

Legislative Council—No 71A

As reported with amendments, report adopted, Standing Orders suspended and passed remaining stages, 13 November 2007

South Australia

**Electricity (Feed-In Scheme—Solar Systems)
Amendment Bill 2007**

A BILL FOR

An Act to amend the *Electricity Act 1996*.

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The Parliament of South Australia enacts as follows:

Part 1—Preliminary

1—Short title

This Act may be cited as the *Electricity (Feed-In Scheme—Solar Systems) Amendment Act 2007*.

5 2—Commencement

This Act will come into operation on a day to be fixed by proclamation.

3—Amendment provisions

In this Act, a provision under a heading referring to the amendment of a specified Act amends the Act so specified.

10 Part 2—Amendment of *Electricity Act 1996*

4—Insertion of Part 3 Division 3AB

After section 36AB insert:

Division 3AB—Feed-in mechanisms

36AC—Interpretation

15 In this Division—

domestic customer means a customer—

- (a) who acquires electricity primarily for domestic use; and
- (b) who satisfies other criteria (if any) prescribed by the regulations for the purposes of this definition;

20 *excluded network* means a distribution network that supplies electricity to less than 10 000 domestic customers;

qualifying customer means—

- (a) a domestic customer; or
- (b) a small business customer;

qualifying generator means a small photovoltaic generator—

- (a) that is operated by a qualifying customer; and
- (b) that complies with *Australian Standard—AS 4777* (as in force from time to time or as substituted from time to time); and
- (c) that is connected to a distribution network in a manner that allows electricity generated by the small photovoltaic generator to be fed into the network,

other than where the distribution network is an excluded network;

small business customer means a customer who acquires electricity primarily for the purposes of—

- (a) a business—
 - (i) where not more than 20 persons are employed (and, for the purposes of this paragraph, the relevant number of persons will be determined by counting people who work full-time in the business, or full-time equivalents); and
 - (ii) where the business does not form part of a larger business; or
- (b) a business that satisfies other criteria (if any) prescribed by the regulations for the purposes of this definition;

small photovoltaic generator means a photovoltaic system with capacity up to 10kVA for a single phase connection and up to 30kVA for a three phase connection.

36AD—Feeding-in of electricity to networks by domestic customers

- (1) It is a condition of a licence authorising the operation of a distribution network, other than an excluded network, that the holder of the licence will—
 - (a) allow a qualifying customer to feed into the network electricity generated by a qualifying generator (subject to complying with any relevant technical, safety or other requirements imposed by or under this or any other Act or relevant instrument); and
 - (b) credit against the charges payable by the qualifying customer for the supply of electricity to the qualifying customer the amount of \$0.44 per kWh for any electricity fed into the network under paragraph (a) (after taking into account the operation of subsections (2), (3) and (4)); and

- (c) comply with any reporting requirements imposed by the Minister under subsection (4).
- (2) It is a condition of the licence of the electricity entity that has the relevant contract to sell electricity as a retailer to a qualifying customer who is entitled to a credit under subsection (1)(b) that the retailer will, after taking into account any requirements prescribed by the regulations—
- (a) reflect the credit in the charges payable by the qualifying customer for the supply of electricity; and
- (b) provide to the qualifying customer information relating to—
- (i) the amount of electricity fed into the distribution network by the qualifying customer; and
- (ii) the amount to be credited for the benefit of the qualifying customer for electricity fed into the distribution network.
- (3) If the whole of an amount to be credited to a qualifying customer under subsection (1)(b) in respect of electricity fed into a distribution network in a particular billing period has not been set-off against the charges payable by the qualifying customer for the supply of electricity by the expiration of 12 months after the end of that billing period, the qualifying customer is entitled to the payment of the outstanding balance.
- (4) The Minister may, in connection with the operation or administration of this section—
- (a) by notice in the Gazette, impose reporting requirements on the holders of licences authorising the operation of distribution networks;
- (b) by subsequent notice in the Gazette, vary any reporting requirements previously imposed under this subsection (including by the substitution or addition of requirements).

36AE—Expiry of scheme

The scheme established by this Division will not apply to electricity fed into a distribution network after 30 June 2028.