



Final

Retailer of Last Resort guidelines

November 2011

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Inquiries about the currency of these guidelines should be addressed to:

Australian Energy Regulator
GPO Box 520
Melbourne Vic 3001

Tel: (03) 9290 1444
Fax: (03) 9290 1457
Email: AERInquiry@aer.gov.au

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Shortened forms

ACCC	Australian Competition and Consumer Commission
ACCC/AER Information Policy	ACCC–AER Information policy: The collection, use and disclosure of information, available from the AER’s web site
AEMO	Australian Energy Market Operator
AER	Australian Energy Regulator
Backup RoLR	A registered RoLR who may be designated if a default RoLR fails
Customer Framework	The National Energy Retail Law, National Energy Retail Rules and National Energy Retail Regulations
Distributor	Distribution Network Service Provider
Electricity Law	National Electricity Law
Electricity Rules	National Electricity Rules
EoI	Expression of Interest
Gas Law	National Gas Law
Gas Rules	National Gas Rules
GJ	gigajoule
guidelines	The RoLR guidelines developed by the AER under s. 135 of the National Energy Retail Law
MSATS	Market Settlement and Transfer Solution
MWh	Megawatt hour
NEM	National Electricity Market
NMI	National Metering Identifier
Retail Law	National Energy Retail Law
Retail Regulations	National Energy Retail Regulations
Retail Rules	National Energy Retail Rules
RoLR	Retailer of Last Resort

1 Introduction

1.1 Purpose of RoLR guidelines

1.1.1 The Australian Energy Regulator (AER) must develop, make and maintain AER Retailer of Last Resort (RoLR) Guidelines (guidelines) in accordance with the retail consultation procedure.¹

1.1.2 The guidelines must:²

- specify the circumstances in which the appointment of more than one designated RoLR for a RoLR event may occur;
- specify the manner of determining the allocation of the designated RoLRs to particular customers; and
- provide for any other matter that the AER considers necessary in the circumstances.

1.1.3 The guidelines may (without limitation) make different provision for the failure of large retailers, small retailers and retailers that are default RoLRs.³

1.1.4 The guidelines may (without limitation):⁴

- specify the form of and information to be included in a RoLR register expression of interest (EoI);
- specify the form and information to be included in an application for a RoLR cost recovery scheme; and
- provide for any other matter the AER considers necessary with respect to the RoLR scheme.

1.1.5 The AER may amend the guidelines in accordance with the retail consultation procedure.⁵

¹ s. 135(1) National Energy Retail Law.

² s. 135(2) National Energy Retail Law.

³ s. 135(3) National Energy Retail Law.

⁴ s. 135(5) National Energy Retail Law.

⁵ s. 135(6) National Energy Retail Law.

1.2 Confidentiality and use of information

- 1.2.1 The AER's obligations regarding confidentiality and disclosure of information provided to it by a regulated entity are governed by the National Energy Retail Law (Retail Law), National Electricity Law (Electricity Law), National Gas Law (Gas Law) and the *Competition and Consumer Act 2010* (Cth). For further information refer to the *ACCC–AER Information policy: The collection, use and disclosure of information* (ACCC/AER Information Policy) as updated from time to time, available from the AER's website.⁶
- 1.2.2 Where information is obtained by the AER under the Retail Law, the AER may use the information for a purpose connected with the performance or exercise of its functions or powers under the Electricity Law, Electricity Rules, Gas Law and Gas Rules.⁷ In addition, s. 131 of the Retail Law contains confidentiality provisions that apply under the RoLR scheme, including in relation to the performance of the AER's functions and exercise of its powers under the scheme.
- 1.2.3 Information may be shared between the AER and ACCC under ss. 44AAF and 157A of the *Competition and Consumer Act 2010* (Cth). As set out in the ACCC/AER Information Policy, if the ACCC or the AER has obtained information in the course of one matter which is relevant to another matter, the ACCC or the AER will, in general, share and use that information in the context of the other matter subject to any specific legal requirement to the contrary.

