

Western Australia

Energy Operators (Electricity Retail Corporation) (Charges) By-laws 2006

As at 01 Apr 2009

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Energy Operators (Electricity Retail Corporation) (Charges) By-laws 2006

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**Part 3 — Amendments commencing
on 1 July 2009**

Energy Operators (Electricity Retail Corporation) (Charges) By-laws 2006

1. Citation

These by-laws are the *Energy Operators (Electricity Retail Corporation) (Charges) By-laws 2006*.

2. Commencement

These by-laws come into operation on 1 April 2006.

3. Terms used in these by-laws

In these by-laws, unless the contrary intention appears —
corporation means the body established by the *Electricity Corporations Act 2005* section 4(1)(c);

dwelling means a house, flat, home unit or other place of residence used solely for residential purposes;

half-hourly maximum demand means the maximum demand in kilowatts recorded during the accounting period concerned in any period of half an hour;

off peak means any period other than on peak;

on peak means the periods between 8.00 a.m. and 10.00 p.m. Monday to Friday;

bl. 3A

RBA cash rate means the percentage (or maximum percentage) specified by the Reserve Bank of Australia as the Cash Rate Target;

residential tariff means Tariff A1 or B1;

Tariff followed by a designation means the tariff so designated in Schedule 1;

unit, in relation to a charge for electricity, means one kilowatt hour.

[By-law 3 amended in Gazette 30 Mar 2009 p. 970.]

3A. Construction of references to time

- (1) In this by-law —
standard time and **summer time** have the meaning given to those terms in the *Daylight Saving Act 2006* section 3.
- (2) For the purposes of the *Daylight Saving Act 2006* section 7, it is provided that a reference in these by-laws to any time or period of time is to be construed as a reference to —
 - (a) standard time and not to summer time; or
 - (b) that period of time as determined by reference to standard time and not by reference to summer time.

[By-law 3A inserted in Gazette 1 Dec 2006 p. 5349-50.]

4. Electricity charges

- (1) The charges to be paid by consumers for electricity supplied by the corporation are those specified in, or calculated in accordance with, Schedule 1.
- (2) The charges to be paid by consumers for street lighting supplied by the corporation are those specified in Schedule 2.

5. Application of residential tariffs

- (1) A consumer is entitled to be supplied on the basis of a residential tariff only if —

- (a) the premises supplied consist of a dwelling; and
 - (b) the supply is not used for any industrial, commercial, business, or general purpose.
- (2) Notwithstanding that any premises would not otherwise be treated as a dwelling for the purposes of this by-law, a residential tariff may be applied if the premises or any part of the premises is independently supplied and separately metered solely for the purpose of a residential supply.

6. Meter rental

- (1) A consumer supplied by the corporation with electricity is liable to pay the rental specified in Schedule 3 in respect of each subsidiary meter used to meter the supply.
- (2) Sub-by-law (1) does not apply to a consumer if —
- (a) the premises supplied consist of a dwelling;
 - (b) the supply is not used for any industrial, commercial, business, or general purpose; and
 - (c) the master account is supplied under a residential tariff.

7. Fees

The fees specified in Schedule 4 are payable in respect of the matters specified in that Schedule.

8. Payment

- (1) In this by-law —
- relevant period* means —
- (a) in the case of a consumer to whom the *Code of Conduct for the Supply of Electricity to Small Use Customers* applies, the period ending on the due date for payment as specified by the corporation; and
 - (b) in any other case, the period of 14 days after payment is requested by the corporation.

bl. 9

- (2) A consumer supplied by the corporation must pay the appropriate charges specified in the Schedules within the relevant period.
- (3) Subject to the Act section 124(4a), if payment of a charge exceeding \$1 000 is not made in full within the relevant period, the consumer must pay an additional amount by way of interest for each day that the charge remains unpaid at a rate that is equal to the RBA cash rate as at that day increased by 6 percentage points.
- (4) An amount payable under sub-by-law (2) or (3) is recoverable in any court of competent jurisdiction as a debt due to the corporation.

[By-law 8 amended in Gazette 30 Mar 2009 p. 970.]

