements

After rule 11.(X-1) insert:

Part XX Congestion Information Resource (2009 amendments)

11.X Rules consequent on the making of the National Electricity Amendment (Congestion Information Resource) Rule 2009

11.X.1 Definitions

In this rule 11.X:

Amending Rule means the National Electricity Amendment (Congestion Information Resource) Rule 2009.

commencement date means the day on which the Amending Rule commences operation.

interim congestion information resource means the information resource developed and *published* in accordance with rule 11.X.2.

network outage schedule means a schedule developed by *NEMMCO* based on information received from *Transmission Network Service Providers* in accordance with rule 3.7A that lists the planned *network outages* on each *transmission system* for a period of up to two years in advance and that identifies the likelihood of each planned *network outage* proceeding following an assessment of forecast demand for the period of the planned *network outage*.

11.X.2 Interim congestion information resource

- (a) Pending the development and *publication* of the *congestion information resource* under rule 3.7A, *NEMMCO* must develop an interim congestion information resource to implement the *congestion information resource objective* in accordance with this rule 11.X. *NEMMCO* is not required to follow the *Rules consultation procedures* in developing the interim congestion information resource.
- (b) The interim congestion information resource must include:
 - (1) the network outage schedule;

- (2) historical data on *mis-pricing* at *transmission network* nodes in the *national electricity market*;
 - (3) the following information on *network outages* planned for the subsequent thirteen months that, in the reasonable opinion of the relevant *Transmission Network Service Provider*, will have or are likely to have a material effect on transfer capabilities:
 - (i) details of the forecast timing and the factors affecting the timing of planned *network outages* and the likelihood that the planned timing will vary; and
 - (ii) details of the reasons for the planned *network outage*, including the nature, and a description, of the works being carried out during the planned *network outage*, if any;
 - (4) the following information on planned *network outages* referred to in subparagraph (3):
 - (i) an assessment of the projected impact on *intra-regional power transfer capabilities*, the accuracy of which must be appropriate to implement the *congestion information resource objective*; and
 - (ii) an assessment of the projected impact on *inter-regional power transfer capabilities*, the accuracy of which must be appropriate to implement the *congestion information resource objective*;
 - (5) any other information with respect to planned *network outages* referred in subparagraph (3) that *NEMMCO* considers relevant to implement the *congestion information resource objective*; and
 - (6) any other information that *NEMMCO*, in its reasonable opinion, considers relevant to implement the *congestion information resource objective*.
- (c) Each month, in accordance with the *timetable* for the provision of information to *medium term PASA*, each *Transmission Network Service Provider* must provide to *NEMMCO*:
- (1) the information referred to in paragraphs (b)(3) and (b)(4); and
 - (2) for the purposes of paragraph (b)(5), any other information with respect to the planned *network outages* referred to in paragraph (b)(3) that *NEMMCO* considers relevant to implement the *congestion information resource objective*.

- (d) *NEMMCO* must *publish* the interim congestion information resource by [DATE A].

Note: DATE A is intended to be 6 months after this Rule commences operation.

- (e) *NEMMCO* must determine the frequency of updating (whether in whole or in part) and *publishing* the information contained in the interim congestion information resource.
- (f) At intervals determined by *NEMMCO* under paragraph (e), *NEMMCO* must, in accordance with the *timetable*, update and *publish* the interim congestion information resource.
- (g) *Transmission Network Service Providers* must provide *NEMMCO* with such information as is requested by *NEMMCO* for inclusion in the interim congestion information resource in accordance with paragraph (b). This information is to be provided to *NEMMCO* in a form which clearly identifies *confidential information*.
- (h) Where there has been a material change to the information provided by a *Transmission Network Service Provider* under paragraph (g), the *Transmission Network Service Provider* must provide *NEMMCO* with the revised information as soon as practicable.
- (i) Information contained in the interim congestion information resource which has been provided by, or has been derived from information provided by, a *Transmission Network Service Provider*:
 - (1) represents the *Transmission Network Service Provider's* current intentions and best estimates regarding planned *network outages* at the time the information is made available;
 - (2) does not bind the *Transmission Network Service Provider* to comply with an advised *outage* program; and
 - (3) may be subject to change due to unforeseen circumstances outside the control of the *Transmission Network Service Provider*.
- (j) *NEMMCO* must not *publish confidential information* as part of, or in connection with, the interim congestion information resource.
- (k) *NEMMCO* must amend the *timetable* in accordance with clause 3.4.3(b) to take into account the Amending Rule and those amendments are to take effect from the commencement date.
- (l) All actions taken by *NEMMCO* prior to the commencement date in anticipation of the commencement date to amend the *timetable* as

required by paragraph (k) are taken to satisfy the equivalent action required under clause 3.4.3(b).