1.3 Processes for revision

The AER may amend or replace the guidelines in accordance with the retail consultation procedure set out in Part 12 of the Retail Rules.⁸

⁶ <http://www.aer.gov.au/content/index.phtml/tag/aerPublications/>

⁷ s. 216 National Energy Retail Law.

⁸ s. 135(6) National Energy Retail Law.

2 Appointment of multiple RoLRs

2.1 AER appointment of multiple RoLRs

- 2.1.1 The AER may designate more than one RoLR if it is of the opinion that it is appropriate to do so having regard to the size of, or other circumstances surrounding, the RoLR event.⁹
- 2.1.2 Multiple RoLRs may be designated for a RoLR event either as a result of standing instructions from the AER to the Australian Energy Market Operator (AEMO) or as a result of a written notice to AEMO at the time of a RoLR event.
- 2.1.3 Whether the AER relies on standing instructions or provides a written notice to AEMO at the time of a RoLR event will depend on whether the AER has time to make a designation decision before the RoLR event occurs. The AER considers standing instructions will likely apply where there are less than a few hours notice of a RoLR event, but written notices may be issued with more notice of a RoLR event.

2.2 Appointment of Multiple RoLRs: Standing instructions

- 2.2.1 Under s. 132(1) of the Retail Law, if a RoLR event occurs, the default RoLR is taken to be appointed as the designated RoLR in respect of that event.
- 2.2.2 The AER's standing instructions to AEMO will identify the default RoLRs and backup RoLRs (in the case of a default RoLR failure), including the electricity connection points or gas distribution system they are responsible for.
- 2.2.3 In the event the standing instructions are relied on for a RoLR appointment, multiple RoLRs may be appointed when there are multiple default RoLRs/backup RoLRs in the jurisdictions where the failed retailer had customers.
- 2.2.4 When registering default RoLRs and providing for backup RoLR arrangements, it is unlikely the AER will consider that one retailer will be the default/backup RoLR for all connection points and gas distribution systems for all affected states and territories. Since these RoLRs will be required to take on all size retailer failures, including potentially large new customer bases, the AER is likely, with regard to the RoLR criteria, to register a number of different default RoLRs (for different electricity connection points or gas distribution systems) under s. 125 of the Retail Law. For similar reasons it is also likely to provide standing instructions to AEMO to appoint multiple backup RoLRs should a default RoLR fail. While these arrangements will be aimed at preventing cascading retailer failures for large

⁹ s. 134 National Energy Retail Law.

retailer failures, the application of these arrangements will extend to smaller retailer failures as well.

2.3 Multiple RoLR appointment: Written notice

- 2.3.1 The AER may under s. 132(2) appoint a registered RoLR (including a registered RoLR that is not a default RoLR) as a designated RoLR in respect of a RoLR event, before the event actually occurs.
- 2.3.2 The AER may appoint a registered RoLR if it has sufficient notice of a RoLR event.
- 2.3.3 In the event the AER has time to appoint a registered RoLR, multiple RoLRs may be appointed:
- When the failed retailer’s customer base is large—the AER will likely consider that splitting affected customers between multiple registered RoLRs will better mitigate the risk of cascading retailer failures.

Example: The RoLR event concerns a large number of electricity consumers across the NEM. The AER may provide a notice in writing to AEMO to designate a combination of additional/default registered RoLRs.

- To support more effective competition outcomes—the AER may appoint different registered RoLRs to different areas by reference to the effect on market shares and potential competition outcomes from having more than one retailer take on the customers.

Example: The RoLR event concerns three separate areas of RoLR registration. If three registered RoLRs with similar customer bases are willing to take on customers over one (but not all) of these three areas, the AER may then appoint all three as designated RoLRs where they are considered of similar merit against the designation criteria.

