

**11.[xxx] Part [insert] – Deferral of payment of network charges**

**11.[xxx].1 Rules consequential on the making of the National Electricity Amendment (Deferral of payment of network charges) Rule 2020**

11.[xxx].1.1 Definitions

Unless otherwise defined, terms which are defined in clause 6B.A1.2 have the meaning given to them in that clause.

For the purposes of this rule 11.[xxx]:

**Amending Rule** means the National Electricity Amendment (Deferral of payment of network charges) Rule 2020.

**Commencement date** means the day on which the Amending Rule commences operation.

**COVID-19 customer arrangement** means:

- (a) any payment plan or instalment arrangement within the meaning of the *NERL* or the *NERR*;
- (b) any arrangements for a hardship customer (other than a payment plan), within the meaning of the *NERL*; and
- (c) any deferred debt arrangement,

other than a plan or arrangement between an eligible retailer and a *shared customer* where the *shared customer* is a *large customer* within the meaning of the *NERL*.

**Deferred debt arrangement** means any arrangement by which the payment of a debt owed or expected to be owed by a *shared customer* to an eligible retailer for the supply of electricity is deferred.

**Eligible retailer** means a *retailer* except:

- (a) any *retailer* which is owned, whether wholly or in part, by the government of a *participating jurisdiction*; and
- (b) any registered RoLR within the meaning of the *NERL*.

**11.[xxx].2 Deferral of payment of network charges**

11.[xxx].2.1 Subject, to clause 11.[xxx].2.2, if:

- (a) during the period beginning at the commencement date and ending on 6 February 2021 a *Distribution Network Service Provider* issues a *statement of charges* to an eligible retailer and the *statement of charges* includes *network charges* payable under clause 6B.A2.1 in respect of a *shared customer*; and
- (b) as at the *date of issue* of that *statement of charges*, the eligible retailer has entered into a COVID-19 customer arrangement with that *shared customer*; and
- (c) the eligible retailer has, prior to the *due date for payment* of *network charges* not covered by this clause 11.[xx].2.1, provided to the *Distribution Network Service Provider* a statutory declaration signed by an officer of that eligible retailer verifying the following for each *shared customer* referred to in clause 11.[xxx].2.1(b):
  - (1) the existence of the COVID-19 customer arrangement described in clause 11.[xxx].2.1(b); and

- (2) the amount of *network charges* payable in respect of that *shared customer* pursuant to that *statement of charges*,

then, for the purposes of Chapter 6B and clause 11.96.2, the *due date for payment* for the *network charges* payable in respect of the relevant *shared customer* is taken to be 6 months from the *date of issue* of that *statement of charges*.

- 11.[xxx].2.2 Clause 11.[xxx].2.1 applies only to *network charges* other than charges in respect of *alternative control services* and *negotiated distribution services*.
- 11.[xxx].2.3 In respect of any *network charges* to which clause 11.[xxx].2.1 applies, the eligible retailer must pay the *Distribution Network Service Provider*:
- (a) interest at a rate of 3% per annum on those *network charges* in respect of the period commencing 10 *business days* from the *date of issue* of the relevant *statement of charges* and ending upon the earlier of:
- (1) the *day* occurring 6 months from the *date of issue* of the *statement of charges*; and
- (2) the date those *network charges* are paid; and
- (b) in respect of any *network charges* not paid by the *day* occurring 6 months from the *date of issue* of the *statement of charges*, interest calculated in accordance with clause 6B.A3.4.
- 11.[xxx].2.4 For the purposes of clause 11.96.2, in determining pursuant to Old Chapter 6B (as that term is defined in clause 11.96.1) when a *Distribution Network Services Provider* may require a *retailer* to provide *credit support*, the amount of *credit support* that may be required and when the *Distribution Network Services Provider* may apply or draw on that *credit support*, the application of clause 11.[xxx].2.1 to any *network charges* must be taken into account such that the Amending Rule has the same practical effect for credit support arrangements entered into pursuant to Old Chapter 6B as it does for credit support arrangements entered into pursuant to Chapter 6B.
- 11.[xxx].2.5 A *Distribution Network Service Provider* and eligible retailer to whom clause 11.[xxx].2.1 applies must in good faith cooperate to implement the processes necessary to ensure their compliance with clause 11.[xxx].2.1 and clause 11.[xxx].2.3 as soon as practicable, and in any event no later than 5 *business days*, after the commencement date.
- 11.[xxx].3 Deferral of payment of charges for prescribed transmission services**
- 11.[xxx].3.1 Where the *due date for payment* of *network charges* to a *Distribution Network Service Provider* is deferred in accordance with clause 11.[xxx].2.1 and those *network charges* include charges for *prescribed transmission services* billed to that *Distribution Network Service Provider* by a *Transmission Network Service Provider* during the period beginning at the commencement date and ending on 6 February 2021, then:
- (a) for the purposes of Chapter 6A, the *due date for payment* of those charges for *prescribed transmission services* to that *Transmission Network Service Provider* is taken to be 6 months from the date specified in the bill; and
- (b) to the extent that pursuant to clause 11.[xxx].2.3 the *Distribution Network Service Provider* has been paid interest in respect of those charges for *prescribed transmission services*, the *Distribution Network Service Provider* must pay that interest to the *Transmission Network Service Provider*.
- 11.[xxx].3.2 A *Distribution Network Service Provider* and *Transmission Network Service Provider* to whom clause 11.[xxx].3.1 applies must in good faith cooperate to implement the

processes necessary to ensure their compliance with clause 11.[xxx].3.1 as soon as practicable after the commencement date.

#### **11.[xxx].4 AER reporting**

11.[xxx].4.1 An eligible retailer to whom clause 11.[xxx].2.1 applies must as soon as is practicable following the end of each month report to the AER:

- (a) the number of *shared customers* in respect of whom the *due date for payment for network charges* has been deferred pursuant to clause 11.[xxx].2.1;
- (b) the total amount of *network charges* deferred pursuant to clause 11.[xxx].2.1; and
- (c) as at the end of that month, the latest *due date for payment for network charges* deferred pursuant to clause 11.[xxx].2.1,

as at the end of that month.

11.[xxx].4.2 The *AER* must *publish* the information it receives pursuant to clause 11.[xxx].4.1 no later than three months following the latest *due date for payment* reported to it pursuant to clause 11.[xxx].4.1.

#### **11.[xxx].5 Application of the Amending Rule**

The Amending Rule prevails to the extent of any inconsistency over any clause of the *Rules*.