

8 August 2013

Mr Steven Graham  
Chief Executive  
Australian Energy Market Commission  
PO Box A2449  
Sydney South NSW 1235

**Draft Rule Determination - National Electricity Amendment (Connecting Embedded Generators) Rule 2013**

Dear Mr Graham,

Thank you for the opportunity for the Energy Networks Association (ENA) to provide a submission on the AEMC's Draft Determination for the National Electricity Amendment (Connecting Embedded Generators) Rule 2013.

By way of background, the ENA is the peak national body representing gas and electricity transmission and distribution businesses throughout Australia. With more than \$75 billion in assets and 13 million customer connections throughout the country, Australia's energy networks provide the final step in the safe and reliable delivery of gas and electricity to households, businesses and industries.

ENA is generally supportive of the AEMC's Draft Determination and supports the intent of the Draft Rule. In particular:

- ENA strongly supports the AEMC's decision not to provide embedded generators with the automatic right to export electricity into the connected distribution network. This decision recognises the fact that the automatic right to export could compromise the safety and reliability of the network for customers and the general public.
- ENA strongly supports the AEMC's decision not to exempt embedded generators from contributing to shared network augmentation costs. This decision recognises that the costs of network augmentation resulting from an embedded generation connection should not be borne solely by the network businesses and consequently, by the whole customer base through increased Distribution Use of System (DUoS) charges.
- ENA strongly supports the introduction of a two-stage Connection Enquiry process. ENA considers the preliminary enquiry stage to be a key change that will address many of the perceived issues that arise when applicants are attempting to connect embedded generation to the electricity network. Subject to the resolution of the concerns regarding the specified timeframes, this new process will ensure better communication and understanding of the applicant's connection service requirements and the DNSP connection services provisions. ENA believes this step, in conjunction with improved information sharing, will contribute to alleviating many of the concerns that resulted in the original rule change proposal.

ENA recognises the significant role that embedded generation will play in the future of Australia's energy mix and the need to manage the network to facilitate its integration. ENA members also understand that project proponents, especially those without experience in the energy sector, can be frustrated by what they see as complicated connection processes. ENA supports the intent of the proposals in the Draft

Determination that help to clarify requirements or otherwise improve communication between networks and proponents.

That being said, ENA does have several key concerns with the Draft Determination that have the potential to further complicate the process and create unnecessary compliance and cost burdens for network businesses and customers.

ENA believes that further consideration is required to address the ambiguity of multiple connection processes, impracticability of certain specified timeframes, provision of certain technical information, dispute resolution process and the civil penalties provisions.

*Attachment 1* provides more detailed information on each of our key concerns and *Attachment 2* provides a comparison of the multiple connections processes created through the Draft Rule.

In considering the content of this submission, ENA would like to formally acknowledge the contributions of its members, in particular ENERGEX Limited and Networks NSW. Several recommendations put forward by ENA in this submission are the result of direct input from these businesses and have been considered appropriate for inclusion by the broader ENA membership as a representative industry view.

ENA would welcome the opportunity to consult further with the AEMC in relation to this submission, prior to the final determination being released.

If you have any questions or wish to discuss this matter further, please contact my office on 02 6272 1555.

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'John Bradley', is positioned above the typed name and title.

John Bradley  
Chief Executive Officer

## *Attachment 1*

### **Key Considerations**

#### **Multiple processes create undue compliance costs**

ENA considers that the Draft Rule in its current form will allow non-registered embedded generation applicants to have a choice of multiple connection processes, and as a result create additional compliance burdens for network businesses without any clear benefits to any party. The Draft Determination appears to take the view that Chapter 5A is only applicable to embedded generation that falls under the scope of AS4777 (Grid connection of inverters via energy systems). However, it is ENA's view that Chapter 5A was intended to apply to all embedded generation except where the applicant is a Registered Participant.