- Having regard to the terms and conditions of registered RoLRs—the AER may appoint more than one registered RoLR where it considers a registered RoLR best meets the designation criteria (e.g. by reference to its RoLR cost recovery terms) for certain customers, but the RoLR is not willing to take all of the customers (or does not best meet the designation criteria for all of the customers).

Example: The RoLR event affects 30,000 customers. If a registered RoLR is willing to take on 10,000 customers and is considered to better meet the designation criteria, then the AER may choose to appoint this registered RoLR in combination with other registered RoLRs.

- 2.3.4 The AER is unlikely to appoint more than one designated RoLR if:
- a registered RoLR has a better offer than all other registered RoLRs for the failed retailer’s entire customer base, or
 - the AER considers there are event management benefits from having only one RoLR.
- 2.3.5 In all cases the AER will have regard to the RoLR designation criteria as required by s. 133 of the Retail Law.

3 Allocation of designated RoLRs to customers

3.1 Manner of determining allocation—electricity

3.1.1 The AER will allocate electricity customers to designated RoLRs by the grouping of connection points to a:¹⁰

- transmission node identifier level, or
- local retailer area level, or
- jurisdiction level.

3.1.2 The AER's grouping of electricity connection points will be informed by the circumstances of the RoLR event and the number of registered RoLRs to be appointed as designated RoLRs.

3.2 Manner of determining allocation—gas

The AER will allocate gas customers to designated RoLRs by distribution system(s).¹¹

3.3 Future manners of determining allocation

Under s. 129 of the Retail Law, AEMO may advise the AER that a RoLR may be registered on a basis other than for a connection point (in the case of electricity) or a distribution system (in the case of gas). The AER may then register a RoLR on that basis. The RoLR guidelines may be reviewed in the future to reflect any new basis for registration.

¹⁰ This decision follows consultation with AEMO and is consistent with capabilities within current AEMO market systems for the provision of customer information and data under s. 135(4) of the National Energy Retail Law.

¹¹ Ibid.

4 Form and Information to be included in a RoLR register EoI

4.1 Information to be included in a RoLR register EoI

A RoLR register EoI must contain the following information:

- date of application
- retailer's name
- retailer's contact officers for RoLR matters
- category of registration:
 - default RoLR, or
 - additional RoLR with firm offer¹², or
 - additional RoLR with non-firm offer.¹³
- information to demonstrate satisfaction with the RoLR criteria (information considered useful to demonstrate satisfaction with the RoLR criteria is set out in Appendix A).
- terms and conditions of registration (for additional RoLRs), including:
 - jurisdiction/distribution system

Electricity retailers are required to identify which jurisdiction/s they are prepared to serve as the designated RoLR. Gas retailers are required to nominate which distribution system/s they are prepared to act as the designated RoLR.

- customer numbers and class

Retailers may separately identify the number of customers they are prepared to serve as the designated RoLR for each jurisdiction/distribution system in which they are prepared to serve as the designated RoLR. For electricity, retailers may also identify whether they are prepared to serve small or large customers. (The AER may limit the type of customer the RoLR acquires on the basis

¹² A firm offer is an offer by a retailer to act as an additional RoLR under the terms and conditions outlined in the retailer's expression of interest.

¹³ A non-firm offer is an expression of interest by a retailer to act as an additional RoLR. Prior to any potential appointment as an additional RoLR, the AER will confirm with the retailer whether it is still prepared and capable of being appointed under the terms and conditions proposed in the expression of interest.

of NMI classification rather than the definition of small and large customers contained in the Retail Law.)¹⁴

- customer load

Retailers may nominate the customer load they are prepared to take on as the designated RoLR. The customer load must be in MWh for electricity, and be provided by jurisdiction. The customer load must be in GJ for gas, and be provided by jurisdiction.

- cost recovery variation

Retailers may nominate how they intend to vary their RoLR cost recovery scheme, such as waiving all or some of their RoLR event costs.

