AEMC

Draft National Electricity Amendment (Confidentiality Arrangements in Respect of Information Required for Power System Studies) Rule 2008

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

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Draft National Electricity Amendment (Confidentiality Arrangements in Respect of Information Required for Power System Studies) Rule 2008

1. Title of Rule

This Rule is the *Draft National Electricity Amendment (Confidentiality Arrangements in Respect of Information Required for Power System Studies) Rule 2008.*

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. Savings and Transitional Amendments to the National Electricity Rules

Chapter 11 of the National Electricity Rules is amended as set out in Schedule 2.

Schedule 1   Amendment of National Electricity Rules

(Clause 3)

[1] Clause 3.13.3 Standing data

In clause 3.13.3(k) omit "Subject to the requirements relating to disclosure of information under clause 5.3.8(a), a" and substitute the word "A".

[2] Clause 3.13.3 Standing data

Omit clause 3.13.3(k)(2) and substitute the following:

> (2)   information that is reasonably required by the *Registered Participant* to carry out *power system* studies (including load flow and dynamic simulations) for planning and operational purposes; and

[3] Clause 3.13.3 Standing data

After clause 3.13.3(k), insert:

> (k1)   If *NEMMCO* is required, under paragraph (l), to provide a *releasable user guide* that *NEMMCO* received under clause S5.2.4(b)(7), *NEMMCO* must provide the *releasable user guide* to the *Registered Participant* in an unaltered form.

> (k2)   If *NEMMCO* is required, under paragraph (l), to provide a form of the source code that *NEMMCO* received under clause S5.2.4(b)(6) or from any other source, *NEMMCO* must provide that information:

>> (1)   only in the form of, at *NEMMCO's* discretion:

>>> (i)   compiled information (such as, for example, compiled Fortran code in object code or dynamic link library (DLL) form);

>>> (ii)   encrypted information; or

>>> (iii)   a secured format agreed by the provider of the source code,

>> unless *NEMMCO* obtains the written consent of the person who provided the information to *NEMMCO* to provide it in another form; and

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(2)   in a form that can be interpreted by a software simulation product nominated by *NEMMCO*.

(k3)   If *NEMMCO* is required, under paragraph (l), to provide information requested under subparagraph (k)(2), *NEMMCO* may provide:

     (1)   historical information relating to the operating conditions of the *power system*;

     (2)   information and data provided to *NEMMCO* under subparagraphs (f)(1) and (f)(3) and information of the same type provided under paragraph (g);

     (3)   *network* dynamic model parameter values obtained under subparagraph (f)(2) and paragraph (g);

     (4)   model parameter values and load flow data derived from a *releasable user guide*;

     (5)   a *network* model of the *national grid*, suitable for load flow and fault studies; and

     (6)   other technical data as listed in clauses S5.5.3 and S5.5.4.

[4] Clause 3.13.3 Standing data

Omit clause 3.13.3(l) and substitute:

(l)   Subject to paragraphs (k1), (k2), (k3) and (l1), where *NEMMCO* holds information requested under paragraph (k), *NEMMCO* must provide the requested information to the *Registered Participant* as soon as practicable and *NEMMCO* may charge a fee to recover all reasonable costs incurred in providing this service.

[5] Clause 3.13.3 Standing data

After clause 3.13.3(l), insert:

(l1)   Where *NEMMCO* is required to provide information under paragraph (l), this must not include information relating to *plant* that is the subject of an *application to connect* or a *connection agreement*, until the later of:

     (1)   the date when the relevant *connection agreement* is executed; and

     (2)   three months before the proposed start of commissioning of that *plant*.

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(l2)   Where a *Transmission Network Service Provider* is responsible for provision of *network* limit advice relating to *power system* stability limits to *NEMMCO* under clause S5.1.2.3, *NEMMCO* must, on request from that *Transmission Network Service Provider*, provide all *power system* and *generating system* model information that is reasonably required for planning and operational purposes, where *NEMMCO* holds that information, including:

    (1)   functional block diagram information, including information provided to *NEMMCO* under clause S5.2.4(b)(5);

    (2)   *generating unit*, *generating system* and *power system* static and dynamic model information, including model parameters and parameter values; and

    (3)   information provided to *NEMMCO* in accordance with clause S5.2.4(a).

