



## **National Electricity Amendment (Demand Management) Rule 2009 No. 11**

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

## **National Electricity Amendment (Demand Management) Rule 2009 No. 11**

### **1. Title of Rule**

This Rule is the *National Electricity Amendment (Demand Management) Rule 2009 No. 11*.

### **2. Commencement**

This Rule commences operation on 1 July 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 5.6.2A      Annual Planning Report

Omit clause 5.6.2A(b)(3) and substitute:

- (3) a forecast of *constraints* and inability to meet the *network* performance requirements set out in schedule 5.1 or relevant legislation or regulations of a *participating jurisdiction* over 1, 3 and 5 years;
- (3a) in respect of information required by subparagraph (3), where an estimated reduction in forecast *load* would defer a forecast *constraint* for a period of 12 months, include:
  - (i) the year and months in which a *constraint* is forecast to occur;
  - (ii) the relevant *connection points* at which the estimated reduction in forecast *load* may occur;
  - (iii) the estimated reduction in forecast *load* in MW needed; and
  - (iv) a statement of whether the *Transmission Network Service Provider* plans to issue a request for proposals for *augmentation* or a non-network alternative identified by the annual planning review conducted under clause 5.6.2(b) and if so, the expected date the request will be issued;

### [2]    Clause 6A.5.4      Building Blocks approach

In clause 6A.5.4(b)(6), after “clause 6A.6.6(c)”, insert “, clause 6A.6.6(c1)”.

### [3]    Clause 6A.6.5      Efficiency benefit sharing scheme

In clause 6A.6.5(a), after “clause 6A.6.6(c)”, insert “, clause 6A.6.6(c1)”.

**[4] Clause 6A.6.6 Forecast operating expenditure**

After clause 6A.6.6(c), insert

(c1) If:

- (1) a *Transmission Network Service Provider* made *network support payments* in accordance with a relevant agreement for *network support services* in the previous *regulatory control period*; and
- (2) the *Transmission Network Service Provider* must continue to make *network support payments* to fulfil obligations under the relevant agreement for *network support services* in the relevant *regulatory control period*,

the *AER* must accept the forecast of required operating expenditure of the *Transmission Network Service Provider* included in a *Revenue Proposal* in relation to the remainder of costs required to meet obligations under the relevant agreement for *network support services* in the relevant *regulatory control period*.

**[5] Clause 6A.6.6 Forecast operating expenditure**

In clause 6A.6.6(e)(9), omit “and” where lastly occurring.

**[6] Clause 6A.6.6 Forecast operating expenditure**

In clause 6A.6.6(e)(10), omit “.” and substitute:

; and

- (11) the extent to which the *Transmission Network Service Provider* has considered and made provision for efficient and prudent non-network alternatives.

**[7] Clause 6A.6.7 Forecast capital expenditure**

In clause 6A.6.7(e)(9), omit “and” where lastly occurring.

**[8] Clause 6A.6.7 Forecast capital expenditure**

In clause 6A.6.7(e)(10), omit “.” and substitute:

; and

- (11) the extent to which the *Transmission Network Service Provider* has considered and made provision for efficient and prudent non-network alternatives.

**[9] Clause 6A.14.1 Contents of decisions**

In clause 6A.14.1(3)(i), after “clause 6A.6.6(c)”, insert “or clause 6A.6.6(c1)”.

**[10] Clause S6A.1.1 Information and matters relating to capital expenditure**

In clause S6A.1.1(6), omit “and” where lastly occurring.

**[11] Clause S6A.1.1 Information and matters relating to capital expenditure**

In clause S6A.1.1(7), omit “.” and substitute:

; and

- (8) any non-network alternatives considered by the *Transmission Network Service Provider*.

**[12] Clause S6A.1.2 Information and matters relating to operating expenditure**

In clause S6A.1.2(7), omit “and” where lastly occurring.

**[13] Clause S6A.1.2 Information and matters relating to operating expenditure**

In clause S6A.1.2(8), omit “.” and substitute:

; and

- (9) any non-network alternatives considered by the *Transmission Network Service Provider*.

END OF RULE AS MADE

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