



National Electricity Amendment (WACC Reviews: Extension of Time) Rule 2009 No. 6

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.

A handwritten signature in black ink, appearing to read 'John Tamblyn', is written over the printed name and title. The signature is fluid and cursive, with a large loop at the beginning and end.

John Tamblyn
Chairman

Australian Energy Market Commission

National Electricity Amendment (WACC Reviews: Extension of Time) Rule 2009 No. 6

1. Title of Rule

This Rule is the *National Electricity Amendment (WACC Reviews: Extension of Time) Rule 2009 No. 6*.

2. Commencement

This Rule commences operation on 31 March 2009.

3. Amendment of the National Electricity Rules

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

Schedule 1 Amendment of National Electricity Rules

(Clause 3)

[1] Clause 6.5.4 Review of rate of return

Omit clause 6.5.4(b) and substitute:

- (b) The first review is to be concluded by 1 May 2009 and further reviews are to follow at intervals not exceeding, in any case, five years with the first interval starting from 31 March 2009.

[2] Clause 6A.6.2 Return on capital

Omit clause 6A.6.2(g) and substitute:

- (g) The *AER* must conclude the first review by 1 May 2009 and conclude subsequent reviews at intervals of five years with the first interval starting from 31 March 2009.

[3] Clause 6A.6.4 Estimated cost of corporate income tax

Omit clause 6A.6.4(c) and substitute:

- (c) The *AER* must conclude the first review by 1 May 2009 and conclude subsequent reviews at intervals of five years with the first interval starting from 31 March 2009.

[4] Rule 11.26 Rules consequential on the making of the National Electricity Amendment (WACC Reviews: Extension of Time) Rule 2009

After rule 11.25, insert:

Part V WACC Reviews: Extension of Time

11.26 Rule consequential on the making of the National Electricity Amendment (WACC Reviews: Extension of Time) Rule 2009

11.26.1 Definitions

In this rule 11.26:

regulatory control period 2010-2015 means the *regulatory control period* commencing on 1 July 2010 in relation to *Distribution Network Service Providers* in South Australia and Queensland.

11.26.2 Extension of time to submit a regulatory proposal for the regulatory control period 2010-2015

- (a) This rule 11.26 applies to *Distribution Network Service Providers* in South Australia and Queensland.
- (b) Despite clause 6.8.2(b)(1), where a relevant *Distribution Network Service Provider* is required to submit a *regulatory proposal* for the *regulatory control period* 2010-2015 to the AER under clause 6.8.2(a), that *regulatory proposal* must be submitted by 1 July 2009.

END OF RULE AS MADE
