Western Power Network Users seeking Technical Rules exemptions

**January 2017**

# Objective of the Guidelines

The Rules are created and operate under chapter 12 of the *Code*, as published by the Economic Regulation Authority (**Authority**). The Rules exist in order to ensure that Western Power’s network safety, reliability and security of supply is not compromised and that it is maintained and operated in an economically prudent and efficient way.

This guideline and multifunctional form (Form) have been developed by Western Power to assist Users with the preparation of exemption requests from the Technical Rules[[1]](#footnote-1) (**Rules**). It includes an explanation of information required and how the request will be assessed.

Users, Customers and Applicants (**Users** herein) are required to comply with the Rules, but as set out in sections 12.33 to 12.39 of the *Electricity Networks Access Code 2004* (**Code**), they can apply to Western Power for variations and exemptions to the Rules, where such requests do not contravene the objectives of the Rules and the Code.

# Content of a Rule exemption request

*Users* are required to submit Rule exemption requests in writing, preferably using the Customer Technical Rules Exemption Request Form (**Form**) which is included as Attachment 1[[2]](#footnote-2). Regardless of the format used, all Rules exemption requests must contain all information necessary to enable the NSP to be expedite the assessment,

*“(a) as a reasonable and prudent person on reasonable technical and operational grounds; and*

*(b) having regard to the effect the proposed exemption will, if granted, have on the service providers and users of the network and any interconnected network”.*

Further, this section of the Code requires that the exemption should be granted if:

*“in all the circumstances the disadvantages of requiring the person applying for the exemption to comply with the requirement are likely to exceed the advantages”.*

The recommended Form contains guide text in orange and has been constructed to assist both Western Power and Users to meet these requirements. However, the format and content of an exemption request is ultimately at the discretion of the User, as might apply in their particular circumstances.

# Lodging a Rule exemption request

A Rules exemption request may be submitted to Western Power electronically or in hard copy. All hard copy requests must be addressed to:

Regulatory Compliance Manager

Western Power

GPO Box L921

Perth WA 6842

or submitted electronically:

email: [technical.rules@westernpower.com.au](mailto:technical.rules@westernpower.com.au)

Cc: nominated Access Consultant (as applicable)

# Checklist for lodging a Rule exemption request

Please use this checklist to ensure the exemption request Form is complete:

1. The submitted Rules exemption request Form is accurate, consistent and complete   
 - please note only (PART A and Part B) of the attached Form is required in your submission  
 - to avoid further requests for information, please ensure the Form *is complete*.

2. Requests must be addressed to Regulatory Compliance Manager.

3. A copy of the relevant Access Application should be included if requesting a Rules exemption prior to finalising an application to connect.

4. The time (in months or years) for which the exemption is required, is clearly specified. Please note in some circumstances, this may be modified in the decision granted by Western Power, if all the other exemption details are agreed.

5. The request identifies the clause(s) in the Rules from which the exemption is sought and provides the proposed, alternative or amended wording.

6. A Rules compliant solution has been identified and its advantages/disadvantages discussed.

7. The preferred alternative (non-compliant solution) for which the exemption is being sought, has been identified and is fully justified with respect to the fully compliant design.

8. Request is signed, and supporting evidence is attached to the exemption request, including all documents referred to in the request, with location of relevant extracts identified (for example, page/paragraph number). Please do not submit incomplete documents or early drafts – ensure that version controlled, final, duly approved, supporting drawings/documents are submitted.

Applicants may use the attached Form, or may choose to otherwise ensure all required information is provided in similar categories as the Form, and to the equivalent levels of detail as set out in the Form.

The completed Rules exemption request can then submitted as set out in Section 3, above.

Please note that the assessment process is outlined in Parts C and D to provide transparency in the process, but these do not form part of the initial request.

**Attachment 1**

**Customer/User Technical Rules Exemption Request Form**

*Guide to completion (please delete the orange guide text prior to submission)*

Please provide the following information in relation to the exemption(s) sought for all sections of this form.Provide supporting evidence for the stated reasons, including:

* state all assumptions
* attach all documents referred to
* ensure that opinions are not presented as facts

**PART A – Connection point and contact details**

Please provide these *connection point[[3]](#footnote-3)* details:

|  |  |
| --- | --- |
| Applicant (User) name: |  |
| ABN/ACN: |  |
| Name of contact: |  |
| Phone: |  |
| Email: |  |
| Postal address: |  |
|  | |
| Consulting engineer: |  |
| Phone: |  |
| Email: |  |
| Postal address: |  |
|  | |
| Exemption site address: |  |
| Connection point owner: |  |
| Phone: |  |
| Email: |  |
| National Meter Identifier (NMI): |  |
| Applicable ETAC and/or ETAF: |  |
| Electricity Retailer: |  |

