



Victoria Government Gazette

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Electricity Industry Act 2000

MINISTERIAL ORDER SPECIFYING LICENCE CONDITION 2023 (NO. 1)

I, Lily D'Ambrosio, Minister for Energy and Resources and as Minister responsible for administering the **Electricity Industry Act 2000** (the Act), having –

- a) had regard to –
 - i. any significant costs and benefits for an affected licensee or any other person that are likely to arise out of the making of this Order, in accordance with section 33AB(2)(a)(i) of the Act; and
 - ii. the written representations of the affected licensee, in accordance with section 33AB(2)(a)(ii) of the Act; and
- b) consulted with the Premier, the Treasurer and the Assistant Treasurer, being the Minister administering the **Essential Services Commission Act 2001**, in accordance with section 33AD of the Act –

make the following Order under section 33AB(1)(a) and 33AC(1)(c) of the Act.

PRELIMINARY

1. Objective

The objective of this Order is to specify ministerial licence conditions, relating to the connection of relevant embedded generating units to the licensee's distribution system, for which a licence to distribute or supply electricity granted under section 19 of the Act is subject.

2. Commencement

This Order commences 25 October 2023 and remains in force unless revoked.

3. Definitions and interpretation

In this Order –

AEMO has the same meaning as in the Act;

AusNet means AusNet Electricity Services Pty Ltd, ACN 064 651 118;

CitiPower means Citipower Pty Ltd, ACN 064 651 056;

commencement date means the day on which this Order commences;

Commission has the same meaning as in the Act;

connection agreement has the same meaning as in the National Electricity Rules;

connection contract has the same meaning as in the National Electricity Rules;

connection offer has the same meaning as in the National Electricity Rules;

distribution system has the same meaning as in the National Electricity Rules;

Electricity Distribution Code of Practice means the Electricity Distribution Code of Practice made by the Essential Service Commission under Part 6 of the **Essential Services Commission Act 2001**, as in force at the commencement of this order and as amended from time to time;

embedded generating unit has the same meaning as in the National Electricity Rules;

embedded network has the same meaning as in the National Electricity Rules;

establish or alter a connection means

- (a) the establishment of a new connection for an embedded generating unit; or
- (b) the modification of, or alteration to, an existing connection for an embedded generating unit –

SPECIAL

to which the connection process under Chapter 5 or Chapter 5A of the National Electricity Rules, or the procedure under Clause 5.3.9 of the National Electricity Rules, applies;

Jemena means Jemena Electricity Networks (Vic) Ltd, ACN 064 651 083;

licence means a licence to distribute or supply electricity granted by the Commission to a licensee, pursuant to section 19 of the Act, as amended from time to time;

licensee means each of AusNet, CitiPower, Jemena, Powercor and United Energy;

National Electricity Rules has the same meaning as in the National Electricity (Victoria) Law;

Powercor means Powercor Australia Ltd, ACN 064 651 109;

relevant embedded generating unit means a solar photovoltaic embedded generating unit with a capacity greater than 200 kilovolt-amperes (kVA) and no more than 30 megavolt-amperes (MVA), for which the licensee establishes or alters a connection to the distribution system on or after the commencement date;

the Act means the **Electricity Industry Act 2000**;

United Energy means United Energy Distribution Pty Ltd, ACN 064 651 029.

MINISTERIAL LICENCE CONDITION

4. Specification of Ministerial Licence Conditions

AusNet, CitiPower, Jemena, Powercor and United Energy are subject to the ministerial licence conditions set out in Clauses 5 and 6 of this Order on and from the commencement date.

Note: A ministerial licence condition made under section 33AB of the Act is a civil penalty requirement under the **Essential Services Commission Act 2001**.

5. Ministerial Licence Conditions – Establishing or altering a connection of a relevant embedded generating unit

- (1) The licensee must not establish or alter a connection with a relevant embedded generating unit to the licensee's distribution system unless the licensee is satisfied¹ that the relevant embedded generating unit has the capability for the licensee to remotely interrupt or curtail electricity generated by that embedded generating unit.
- (2) The licensee must, on and from 1 January 2024, be capable of remotely interrupting or curtailing electricity by a relevant embedded generating unit connected to the licensee's distribution system.
- (3) The licensee must not remotely interrupt or curtail electricity generation by a relevant embedded generating unit unless –
 - (a) directed to do so by the AEMO, or another person lawfully authorised by AEMO to issue that direction, under the National Electricity (Victoria) Law or the National Electricity Rules; or
 - (b) the licensee is carrying out tests to satisfy itself that the licensee is capable of remotely interrupting or curtailing electricity generation as required under this Order; or
 - (c) for any other matter agreed in writing with the owner or operator of the embedded generating unit.

¹ The types of actions the licensee may undertake to be satisfied include, but are not limited to, one or more of the following: 1) specification of an inverter or other device capability in a connection offer or connection agreement; 2) installation of a network or other device by or at the direction of the licensee that will enable such capability; and 3) receiving a certificate from the installer of the unit or device that specified such capability.

- (4) The licensee must include terms of its connection offer, connection contract or connection agreement (as the case may be) for the connection of a relevant embedded generating unit to the licensee's distribution system:
 - (a) to give effect to the requirements of this Order; and
 - (b) that the licensee may remotely interrupt or curtail electricity generation from the relevant embedded generating unit in the circumstances set out in Clause 5(3) of this Order; and
 - (c) the process by which the licensee will advise the owner or operator of the relevant embedded generating unit that the relevant embedded generating unit will be or the unit has been remotely interrupted or curtailed.

6. Notification requirements

- (1) A licensee is not required to make information available or to notify the owner or operator of a relevant embedded generating unit of an unplanned interruption or curtailment under subclause 5(3)(a) of this Order, including provision of information by way of a 24-hour telephone service.
- (2) A licensee must notify the owner or operator of a relevant embedded generating unit of a planned interruption or curtailment under subclause 5(3)(b) and (c) of this Order –
 - (a) in accordance with the requirements set out under Clauses 11.5 and 11.7 of the Electricity Distribution Code of Practice; or
 - (b) if the relevant customer contract or agreement contains an explicit informed consent to the interruption or curtailment, in accordance with the explicit informed consent specified in that contract or agreement.

7. Exemption from this Order

- (1) This Order does not apply to:
 - (a) the establishment or alteration of a connection for a relevant embedded generating unit to the licensee's distribution system if the licensee received the connection application for that connection before the commencement date of this Order.
 - (b) the establishment or alteration of a connection of an embedded network to the licensee's distribution system, to the extent that they include individual or separate solar photovoltaic embedded generating units with an individual capacity less than 200 kVA, regardless of whether, when taken together, the total capacity may be more than 200 kVA.
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