- no consultation before appointment (for additional RoLRs with firm offers)

Retailers are required to agree to be appointed as a RoLR without first being consulted by the AER.

4.2 Form for RoLR registration EOI

Retailers must register to be a default or additional RoLR using the forms set out in Appendix B of the guidelines.

4.3 Form to renew additional RoLR with firm offer registration

Retailers registered as additional RoLRs with firm offers are required to confirm their offers with the AER every three months using the renewal form set out in Appendix C of the guidelines.

¹⁴ s. 5 National Energy Retail Law.

5 The form of information to be included in an application for a RoLR cost recovery scheme

5.1 Information to be included in an application for a RoLR cost recovery scheme

A RoLR cost recovery scheme application must contain the following information:

- The quantum of costs incurred by the RoLR in relation to the RoLR scheme:
 - for default RoLRs, in preparing for a RoLR event; or
 - for designated RoLRs, costs incurred on and after a RoLR event,

which the RoLR is seeking to recover.

For RoLR scheme costs incurred on and following a RoLR event, a RoLR may include costs which have not been incurred but have already been identified and quantified. For default RoLR scheme preparation costs, a RoLR may include estimates of the quantum of costs it will incur.

- A breakdown of the quantum of costs by type.
- For each cost type, supporting documentation which verifies the incurred cost.
- For each cost type, reasons or supporting documentation as to why the costs incurred can be considered reasonable in accordance with s. 166(7) of the Retail Law.

For RoLR scheme costs incurred in preparing for a RoLR event, a RoLR must provide supporting documentation showing how such costs have been incurred due to the retailer's responsibilities as a default RoLR. Further, if the preparation costs provided are estimates, a RoLR must provide information explaining on what basis the cost estimates have been made.

- The benefits of the customers transferred from the failed retailer to the RoLR. This requires quantification of:
 - the revenue expected from the transferred customers; and
 - the 'business as usual costs' relating to the transferred customers. Business as usual costs are non-RoLR scheme

costs incurred relating to the supply of energy to transferred customers.

A RoLR must provide information explaining on what basis the revenue and 'business as usual costs' have been quantified (including the basis on which any estimates have been made).

- The number of customers who have been transferred from the failed retailer to the designated RoLR that have transferred away since the RoLR event.
- Any other information which the RoLR considers may assist the AER in assessing benefits.
- The return proposed by the RoLR and reasons why such a return is consistent with s. 166(7)(b) of the Retail Law.
- The proposed cost recovery mechanism, or combination of cost recovery mechanisms, to recover the RoLR's costs.
- If a combination of cost recovery mechanisms is proposed, details of what proportion of costs and/or types of the RoLR costs which each cost recovery mechanism will recover.
- If the RoLR cost recovery scheme application proposes to recover costs or a proportion of the costs through the distributor payment determination, the proposed quantum of the distributor payment, the timing of the payments and the distributors from which the RoLR proposes to recover its costs and if applicable, the proposed apportionment of the distributor payment among the proposed distributors (including the methodology used to allocate costs between distributors).
- If the RoLR cost recovery scheme application proposes to recover costs or a proportion of the costs through a retail tariff variation, the details of the proposed retail tariff variation, including the classes of customers which the tariff variation will affect.
- If the RoLR cost recovery scheme application proposes to recover the costs or a proportion of the costs through an upfront fee, the proposed quantum of the upfront fee, the classes of customers to which the fee is applied and when the fee will be charged.
- If the RoLR cost recovery scheme proposes any other cost recovery mechanism, the details of the cost recovery mechanism, including the classes of customers affected by the cost recovery mechanism and the timing of recovery under the mechanism.
- Any RoLR scheme costs the RoLR is bearing and why it considers these costs are proportionate to its customer base in accordance with s. 166(7)(c) of the Retail Law.

