

22 September 2021

Notice to all Registered Participants in accordance with clause 383(3) of the Retail Market Procedures Western Australia (RMP WA)

Purpose of the notice

Having concluded the consultative process prescribed under clause 383 of the Retail Market Procedures (RMP) Western Australia (WA), this Notice is to advise Participants on AEMO's decision relating to the proposed amendments related to Explicit Informed Consent (EIC) Process Review (IN001/20W).

Background

On 15 July 2021, AEMO published the Procedure Change (PPC) on its website inviting participants to examine the proposal. Submissions closed on 30 July 2021. AEMO received submissions from AGL, Alinta Energy, Kleenheat, Origin Energy and Synergy. All participants expressed their support that the changes described in the PPC should proceed.

As per clause 383(1) of the RMP WA, each participant, pipeline operator, prescribed person and interested person was invited to submit written comments on the Impact and Implementation Report (IIR) that provided details about the proposed change which included a draft identifying the amendments with marked up changes. Submissions closed on 7 September 2021. AEMO received submissions from AGL, Alinta, Origin Energy and Synergy.

AEMO also received feedback from the Economic Regulation Authority (ERA) Secretariat. The feedback noted the proposal does not adequately address the criteria outlined in clause 378 of the Procedures and clauses 11ZOO and 11ZOB of the Energy Coordination Act 1994 by ensuring that any amendments result in the market operating in a manner that is open, competitive, efficient and fair to gas market participants and (particularly) customers. Therefore the ERA Governing Body might consider that the proposal does not meet the requirements for approval. This point, and other concerns raised by the ERA Secretariat, was summarised in an e-mail sent to the Gas Retail Consultative Forum on 20 September 2021.

AEMO decision

Taking into consideration the ERA Secretariat's feedback and after revisiting obligations under clause 378 of the Procedures, AEMO has determined that the points raised by the ERA Secretariat are material and unless they are addressed, the proposal will not satisfy the objectives under clause 378. In accordance with clause 383(5) of the Procedures, AEMO has taken into account the feedback provided by ERA Secretariat, and in accordance with the clause 383(3)(d) of the Procedures, has decided to not submit the proposal to the ERA Secretariat.

Should you require any further information please contact Nandu Datar on (03) 9609 8851 or at grcf@aemo.com.au.