**Attachment 2** demonstrates that the Draft Rule in its current form would allow a non-registered embedded generator applicant to potentially progress their connection under one of four different processes: Chapter 5A (standard), Chapter 5A (negotiated), existing clause 5.3 and new clause 5.3A.

ENA believes that this framework will increase the compliance costs for Distribution Network Service Providers (DNSPs) that would have to establish and maintain multiple embedded generator connection frameworks for similar types of connections. This would involve a significant increase in documentation processing, as well as the introduction of new systems to manage the multiple processes and timetables.

The multiple connection processes also create additional uncertainty for embedded generator applicants, who are often not familiar with the options available, nor are they necessarily familiar with the obligations imposed on them under the Rules.

ENA is unaware of any party claiming that there are benefits to be derived from having a selection of connection processes to choose from. More importantly, there has been no evidence presented that suggests the value in proceeding with this framework would outweigh the additional burdens and costs imposed on DNSPs to manage multiple systems. In fact, as ENA understands it, a key motivation for the original Rule Change proposal was to create a standardised process that removed ambiguity, uncertainty and inefficiencies.

ENA and its members are of the view that a preferable rule change (an option available to the AEMC) would remove the unnecessary additional administrative burdens and uncertainty created by the Draft Rule, resulting in an outcome more in sync with the National Electricity Objective (NEO).

#### ***Preferable rule change***

ENA recommends that the following preferable Rule be considered by the AEMC as a viable alternative to the current Draft Rule. The preferable Rule would provide certainty and efficiency of process for both DNSPs and Connection Applicants, and allow non-registered embedded generators outside the scope of the AS4777 standard to access the new Rule provisions.

The preferable Rule, if one was considered necessary, would:

- For non-registered embedded generators contemplated by AS4777 (e.g. small-scale residential roof-top solar, domestic fuel-cell systems), apply the basic or negotiated connection framework established under Chapter 5A;

- For non-registered embedded generators not contemplated by AS4777, apply the Draft Rule (Rule 5.3A);
- For registered embedded generators, apply the connection framework established under Chapter 5 (Rule 5.3); and
- Narrow the scope of the existing Chapter 5 (Rule 5.3) connection process to Registered Participants only. ENA is unable to identify any benefits of extending this process to Non-Registered Participants with the detailed basic, standard and negotiated connection frameworks set out in Chapter 5A.

Under this preferred Rule, Connection Applicants would not be confused by trying to determine which connection process is most appropriate for their requirements and would have a clear path forward for progressing their application. The preferable Rule would also eliminate the need for network businesses to facilitate multiple processes for embedded generation connections of the same type. As a result this would avoid unnecessary additional compliance burdens and costs that would ultimately be paid for by all network consumers.

### Impracticality of timeframes

ENA has a number of concerns regarding timeframes under the proposed connection process. Specifically, ENA is concerned that:

1. the proposed timeframes are inappropriate for a number of embedded generation connections, in particular complex connections in both CBD and rural areas, and connections involving new technology;
2. the proposed network augmentation trigger for longer timeframes is too prescriptive and fails to take into account the broad range of issues that may require a DNSP to take longer than the prescribed timeframes to provide a response to the Connection Applicant; and
3. meeting some of the proposed timeframes is problematic from an operational perspective.

#### *1. Large and/or complex connections*

Given the broad range of embedded generators that are able to apply for a connection under the AEMC's proposed process (10kw-30MW), the timeframes should correspond with the time required to connect large/complex embedded generation connections, rather than the proposed timeframes that may only be suitable for small/simple installations. This is reinforced by the fact that DNSPs could be subject to civil penalties under the Draft Rule for breach of these timeframes.