5.2 Form of application for a RoLR cost recovery scheme

The form of the RoLR scheme costs information in a RoLR cost recovery scheme application must conform to the pro-forma template attached at Appendix D of the guidelines.

6 Matters which the AER considers necessary with respect to the RoLR scheme

6.1 Time limits on RoLR cost recovery scheme applications

6.1.1 An application for the recovery of costs incurred in relation to the RoLR scheme in preparing for RoLR events must be submitted within nine months of being appointed a default RoLR under the Retail Law.

For default RoLRs appointed before the commencement of the Retail Law (i.e. as part of transitional jurisdictional arrangements) the nine month time limit is taken to start on the commencement date of the Retail Law in the relevant jurisdiction.

6.1.2 An application for the recovery of RoLR scheme costs in relation to costs incurred on and after a specific RoLR event must be submitted within nine months of being appointed a designated RoLR for the specific RoLR event.

6.2 Ex-post recovery of costs incurred on and after a RoLR event

Recovery of RoLR scheme costs incurred on and after a RoLR event is only to occur on an ex-post basis. That is, such RoLR scheme costs can only be recovered after the specific RoLR event occurs and the RoLR scheme costs have been quantified.

6.3 Non-assessment of RoLR cost recovery scheme applications which do not conform to the requirements in RoLR guidelines

An application for a RoLR cost recovery scheme which does not conform to the information and form requirements in the guidelines, may not be assessed by the AER until it is submitted in the form prescribed in s. 5 of the guidelines.

Appendix A: Information to satisfy RoLR criteria for RoLR register EoI

The AER is required under ss. 125(6) and 126(2) of the Retail Law to consider the RoLR criteria before registering a retailer as a RoLR.

The AER places the onus on the applicant to provide sufficient information in support of its application.

To assist the AER to assess your business against the RoLR criteria, the information below may be useful. The information listed is not exhaustive and the AER may require additional information:

- The scale of operations including the number and class of customers per state and territory.
- An explanation of which activities are conducted in-house and which are contracted out to third parties.
- A summary of how the qualifications, skills and experience of your officers will assist your business meet the requirements of a designated RoLR.
- A summary of how your business's processes and systems will be able to meet the requirements of a designated RoLR, including:
 - accepting a bulk transfer of customers from the failed retailer
 - communicating and billing customers from the failed retailer within the required timeframes under the Retail Law and RoLR regulatory instruments
 - answering and resolving (where required) customer enquiries during a RoLR event
 - identifying customers from the failed retailer who have life support requirements or are on a hardship policy.
- Details of insurance arrangements which have relevance to your business's ability to be a designated RoLR.
- Any additional information that will assist the AER in considering your organisational and technical capacity.
- Copies of your audited financial report for the last financial year.
- Evidence of long and/or short term credit ratings from agencies such as Standard & Poors, Fitch or Moody's.

- A written declaration from an independent auditor or your principal financial institution stating that they are unaware of any factor that would impede your ability to finance your designated RoLR responsibilities.
- Details of any hedging arrangements, and their relevance to your ability to be a designated RoLR.
- In the case of gas and where there is no declared wholesale gas or short term trading market, to what extent, if any, you have:
 - gas available by means of a distribution pipeline; or
 - capacity available on the distribution pipeline and any relevant transmission pipeline,sufficient for you to be a designated RoLR.
- Details of any bank guarantees, and their relevance to your ability to be a designated RoLR.
- Any additional information that would assist the AER in its consideration of your financial capacity to meet the requirements of being the designated RoLR.
- Details of any material failure by your business to comply with regulatory requirements, laws or other obligations over the past three years.
- Any additional information that will assist the AER in its consideration of the overall suitability for your business to be a designated RoLR.

