

## Agenda – SRAS Guideline Forum

DATE: Wednesday, 24 June 2020  
 TIME: 3:00 pm – 5:00 pm AEST  
 LOCATION: WebEx  
 CONTACT: sras.consultation.2020@aemo.com.au

Time	Item	Speaker
15:00 – 15:10	Welcome & introduction Background for changes Issues paper overview	AEMO
<b>NEM-wide considerations</b>		
15:10 – 15:35	Impact on inverter-based sources	Introduction: Tesla Discussion: All
15:35 – 16:00	Impact on traditional generators	Introduction: TBA Discussion: All
16:00 – 16:10	Other matters / Discussion overflow	All
<b>Regional considerations</b>		
16:10 – 16:20	New South Wales discussion	Introduction: TransGrid Discussion: All
16:20 – 16:30	Queensland discussion	Introduction: Powerlink Discussion: All
16:30 – 16:40	South Australia discussion	Introduction: ElectraNet Discussion: All
16:40 – 16:50	Tasmania discussion	Introduction: TasNetworks Discussion: All
16:50 – 17:00	Victoria discussion	Introduction: TBA All

To avoid talking over one another, participants will need to (virtually) raise their hand to be selected to speak.

Look for this icon in your WebEx client:



## Forum and meeting expectations

This charter explains expectations regarding participation and behaviour in the Australian Energy Market Operator (AEMO)'s stakeholder forums.

### 1. Meeting Expectations

All participants will:

- Respect the diversity of the group;
- Speak one at a time – refrain from interrupting others;
- Share the oxygen – ensure that all attendees who wish to have an opportunity to speak are afforded a chance to do so;
- Maintain a respectful stance towards all participants;
- Listen to others' points of view and try to understand others' interests;
- Share information openly, promptly, and respectfully;
- If requested to do so, hold questions to the end of each presentation;
- Remain flexible and open-minded, and actively listen and participate in meetings;
- Abide by COVID-Safe workplace guidelines, if attending a meeting on AEMO's premises.

### 2. Roles and Responsibilities

Forum stakeholders agree to:

- Be specific and fact-based in their feedback on a specific workstream or emerging issue;
- Review and provide feedback on papers and reports;
- Relay information to their colleagues or constituents after each meeting and gather information/feedback from their colleagues or constituents, as practicable, before each meeting;
- Maintain a focus on solutions or outcomes that benefit all energy consumers.

AEMO agrees to:

- Provide technical expertise in a manner that is considerate of the audience and their level of expertise;
- Assist participants in understanding issues enough to represent their views;
- Provide all participants the opportunity to voice their views.

# AEMO Competition Law Meeting Protocol

## Competition Compliance Statement

AEMO is committed to complying with all applicable laws, including the *Competition and Consumer Act 2010 (CCA)*.

In any dealings with AEMO regarding proposed reforms or other initiatives, all participants agree to adhere to the CCA at all times and to comply with this Protocol.

Participants must arrange for their representatives to be briefed on competition law risks and provided with a copy of this Protocol.

## Application of protocol

This Protocol must be tabled and noted at meetings which relate to the following issues:

1. Market reviews / historical pricing reviews
2. Rule changes which relate to wholesale pricing in the NEM, WEM or gas markets
3. Rule changes which relate to bidding, auction or settlement processes
4. Developments of new markets and regulatory regimes
5. Procurement of goods or services
6. Reliability planning
7. Development of new products or services, including products or services to be supplied by government entities
8. Any other topics which AEMO or a participant considers appropriate.

## Competition law obligations

The CCA prohibits anti-competitive conduct, including:

1. **Cartel conduct** – arrangements between competitors to:
  - o fix prices
  - o restrict supply or acquisition of goods or services
  - o allocate customers or territories
  - o rig bids

A cartel can be entered into even though competitors never meet or speak directly. This is known as a 'hub and spoke cartel' where a third party facilitates the cartel by passing on information and commitments between competitors. The third party can be liable for this conduct.

2. **Concerted practices** – other cooperation between competitors with the purpose, effect or likely effect of substantially lessening competition (eg sharing competitively sensitive information with competitors)
3. Any **other contract, arrangement or understanding** which has the purpose, effect or likely effect of substantially lessening competition
4. Any **conduct by a company with market power** which has the purpose, effect or likely effect of substantially lessening competition

A contravention of the CCA can result in significant penalties, including criminal sanctions for cartel conduct (including jail terms for individuals).

### Guiding principles

#### What you must do

Participants in AEMO discussions must:

1. Ensure that discussions are limited to the matters contemplated by the **agenda** for the discussion
2. Make **independent and unilateral decisions** about their commercial positions and approach in relation to the matters under discussion with AEMO
3. **Immediately and clearly raise an objection with AEMO or the Chair of the meeting** if a matter is discussed that the participant is concerned may give rise to competition law risks or a breach of this Protocol

#### What you must not do

Participants in AEMO meetings **must not discuss or agree** on the following topics:

1. Which **customers** they will supply or market to
2. The **price or other terms** at which Participants will supply
3. **Bids or tenders**, including the nature of a bid that a Participant intends to make or whether the Participant will participate in the bid
4. Which suppliers **Participants** will acquire from (or the price or other terms on which they acquire goods or services)
5. **Refusing to supply a person or company access** to any products, services or inputs they require

Under no circumstances must Participants share Competitively Sensitive Information. Competitively Sensitive Information means confidential information relating to a Participant which if disclosed to a competitor could affect its current or future commercial strategies, such as pricing information, customer terms and conditions, supply terms and conditions, sales, marketing or procurement strategies, product development, margins, costs, capacity or production planning.

### Compliance procedures

For meetings where this Protocol applies, AEMO will:

1. Circulate an agenda to Participants before the meeting
2. Take minutes or notes of the meeting.