(l3)   Where *NEMMCO* is required to provide information to a *Transmission Network Service Provider* under paragraph (l2), this must not include:

    (1)   source code information provided to *NEMMCO* under clause S5.2.4(b)(6), except as allowed under paragraph (k2); and

    (2)   information relating to *plant* that is the subject of an *application to connect* until after the execution of the relevant *connection agreement*.

(l4)   A *Transmission Network Service Provider* in receipt of information provided under paragraph (l2) must treat any information relevant to any *network* other than the *network* for which it is the relevant *Network Service Provider* as *confidential information*.

[6] Clause 3.13.3 Standing data

After clause 3.13.3(p), insert:

(p1)   *NEMMCO* must establish, maintain and *publish* a register listing the instances in which it has provided information under paragraph (l) and the name of the person to whom the information was provided.

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[7] Clause 5.3.8   Provision and use of information

Omit clause 5.3.8(a)(2) and substitute:

> (2)   not be disclosed or made available by the recipient to a third party except as set out in clause 3.13.3 or this clause 5.3.8.

[8] Clause 5.3.8   Provision and use of information

In clause 5.3.8(d), omit "paragraphs (b) and (c)" and substitute with "paragraphs (b) or (c)".

[9] Schedule 5.2.4   Provision of information

In clause S5.2.4(b)(5) omit the words "studies; and" and substitute "studies;"

[10] Schedule 5.2.4   Provision of information

In clause S5.2.4(b)(6), omit the "." and substitute "; and".

[11] Schedule 5.2.4   Provision of information

After clause S5.2.4(b)(6), insert:

> (7)   to *NEMMCO* and the relevant *Network Service Providers* (including the relevant *Transmission Network Service Provider* in respect of an *embedded generating unit*) a *releasable user guide* in relation to the model in subparagraphs (5) and (6).

[12] Schedule 5.2.4   Provision of information

Omit clause S5.2.4(d) and substitute:

> (d)   The *Generator* must update the information provided under paragraph (b):
>
> > (1)   within 3 months after commissioning tests or other tests undertaken in accordance with clause 5.7.3 are completed;
> >
> > (2)   when the *Generator* becomes aware that the information is incomplete, inaccurate or out of date; or

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(3) on request by *NEMMCO* or the relevant *Network Service Provider*, where *NEMMCO* or the relevant *Network Service Provider* considers that the information in incomplete, inaccurate or out of date.

[13] Schedule 5.2.4   Provision of information

Omit clause S5.2.4(e) and substitute:

(e) For the purposes of clause S5.2.4(e1), a *Connection Applicant* must be registered as an *Intending Participant* in accordance with rule 2.7.

[14] Minor consequential amendment to Schedule 5.2.4   Provision of information

After the new clause S5.2.4(e), insert:

(e1) For the purposes of clause 5.3.2(f), the technical information that a *Network Service Provider* must, if requested, provide to a *Connection Applicant* in respect of a proposed *connection* for a *generating system* includes:

     (1) the highest expected single phase and three phase fault levels at the *connection point* with the *generating system* not *connected*;

     (2) the clearing times of the existing *protection systems* that would clear a fault at the location at which the new *connection* would be connected into the existing *transmission system* or *distribution system*;

     (3) the expected limits of *voltage* fluctuation, harmonic *voltage* distortion and *voltage* unbalance at the *connection point* with the *generating system* not *connected*;

     (4) technical information relevant to the *connection point* with the *generating system* not *synchronised* including equivalent source impedance information, sufficient to estimate fault levels, *voltage* fluctuations, harmonic *voltage* distortion (for harmonics relevant to the *generating system*) and *voltage* unbalance; and

     (5) information relating to the performance of the *national grid* that is reasonably necessary for the *Connection Applicant* to prepare an application to *connect*, including:

         (i) a model of the *power system*, including relevant *considered projects* and the range of expected operating conditions,

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sufficient to carry out load flow and dynamic simulations; and

(ii)   information on *inter-regional* and *intra-regional power transfer capabilities* and relevant *plant* ratings.