While the proposed timeframes could possibly reflect the reasonable time required for processing small/simple connections, they do not reflect the appropriate time required to connect:

- Larger scale embedded generators (such as 5MW or greater) – connecting these types of embedded generators can involve connection to a DNSP's sub-transmission network, which is generally a more complex connection that requires more detailed technical analysis. Such connections commonly require additional analysis by either the DNSP or the Connection Applicant due to the higher potential of impacting other customers, more stringent protection requirements

and potentially higher implementation costs. ENA members have indicated that projects of this scale can take substantially longer than the timeframes proposed in the Draft Rule.

- Connections to a CBD network - for any size generators, connection to a CBD network is by default a complex connection due to the need to meet licence conditions and technical network constraints.
- Connections in rural locations – connections of embedded generators in rural locations can also be quite complex to facilitate, due mainly to the network constraints that commonly exist in these locations. This is particularly evident when multiple parties wish to pursue similar commercial scale embedded generation opportunities on a rural section of the network that isn't designed to accommodate this scenario. Many rural networks can become very constrained in terms of how much embedded generation can be connected without encountering power quality issues, such as voltage regulation and real/reactive power flows.
- Connections involving new technology – embedded generation connections involving technology that is new and unproven would require additional studies and testing to ensure that the equipment can be safely and reliably integrated into the DNSP's network. It is critical that DNSPs ensure that any plant connected to the grid does not pose safety risks to staff and the general public; cause supply outages; or adversely impact power quality, resulting in damage to other customer appliances.

ENA does note that the Draft Rule allows DNSPs to extend the timeframes to provide information by agreement (which is an aspect that ENA supports), however there is a concern that the proposed timeframes may create unrealistic expectations regarding the time required to provide a response to larger or more complex connections enquiries.

ENA is also concerned that while the Draft Determination states that a DNSP may utilise a maximum of 4 months to provide a detailed enquiry response for a project requiring network augmentation, this allowance is not explicitly stated in the Draft Rule. The Draft Rule only mentions the 4 month period in relation to providing the offer to connect, ENA recommends that this be clarified in relation to the detailed enquiry response.

As noted above, there are a number of scenarios which give rise to the need for DNSPs and/or the Connection Applicant to undertake more detailed analysis. This is often necessary in order for the DNSP to ensure the safety and reliability of its network, and is equally as important for the Connection Applicant, as DNSPs need sufficient time to identify the most cost effective solution for facilitating the connection and for developing suitable options that meet the Connection Applicant's connection objectives/requirements.

Consequently, given that the proposed timeframes in the Draft Rule are not necessarily reflective of the scale or complexity of possible connections under the proposed process, there is a risk of the proposed connection process resulting in outcomes that are not in the best interests of the Connection Applicants or DNSPs.

ENA considers that better outcomes could be achieved (for both DNSPs and the Connection Applicant) if the timeframes under the proposed connection process adequately reflected appropriate timeframes for connecting large and complex connections. This would assist in managing Connection Applicants' expectations, as well as ensuring that the best outcome is able to be achieved for the Connection Applicant and the DNSPs.

ENA recommends that longer timeframes be stipulated for both the preliminary enquiry and detailed enquiry phases of the connection process (particularly if the proposed connection is complex or large) and allow for variation to be agreed to between the DNSP and the Connection Applicant. This would allow DNSPs to work with the Connection Applicant to clarify their connection requirements and to develop cost effective, safe and reliable solutions for facilitating their connection.

## *2. Triggers for longer timeframes*

ENA is concerned by the AEMC's policy position outlined in the Draft Determination that appears to indicate that the only trigger for longer timeframes in the detailed enquiry stage is in circumstances where shared network augmentation is required.

ENA's concern with this conclusion is that it does not reflect the broad range of other technical issues that may warrant longer timeframes. These issues could include considerations such as the size and type of generator to be connected, location on the network and complexity of the project. Longer timeframes in these circumstances are necessary to ensure that the connection does not adversely affect the safety and reliability of the network and to allow technical solutions to be developed that are cost effective and meet the Connection Applicant's requirements.

