

## Attachment 1 Proposed changes to MSO Rules Clauses 2.6 & 2.7 for VENCORP's Revised Access Arrangement

Proposals are based on MSO Rules assuming current operational (v 16) with changes for FRC, as authorised by ACCC but not currently enacted, included. Changes are change marked<sup>1</sup>.

### 2.6 MARKET FEES

- (a) *VENCORP* may charge, and *Participants* must pay, *market fees* in accordance with this clause 2.6.
- (b) Subject to clauses 2.6(d) to (h), *market fees*, which are charged for *tariffed VENCORP services* must be determined by the Board of Directors of *VENCORP*, and approved by the *Regulator*, ~~in respect of each financial year~~ in accordance with ~~the Tariff Order~~ *VENCORP's access arrangement*.
- (c) Unless otherwise approved by the *Regulator*, each *Participant* must pay to *VENCORP* *market fees* in accordance with this clause 2.6(c):
  - (1) each *Market Participant* must pay a registration ~~fee~~ tariff determined in accordance with ~~the Tariff Order~~ with *VENCORP's access arrangement* ~~for every day or part of a day during which that Market Participant is registered under clause 2.1;~~
  - (2) each *Market Participant* who withdraws gas from the *transmission system* at a *system withdrawal point* or injects gas into the *transmission system* at a *system injection point* ~~must pay a metering fee associated with a "transmission supply point" as defined in the Tariff Order and as determined in accordance with the Tariff Order;~~
  - ~~(3) each *Retailer or* whose *Customers* are connected to a *transmission delivery point* at which there is a *metering installation* from which *VENCORP* is responsible for collecting *metering data* must pay, in respect of each such *metering installation* a metering fee associated with a "transmission supply point~~ meter data management tariff" ~~as defined in the Tariff Order and as determined in accordance with the Tariff Order~~ *VENCORP's access arrangement*;
  - (4) each ~~*Retailer*~~ *Market Participant* ~~who is connected to a *distribution delivery point* or~~ whose *Customers* are connected to a *distribution delivery point* at which there is a *metering installation* from which *VENCORP* is responsible for collecting *metering data* ~~must pay, in respect of each such *metering installation* a metering fee associated with a "distribution supply point" as defined in the Tariff Order and as determined in accordance with the Tariff Order;~~
  - ~~(5) each *Distribution Customer* who is a *Market Participant* and who is connected to a *distribution delivery point* at which there is a *metering installation* from which *VENCORP* is responsible for collecting *metering data* must pay, in respect of that *metering installation*, a metering fee associated with a "distribution supply point~~ meter data management tariff" ~~as defined in the Tariff Order and as determined in accordance with the Tariff Order~~ *VENCORP's access arrangement*;
  - (5a) with the exception of data provided to *VENCORP* for *settlement* in accordance with the *Retail Gas Market Rules*, where gas quantities are provided to *VENCORP* by an *Allocation Agent* or otherwise derived by *VENCORP* for the

<sup>1</sup> A strikethrough indicates text that has been deleted and underscoring indicates text that has been inserted.

purpose of *settlement*, the *Market Participant* for which the information is required shall be deemed to have a *metering installation* for the purpose of this clause 2.6.

- (6) each ~~Retailer~~ *Market Participant* who withdraws gas at a *tariff V withdrawal point* or who sells gas to *Customers* who withdraw gas at a *tariff V withdrawal point* in a *financial year* ~~must pay a commodity charge determined in accordance with the Tariff Order for each GJ of gas withdrawn by those Customers at such tariff V withdrawal point and sold by that Retailer to those Customers during that financial year;~~
- (7) each *Market Customer* who withdraws gas at a *tariff V withdrawal point* must pay a *"tariff V commodity charge"* ~~tariff~~ determined in accordance with ~~the Tariff Order for each GJ of gas withdrawn by that Market Customer at that tariff V withdrawal point during each financial year~~ *VENCorp's access arrangement*;
- (8) each ~~Retailer~~ *Market Participant* who withdraws gas at a *tariff D withdrawal point* or who sells gas to *Customers* who withdraw gas at a *tariff D withdrawal point* in a *financial year* ~~must pay a commodity charge determined in accordance with the Tariff Order for each GJ of gas withdrawn by those Customers at such tariff D withdrawal point and sold by that Retailer to those Customers during that financial year;~~
- (9) ~~each Market Customer who withdraws gas at a tariff D withdrawal point must pay a "tariff D commodity charge"~~ *tariff* determined in accordance with ~~the Tariff Order for each GJ of gas withdrawn by that Market Customer at that tariff D withdrawal point during each financial year~~ *VENCorp's access arrangement*; and
- (9a) For the purpose of applying "tariff D commodity tariffs" and "tariff V commodity tariffs", relevant *metering installations* must be assigned to tariff D or tariff V in accordance with the provisions of any *regulatory instrument* that may be applicable from time to time.
- (9b) Subject to (9c), where there is no *regulatory instrument* applicable then, for the purpose of applying "tariff D commodity tariffs" and "tariff V commodity tariffs";
  - (A) a relevant *metering installation* shall be assigned to tariff D where:
    - (i) 10 GJ or more of gas is withdrawn in any hour, or
    - (ii) 10,000 GJ or more of gas in total is withdrawn,  
based on *metering data* available for the past 12 months, or where 12 months *metering data* is not available then based on a reasonable estimation for the next 12 month period, or
  - (B) If a *metering installation* is not assigned to tariff D then the *metering installation* must be assigned to tariff V.
- (9c) A *Transmission Pipeline Owner* or a *Distributor*, as the case may be, may notify *VENCorp* that an assignment of tariff D or tariff V is to be other than as prescribed above.
- (10) each *Market Participant* must pay a ~~system security gas storage charge described as a~~ "system security *tariff*" charge in the ~~Tariff Order~~ and determined in accordance with ~~the Tariff Order~~, in respect of each GJ of gas withdrawn