Appendix B: RoLR register Eol forms

<u>National Retailer of Last Resort scheme</u> Expression of interest (Eol) to be a default RoLR Issued by the Australian Energy Regulator in accordance with section 124 of the National Energy Retail Law		
Date of application		
Name of retailer (include MSATS Participant ID or gas equivalent)		
RoLR contact officers	[1 st contact]	Phone 1:
	[Title]	Phone 2:
		Email:
	[2 nd contact]	Phone 1:
	[Title]	Phone 2:
		Email:
Electricity: Area of registration		
Please identify the jurisdiction/s for which your business seeks registration as a default RoLR.		
Australian Capital Territory		
New South Wales		
Queensland		
South Australia		
Victoria		
Tasmania		
Gas: Area of registration		

Please identify the distribution system/s (by jurisdiction) your business seeks registration as a default RoLR for.

Australian Capital Territory	
New South Wales	
Queensland	
South Australia	
Victoria	

Cost recovery arrangements

If applicable, set out your business's proposal to vary its RoLR cost recovery scheme e.g. agree to waive all or some RoLR event costs.

RoLR criteria

The AER is required under ss. 125(6) and 126(2) of the Retail Law to consider the RoLR criteria before registering a retailer as a RoLR. To assist the AER assess your business against the RoLR criteria, please provide information set out in Appendix A of the RoLR guideline.

*Please note that the AER's acceptance of any Default RoLR EoIs will be subject to transitional arrangements.

Signature of responsible officer for [name of retailer]

I, [name of responsible officer], accept that by signing this form, [name of retailer] agrees to be registered as a default RoLR and to act as a designated RoLR for a RoLR event.*

Name:

Position:

Signature:

Date:...../...../.....

* Section 125(5) of the Retail Law provides that a retailer's concurrence is not required for appointment and registration as a default RoLR.

National Retailer of Last Resort scheme

Expression of interest (EoI) to be an additional RoLR with firm offer

Issued by the Australian Energy Regulator in accordance with section 124 of the National Energy Retail Law

Date of application			
Name of retailer (include MSATS Participant ID or gas equivalent)			
RoLR contact officers	[1 st contact]	Phone 1:	
	[Title]	Phone 2:	
		Email:	
	[2 nd contact]	Phone 1:	
	[Title]	Phone 2:	
		Email:	
Terms and conditions of additional RoLR registration for electricity			
Please identify the jurisdiction/s for which your business is prepared to serve as a designated RoLR. If applicable, please also nominate the customer class, number of customers and/or maximum customer load for which your business is prepared to serve as a designated RoLR. Please also identify your business's cost recovery arrangements and whether your business seeks to attach other conditions to this registration.			
Jurisdiction	Customer class*	Maximum customer numbers**	Maximum customer load** [MWh of electricity]
Australian Capital Territory	Small		
	Large		
New South Wales	Small		
	Large		

Queensland	Small		
	Large		
South Australia	Small		
	Large		
Victoria	Small		
	Large		
Cost recovery arrangements			
If applicable, set out your business's proposal to vary its RoLR cost recovery scheme e.g. agree to waive all or some RoLR event costs.			
Other			
If applicable, set out the other conditions your business seeks to attach to this registration.			
Terms and conditions of additional RoLR registration for gas			
Please identify the distribution system/s for which your business is prepared to serve as a designated RoLR. If applicable, please also nominate the number of customers and/or maximum customer load for which your business is prepared to serve as a designated RoLR. Please also identify your business's cost recovery arrangements and whether your business seeks to attach other conditions to this registration.			
Jurisdiction	Distribution system/s	Maximum customer numbers**	Maximum customer load** [GJ of gas]
Australian Capital Territory			
New South Wales			
Queensland			
South Australia			