ENA believes it would be inappropriate to limit the circumstances for allowing longer timeframes given the broad range of embedded generators connections likely to be captured by this process. It is likely that limiting the ability for DNSPs to access longer timeframes in the rules would:

- add unnecessary prescription to the proposed connection framework;
- fail to take into account the evolving nature of operating a DNSP network;
- potentially constrain technological innovation in the embedded generation and protection area; and
- reduce the effectiveness of the framework, resulting in suboptimal outcomes.

It is ENA's position that the connection process needs to be flexible rather than prescriptive if it is to operate effectively in practice and achieve the Connection Applicant's desired outcomes. It should also be noted that as a result of the inherent iterative nature of the process, progressing a Connection Application can also depend on the inputs and responses of the proponent as well as those from the DNSP.

## *3. Operational issues and clarification required*

There are aspects of the proposed timeframes in the AEMC's Draft Determination that would prove unfeasible for DNSPs from an operational perspective, in particular the timeframe for acknowledging receipt and the timeframes to provide a preliminary and detailed response. ENA is also seeking further clarification from the AEMC on how the timeframes will be calculated.

### *o Timeframe for acknowledging receipt*

ENA considers the two day timeframe for acknowledging receipt of a preliminary enquiry or detailed enquiry problematic from a practical and operational perspective. ENA members have indicated that DNSP's often do not have a dedicated area of their business for responding to embedded generation enquiries. Rather, embedded generation enquiries are usually processed by the same areas of the business that are responsible for customer load connections and are as far as possible, treated in a consistent manner.

Consequently, acknowledging receipt of an enquiry within a strict two-day timeframe is problematic due to issues such as key staff being unavailable (i.e. sick leave, travel, training, etc.), unforeseen interruptions to IT systems, and competing priorities that may result in an enquiry response to be delayed.

ENA also believes that a stringent two day timeframe could result in embedded generation connection enquiries being given priority over load customer enquiries being processed under Chapter 5A. Currently, Chapter 5A does not have a corresponding obligation on DNSPs to acknowledge receipt of a customer enquiry within two business days. Rather clause 5A.D.2 of the Rules requires a DNSP to respond to an enquiry within five business days unless certain information is published on its website.

ENA considers that it would be preferable to align the process for acknowledging receipt of embedded generation enquiries, with the business' processes for acknowledging customer load connections enquiries (as contemplated by Chapter 5A). Aligning these two processes would address the risk of processing errors and would reduce the administrative burden on DNSPs from having to implement separate processes.

Therefore, ENA considers five business days to be a more appropriate timeframe for acknowledging receipt of embedded generation enquiries than the two day timeframe currently proposed.

o *Timeframes to provide a preliminary and detailed response*

ENA members have indicated that processing embedded generator enquiries can often require the involvement of several different departments within the business (e.g. LV/MV and sub-transmission, systems planning, protection, customer connection, etc.). Under the AEMC's Draft Rule, DNSP's are required to provide more information earlier in the connection process and under more stringent timeframes. Meeting these requirements will be difficult for DNSPs (particularly if the proposed connection is complex or large) considering the number of different business areas that must be involved in the assessment process.

As noted earlier, the current timeframes do not appropriately reflect the scale or complexity of embedded generation connections that may arise under the proposed connection process. Consequently, the proposed framework is unlikely to provide sufficient time for DNSPs to provide an appropriate response to the Connection Applicant.

To meet the proposed timeframes DNSPs would be required to allocate more resources to processing and assessing embedded generation connections. This would be an undesirable outcome as it would result in unnecessarily driving up compliance costs and in turn placing upward pressure on customer prices.

ENA recommends amending the maximum timeframes to align with the time required to process large or technically complex connections to address these issues. If the timeframes were better aligned:

- the workability of the proposed connection process would be significantly improved, allowing it to be applied flexibly without the DNSP needing to seek constant extensions; and
- would likely facilitate better outcomes for the Connection Applicant, as DNSPs will have sufficient time to undertake the necessary analysis to develop cost effective solutions that enable the Connection Applicant to meet their connection objectives.

