Australian Capital Territory

Utilities Exemption 2009 (No 3)

Disallowable instrument DI2009–144

made under the

Utilities Act 2000, section 22 (Exemption)

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1 Name of instrument

This instrument is the *Utilities Exemption 2009 (No 3)*.

2 Commencement

This instrument commences on the day after it is notified.

3 Revocation

This instrument revokes Utilities Exemption 2006 (No 1), Disallowable Instrument DI2006-47.

4 Exemption

I exempt the transmission network service provider, TransGrid, from the requirement for a licence in relation to a utility service, upon the conditions prescribed in clause 5 of this instrument.

5 Conditions

TransGrid is exempt from the requirement for a licence in relation to a utility service on the conditions that they comply with the Network Service Criteria in clause 5(a) and Technical Regulation Criteria in clause 5(b) of this instrument.

Network Service Criteria

(a) The transmission network service provider is to plan, design, maintain and operate their networks and connection points that supply customers in the Australian Capital Territory and that operate at 132kV and above, whether or not those networks and connection points are located within the Australian Capital Territory, to achieve the following:

(i) provide two or more geographically separate connection points operated at 132kV and above to supply electricity to the ACT network connection points as required in Column 3 of Table 1;

(ii) continue to allow electricity supply to the ACT network connection point(s) immediately after a special contingency event to the minimum total capability required in Column 4 of Table 1; and

(iii) using their best endeavours, restore electricity supply to the ACT network connection points after a special contingency event within the minimum period possible, but no longer than 48 hours, to the minimum total capability required in Column 5 of Table 1.

Note that the minimum total capability after a single special contingency cannot be relied upon after the occurrence of another (second or more) contingency event(s) until the elements affected by the original special contingency are fully restored.

Table 1

Capacity requirements after single credible and special contingency events:

Minimum total capacity across all transmissions connection points (MVA)				
Column 1	Column 2	Column 3	Column 4	Column 5
Year	**Immediately** after a single **credible** contingency event	Requirement for second geographically separate connection point	**Immediately** after a single **special** contingency event (potentially through the 66 kV network)	Within **48 hours** after a single **special** contingency event
From January 1 2006	Agreed max demand	No	30	200
Then , from 1 July of				
2007	Agreed max demand	No	30	200
2008	Agreed max demand	No	30	200
2009	Agreed max demand	No	30	200
2010	Agreed max demand	No	30	200
2011	Agreed max demand	Yes	30	375
2012+	Agreed max demand	Yes	375	Agreed max demand

The definitions in Table 2 apply (as per the National Electricity Rules where appropriate):

Table 2

Definitions for this instrument

Agreed maximum demand	The capability agreed by the relevant Network Service Providers that represents the expected maximum demand of the relevant transmission customers across all transmission connection points for the year.
Capability	In relation to a connection point, the capability to receive or send out power for that connection point.
Connection point	The agreed point of supply established between the relevant network service provider(s).
Credible contingency event	An event described in clause 4.2.3(b) of the National Electricity Rules, certain examples of which are set out in schedule 5.1.
Geographically separate	Located at a distance not less than 10 kilometres apart.
National Electricity Rules	Rules created under Section 90 of the National Electricity (South Australia) Act 1996 and applied in the Australian Capital Territory.
NEMMCO	National Energy Market Management Company
Network service provider	A person who engages in the activity of owning, controlling, or operating a transmission or distribution system and who is registered in that capacity with NEMMCO under Chapter 2 of the National Electricity Rules.
Special contingency event	An event whereby the unexpected disconnection of multiple elements at a single geographic location for an extended period of time.
Transmission customer	A Customer, Non-Registered Customer or Distribution Network Service Provider having a connection point with a transmission network.

Technical Regulation

(b) The transmission network service provider is to comply, in respect to its operations regarding clause 5(a) with the regulatory provisions applying to NSW electricity transmission network operations, namely the *Electricity Supply Act (NSW)* and the *Electricity Supply (Safety and Network Management) Regulation (NSW)*, which requires a utility network operator to have certain standards in place, including:

(i) a network management plan to ensure that transmission or distribution systems provide an adequate, reliable and safe supply of electricity of appropriate quality;

(ii) a bushfire risk management plan; and

(iii) adequate planning, reporting and auditing requirements.

Simon Corbell MLA
Minister for Energy
25 June 2009