Consultation on the regulation of embedded networks

Submission form

Neil Roberts

National Electrical and Communications Association (NECA)   Director – Policy, Technical & Safety

122 Hume Hwy, Chullora NSW 2190

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Send your feedback to EPWA-AES@dmirs.wa.gov.au or to Energy Policy WA, Locked Bag 11, Cloisters Square, WA 6850 by 5pm (AWST), Friday 19 April.

We will publish your submission on Energy Policy WA website, unless you ask that we keep it confidential. Please give reasons why your submission should not be published.

Question number	Section reference in Consultation Paper	Questions for consultation	Your comments
1.	**Section 5.1. Option 1: Status quo – class-based exemption**	What costs and benefits have you experienced under the status quo arrangements for ENS being exempt from needing to hold a licence?	N/A

2.	**Section 5.2. Option 2: Individual exemptions**	What minimum conditions would need to be imposed as part of individual exemptions for ENS?	i. Documented safety and operating plan for the EN, including
			   a. operating manual
			   b. person(s) / contractors authorised to operate the embedded network and co-ordinate with the local supply authority
			ii. Customer charter for small/residential customers covering the customer protections Energy Policy WA seeks to extend to customers of ENS.
			iii. A method of issuing enforceable rectification orders to EN owners to protect consumers.

3.		Do you agree that a lack of access to the Energy Ombudsman and means of enforcing exemption conditions are significant problems? Are there any other concerns with licence exemptions additional to those identified in Section 3 – Problem Statement? *(relevant to Options 1 and 2)*	Yes – in the absence of access to the ombudsman and/or enforcement options tenants serviced by poor players could remain without suitable recourse. At what point does an embedded network take on the characteristics of a licenced distribution network? In short, once the 'embedded network' is effectively servicing a community and/or large customer base with diverse characteristics then licensing should be required.

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4.		**Error! Reference source not found.**	Potentially, disruption to several consumers should a serious dispute arise between parties.
5.	**Section 5.3. Option 3: Licensing**	**Error! Reference source not found.**	Yes, as described previously, once an EN exceeds a 'threshold' of servicing a community/ customer base, then licensing presents as the most appropriate option to protect consumers.
6.		**Error! Reference source not found.**	Yes, for those above a reasonable threshold
7.	**Section 5.4.1. Proposed obligations under the AES Code**	**Error! Reference source not found.**	Yes, where the EN does not exceed the threshold to be licensed
8.		**Error! Reference source not found.**	No comment
9.	**Section 5.4.2. Policy questions under the AES registration framework – Protections for large use customers**	**Error! Reference source not found.**	Yes
10.		**Error! Reference source not found.**	N/A
11.		**Error! Reference source not found.**	No comment
12.	**Section 5.4.2. Policy questions under the AES registration framework – Fast track application**	**Error! Reference source not found.**	Yes, though it should only apply to applications that are obviously below the threshold for requiring a distribution license
13.	**Section 5.4.2. Policy questions under the AES registration framework – Information requirements for registration**	**Error! Reference source not found.**	In addition to the information requirements indicated in the consultation paper, the ENS should provide, - Details and role of third parties contracted to operate and/or maintain the EN(s)

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14.	**Section 5.4.2. Policy questions under the AES registration framework – Requirement for retail licensees to register**	**Error! Reference source not found.**	Given the fundamentally different nature of retail responsibilities vs the operation and maintenance of EN assets the separate registration of the retailer as an ENS is more appropriate.
15.	**Section 5.4.2. Policy questions under the AES registration framework – Transitional arrangements**	**Error! Reference source not found.**	A timeframe for the registration of EN's should be identified and information/advice produced by the ERA with respect to information to be provided to consumers.
16.		**Error! Reference source not found.**	
17.	**Section 7. Implementation**	**Error! Reference source not found.**	1. Information provided to licenced retailers to contact their bulk supply customers and inform them of new requirements. 2. Government and Western Power website information
18.		**Error! Reference source not found.**	Explanatory documents for ENS and customers, with next steps (if any) required by the party and details of the avenues for advice or assistance available.