It is important to note that aligning the maximum timeframes to better reflect the time required for processing large/complex connections does not mean that DNSPs will need to take the maximum time for all connections. The policy intent for extending the maximum timeframes is to allow the framework to be

applied flexibly so that it accommodates all connection types between 10kW and 30MW. Importantly, it would not act to inhibit DNSPs from processing small/simple connections in an expedient manner.

Determining the specific appropriate maximum timeframes that accommodate larger/complex connections could be achieved through efficient consultation with stakeholders prior to the final determination being released. This would allow stakeholders to discuss their views on what timeframes may be appropriate and would facilitate a satisfactory outcome for all stakeholders.

o *Clarification of how time is calculated*

ENA is seeking further clarification from the AEMC in relation to how the timeframes outlined in the Draft Determination are to be calculated. ENA considers that in order for the connection framework to work effectively in practice, the Draft Rule should be amended to clarify that:

- Any time taken by the Connection Applicant to provide the DNSP with any further information or clarify any aspect of their application is not counted towards the calculation of time taken by the DNSP to provide its response.
- Any time taken to define briefs, and complete the analysis, reporting and evaluation of external advice on technical issues relating to the proposed connection, is not counted towards the DNSPs timeframes for providing a response.
- Any time taken by the Connection Applicant to correct a deficiency in their enquiry is not calculated in the DNSPs timeframes.

ENA believes that this clarification is necessary, particularly when taking into consideration the stringent timeframes and information requirements under the current proposed Draft Rule. A DNSPs ability to respond to a Connection Applicant's enquiry is constrained by both the quality of information provided and the ability of the applicant to clearly articulate its connection requirements and objectives. These constraints need to be recognised by appropriate provisions that allow for timeframes to be suspended when circumstances arise that are beyond the control of the DNSP.

### Concerns regarding information requirements

ENA considers that it is inappropriate for DNSPs to publish a register of generating plant that meets their minimum technical requirements.

Given the constant evolution of technology, with new products coming to market or updated versions of existing plant, any published register would need constant monitoring and updating to ensure accuracy and unbiased treatment of proponents. To achieve this outcome, DNSPs would be required to conduct constant and ongoing testing and analysis of all new and updated generating plant on the market. This imposes a heavy compliance burden on DNSPs without any clear benefits.

Any published register of plant would need to be heavily qualified to take into account the location specific and technical considerations that need to be given to each embedded generation connection. ENA considers that the effort and costs required to develop and maintain such a register, would heavily outweigh any potential benefits for Connection Applicants.

## Dispute Resolution

The Draft Determination indicates that there is a reluctance to involve the Australian Energy Regulator (AER) in dispute resolution due to the possibility that DNSPs will create what the Draft Determination labels as an applicant “black list”.

ENA considers this reasoning to be largely speculative and doesn’t provide a clear basis for introducing a new dispute resolution arrangement when appropriate independent dispute resolution mechanisms already exist.

ENA recommends that the AEMC should refer to the existing arrangements under Chapter 8 of the Rules, which outline the dispute resolution arrangements that apply to ‘Connection Applicants’ electing to connect under Chapter 5.

Chapter 8 specifically provides that:

- Registered Participants (i.e. DNSPs) must adopt and implement a dispute management system, which sets out the procedures to be followed when responding to requests for information or notification of disputes;
- The AER must appoint a dispute resolution adviser to administer the dispute resolution provisions of Chapter 8. It is a position that runs independently of the AER (clause 8.2.2(b)(4));
- The dispute resolution adviser must establish and maintain a pool of persons from which members of a dispute resolution panel (DRP) may be selected to assist in hearing disputes;
- The dispute process has 2 main components:
  - Stage 1 encourages participants to resolve their own disputes, through commercial resolution of issues and using a range of user friendly ADR processes;
  - Stage 2 of the process includes the option of both a DRP and an Adviser to assist in the resolution of the dispute and can include a final, binding determination by an expert DRP. It aims to be responsive to the industry’s needs including providing specialty expertise and responsive time frames.