Victoria			
<p>Cost recovery arrangements</p> <p>If applicable, set out your business's proposal to vary its RoLR cost recovery scheme e.g. agree to waive all or some RoLR event costs.</p>			
<p>Other</p> <p>If applicable, set out the other conditions your business seeks to attach to this registration.</p>			
<p>RoLR criteria</p> <p>The AER is required under ss. 125(6) and 126(2) of the Retail Law to consider the RoLR criteria before registering a retailer as a RoLR. To assist the AER assess your business against the RoLR criteria, please provide information set out in Appendix A of the RoLR guideline.</p> <p>* In accordance with current AEMO systems, customer class options for electricity are currently restricted to NMI (small/large) classifications within MSATS.</p> <p>** The AER will assess nominated customer numbers/load against available failed retailer data taken from AEMO systems, in accordance with information protocols. The load will not be final allocated load data, rather it will be an approximated measure in AEMO systems. Customer number data may also not be current up to the exact gas day of the RoLR event.</p>			
<p>Signature of responsible officer for [name of retailer]</p> <p>I, [name of responsible officer], accept that by signing this form, [name of retailer] agrees to be registered as an additional RoLR. [name of retailer] also accepts that by signing this form, it could be required to act as a designated RoLR for a RoLR event without any notice in accordance with the terms and conditions set out in this form.</p> <p>Name:</p> <p>Position:</p> <p>Signature:</p> <p>Date:...../...../.....</p>			

National Retailer of Last Resort scheme

Expression of interest (EoI) to be an additional RoLR with non-firm offer

Issued by the Australian Energy Regulator in accordance with section 124 of the National Energy Retail Law

Please note that by registering as an additional RoLR with non-firm offer, the terms and conditions set out in this form are not binding. Before the AER appoints an additional RoLR with non-firm offer, the retailer will be asked to confirm the terms and conditions in relation to which they are prepared to be appointed as a designated RoLR. The AER will seek the agreement of an additional RoLR with a non-firm offer before appointing it as a designated RoLR.

Date of application			
Name of retailer (include MSATS Participant ID or gas equivalent)			
RoLR contact officers	[1 st contact]	Phone 1:	
	[Title]	Phone 2:	
		Email:	
	[2 nd contact]	Phone 1:	
	[Title]	Phone 2:	
		Email:	
Terms and conditions of additional RoLR registration for electricity			
Please identify the jurisdiction/s for which your business is prepared to serve as a designated RoLR. If applicable, please also nominate the customer class, number of customers and/or maximum customer load for which your business is prepared to serve as a designated RoLR. Please also identify your business's cost recovery arrangements and whether your business seeks to attach other conditions to this registration.			
Jurisdiction	Customer class*	Maximum customer numbers**	Maximum customer load** [MWh of electricity]
Australian Capital	Small		

Territory	Large		
New South Wales	Small		
	Large		
Queensland	Small		
	Large		
South Australia	Small		
	Large		
Victoria	Small		
	Large		
Cost recovery arrangements			
If applicable, set out your business's proposal to vary its RoLR cost recovery scheme e.g. agree to waive all or some RoLR event costs.			
Other			
If applicable, set out the other conditions your business seeks to attach to this registration.			
Terms and conditions of additional RoLR registration for gas			
Please identify the distribution system/s for which your business is prepared to serve as a designated RoLR. If applicable, please also nominate the number of customers and/or maximum customer load for which your business is prepared to serve as a designated RoLR. Please also identify your business's cost recovery arrangements and whether your business seeks to attach other conditions to this registration.			
Jurisdiction	Distribution system/s	Customer numbers**	Maximum customer load** [GJ of gas]
Australian Capital Territory			
New South Wales			