[15] Schedule 5.2.4   Provision of information

Omit clause S5.2.4(f) and substitute:

(f)   Subject to clauses 3.13.3(k2), (k3) and (l2), all information provided under this clause S5.2.4 is *confidential information*.

[16] Minor consequential amendment to Schedule 5.2.8   Fault current

In clauses S5.2.8(a)(2)(i) and S5.2.8(b)(2), omit "clause S5.2.4(e)(1)" and substitute "clause S5.2.4(e1)(1)".

[17] Clause 8.6.2   Exceptions

Omit clause 8.6.2(m) and substitute:

(m)   **[Deleted]**

[18] Chapter 10   Amended definition

In Chapter 10, at the end of the definition of the term "Connection Applicant", insert:

For the purposes of clauses S5.2.4(e) and S5.2.4(e1), a *Connection Applicant* must be registered as an *Intending Participant* in accordance with rule 2.7.

[19] Chapter 10   New definition

After the definition of the term "related body corporate", insert:

Releasable user guide

A document associated with a functional block diagram and source code provided under clause S5.2.4(b) (combined, forming the "**model**") that contains sufficient information to enable a *Registered Participant* to use encrypted source code provided under clause 3.13.3(l) to carry out *power system* studies for planning and operational purposes. The information must include, but is not limited to:

(i)   the **model** parameters and their values;

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(ii) information about how the **model** parameter values vary with the operating state or output level of the *plant* or with the operating state or output level of any associated *plant*;

(iii) instructions relevant to the use and operation or the encrypted source code provided under clause 3.13.3(l);

(iv) settings of *protection systems* that are relevant to load flow or dynamic simulation studies;

(v) information provided in accordance with Schedule 5.5 that is not a part of the **model** or the **model** parameters, which are required to allow modelling of the *generating unit*, *generating system* or related *plant* in *power system* load flow or dynamic simulation studies;

(vi) *connection point* details including parameters and values, location, *network augmentations* or modifications and other relevant *connection* information; and

(vii) if the *generating unit* or *generating system*, as appropriate, is not yet *connected*, the expected *connection* and commissioning dates.

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Schedule 2   Savings and Transitional Amendments to the National Electricity Rules

(Clause 4)

[1] Chapter 11   Savings and transitional arrangements

After Rule 11.21.8, insert the heading "Part Q Confidentiality Arrangements concerning Information required for Power System Studies" and the following:

11.22   Rule consequential on the making of the National Electricity Amendment (Confidentiality Arrangements in Respect of Information Required for Power System Studies) Rule 2008

11.22   Transitional provision for information

    (a)   For the purposes of clause 11.22:

        Amending Rule means the National Electricity Amendment (Confidentiality Arrangements in Respect of Information Required for Power System Studies) Rule 2008.

        Commencement date of the Amending Rule means the date of commencement of the National Electricity Amendment (Confidentiality Arrangements in Respect of Information Required for Power System Studies) Rule 2008.

    (b)   Information that NEMMCO holds at the commencement date of the Amending Rule of a type required in a *releasable user guide* is deemed to be *releasable user guide* information for the purposes of clause 3.13.3(k3).

    (c)   For the purpose of clause 3.13.3(k2), from the commencement date of the Amending Rule, the provider of the source code information received by *NEMMCO* is:

        (1)   the *Generator*, where the information was received from a *Generator* under clause S5.2.4(b)(6);

        (2)   the *Generator*, if the information was provided to *NEMMCO* by a *Network Service Provider* and that same *Network Service Provider* advises *NEMMCO* that the provider of the information is the *Generator*; and

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        (3)   otherwise, the relevant *Transmission Network Service Provider*.

(d)   *NEMMCO* must implement any changes to its systems needed to comply with its obligations under the Amending Rule within 12 months of the commencement date of the Amending Rule.

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