|  |  |  |  |
| --- | --- | --- | --- |
| **PART B – Technical Rules exemption request:** | | | |
| This request seeks a Rules exemption or variations from particular Technical Rule(s) | | | |
| Technical Rules clause(s) for which exemption is sought: | | * *Identify the particular clause(s) of the Rules from which the exemption or variation is sought* | |
| Proposed alternate wording for the Technical Rules clause(s) for which exemption is sought: | | * *Nominate alternative wording to apply with an exemption in place. That is, new wording to apply in place of the existing clause* | |
| Period of exemption sought:  **From:** *DDMMYY*  **To:** *DDMMYY* | | * *Explain here if the intention is to seek permanent or temporary exemption? (if temporary exemption, please nominate an end date; if permanent exemption, please note that a review period may be set by Western Power)* | |
| 1. **Background** | | | |
| *Background to the exemption – include relevant events (subheadings) as required. For example, network constraints, AQP constraints, intended time of operation of the plant, plant/asset/connection site expected life etc*   * *Project initiation milestones (for example, when the project began, when the relevant plant/design was specified, approved, equipment purchased, installed, commissioned etc)* * *Are there any similar Technical Rules exemption precedents already in place?* | | | |
| 1. **Work context/project progress overview** | | | |
| *Please reference the Access Application, access study reports and other project documentation, to describe progress of the project so far and its intended future development. Explain, in chronological order, the Customer’s actions undertaken in order to comply, from the first Enquiry/Access Application onwards. For example, was compliance with the Rules included in the relevant scope of work for the study report, option analysis, design, procurement specifications, tender documents, contracts, etc.*  *At what point in time did it become apparent that compliance will be compromised?* | | | |
| 1. **Rules compliant solution and other options compared** | | | |
| **3.1 Compliant design**  *Describe the compliant design, including the single line diagram, its key features and summary of advantages and disadvantages this solution brings.*  **3.2 Options**  *Briefly list and describe other (Rules compliant and non-compliant) options considered.*  **3.3 Users’ preferred design (which requires Rules exemption)**  *Describe the preferred design, including the single line diagram, its key features, and provide a brief summary of advantages/disadvantages when compared to the compliant design. Explain / justify why the requestor believes that the plant does not or should not comply*  *Justify and explain the proposed alternative wording for the exemption sought.*  **3.4 Impact of the Users’ preferred design (requires exemption)**  *Discuss likely effects the proposed exemption will, if granted, have on:*   * *other Users of the network,* * *the network service provider system and/or network operation* * *market operation or quantity of the required ancillary services (relative to that before the project)* | | | |
| 1. **Disadvantages outweigh advantages of full compliance** | | | |
| *This section is where the applicant should present a compelling explanation for how in “all the circumstances the disadvantages of requiring the person applying for the exemption to comply with the requirement are likely to exceed the advantages” – as per Access Code s. 12.34* | | | |
| 1. **Signature and supporting documents** | | | |
| Signature of the authorised person requesting the Technical Rules exemption to apply at the connection point detailed above, and confirming that the supporting information provided in Part A and Part B of this form is complete and accurate.  Printed name: Date:  Signature:    *Please list the documents provided in support of the Exemption Request into the table below, adding rows as required.* | | | |
| **Supporting documents** | **Description/relevance of supporting information** | | **Section/para. Page no.** |
| Application form |  | |  |
| Single line diagram |  | |  |
| Test results |  | |  |
|  |  | |  |
|  |  | |  |

**PART C – Exemption assessment (Western Power usage only)**

Western Power will assess (in Parts C and D) the completeness and accuracy of the information supporting the exemption request, and then follow the decision making steps below. The exemption requested will be granted if Western Power is satisfied that all steps are met, as per the Access Code s. 12.33-12.39.

|  |  |  |  |
| --- | --- | --- | --- |
| **Required exemption assessment step:** | **Y/N** | **Processed by** | **Date** |
| Items in the checklist (s. 4) are addressed. |  |  |  |
| All required User’s exemption request information has been provided and is complete? |  |  |  |
| Clarification communications/meeting(s) required? |  |  |  |
| Western Power document ref: EDM \_\_\_\_\_\_\_\_\_\_\_\_\_ |  |  |  |
| Is external or SM/AEMO input required? cl. 1.9.1(b). |  |  |  |
| Exemption scoping meeting(s) required? |  |  |  |
| Western Power document ref: EDM \_\_\_\_\_\_\_\_\_\_\_\_\_ |  |  |  |
| The proposed exemption, if granted, will not unacceptably impact on the service providers and/or users of the covered network(s) and any interconnected network(s). |  |  |  |
| The *Service Provider* determines that in all the circumstances the disadvantages of requiring the person applying for the exemption to comply with the requirement are likely to exceed the advantages |  |  |  |
| Internal exemption assessment form complete. |  |  |  |
| Western Power document ref: EDM \_\_\_\_\_\_\_\_\_\_\_\_\_ |  |  |  |

**PART D – Exemption decision (Western Power usage only)**

Western Power will establish whether the exemption can be granted, as per the Access Code s. 12.33-12.39. Exemptions apply at the connection point, and can only be granted to the owner of the connection point.

A letter will be sent to the applicant with full details of the exemption details, the *connection point* and *connection agreement* to which it applies. Applicants are asked to confirm acceptance of the exemption by returning a duly signed copy of the “Rules exemption letter” to: technical rules@westernpower.com .au, as per these guidelines section 3.

|  |  |
| --- | --- |
| **Details \ Decision** | **Approved/Not approved** |
| Name |  |
| Signature |  |
| Western Power position. | Regulatory Compliance Manager |
| Date: |  |
| Email address | technical.rules@westernpower.com.au |

1. <https://www.erawa.com.au/electricity/electricity-access/western-power-network/technical-rules> [↑](#footnote-ref-1)
2. [http://www.westernpower.com.au/documents/Western Power Users seeking Technical Rules Exemptions Guidelines\_September\_2016.pdf](http://www.westernpower.com.au/documents/Western%20Power%20Users%20seeking%20Technical%20Rules%20Exemptions%20Guidelines_September_2016.pdf) [↑](#footnote-ref-2)
3. The c*onnection point* is defined in the Rules as a point on the network, where the *Network Service Provider*’s *primary equipment* (excluding metering assets) is connected to *primary equipment* owned by a *User*. [↑](#footnote-ref-3)