~~from the transmission system by that Market Participant~~ VENCorp's access arrangement.

- (ca) VENCorp may, in its absolute discretion, apply to the Regulator at any time for a variation to the reference tariffs prescribed in VENCORP's access arrangement.
- (d) ~~VENCorp must, before submitting its an annual application statement to the Regulator for approval of Transmission Meter Data Management Tariffs, Distribution Meter Data Management Tariffs and System Security Tariffs for tariffed VENCORP services for the next financial year and must do so in accordance with clause 6.1(a)(2) of the Tariff Order, produce an initial report setting out VENCORP's access arrangement:~~
- (da) Before submitting its annual application to the Regulator under clause 2.6(d) for approval VENCORP must produce an initial report setting out:
- (1) ~~VENCorp's budgeted expenditures and budgeted revenues for that regulatory~~ the next financial year;
  - (2) the amount of ~~proposed market fees in respect of each of the tariffed VENCORP services in respect of which market fees are proposed~~ to be charged for the next financial year in respect of Transmission Meter Data Management Tariffs, Distribution Meter Data Management Tariffs and System Security Tariff tariffed VENCORP services;
  - (3) the method used in determining the amount of proposed *market fees* in respect of each of *VENCorp's* activities referred to in clause 2.6(d)(2) including but not limited to *VENCorp's* estimated costs and expenses associated with those activities;
  - (4) other fee structures and fee amounts which are appropriate for comparison purposes; and
  - (5) an assessment of the extent to which the proposed *market fees* comply with the principles set out in clause 8.1 of the *Access Code*.
- (e) *VENCorp* must provide a copy of the initial report to:
- (1) the *Regulator* on completion of the report; and
  - (2) *Participants* and interested persons on request.
- (f) *VENCorp* must invite *Participants* and interested persons to make submissions in relation to the initial report and must consider any such submissions received up to ten *business days* after the initial report is made available to *Participants* and interested persons under clause 2.6(e)(2).
- (g) *VENCorp* must prepare a final report which summarises:
- (1) submissions received under clause 2.6(f); and
  - (2) the process of consultation undertaken by *VENCorp* in relation to preparation of the final report.
- (h) *VENCorp* must provide a copy of the final report to the *Regulator* at the time of submitting its annual statement to the *Regulator* for approval in accordance with ~~clause 6.1(a)(2) of the Tariff Order~~ VENCorp's access arrangement.

## 2.7 Previous Financial Year Report

- (a) *VENCorp* must, by no later than two months after the end of each *financial year*, prepare a report setting out:
- (1) *VENCorp's* budgeted and actual expenditures and budgeted and actual revenues in respect of ~~each of the tariffed *VENCorp* services~~ in respect of the previous *financial year* including, but not limited to:
    - (A) "system security";
    - (B) collection, storage and processing of *metering data* and billing and *settlement* of *market* transactions; and
    - (C) costs of operating the dispute resolution process under clause 7.2;
  - (2) an explanation of any significant variation between budgeted and actual expenditures and budgeted and actual revenues in respect of the previous *financial year*. ~~and~~
  - (3) contributions made to and payments made from the *participant compensation* fund; and
  - (4) *VENCorp's* budgeted expenditures in respect of tariffed *VENCorp* services over the term of *VENCorp's* corporate planning process with reference to the *access arrangement* forecast expenditure.  
in respect of the previous *financial year*.
- (b) *VENCorp* must provide a copy of the report prepared under clause 2.7(a) to:
- (1) the *Regulator* on completion; and
  - (2) *Participants* and interested persons on request.