

## **IN THE DISPUTE RESOLUTION PANEL AT MELBOURNE**

(Constituted for determinations as to compensation under clause 3.16.2 of the National Electricity Rules)

Claimants in relation to the scheduling error declared by AEMO in August 2015 in relation to 1 December 2014 to 13 January 2015 – Incorrect 66kV line ratings in Victoria (**Victorian matter**):

**Snowy Hydro Limited** (ABN 17 090 547 431)

and Others (as notified to the WEMDRA)

Claimants in relation to the scheduling error declared by AEMO in November 2015 in relation to Incorrect South East Transformer rating in South Australia (**SA transformer matter**):

**Snowy Hydro Limited** (ABN 17 090 547 431)

Claimants in relation to energy losses from the scheduling errors declared by AEMO in February 2016 in relation to AWEFS Unconstrained Intermittent Generation Forecast – 2012 to 2016 (**AWEFS matter**):

**AGL Hydro Partnership** (ABN 86 076 691 481)

**AGL SA Generation Pty Ltd** (ABN 84 081 074 204)

**AGL Macquarie Pty Ltd** (ABN 18 167 859 494)

**AGL Loy Yang Marketing Pty Ltd** (ABN 19 105 758 316)

**Lake Bonney Wind Power Pty Ltd** (ABN 48 104 654 837)

**Woodlawn Wind Pty Ltd** (ABN 38 139 165 610) and

**Hydro-Electric Corporation** trading as Hydro Tasmania (as the intermediary registered for Musselroe Wind Farm Pty Ltd) (ABN 48 072 377 158)

(together, the **AWEFS Alliance**)

and

**Australian Energy Market Operator Limited** (ABN 94 072 010 327)

(**AEMO**)

### **PROCEDURAL DIRECTION NO 1**

DISPUTE RESOLUTION PANEL: Peter R D Gray QC

WEMDRA: Shirli Kirschner Resolve Advisors

DATE OF DIRECTION: 28 December 2016

HOW OBTAINED: -

OTHER MATTERS: The DRP accepted an appointment in the Victorian matter on 9 November 2016 and an appointment in the AWEFS matter on 14 December 2016.

A directions hearing was held in the Victorian matter on 14 December 2016. Energy Australia and Energy Australia Yallourn Pty Ltd (together, **Energy Australia**) applied to be joined as claimants in the Victorian matter, albeit that their applications were not made by 1 December 2016, as requested by the WEMDRA.

No objection was made by any party represented at the directions hearing. Upon Energy Australia's representative explaining the reasons for the late application, the DRP indicated that - subject to being persuaded to the contrary by any further submissions from any Market Participant not represented at the directions hearing - the DRP would treat Energy Australia as a claimant in the Victorian matter.

At the directions hearing, the AWEFS Alliance appeared and applied for a stay of any determination of compensation in the Victorian matter pending certain events. The DRP's decision on that application is reserved.

The DRP accepted an appointment in the SA transformer matter on 16 December 2016.

The Victorian matter, SA transformer matter and AWEFS matter will be case-managed in tandem.

THE DISPUTE RESOLUTION PANEL DIRECTS THAT:

1. By 4:00 pm on **27 January 2017**, any Market Participant wishing to oppose the joinder of Energy Australia as a claimant in the Victorian matter is to provide its submissions in writing on that issue to the WEMDRA.
2. By 4:00 pm on **2 February 2017**, after consulting with the claimants, AEMO is to provide (in three separate documents) to the WEMDRA a joint statement of issues in relation to the each of:
  - (a) the Victorian matter;

(b) the SA transformer matter; and

(c) the AWEFS matter,

which are to:

(d) be jointly agreed as far as is practicable between AEMO and the claimants;

(e) identify any additional facts not already included in AEMO's reports declaring the scheduling errors; and

(f) identify any facts that are in dispute.

3. By 4:00 pm on **9 February 2017**, any entity which has not already applied for a determination as to compensation in relation to the Victorian matter, and wishes to do so, is to provide an application in writing to the WEMDRA and is to provide a statement setting out the reasons why the entity did not make such an application by the date requested by the WEMDRA, making submissions as to why the application should not be disregarded for the purposes of the Victorian matter, and addressing the issue of costs.
4. By 4:00 pm on **9 February 2017**, any entity which has not already applied for a determination as to compensation in relation the SA transformer matter, and wishes to do so, is to provide an application in writing to the WEMDRA.
5. By 4:00 pm on **9 February 2017**, any entity which has not already made an application as to compensation in relation to the AWEFS matter, and wishes to do so, is to provide an application in writing to the WEMDRA.
6. Applications as to compensation in relation to any of the three abovementioned matters that are received outside the time limits imposed by these directions will not be taken into account by the DRP when making determinations for the existing claimants in the present matters, unless exceptional circumstances apply.
7. By 4:00 pm on **15 February 2017**, any party (whether a claimant or AEMO) wishing to make submissions on:
  - (a) the particular calculation of losses attributable to that party; and/or
  - (b) the question of apportionment of funds to be applied from the Participant Compensation Fund in relation to the abovementioned three matters,

is to provide such submissions in writing to the WEMDRA, and the WEMDRA will then publish any such submissions.

8. On **21 February 2017**, at a time (or times) and in a manner to be announced by the WEMDRA, a hearing (or hearings) will take place as to the calculations of losses attributable to parties in relation to the abovementioned three matters (the **calculation hearing**).
9. By 4:00 pm on **21 February 2017**, any party wishing to respond to the submissions referred to in paragraph 7(b) is to provide such responding submissions in writing to the WEMDRA, and then WEMDRA will then publish any such responding submissions.
10. On **28 February 2017**, at a time and in a manner to be announced by the WEMDRA, a hearing will take place as to the question referred to in paragraph 7(b) above (the **apportionment and determination hearing**).

Date: 28 December 2016



Peter R D Gray QC  
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