

Making of National Electricity Amendment (Retailer Reliability Obligation trigger) Rule 2020

National Electricity Law – Section 90F

I, Daniel Cornelis van Holst Pellekaan, Minister for Energy and Mining for the Crown in right of the State of South Australia, as the Minister administering the *National Electricity (South Australia) Act 1996* of South Australia, hereby make the National Electricity Amendment (Retailer Reliability Obligation trigger) Rule 2020 under section 90F of the *National Electricity (South Australia) Law* on the recommendation of the Energy Ministers sitting as the Ministerial Council on Energy for the purposes of that section.

This Rule has been signed by me for the purposes of identification of the National Electricity Amendment (Retailer Reliability Obligation trigger) Rule 2020 and commences operation on [X] 2020.

Hon, Dan van Holst Pellekaan MO
Minister for Energy and Mining
/ /2020

Draft National Electricity Amendment (Retailer Reliability Obligation trigger) Rule 2020

1 Title of Rule

This Rule is the *National Electricity Amendment (Retailer Reliability Obligation trigger) Rule 2020*.

2 Commencement

This Rule commences operation on [COMMENCEMENT_DATE].

3 Amendment to the National Electricity Rules

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

4 Savings and Transitional Amendment to the National Electricity Rules

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

DRAFT

Schedule 1 Amendment to the National Electricity Rules

(Clause 3)

[1] Clause 3.9.3C Reliability standard and interim reliability measure

In the Note after clause 3.9.3C(a1), omit “clause 11.128” and substitute “rule 11.128 and for the Retailer Reliability Obligation under rule 11.xxx”.

[2] Clause 4A.A.2 Forecast reliability gap materiality

In the Note after clause 4A.A.2, insert on a new line:

Under rule 11.xxx, the reference to the *reliability standard* is replaced with the *interim reliability measure* until 30 June 2025.

[3] Clause 4A.H.3 Commencement of voluntary book build

In clause 4A.H.3(a), after “paragraph (b)” insert “, AEMO may conduct a *voluntary book build* in the relevant *region* for the relevant forecast reliability gap period”.

[4] Clause 4A.H.3 Commencement of voluntary book build

In clause 4A.H.3(a)(1), after “clause 4A.H.2” omit “, then AEMO must conduct a *voluntary book build* in the relevant *region* for the relevant forecast reliability gap period”.

[5] Clause 4A.H.3 Commencement of voluntary book build

In clause 4A.H.3(a)(2), after “T-3 reliability instrument is made” omit “, then AEMO may conduct a *voluntary book build* in the relevant *region* for the relevant forecast reliability gap period”.

Schedule 2 Savings and Transitional Amendment to the National Electricity Rules

(Clause 4)

[1] Chapter 11 Savings and Transitional Rules

In Chapter 11, insert a new Part ZZZ[X]:

Part ZZZ[X] Retailer Reliability Obligation trigger

11.[XXX] Rules consequential on the making of the National Electricity Amendment (Retailer Reliability Obligation trigger) Rule 2020

11.[xxx].1 Definitions

- (a) For the purposes of this rule 11.[xxx]:
Amending Rule means the National Electricity Amendment (Retailer Reliability Obligation trigger) Rule 2020.
commencement date means [X].
- (b) Terms defined in Chapter 4A have the same meaning when used in this Part ZZZ[X].

11.[xxx].2 Reliability standard

From the commencement date until 30 June 2025, for the purposes of sections 14G(1) and 14(G)(5) of the *National Electricity Law*:

- (a) the *reliability standard* is prescribed to be the *interim reliability measure*; and
- (b) a *forecast reliability gap* occurs in a *region* in a *financial year* if identified in a *reliability forecast* and is material if it exceeds the *interim reliability measure*.

11.[xxx].3 AEMO request for a T-3 reliability instrument

If *AEMO* makes a request for a T-3 reliability instrument before 31 December 2020, for the purposes of section 14I(4)(b) of the *National Electricity Law* and despite clause 4A.C.2(a), that request for a T-3 reliability instrument must be made at least one month before the T-3 cut-off day for the relevant *forecast reliability gap*.

11.[xxx].4 When a decision by the AER must be made

If *AEMO* makes a request for a T-3 reliability instrument before 31 December 2020 under rule 11.[xxx].3, for the purposes of section 14K of the *National Electricity Law* and despite clause 4A.C.9(c), the *AER* must decide whether or not to make the reliability instrument by the date that is the earlier of:

- (a) 2 months from receiving *AEMO*'s request; or

(b) the day before the T-3 cut off day.

11.[xxx].5 Reliability Forecast Guidelines

By [xx], *AEMO* must amend the *Reliability Forecast Guidelines* to take into account the Amending Rule. *AEMO* is not required to comply with the *Rules consultation procedures* when amending the *Reliability Forecast Guidelines*.

11.[xxx].6 AEMO preparatory activities

Any action taken by *AEMO* prior to the commencement date in anticipation of the commencement of the Amending Rule, and amendments to the *Reliability Forecast Guidelines* to be made in accordance with this Amending Rule, are deemed to have been taken for the purpose of the Amending Rule and continue to have effect for that purpose.

11.[xxx].7 AER preparatory activities

Any action taken by the *AER* prior to the commencement date in anticipation of the commencement of the Amending Rule is deemed to have been taken for the purpose of the Amending Rule and continues to have effect for that purpose.