

Attachment 15: Arrangements for negotiation

Regulatory proposal for the ACT electricity distribution network 2019–24
January 2018

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Appendix 15.1 Proposed negotiating framework

15.1 Introduction

This attachment explains the arrangements for negotiation proposed by Evoenergy for the 2019–24 regulatory control period.

15.2 Regulatory requirements

Chapter 6, Part D of the National Electricity Rules (Rules) regulates Negotiated Distribution Services.

When negotiating the terms and conditions of access to Negotiated Distribution Services, clause 6.7.2 of the Rules requires Distribution Network Service Providers (DNSPs) to comply with the DNSP's:

- Negotiated Distribution Service Criteria (NDSC); and
- negotiating framework.

Clause 6.7.5(a) of the Rules requires the DNSP to prepare a document (the negotiating framework) setting out the procedure to be followed during negotiations between the DNSP and any person (the Service Applicant or applicant) who wishes to receive a Negotiated Distribution Service from the DNSP, as to the terms and conditions of access for the provision of the service. Clause 6.8.2(c)(5) of the Rules stipulates that a regulatory proposal must include a proposed negotiating framework for services classified as the Negotiated Distribution Services.¹

Clause 6.7.5(c) of the Rules sets out the requirements with which the negotiating framework must comply. Clauses 6.7.3, 6.12.1(15) and 6.12.1(16) require the Australian Energy Regulator (AER) to include in its determination decisions on negotiating framework and the NDSC with which the distribution network services provided must comply.

15.3 Negotiated Services

In its Framework and Approach paper,² the AER did not classify any Evoenergy (then ActewAGL Distribution) services as Negotiated Services. In this regulatory proposal,³ Evoenergy does not propose changes in classification of services contained in the Framework and Approach paper with respect to Negotiated Services.

¹ Evoenergy understands that a negotiating framework must be submitted as part of the regulatory proposal even if the regulatory proposal does not include services classified as Negotiated Distribution Services (section 15.3 refers).

² AER 2017, Framework and Approach for ActewAGL, July 2017, p. 11.

³ See Attachment 4 Classification proposal, section 4.5.

15.4 Negotiating framework

Evoenergy has prepared the proposed negotiating framework for the 2019–24 regulatory control period in compliance with clause 6.7.5(a) of the Rules and submits it as part of this regulatory proposal in compliance with clause 6.8.2(c)(5) of the Rules. The proposed framework is included at Appendix 15.1 to this regulatory proposal. Evoenergy considers that the framework is consistent with the requirements of clause 6.7.5(c) of the Rules.

Shortened forms

Term	Meaning
AER	Australian Energy Regulator
DNSP	Distribution Network Service Provider
NDSC	Negotiated Distribution Service Criteria
Rules	National Electricity Rules