

Electricity Industry (Wholesale Electricity Market) Regulations 2004

Wholesale Electricity Market Amendment (Supplementary Capacity No. 3) Rules 2024

Commencement

- The amending rules set out in Schedule 1 come into operation at 8:00 AM (WST) on 27 July 2024.
- The amending rules set out in Schedule 2 come into operation at a time specified by the Minister in a notice published in the Gazette.

Schedule 1

1. Section 2.8 amended

- 1.1. Clause 2.8.13(d) is amended by deleting the words ‘, 4.24.19’.

2. Section 4.24 amended

- 2.1. Clause 4.24.1B(g) is deleted and replaced with the word ‘[Blank]’.
- 2.2. Clause 4.24.1B(i) is amended by deleting the word ‘ and’ immediately after the semicolon at the end of the clause.
- 2.3. The following new clause 4.24.1B(iA) is inserted:
- (iA) the location on the website for general information about supplementary capacity; and
- 2.4. Clause 4.24.6(g) is deleted and replaced with the following:
- (g) the location on the website for general information about supplementary capacity;
- 2.5. Clause 4.24.6(h) is amended by deleting the word ‘ and’ immediately after the semicolon at the end of the clause.
- 2.6. Clause 4.24.6(i) is amended by deleting the full stop at the end of the clause and replacing it with the words ‘; and’.
- 2.7. The following new clause 4.24.6(j) is inserted:
- (j) the location on the WEM Website of the WEM Procedure referred to in clause 4.24.18.
- 2.8. The following new clauses 4.24.6AA and 4.24.6AB are inserted:

4.24.6AA. AEMO must use reasonable endeavours to identify and contact potential Eligible Services providers, and provide them with information regarding a call for tender under clause 4.24.6.

4.24.6AB. Western Power must provide meter related data to AEMO to assist it with identifying potential Eligible Service providers under clause 4.24.6AA.

2.9. The following new clause 4.24.7(bA) is inserted:

(bA) whether the Eligible Service is being offered on an:

- i. availability and activation basis; or
- ii. activation-only basis;

2.10. Clause 4.24.7(c) is deleted and replaced with the words '[Blank]'.

2.11. Clauses 4.24.7(e) and 4.24.7(f) are deleted and replaced with the following:

(e) for an Eligible Service being offered on an availability and activation basis:

- i. the maximum number of hours on each day during the term of the Supplementary Capacity Contract that the Eligible Service will be available; and
- ii. the time of each day during the term of the Supplementary Capacity Contract that the Eligible Service will be available;
- iii. the quantity of supplementary capacity being offered;
- iv. the values of:
 1. the availability price for the Eligible Service expressed in dollars; and
 2. the activation price for the Eligible Service, expressed in dollars per MW per hour of activation, where this price must reflect direct or opportunity costs incurred;

(f) for an Eligible Service being offered on an activation-only basis:

- i. any restrictions on the availability of the Eligible Service, including the days during a typical week when the Eligible Service will not be available for activation;
- ii. the maximum quantity of supplementary capacity being offered; and
- iii. the value of the activation price for the Eligible Service, expressed in dollars per MW per hour of activation;

2.12. The following new clause 4.24.7(gA) is inserted:

(gA) the notification time for activating the Eligible Service;

- 2.13. Clause 4.24.7(j) is deleted and replaced with the words '[Blank]'.
- 2.14. Clause 4.24.8 is amended by inserting the words ' for Eligible Services being offered on an availability and activation basis' immediately after the words 'entering into Supplementary Capacity Contracts'.
- 2.15. Clause 4.24.8(b) is amended by:
- (a) deleting the word 'not' immediately after the words 'AEMO must' and replacing it with the word 'only';
 - (b) inserting the words ' being offered on an availability and activation basis' immediately after the words 'provision of an Eligible Service'; and
 - (c) deleting the word ' not' immediately after the words 'AEMO is'.
- 2.16. The following new clause 4.24.8A is inserted:
- 4.24.8A In determining the result of a call for tenders and entering into Supplementary Capacity Contracts for Eligible Services being offered on an activation only basis, AEMO must:
- (a) only accept an offer for the provision of Eligible Services;
 - (b) have regard to:
 - i. any restrictions on availability specified for the Eligible Service in the relevant tender form in accordance with clause 4.24.7(f)(i); and
 - ii. the notification time for activating the Eligible Service specified in the relevant tender form in accordance with clause 4.24.7(gA); and
 - (c) be reasonably satisfied that the provider of the Eligible Service has access to a network, where applicable.
- 2.17. Clause 4.24.11 is amended by deleting the words '4.24.11B' and replacing them with the words '4.24.11A'.
- 2.18. Clause 4.24.11B(c) is amended by deleting the word ' and' immediately after the semicolon at the end of the clause.
- 2.19. Clause 4.24.11B(d) is amended by deleting the full stop at the end of the clause and replacing it with a semicolon.
- 2.20. The following new clauses 4.24.11B(e) and 4.24.11B(f) are inserted:
- (e) the availability price for the Eligible Service expressed in dollars, as defined in clause 4.24.7(j)(i); and
 - (f) the activation price for the Eligible Service, expressed in dollars per MW per hour of activation, as defined in clause 4.24.7(j)(ii).
- 2.21. Clause 4.24.18(a)(iii) is deleted and replaced with the words '[Blank]'.

- 2.22. Clause 4.24.18(a)(v) is amended by deleting the words ‘ under clause 4.24.8(d)’.
- 2.23. Clause 4.24.19 is amended by:
- (a) deleting the word ‘must’ after the words ‘the Coordinator’ and replacing it with the word ‘may’; and
 - (b) deleting the words ‘ with regard to the Wholesale Market Objectives and must undertake a public consultation process in respect of the outcome of the review’.

2.24. Insert the following new clause 4.24.20:

4.24.20. If, following a call for tenders for supplementary capacity or otherwise acquiring Eligible Services, the Coordinator decides to review the supplementary capacity provisions of this section 4.24, the Coordinator must undertake a public consultation process in respect of the outcome of the review.

Schedule 2

1. Section 4.24 amended

1.1. Clause 4.24.14A is deleted and replaced with the following:

4.24.14A. Matters specified in a Supplementary Capacity Contract, including but not limited to:

- (a) the notification time for an activation; and
- (b) the method(s) for measuring the response of Eligible Services contracted to reduce their net consumption;

must be aligned, to the extent practicable and considering the characteristics of the facility providing the Eligible Service, with the equivalent provisions applicable to a similar type of facility providing a similar service under the WEM Rules.