

# Pilbara Networks Rules Amendments (Tranche 2) 2021

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## ELECTRICITY INDUSTRY ACT 2004

### ELECTRICITY INDUSTRY (PILBARA NETWORKS) REGULATIONS 2021

#### PILBARA NETWORKS RULES AMENDMENTS (TRANCHE 2) 2021

I, Hon. Bill Johnston MLA, Minister for Energy for the State of Western Australia, hereby under regulation 9(6) of the Electricity Industry (Pilbara Networks) Regulations 2021 amend the Pilbara Networks Rules established under regulation 6 of those regulations.

Dated at Perth this 20<sup>th</sup> day of DECEMBER 2021.  
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.....

Hon. BILL JOHNSTON MLA, Minister for Energy.

Made by the Minister

#### 1. Citation

These amendments may be cited as the Pilbara Networks Rules Amendments (Tranche 2) 2021.

#### 2. Commencement

These amendments come into operation at the date and time determined by the Coordinator under rule A2.8.12.

#### 3. The Pilbara Networks Rules amended

These amendments are to the Pilbara Networks Rules Version 2\*.

*{\*Notification of commencement of Version 2 of the rules was published in Gazette 30 November 2021 p. 5223.}*

#### 4. New version number for the Pilbara Networks Rules

The Pilbara Networks Rules as amended by these rules are designated the Pilbara Networks Rules Version 3.

*{Note: An unofficial consolidated version of the Pilbara Networks Rules Version 3 will be published on the Coordinator's website.}*

#### 5. Rule 3(3) amended and rule 3(4) inserted

Delete rule 3(3) and replace it with the following:

“

(3) Subject to Appendix 4, Subchapter 9.2 {Access and connection} commences on 7 January 2022.

(4) Subject to rule A4.3 in Appendix 4, the remainder of these rules commence at 8:00 AM on 1 July 2023.

”

**6. New rule A4.1(e) inserted**

(1) In rule A4.1(d), replace the full stop at the end of the rule with the following:

“

; and

”

(2) After rule A4.1(d), insert the following:

“

(e) rules which have not commenced, are commenced under rule A4.3 as early as reasonably practicable.

”

**7. Rule A4.2 amended**

In rule A4.2, replace the words “on 7 January 2022” with the following:

“

at 8:00 AM on 1 July 2023

”

**8. Rule A4.2A inserted**

After the heading above rule A4.3 reading “Earlier commencement of rules”, and before rule A4.3, insert the following:

“

A4.2A The *ISO* and *rules participants* are to collaborate, to the extent reasonably practicable, to procure that rules commence under A4.3 as early as reasonably practicable.

”

**9. Rules A4.7A and A4.7B inserted**

After rule A4.7, insert the following:

“

**Things done or required before rules commence**

A4.7A If:

- (a) the *ISO* wishes to take steps in preparation for the commencement of a rule; and
- (b) a rule (“**relevant rule**”) which has not commenced would, if it had commenced, require a *rules participant* to do a thing (including providing information to, or consulting or collaborating with, the *ISO*),

{The *relevant rule* may be the rule referred to in subrule (a), or another rule or rules.}

then the *ISO* may *direct* the *rules participant* to do the thing in accordance with the *relevant rule*, as though the *relevant rule* had commenced.

A4.7B Rule A4.7A applies with appropriate modifications in respect of a rule which has commenced but has its operation affected by this Appendix 4.

”

**10. Rules A4.14 and A4.15 amended**

(a) In rule A4.14, replace the word “applies” with the following:

“

has commenced

”

(b) In rule A4.14(b), replace the words “its *delegate*” with the following:

“

a *delegate* appointed under rule A4.14(a)(ii)

”

**11. Rule A4.21A inserted**

Before rule A4.22, insert the following:

“

A4.21A The *ISO* and *Horizon Power* may enter into an interim delegation agreement under rules 39 and 45 for a period commencing 7 January 2022, in respect of a limited form of the *ISO control desk* function, and if they do:

- (a) rules A4.22 to A4.25 do not apply; and

- (b) rule 42 {ISO's responsibility when choosing and monitoring delegate} does not apply in respect of the delegation; and
- (c) *Horizon Power* must comply with the agreement and its ringfencing obligations under the *Pilbara Networks Access Code*, and must not discriminate in favour of itself or a related body corporate, or against any person; and
- (d) payments to *Horizon Power* under the agreement must not exceed the amount that would be permitted under rule 125 {ISO control desk costs}; and
- (e) without limiting this Appendix 4, Sub-appendix 4.2 applies in respect of any *ISO control desk* functions not delegated by the agreement.

”

## 12. Rules A4.22 – A4.25 amended

- (a) In rule A4.22, replace the word “During” with the following:

“

Subject to rule A4.21A(a), during

”

- (b) In rule A4.23, replace the word “If” with the following:

“

Subject to rule A4.21A(a), if

”

- (c) In rule A4.24, replace the word “For” with the following:

“

Subject to rule A4.21A(a), for

”

- (d) In rule A4.25, replace the word “For” with the following:

“

Subject to rule A4.21A(a), for

”

## 13. Rule A4.35 amended

- (a) In rule A4.35, after the words “For an *existing user*” insert the following:

“

from 1 July 2021 to 6 January 2022

”

- (b) In rule A4.35(a), delete the words “on and from 1 July 2021,”.

#### 14. Rule A4.36 amended

- (a) In rule A4.36, replace the words “— on and from 1 July 2021” with the following:

“

from 1 July 2021, and for an *existing user* from 7 January 2022 —

”

- (b) In rule A4.36, after the opening words and above paragraph (a) insert the following note:

“

{This rule A4.36 is only a transitional rule. From 1 July 2023 at the latest, energy balancing and settlement for both *new contracts* and *existing contracts* will be dealt with under Chapter 8.}

”

- (c) In rule A4.36(a), after the words “apply from 1 July 2021” insert the following:

“

and 7 January 2022, for *new users* and *existing users* respectively

”

- (d) In rule A4.36(e), after the words “*new user*” where they first appear, insert the following:

“

or *existing user*

”

- (e) After rule 4.36(e)(ii), insert the following rule:

“

- (iiA) if during the *settlement interval* *Horizon Power* paid (or was paid) for balancing electricity under rules A4.38 or A4.39 — *Horizon Power* is to be inserted as payee (or payer, respectively), in place of the payee (or payer) identified by the *ISO* under these rules; and

”  
.

**15. Rule A4.38 and heading amended**

- (a) Replace the heading above rule A4.38 reading “Transition for frequency control (regulation)” with the following:

“

**Transition for frequency control (regulation) and balancing**

”  
.

- (b) In rule A4.38, after the words “in accordance with the *prior arrangement*” insert the following:

“

, and the parties will pay, and be paid for, electricity imbalances in accordance with the *prior arrangement*

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