The proposed new dispute mechanism requires both parties to agree on an independent engineer, with cost to be shared by both parties regardless of who requests the engineer be engaged. Then if agreement can not be made between the two parties on the appointment of the engineer, the AER will be requested to appoint one anyway.

In addition, a third party technical expert will have likely been involved in the connection negotiations by way of the consultant services commonly needed to be engaged by the Connection Applicant to assist in the definition and assessment of the proposed embedded generator connection project. In essence, this means that the suggested dispute resolution process would have already been implemented as part of the connection application negotiation process. The engagement of a further consultant to examine unresolvable points of difference between the DNSP and the Connection Applicant’s consultant is unlikely to contribute further meaningful information or definitive advice.

Given the existence of an effective dispute resolution procedure, and the likely involvement of third party technical experts in providing the initial network connection analysis and assessment on behalf of the Connection Applicant, ENA considers that progressing dispute resolution through the existing mechanisms under Chapter 8 would be preferable to creating a new mechanism. The existing mechanism is a truly independent process that avoids the delays and costs involved in additional negotiations under the new proposed process.

### Civil penalties

ENA is concerned that the Draft Determination recommends that certain obligations the Draft Rule places on DNSPs should be subject to civil penalties because:

- Breach would pose a risk to the secure operation of the National Electricity Market (NEM); and
- Such an approach would encourage compliance; and
- Of the equivalence of the new provisions to existing Chapter 5 civil penalty provisions.

The first rationale appears to contradict the application of this Rule to non-registered embedded generators. Non-registered generators are exempt from registration primarily because those generating units are not considered to have an impact on the operation of the NEM (AEMO NEM Registration Guide, Appendix 6).

ENA does not believe the second or third rationales reflect a balanced approach nor are sufficient to support the recommendation because:

- There is no evidence that DNSPs do not and would not comply with mandated connection timings set out in the Rules;
- There are no requirements in relation to load connection or embedded generators connecting under Chapter 5A, on this basis there should not be a need to have civil penalties for non-registered generators under the new arrangements in Chapter 5;
- A civil penalty regime is inconsistent with achieving positive co-operative engagement between DNSPs and generation proponents, and may incentivise DNSPs to take a conservative approach to engagement;
- The annual reporting requirements set out in clause S5.8 of the Draft Rule encourage compliance; and
- The existence of a dispute resolution framework in Chapter 8 of the Rules also encourages compliance.

For these reasons ENA does not consider that the Draft Rule should be subject to the civil penalty regime.

Attachment 2 – Non Registered Embedded Generator Connection Frameworks (provided courtesy of ENERGEX Limited)