9. Rebates and reduced fees

- (1) In this by-law —
eligible person means a person who satisfies the corporation that the person holds —
 - (a) a —
 - (i) Health Care Card;
 - (ii) Commonwealth seniors health card; or
 - (iii) Pensioner Concession Card,
issued by the Department of Social Security of the Government of the Commonwealth;
 - (b) a Repatriation Health Card, issued by the Department of Veterans' Affairs of the Government of the Commonwealth, that indicates on it that the person is totally and permanently incapacitated, a war widow or a dependant; or
 - (c) a Seniors' Card issued by the Office of Seniors' Interests of the Government of the State.

- (2) Where electricity is supplied to a consumer who is an eligible person, for use at his or her principal place of residence and the consumer is charged on the basis of Tariff A1, the consumer is entitled to a rebate equal to the fixed charge payable under that tariff for that residence.
- (3) Where a consumer who is charged on the basis of Tariff A1 for electricity supplied by the corporation satisfies the corporation that electricity supplied to the consumer has been delivered to and used at premises occupied by an eligible person as his or her principal place of residence, the consumer is entitled to a rebate equal to the fixed charge payable under that tariff for those premises.
- (4) Where a fixed charge is payable for multiple dwellings and there is a dwelling in respect of which the rebate is not payable, for the purposes of ascertaining the amount of the rebate payable the amount of the fixed charge payable in respect of the first dwelling shall be taken to relate to a dwelling in respect of which a rebate is not payable.
- (5) A person who comes within paragraph (a) or (b) of the definition of “eligible person” in sub-by-law (1) and who is entitled to a rebate under this by-law is also —
 - (a) exempted from payment of the account establishment fee specified in Schedule 4 item 1; and
 - (b) entitled to pay the reduced meter testing fee specified in Schedule 4 item 6(b).

10. Calculation of charges

- (1) Where a charge per unit specified in Schedule 1 depends on the number of units consumed per day the charge per unit is to be based on the average daily consumption in the accounting period.
- (2) Where a charge calculated in accordance with a Schedule is an amount which is not a whole number multiple of 5 cents the

bl. 11

amount is to be rounded up or down, as the case may be, to the nearest whole number multiple of 5 cents.

11. Changes in rates

Where during any accounting period a change in the applicable rate of charges occurs, the charge payable may be adjusted by reference to the date on which the change is to take effect or by reference to the date on which the change is applied to any applicable account, whichever results in the lower charge.

12. Prescribed rate of interest for s. 62(16) of the Act

(1) In this by-law —

interest period means the period in respect of which payment is made or credit is given.

(2) For the purposes of section 62(16) of the Act, the rate at which interest is to be paid, or given credit for, by the corporation is —

- (a) the rate that is equal to the RBA cash rate for the interest period; or
- (b) if there is more than one RBA cash rate for the interest period — the rate that is equal to the average of the RBA cash rates for that period.

[By-law 12 inserted in Gazette 30 Mar 2009 p. 970-1.]

Schedule 1 — Supply charges

[bl. 3, 4(1) and 10(1)]

[Heading inserted in Gazette 30 Mar 2009 p. 971.]

1. Tariff L1 (general supply — low/medium voltage tariff)

- (1) Tariff L1 is available for low/medium voltage supply.
- (2) Tariff L1 comprises —
 - (a) a fixed charge at the rate of 27.896 cents per day; and
 - (b) a charge for metered consumption at the rate of —
 - (i) 18.337 cents per unit for the first 1 650 units per day; and
 - (ii) 16.544 cents per unit for all units exceeding 1 650 units per day.
- (3) Tariff L1 is available subject to the condition that the consumer satisfies the corporation that the amount of electricity supplied to the consumer's premises will be less than 50 megawatt hours per annum.

[Clause 1 inserted in Gazette 30 Mar 2009 p. 971.]

2. Tariff L3 (general supply — low/medium voltage tariff)

- (1) Tariff L3 is available for low/medium voltage supply.
- (2) Tariff L3 comprises —
 - (a) a fixed charge at the rate of 29.227 cents per day; and
 - (b) a charge for metered consumption at the rate of —
 - (i) 19.206 cents per unit for the first 1 650 units per day; and
 - (ii) 17.336 cents per unit for all units exceeding 1 650 units per day.
- (3) Tariff L3 is available subject to the condition that the consumer satisfies the corporation that the amount of electricity supplied to the consumer's premises will be 50 megawatt hours or more per annum.

