

Australian Capital Territory

Utilities (Technical Regulation) (Light Rail Regulated Utility (Electrical) Network Boundary Code) Approval 2016

Disallowable instrument DI2016–19

made under the

Utilities (Technical Regulation) Act 2014, section 14 (Technical codes—approval)

1 Name of instrument

This instrument is the *Utilities (Technical Regulation) (Light Rail Regulated Utility (Electrical) Network Boundary Code) Approval 2016*.

2 Commencement

This instrument commences on the day after it is notified.

3 Determination of code

I determine the Light Rail Regulated Utility (Electrical) Network Boundary Code set out in the schedule.

4 Public access

This Code is available for inspection by the public between 8:30 am and 4:30 pm, from Monday to Friday except for public holidays, at Access Canberra at South Building, Dame Pattie Menzies House, 16 Challis Street Dickson ACT. Copies of the Code can be also made at Access Canberra. Electronic copies of the Code are available on the Access Canberra website at https://www.accesscanberra.act.gov.au/app/answers/detail/a_id/2203/~/~water-and-energy-utilities-technical-regulation. No charge will apply.

Simon Corbell MLA
Minister for the Environment

08 March 2016



Australian Capital Territory

Light Rail Regulated Utility (Electrical) Network Boundary Code

February 2016

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1 INTRODUCTION

1.1 Technical Codes

- (1) The Light Rail Regulated Utility (Electrical) Network Boundary Code (this Code) is a technical code under part 3 of the *Utilities (Technical Regulation) Act 2014* (the Act).
- (2) Under section 53 of the Act, the boundary of a network must be worked out in accordance with a technical code.

1.2 Regulated Utility to Comply with Technical Codes

Under section 14 of the Act, the Minister may approve a technical code as recommended by the technical regulator. If a regulated utility, which this Code applies to, fails to comply with this Code and is negligent about whether this Code is complied with, the offence under section 16 of the Act will apply.

2 PURPOSE AND APPLICATION OF THIS CODE

2.1 Purpose

The purpose of this Code is to define the boundary between a light rail regulated utility (electrical) network and an electricity distribution network.

2.2 Application

- (1) This Code applies to a light rail regulated utility (light rail utility) that is an operator of a light rail regulated utility network (light rail utility network).
- (2) Under the *Utilities (Technical Regulation) (Light Rail—Regulated Utility Service) Regulation 2016*, the Minister determined that a light rail utility network is a prescribed regulated utility service (prescribed utility) for section 10 of the Act.

2.3 Effect of Prescription of Utility

- (1) A light rail regulated utility service prescribed under section 10 of the Act is subject to the obligations, rights and entitlements under the Act, unless otherwise limited by a regulation, operating certificate or direction of the technical regulator.
- (2) Regulated utilities that provide prescribed regulated utility services must exercise functions to protect networks and facilities under part 5 of the Act. Part 5 of the Act includes criminal offences that apply to persons who unlawfully interfere with regulated utility networks and facilities.

3 DICTIONARY

The dictionary at the end of this Code is part of this Code.

4 BOUNDARIES OF LIGHT RAIL REGULATED UTILITY NETWORK

4.1 Boundary between Light Rail Regulated Utility Network and Electricity Distribution Network

- (1) The boundary between a light rail utility network and an electricity distribution network is the load side terminals of the switch in the electricity distribution network ring main unit (RMU), or other switchgear, which supplies the light rail utility.
- (2) The cable between this point and the light rail utility network incoming switchgear is part of the light rail utility network.

4.2 Alternative Boundary and Redefined Assets

Despite any other provision in this Code, a light rail utility and an electricity distribution utility may, with the agreement of the technical regulator, and having advised the Independent Competition and Regulatory Commission:

- (1) agree in writing upon an alternative boundary between the light rail utility network and the electricity distribution network; and/or
- (2) define assets within an electricity distribution network to be part of the light rail utility network or assets within the light rail utility network to be part of the electricity distribution network.

DICTIONARY

- (1) **Act** means the *Utilities (Technical Regulation) Act 2014*.
- (2) **electricity distribution network** means an electricity network defined in section 7 of the *Utilities Act 2000* that is used to provide an electricity distribution service under section 6 (a) of the *Utilities Act 2000*.
- (3) **electricity distribution utility** means a person who provides an electricity distribution utility service under section 6 (a) of the *Utilities Act 2000*.
- (4) **Independent Competition and Regulatory Commission** means a statutory body set up under the *Independent Competition and Regulatory Commission Act 1997*.
- (5) **light rail regulated utility** means a regulated utility that provides a regulated utility service prescribed by the *Utilities (Technical Regulation) (Light Rail—Regulated Utility Service) Regulation 2016* under section 10 of the Act. Under the Regulation, a light rail regulated utility is a person who provides a service that is a light rail regulated utility service. A light rail regulated utility service is the supply of electricity from a light rail regulated utility network.
- (6) **light rail regulated utility network** means infrastructure that consists of: an electricity network to supply power to rolling stock and associated infrastructure; substations and facilities to supply and regulate power to the network; and any electrical zone related to the effect of stray current or the management of the effect of electrical current, such as cathodic protection. For the avoidance of doubt, it includes rail tracks but does not include rolling stock.
- (7) **Minister** means the Minister responsible for administering the Act.
- (8) **operating certificate** means a certificate under part 6 of the Act.
- (9) **prescribed regulated utility service** means a regulated utility service prescribed under section 10 of the Act.
- (10) **regulated utility** is as defined under part 2 of the Act.
- (11) **technical code** means a code approved by the Minister under part 3 of the Act.
- (12) **technical regulator** is as defined under part 9 of the Act.