



Victoria Government Gazette

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SPECIAL

NOTICE UNDER NATIONAL ELECTRICITY CODE

Victorian Full Retail Competition Derogations

NOTICE is hereby given pursuant to clause 9.1.1(h) of the National Electricity Code approved under section 6 of the National Electricity Law which forms the Schedule to the **National Electricity (South Australia) Act 1996** that a definition in Chapter 9 of the National Electricity Code is amended and a new clause 9.9A is inserted in Chapter 9 of the National Electricity Code.

These amendments to the National Electricity Code commence on 1 August 2001.

As required by clause 9.1.1(h) of the National Electricity Code, copies of:

- 1 the notice from the Honourable Candy Broad MLC, notifying the National Electricity Code Administrator Limited (ACN 073 942 775) (“NECA”) of the amendments to Chapter 9; and
- 2 the ACCC’s letter dated 4 July 2001 providing interim authorisation for these amendments, are set out below.

Both these amendments and a copy of the ACCC’s letter of 4 July 2001 are set out in full on the Internet website of NECA at www.neca.com.au under “The Code” section of that website.

The National Electricity Code can be viewed on the NECA Internet website at www.neca.com.au and at the offices of NECA and National Electricity Market Management Company Limited (ACN 072 010 327). A list of addresses where the Code can be viewed is available on the NECA website.

Dated 27 July 2001



Minister for Energy and Resources, and Ports

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Melbourne, Victoria 3000
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Mr Stephen Kelly
Managing Director
National Electricity Code Administrator Limited
Level 5, 41 Currie Street
Adelaide SA 5000

Dear Mr Kelly

ACCC Draft Determination on Victorian Derogations

I am writing to advise you that on 4 July, the Australian Competition and Consumer Commission ('the ACCC') made a Draft Determination on the application for authorisation of amendments to Victoria's derogations under Chapter 9 of the National Electricity Code.

I have enclosed a copy of the ACCC's Draft Determination, in accordance with the requirements of clause 9.1.1(h) of the Code. I would appreciate if you could arrange for gazettal of the necessary Code changes before the end of July, with the changes taking effect on 1 August 2001, in order to coincide with the commencement of Type 7 Metrology Procedures in Victoria.

Finally, I would like to thank NECA for its assistance in preparing and submitting the application for authorisation.

Yours sincerely

A handwritten signature in cursive script, appearing to read 'Candy Broad'.

Candy Broad
Minister for Energy and Resources

2617101

Atts



Australian Competition & Consumer Commission

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Our Ref: C2001/442
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4 July 2001

Mr Stephen Kelly
Managing Director
National Electricity Code Administrator
Level 4
41 Currie St
ADELAIDE SA 5000

Dear Stephen

Authorisation of Amendments to Victoria's Derogations

On 19 March 2001, the Australian Competition and Consumer Commission (Commission) received applications for authorisation (Nos A90786, A90787, and A90788) of amendments to Victoria's derogations to the National Electricity Code. The applications were lodged by your company on behalf of the Victorian Government.

Pursuant to subsection 91(2) of the *Trade Practices Act* (TPA), the Commission hereby grants interim authorisation to the derogations subject to the conditions set out in chapter 5 of the draft determination. These applications relate to the metering arrangements of chapter 7 of the code.

These interim authorisations take effect from Wednesday 4 July 2001 and will lapse when the Commission reaches a final determination in regard to each application.

Please note that under subsection 91(2) of the TPA, the Commission may revoke an interim authorisation at any time.

Please also find enclosed a copy of the Commission's draft determination in respect of these applications for authorisation. The Commission's draft determination outlines its analysis and views on the amendments to Victoria's derogations. The Commission proposes to grant authorisation, conditional upon two amendments to the derogations being made. These two conditions are outlined in chapter 5 of the draft determination.

The Commission invites you, and other interested persons, to notify it within 14 days from 4 July 2001 whether you wish the Commission to hold a conference in relation to this draft determination. If you, or an interested party notifies the Commission in writing that they



want the Commission to hold a conference, the conference is scheduled to be held in Canberra on 20 July 2001. Details of the location of the conference will be determined at a later date should a conference be called.


A representative from your company, interested parties who receive a copy of the draft determination, and any other interested parties whose presence the Commission considers appropriate are entitled to participate in any such conference. Following the conference, the Commission will take into account issues raised at the conference, and any related submissions, and will issue a final determination. If no pre-determination conference is called then this draft determination will become the final determination.

A person dissatisfied with the final determination may apply to the Australian Competition Tribunal for its review.

The Commission has also written to The Hon. Candy Broad, M.P., informing her of the Commission's draft determination.

If you have any queries or require further information please contact me on (02) 6243 1249 or Gabrielle Ford (02) 6243 1238.

Yours sincerely



Michael Rawstron
General Manager
Regulatory Affairs - Electricity

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