[Clause 2 inserted in Gazette 30 Mar 2009 p. 971-2.]

cl. 3

3. Tariff M1 (general supply — high voltage tariff)

- (1) Tariff M1 is available for consumers supplied at 6.6 kV, 11 kV, 22 kV or 33 kV or such higher voltage as the corporation may approve.
- (2) Tariff M1 comprises —
 - (a) a fixed charge at the rate of 29.227 cents per day; and
 - (b) a charge for metered consumption at the rate of —
 - (i) 18.557 cents per unit for the first 1 650 units per day; and
 - (ii) 16.665 cents per unit per day for all units exceeding 1 650 units.

[Clause 3 inserted in Gazette 30 Mar 2009 p. 972.]

4. Tariff R1 (time of use tariff)

- (1) Tariff R1 comprises —
 - (a) a fixed charge at the rate of \$1.1434 per day; and
 - (b) an energy charge consisting of —
 - (i) an on peak energy charge at the rate of 20.075 cents per unit; and
 - (ii) an off peak energy charge at the rate of 6.193 cents per unit.
- (2) Tariff R1 is subject to the following conditions —
 - (a) the consumer agrees to take the tariff for a minimum period of 12 months;
 - (b) the consumer pays the fee set out in Schedule 4 item 11;
 - (c) the consumer satisfies the corporation that the amount of electricity supplied to the consumer's premises will be less than 50 megawatt hours per annum.

[Clause 4 inserted in Gazette 30 Mar 2009 p. 972-3.]

5. Tariff R3 (time of use tariff)

- (1) Tariff R3 comprises —
 - (a) a fixed charge at the rate of \$1.3749 per day; and
 - (b) an energy charge consisting of —

- (i) an on peak energy charge at the rate of 24.079 cents per unit; and
 - (ii) an off peak energy charge at the rate of 7.414 cents per unit.
- (2) Tariff R3 is available subject to the following conditions —
 - (a) the consumer agrees to take the tariff for a minimum period of 12 months;
 - (b) the consumer pays the fee set out in Schedule 4 item 11;
 - (c) the consumer satisfies the corporation that the amount of electricity supplied to the consumer's premises will be 50 megawatt hours or more per annum.

[Clause 5 inserted in Gazette 30 Mar 2009 p. 973.]

6. Tariff S1 (low/medium voltage time based demand and energy tariff)

- (1) Tariff S1 is available for low/medium voltage supply.
- (2) Tariff S1 comprises —
 - (a) a minimum charge at the rate of \$304.8759 per day; and
 - (b) a demand charge at the rate of 77.44 cents per day multiplied by —
 - (i) the on peak half-hourly maximum demand; or
 - (ii) 30% of the off peak half-hourly maximum demand, whichever is the greater; and
 - (c) an energy charge consisting of —
 - (i) an on peak energy charge at the rate of 11.088 cents per unit; and
 - (ii) an off peak energy charge at the rate of 7.018 cents per unit.
- (3) Tariff S1 is available subject to the following conditions —
 - (a) the consumer must agree to take the tariff for a minimum period of 12 months;
 - (b) the power factor must be 0.8 or better during the on peak period.

cl. 7

- (4) The corporation reserves the right to levy a charge of 41.06 cents per day per kVAR for the kVAR necessary to improve the power factor to 0.8 lagging in any period during which the power factor at the time of the consumer's maximum demand is less than 0.8.

[Clause 6 inserted in Gazette 30 Mar 2009 p. 973-4.]

7. Tariff T1 (high voltage time based demand and energy tariff)

- (1) Tariff T1 is available to consumers supplied at 6.6 kV, 11 kV, 22 kV or 33 kV or such higher voltage as the corporation may approve.
- (2) Tariff T1 comprises —
- (a) a minimum charge at the rate of \$402.204 per day; and
 - (b) a demand charge at the rate of 70.862 cents per day multiplied by —
 - (i) the on peak half-hourly maximum demand; or
 - (ii) 30% of the off peak half-hourly maximum demand, whichever is the greater; and
 - (c) an energy charge consisting of —
 - (i) an on peak energy charge at the rate of 10.362 cents per unit; and
 - (ii) an off peak energy charge at the rate of 6.897 cents per unit.
- (3) Tariff T1 applies to a consumer who owns all equipment except tariff metering equipment on the load side of the consumer's high voltage terminals.
- (4) Tariff T1 is available subject to the following conditions —
- (a) the consumer must agree to take the tariff for a minimum period of 12 months;
 - (b) the power factor must be 0.8 or better during the on peak period.
- (5) The corporation reserves the right to levy a charge of 41.06 cents per day per kVAR for the kVAR necessary to improve the power factor to 0.8 lagging in any period during which the power factor at the time of the consumer's maximum demand is less than 0.8.

