



Victoria Government Gazette

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NOTICE UNDER NATIONAL ELECTRICITY CODE

Victorian Derogations Relating to Transmission Pricing for VENCORP

NOTICE is hereby given under 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 Chapter 9, Part A (“Transitional Arrangements for Victoria”) of the National Electricity Code is amended.

Amendments have been made to clauses 9.3.1, 9.8.4A, 9.8.4B, 9.8.4C, 9.8.4D, 9.8.4F and 9.8.4G and clause 9.8.4E has been deleted. These Code changes relate principally to the transmission pricing arrangements for VENCORP.

These amendments to the National Electricity Code commence at the beginning of 16 April 2004.

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

1. the letter from the Hon Theo Theophanous MP dated 15 April 2004 notifying the National Electricity Code Administrator (“NECA”) (ACN 073 942 775) of the amendments to Chapter 9; and
2. the ACCC’s letter dated 14 April 2004 to NECA the granting interim authorisation for these amendments

are set out below.

Both the amendments and copies of the above letters can be viewed in full in the document entitled “Victorian derogations relating to transmission pricing for VENCORP” on the Internet website of NECA at www.neca.com.au under “The Code” — “Gazette notices” 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 the 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 16 April 2004

SPECIAL



Minister for Energy Industries and Resources

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Mr Stephen Kelly
Managing Director
National Electricity Code Administrator Ltd
Level 5, 41 Currie Street
ADELAIDE SA 5000

Dear Mr Kelly

**ACCC INTERIM AUTHORISATION - AMENDMENTS TO VICTORIAN
NETWORK PRICING DEROGATIONS**

I am writing to advise you that on 14 April 2004, the Australian Competition and Consumer Commission (the ACCC) approved the applications for authorisation numbered A90909, A90910, A90911 concerning amendments to Victoria's derogations under Chapter 9 of the National Electricity Code.

I enclose a copy of the ACCC's approval of these authorisation applications, in accordance with the requirements of clause 9.1.1(h) of the Code. The Code changes approved by the ACCC are also enclosed with this letter.

I would appreciate it if you could arrange for immediate gazettal of this letter, the enclosed copy of the ACCC's approval and the Code changes. The changes should take effect from the date of publication in the Government Gazette (which I understand is expected to occur on Friday 16 April 2004).

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

Yours sincerely

Theo Theophanous MP
Minister for Energy Industries and Resources

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Our Ref: C2004/355

14 April 2004

The Hon. Theo Theophanous MP
Minister for Energy Industries and Resources
80 Collins Street
MELBOURNE VIC 3000

Dear Minister

Request for Interim Authorisation of National Electricity Code Changes – Chapter 9 Derogations (A90909, A90910, A90911)

I refer to the above applications for authorisation of amendments to the National Electricity Code, lodged with the Commission on 17 March 2004. Specifically, I note your request of 29 March 2004 for interim authorisation of the proposed changes to Victoria's Chapter 9 Derogations.

The Commission has considered this request and has decided, pursuant to subsection 91(2) of the *Trade Practices Act*, to grant interim authorisation to the application.

This interim authorisation comes into force on Thursday 15 April 2004 and will lapse when the Commission's final determination in regard to each application comes into force, unless revoked before this date. Please note that under subsection 91(2) of the *Trade Practices Act* 1974, the Commission may revoke an interim authorisation at any time.

If you have any queries about any issue raised in this letter, please feel free to contact me on (03) 9290 1812.

Yours sincerely

Graeme Samuel
Chairman

Cc: Mr Stephen Kelly
Managing Director
National Electricity Code Administrator
Level 5, 41 Currie Street
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EXECUTIVE OFFICE



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