Queensland			
South Australia			
Victoria			
Cost recovery arrangements			
If applicable, set out your business's proposal to vary its RoLR cost recovery scheme e.g. agree to waive all or some RoLR event costs.			
Other			
If applicable, set out the other conditions your business seeks to attach to this registration.			
RoLR criteria			
The AER is required under ss. 125(6) and 126(2) of the Retail Law to consider the RoLR criteria before registering a retailer as a RoLR. To assist the AER assess your business against the RoLR criteria, please provide information set out in Appendix A of the RoLR guideline.			
* In accordance with current AEMO systems, customer class options for electricity are currently restricted to NMI (small/large) classifications within MSATS.			
** The AER will assess nominated customer numbers/load against available failed retailer data taken from AEMO systems, in accordance with information protocols. The load will not be final allocated load data rather an approximated measure in AEMO systems. Customer number data may also not be current up to the exact gas day of the RoLR event.			
Signature of responsible officer for [name of retailer]			
I, [name of responsible officer], accept that by signing this form, [name of retailer] agrees to be registered as an additional RoLR with non-firm offer.			
Name:			
Position:			
Signature: Date:...../...../.....			

Appendix C: Renewal of Additional RoLR registration

<u>National Retailer of Last Resort scheme</u> Renewal of Additional RoLR registration Issued by the Australian Energy Regulator in accordance with section 126 of the National Energy Retail Law		
Date of renewal		
Name of retailer		
Confirmation of RoLR contact officers	[1 st contact]	Phone 1:
	[Title]	Phone 2:
		Email:
	[2 nd contact]	Phone 1:
	[Title]	Phone 2:
		Email:
Confirmation of RoLR register EoI		
<p>[Name of retailer] confirms that there have been no material changes to:</p> <ul style="list-style-type: none"> - the terms and conditions; and - the information provided to the AER to demonstrate satisfaction with the RoLR criteria <p>which were set out in the RoLR register EoI dated [date of RoLR register EoI] to be an [category of additional RoLR].</p> <p>[Name of retailer] is applying to renew its additional RoLR registration for a further period of 3 months immediately upon the expiry of its current registration or renewed registration.</p> <p><i>Signature of responsible officer for [name of retailer]</i></p> <p>Name:</p>		

Position:

Signature:

Date:...../...../.....

Notification of variations to RoLR register EoI

[Name of retailer] confirms that there have been the following material changes to their RoLR register EoI dated [date of RoLR register EoI] to be an [category of additional RoLR].

Signature of responsible officer for [name of retailer]

Name:

Position:

Signature:

Date:...../...../.....

Appendix D: Form of application for a RoLR cost recovery scheme

See attached Microsoft excel spreadsheet titled *RoLR cost recovery guidelines pro forma template.XLS*.

Glossary

backup RoLR	A registered RoLR who may be designated if a default RoLR fails
customer	Has the meaning given in ss. 2 and 5(1) of the Retail Law
default RoLR	Has the meaning given in s. 122 of the Retail Law
designated RoLR	Has the meaning given in s. 122 of the Retail Law
designation criteria	The criteria for the appointment of a registered RoLR as a designated RoLR under s.133 of the Retail Law
distribution system	Has the meaning given in s. 2(b) of the Retail Law
distributor payment determination	Means a RoLR cost recovery scheme distributor payment determination as given in s167(1) of the Retail Law
guidelines	The RoLR Guidelines developed by the AER under s. 135 of the Retail Law
hardship policy	Means a customer hardship policy as given in s. 2 of the Retail Law
registered RoLR	Has the meaning given in s. 122 of the National Energy Retail Law
regulated entity	Has the meaning given in s. 2 of the National Energy Retail Law
retail consultation procedure	Has the meaning given in s. 173 of the Retail Rules
RoLR cost recovery scheme	Has the meaning given in s.166(3) of the Retail Law
RoLR cost recovery scheme application	An application for a RoLR cost recovery scheme made under s. 166(1) of the Retail Law
RoLR event	Has the meaning given in s. 122 of the Retail Law
RoLR register EoI	Has the meaning given in s. 124 of the Retail Law
RoLR scheme	Has the meaning given in s. 122 of the Retail Law
standing instructions	Is a notice from the AER to AEMO setting out the electricity and gas default RoLRs and the RoLRs in the event of first tier retailer failure
transferred customers	Are customers of the failed retailer.