[Clause 7 inserted in Gazette 30 Mar 2009 p. 974-5.]

8. Standby charges

- (1) Standby charges are applicable to consumers with their own generation and supplied on Tariff L1, L3, M1, R1, R3, S1 or T1 and are payable in addition to those tariffs.
- (2) In the case of Tariff L1, L3, R1 or R3, the standby charge is 5.72 cents per day per kW based on the difference between total half-hourly maximum demand and normal half-hourly maximum demand.
- (3) In the case of Tariff M1, the standby charge is 5.10 cents per day per kW based on the difference between total half-hourly maximum demand and normal half-hourly maximum demand.
- (4) In the case of Tariff S1, the standby charge is 5.72 cents per day per kW based on —
 - (a) the difference between total half-hourly maximum demand and normal half-hourly maximum demand; or
 - (b) the difference between total half-hourly maximum demand and registered half-hourly maximum demand,whichever is less.
- (5) In the case of Tariff T1, the standby charge is 5.10 cents per day per kW based on —
 - (a) the difference between total half-hourly maximum demand and normal half-hourly maximum demand; or
 - (b) the difference between total half-hourly maximum demand and registered half-hourly maximum demand,whichever is less.
- (6) The normal half-hourly maximum demand is to be assessed by the corporation and is to be based on loading normally supplied from the corporation's supply.
- (7) Notwithstanding the corporation's assessment, in any accounting period the normal half-hourly maximum demand is taken to be not less than —

cl. 9

$$\frac{\text{kWh registered for the accounting period}}{24 \times (\text{number of days in the accounting period}) \times 0.4}$$

- (8) The total half-hourly maximum demand is to be assessed by the corporation as the consumer's expected half-hourly minimum demand on the corporation's system without the consumer's generation equipment in operation.
- (9) The difference between total half-hourly maximum demand and normal half-hourly maximum demand is not to exceed —
 - (a) the capacity of the consumer's generation equipment; or
 - (b) the expected maximum loading of such generation equipment, as assessed by the corporation.
- (10) The provision of a standby service is subject to the following conditions —
 - (a) the consumer must pay for the cost of all additional mains and equipment necessary to provide the standby service;
 - (b) the standby service agreement must be for a minimum period of 12 months;
 - (c) the consumer must give 6 months notice in writing to the corporation of intention to terminate the standby service agreement.

[Clause 8 inserted in Gazette 30 Mar 2009 p. 975-7.]

9. Tariff A1 (residential tariff)

- (1) Tariff A1 is available for residential use only.
- (2) Tariff A1 comprises —
 - (a) a fixed charge at the rate of 28.116 cents per day or, for multiple dwellings supplied through one metered supply point, a fixed charge at the rate of —
 - (i) 28.116 cents per day for the first dwelling; and
 - (ii) 21.835 cents per day for each additional dwelling;and
 - (b) a charge for metered consumption at the rate of 15.323 cents per unit.

[Clause 9 inserted in Gazette 30 Mar 2009 p. 977.]

10. Tariff B1 (residential water heating tariff)

- (1) Tariff B1 is available for residential water heating during a 6 hour period between the hours of 11.00 p.m. and 6.00 a.m. for installations approved by the corporation. Other single phase hardwired appliances may be connected in conjunction with the water heater.
- (2) Tariff B1 comprises —
 - (a) a fixed charge at the rate of 14.773 cents per day or, for multiple dwellings supplied through one metered supply point, a fixed charge at the rate of 14.773 cents per day for each dwelling; and
 - (b) a charge for metered consumption at the rate of 8.162 cents per unit.