	Chapter 5A - Basic / Standard	Chapter 5A - Negotiated	Clause 5.3	Draft Clause 5.3A	
Preliminary Enquiry	Applicant Preliminary Enquiry				
	Content	Not addressed	5.3.2 Type, magnitude and timing of proposed connection	5.3A.5 - Description of the objective of the project proposal - Information "of the kind" listed in Schedule 5.4 - Information required from Energen with reasoning;	
	DNSP must publish form	5A.D.2 No - information detailed below to be published on website	Not addressed	5.3A.3 Yes	
	DNSP Response				
	Acknowledgement of Receipt	Not addressed	Not addressed	5.3A.5 2 business days	
	Advise of Deficiency	Not addressed	5 business days	5 business days	
	Timeframe	5 business days, unless relevant information is published on website	10 business days for certain information (refer below) 20 business days for remaining information (refer below)	5.3A.7 15 business days unless otherwise agreed	
Content	5A.D.2 Provision of details such as basic and standard connection services, relevant model standing offers, process, information required for application, fees, right to negotiate (and relevant process), contestable aspects of connection, any other necessary information.	5.3.3. Within 10 business days: identity of other involved parties, whether the services are contestable, proposed preliminary program  Within 20 business days: automatic and minimum access and plant standards, negotiated standards requiring AEMO involvement, normal voltage level, if changed from nominal level, all necessary information required to assess application	5.3A.7, 5.5.4A - technical information including minimum requirements necessary to maintain system security and reliability of supply: 10 specified matters + other relevant information		
Detailed Enquiry	Applicant Detailed Enquiry				
	Content	5A.D.2 (Exclusions/Exemptions) Enquirer requests a written response to the enquiry or asks for specific information/advice regarding their particular situation	N/A	Not addressed	
	Timeframe	N/A	N/A	5.3A.7 Within 3 months of preliminary response	
	DNSP Response				
	Acknowledgement of Receipt	Not addressed	N/A	5.3A.8 2 business days	
	Advise of Deficiency	N/A	N/A	10 business days, advice of material deficiencies	
	Content	5A.D.2 (Exclusions) Not specifically addressed. Presumably additional information as requested and/or information published on website.	N/A	Not addressed	
Timeframe	As soon as reasonably practical	N/A	Within 30 business days unless otherwise agreed / RIT-D required		
Application	Applicant Connection Application				
	Content	5A.D.3 (a) Per the application form determined by the DNSP	5.3.4 Information requested by DNSP in response to enquiry, proposed access standards not meeting automatic standards	5.3A.9 Should reflect "agreed project" unless departure is justified	
	Timeframe	Not addressed	Per preliminary program	5.3A.8 30 business days of Detailed Response unless otherwise agreed	
	DNSP must publish form	5A.D.1 Yes	N/A (dependent upon what DNSP requests in response to enquiry)	No	
	DNSP Response				
	Content	5A.D.3 (f) - Advice detailing whether the application is a basic or standard connection (or neither) - Details of the negotiated connection process and potential associated costs	5A.C.3 - estimated fees associated with assessment of application and making of a connection offer - estimate of connection charges - statement detailing the calculation of connection charges - estimate of charges for supply services and calculation of charges (if applicable)	5.3.4A Negotiated access standards DNSP proposes to reject, and the standard that the DNSP will accept, and other information required to assess technical performance and costs of connection	Not addressed
	Advise of Deficiency	N/A	Not addressed	5.3A.9 5 business days	
Timeframe	10 business days	10 business days for above advice unless request further info (within 20 business days), then as soon as practicable 20 business days for DNSP to request and/or provide additional information	Not addressed		

