

South Australia

Electricity (General) (Australian Energy Market Operator) Variation Regulations 2009

under the *Electricity Act 1996*

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Part 1—Preliminary

1—Short title

These regulations may be cited as the *Electricity (General) (Australian Energy Market Operator) Variation Regulations 2009*.

2—Commencement

These regulations will come into operation on the day on which the *Statutes Amendment (Australian Energy Market Operator) Act 2009* comes into operation.

3—Variation provisions

In these regulations, a provision under a heading referring to the variation of specified regulations varies the regulations so specified.

Part 2—Variation of *Electricity (General) Regulations 1997*

4—Substitution of regulations 5D and 5E

Regulations 5D and 5E—delete the regulations and substitute:

5D—Functions of Technical Regulator—major interruptions to electricity supply

- (1) Pursuant to section 8(ca) of the Act, the Technical Regulator must, in relation to major interruptions to the electricity supply in the State, after taking into account the operation of subregulation (2), comply with the requirements set out in subregulation (3).
- (2) The Technical Regulator will determine whether to act under this regulation after taking into account the significance of the interruption and, for that purpose, the Technical Regulator should have regard to—
 - (a) the actual or likely duration of any interruption; and
 - (b) the number of customers affected, or likely to be affected, by any interruption; and
 - (c) such other factors as the Technical Regulator determines to be relevant.
- (3) The Technical Regulator must, in acting under this regulation in relation to the monitoring and investigation of major interruptions to the electricity supply in the State, advise the Minister in respect of—
 - (a) the causes or likely causes of such interruptions;
 - (b) the nature and extent of such interruptions;
 - (c) the actual and likely effects and duration of such interruptions;
 - (d) the steps taken by electricity entities and others to manage such interruptions and to restore and maintain electricity supply;
 - (e) the adequacy, appropriateness and timeliness of those steps;
 - (f) the action that should be taken by electricity entities and others to minimise the likelihood of such interruptions in the future;
 - (g) any other matter relating to such interruptions that the Technical Regulator considers appropriate.

5E—Function associated with use of emergency powers

- (1) A responsible officer is to fulfil obligations under a protocol agreed by the jurisdictions participating in the National Electricity Market (*ie* the market regulated by the *National Electricity Law*) relating to the use of emergency powers that may affect the operation of that market.

(2) Without limiting subregulation (1), a responsible officer may assume operational responsibility for managing power system emergencies under any relevant plan established or adopted by AEMO.

(3) In this regulation—

the Department means the administrative unit of the Public Service that is, under the Minister, responsible for the administration of the Act;

responsible officer means an officer within the Department nominated by the Minister to be a responsible officer for the purposes of this regulation.

5—Variation of regulation 7B—Functions and powers of system controller

(1) Regulation 7B(1)(b)—delete "NEMMCO" and substitute:

AEMO

(2) Regulation 7B(3), definition of *NEMMCO*—delete the definition

Note—

As required by section 10AA(2) of the *Subordinate Legislation Act 1978*, the Minister has certified that, in the Minister's opinion, it is necessary or appropriate that these regulations come into operation as set out in these regulations.

Made by the Governor

with the advice and consent of the Executive Council
on 25 June 2009

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