

National Energy Retail Law (Queensland) Bill 2014

Amendments during consideration in detail to be moved by
The Honourable the Minister for Energy and Water Supply

1 **Clause 12 (Modification regulation-making power)**

Page 11, after line 33—

insert—

- (3) Without limiting subsection (2)(b), a modification regulation that modifies the Regulations or Rules mentioned in subsection (1)(b) or (c) may nominate an entity (the *nominated entity*) other than the AER to be the Regulator for the modification.
- (4) To the extent the AER would otherwise have had, but for subsection (3), a function or power under the NERL (Qld), the NER Regulations (Qld) or the Rules for monitoring, investigating or enforcing the modification, the nominated entity is taken to have the function or power.

2 **Clause 12 (Modification regulation-making power)**

Page 11, line 34, '(3)'—

omit, insert—

- (5)

3 **Clause 12 (Modification regulation-making power)**

Page 12, line 1, '(4)'—

omit, insert—

- (6)

4 **Clause 12 (Modification regulation-making power)**

Page 12, line 6, '(5)'—

omit, insert—

(7)

5 Clause 17 (Exempt sellers under the NER Regulations (Qld))

Page 15, line 25—

omit, insert—

(3) The AER may, under the NERL (Qld), deal with an exempt seller exemption applying under subsection (2) in the same way the AER may, under that Law, deal with an exemption granted under section 110 of that Law.

(4) In this section—

6 Clause 18 (Other exempt sellers)

Page 16, lines 2 to 27—

omit, insert—

(1) On the commencement, each generation authority (retail) holder and each special approval (retail) holder is taken to hold an exemption for electricity for the NERL (Qld) (a ***transitional exemption***).

(2) A transitional exemption stops applying 1 year after the commencement.

(3) In this section—

7 Clause 18 (Other exempt sellers)

Page 16, lines 32 to 34—

omit.

8 Clause 18 (Other exempt sellers)

Page 17, lines 5 and 6—

omit, insert—

- (b) does not include—
 - (i) Origin Energy in relation to special approval no. SA02/11; or
 - (ii) the holder of licence no. 960, issued under the *Gladstone Power Station Agreement Act 1993*, section 13.

9 Schedule (Modification of application of National Energy Retail Law)

Page 37, after line 23—

insert—

3A Section 2(1), definition *meter identifier*

omit, insert—

meter identifier means—

- (a) for electricity—
 - (i) generally—the NMI; or
 - (ii) for premises supplied electricity on a distribution system of Ergon Energy Distribution—a unique identification number allocated by Ergon Energy Distribution to a meter at the premises; or
- (b) for gas—the MIRN or the delivery point identifier;

Editor's note—

This definition is a substituted Queensland provision.

3B Section 2(1)—

insert—

10 Schedule (Modification of application of National Energy Retail Law)

Page 44, after line 25—

insert—

(7) This section does not prevent an assigned retailer entering into a separate arrangement with a qualifying customer of the retailer to buy electricity produced at the qualifying customer's premises and supplied to a distribution system.

(8) In this section—

qualifying customer means a customer whose annual consumption at the customer's premises is, or is estimated by the distributor who provides customer connection services to the premises to be, less than 100 megawatt hours.

11 Schedule (Modification of application of National Energy Retail Law)

Page 47, line 6, after 'variation'—

insert—

at least 10 business days

12 Schedule (Modification of application of National Energy Retail Law)

Page 51, line 18—

omit, insert—

the customer, other than a card-operated meter.

**60DA When standard retail contract
(card-operated meters) takes effect**

Despite section 26, a standard retail contract (card-operated meters) between a retailer and a small customer takes effect when the customer starts consuming electricity at the customer's premises.

13 Schedule (Modification of application of National Energy Retail Law)

Page 67, line 6—

omit, insert—

- (3) Further, a person does not contravene section 88 for the sale of electricity if the person is the holder of licence no. 960, issued under section 13 of the *Gladstone Power Station Agreement Act 1993* of Queensland.
- (4) In this section—

14 Schedule (Modification of application of National Energy Retail Law)

Page 68, after line 31—

insert—

21A Section 122, definition *failed retailer*—

omit, insert—

***failed retailer*—**

- (a) generally, means a retailer or former retailer in relation to whom a RoLR event has occurred; but
- (b) for gas, does not include a retailer or former retailer who sells gas to more than 15% of the small gas customers in Queensland;

Editor's note—

This definition is a substituted Queensland provision.

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