Offer and Acceptance	DNBP Offer				
	Content	<p><b>Schedule 5A.1 (Part B) - Connection offer involving embedded generation</b></p> <p>Details of;</p> <ul style="list-style-type: none"> <li>- Commencement of Connection Contract</li> <li>- Connection point and embedded generators installation required at the connection point</li> <li>- Maximum capacity to import/export</li> <li>- Components of the distribution system used to provide connection, additional equipment required and identification of responsibility for completion of the work</li> <li>- network extension or augmentation required for the connection</li> <li>- timeframes for completion</li> <li>- metering installation requirements</li> <li>- technical and safety obligations</li> <li>- access requirements</li> <li>- Obligations to accommodate and protect any additional equipment required for the connection at the premise</li> <li>- Connection charges including billing arrangements</li> <li>- DNBP monetary obligations</li> <li>- DNBP obligation to provide additional connection information</li> <li>- Provisions for contract amendments by agreement</li> <li>- DNBP right to interrupt or reduce supply</li> <li>- warranties and liability limitations</li> <li>- disconnection and reconnection</li> <li>- reporting of and correction of faults</li> <li>- dispute resolution</li> <li>- ongoing obligations for both parties</li> <li>- Termination of contract</li> </ul>	<p><b>Schedule 5A.1 (Part B) - Connection offer involving embedded generation</b></p> <p><b>5A.F.4</b></p> <p>Per basic, plus specified terms of negotiated contract</p>	<p><b>5.3.5, 5.3.6, 5.5.6</b></p> <ul style="list-style-type: none"> <li>- Risks and obligations in respect of planning and environmental laws</li> <li>- automatic and negotiated access standards</li> <li>- terms and conditions of the kind set out in 5.5.6</li> <li>- must be fair and reasonable</li> </ul>	<p><b>5.3A.10</b></p> <ul style="list-style-type: none"> <li>- Itemised statement of connection costs</li> <li>- Terms and conditions of connection</li> <li>- For each technical requirement in the detailed response to automatic or negotiated access standard</li> <li>- details of how to accept the offer</li> </ul>
	Timeframe	<p><b>5A.E.4</b></p> <p>10 business days or;</p> <p>If the applicant has requested an expedited connection and indicated acceptance of the relevant model standing offer, the offer is considered to have been made</p>	Best endeavours - 65 business days	Per preliminary program	20 business days for agreed projects, otherwise 4 months
	Applicant response to Offer				
Timeframe	<p><b>5A.F.2 and 5A.F.3</b></p> <p>45 business days or;</p> <p>If the applicant requested expedited connection and indicated acceptance of model offer, submission is considered acceptance.</p>	20 business days (unless extended by agreement)	Not addressed	20 business days for agreed project, but provision for extension beyond 20 days for variations	

Fees	Fees/Charges			
		<b>5A.D.3 (3), 5A.E.1, 5A.E.2</b> - Site inspection fee - Connection charges compliant with Connection Charge Principles	<b>5A.D.3 (3), 5A.E.2, 5A.C.3</b> - Site inspection fee - Application assessment fee / negotiated offer fee (recoverable whether or not offer is accepted) - Connection charges compliant with connection charge principles and guidelines	<b>5.3.3, 5.3.7</b> - Application fee (assessment and preparation of offer) - Consultancy fee for planning and environmental approvals - Connection charges compliant with Capital Contributions Policy
Dispute Resolution	Dispute Resolution Process			
	Definition	<b>Part G</b> Relevant Dispute Per Section 2A of the National Electricity Law; (a) a dispute between a network service user (or prospective network service user) and a network service provider about an aspect of access to an electricity network service specified by the Rules to be an aspect to which Part 10 applies; or (b) without limiting paragraph (a)—a dispute between a retail customer (or other person specified by the Rules) and a regulated distribution system operator about an aspect of access to a connection service specified by the Rules to be an aspect to which Part 10 applies.	<b>Part I of Chapter 6</b> Provides for dispute resolution for terms of access under clause 5.5 (an access dispute for the purposes of the NEL).  <b>Part B of Chapter 8</b> Sets out the general processes for dispute resolution under the NER.	<b>5.9A</b> Technical dispute relating to; - negotiated or minimum access standards - augmentation or extensions required - design at connection point - physical layout adjacent to connection point - primary and /or backup protection - control characteristics - communications facilities - insulation co-ordination and lighting protection - fault levels and clearance - switching and isolation facilities - interlocking and synchronising arrangements - metering installations
	Process	<b>Part G</b> 1. The prospective customer, customer or DNSP notify the AER, in writing, that an access dispute exists 2. AER makes a determination or; 3. AER terminates proceedings		1. Initiating party notifies other party to the dispute in writing of; intent to initiate independent expert appraisal matter(s) for which the expert appraisal is sought Details of at least 2 independent experts to be considered to undertake the appraisal 2. Appointment of Expert 3. Technical expert proceeds with appraisal and determination (20 business days) 4. Experts appraisal is final but not binding 5. Experts appraisal is admissible in any judicial or dispute resolution proceedings under the Rules of the Law.