[Clause 10 inserted in Gazette 30 Mar 2009 p. 978.]

11. Tariff C1 (special community service tariff)

- (1) Tariff C1 is available for small voluntary and charitable organisations, subject to the conditions listed in subclause (3).
- (2) Tariff C1 comprises —
 - (a) a fixed charge at the rate of 26.84 cents per day; and
 - (b) a charge for metered consumption at the rate of —
 - (i) 14.63 cents per unit for the first 20 units per day; and
 - (ii) 18.337 cents for the next 1 630 units per day; and
 - (iii) 16.544 cents per unit per day for all units exceeding 1 650 units.
- (3) Tariff C1 is available subject to the following conditions —
 - (a) the consumer must be a direct customer of the corporation;
 - (b) the consumer must be a voluntary, non-profit making organisation;
 - (c) the consumer must be endorsed as exempt from income tax under the *Income Tax Assessment Act 1997* (Commonwealth) Subdivision 50-B;

cl. 12

- (d) the consumer must provide a public service, which is available to any member of the public without discrimination;
 - (e) the consumer must not be a Commonwealth, State or local government department, instrumentality or agency;
 - (f) the consumer must not receive the major part of its funding from any organisation mentioned in paragraph (e).
- (4) A consumer seeking supply under Tariff C1 must make an application to the corporation in writing accompanied by evidence which clearly demonstrates that the consumer meets all the conditions listed in subclause (3).

[Clause 11 inserted in Gazette 30 Mar 2009 p. 978-9.]

12. Tariff D1 (special tariff for certain premises)

- (1) Tariff D1 is available for premises wholly used by a charitable or benevolent organisation for providing residential accommodation other than for commercial gain, being premises for which Tariff A1 is not available.
- (2) Tariff D1 comprises —
 - (a) a fixed charge at the rate of 26.84 cents per day; and
 - (b) if under subclause (3) there is deemed to be more than one equivalent domestic residence in the premises, a charge of 20.845 cents per day for each equivalent domestic residence except the first that is deemed to be in the premises; and
 - (c) a charge for metered consumption at the rate of 14.63 cents per unit.
- (3) The number of equivalent domestic residences deemed to be in particular premises is ascertained by dividing the facility's total bed capacity by 5 and, where the quotient is not a whole number, by increasing it to the next highest whole number.

[Clause 12 inserted in Gazette 30 Mar 2009 p. 979.]

13. Tariff K1 (general supply with residential tariff)

- (1) Tariff K1 is available for premises where the circuit wiring is not separate and the electricity is used partly for general purposes and partly for residential purposes.

- (2) Tariff K1 comprises —
- (a) a fixed charge at the rate of 28.116 cents per day; and
 - (b) a charge for metered consumption at the rate of —
 - (i) 15.323 cents per unit for the first 20 units per day;
and
 - (ii) 19.206 cents per unit for the next 1 630 units per day;
and
 - (iii) 17.336 cents per unit per day for all units exceeding
1 650 units.

[Clause 13 inserted in Gazette 30 Mar 2009 p. 980.]

14. Tariff W1 (traffic light installations)

Tariff W1 comprises a charge of \$2.4973 per day per kW of installed wattage.

[Clause 14 inserted in Gazette 30 Mar 2009 p. 980.]

Schedule 2 — Street lighting

[bl. 4(2)]

[Heading inserted in Gazette 30 Mar 2009 p. 980.]

| Item | Wattage | Type | Midnight Switch-off (Obsolescent) Cents per day | 1.15 a.m. Switch-off Cents per day | Dawn Switch-off Cents per day |
|---|---------|--|--|--|-------------------------------------|
| <i>Street lighting on current offer and for existing services</i> | | | | | |
| Z.01 | 50 | Mercury Vapour | 19.657 | 20.086 | 21.604 |
| Z.02 | 80 | Mercury Vapour | 23.155 | 23.672 | 26.037 |
| Z.03 | 125 | Mercury Vapour | 28.633 | 29.557 | 32.912 |
| Z.04 | 140 | Low Pressure Sodium | 29.304 | 30.261 | 34.100 |
| Z.07 | 250 | Mercury Vapour | 35.530 | 37.334 | 44.077 |
| Z.10 | 400 | Mercury Vapour | 52.635 | 55.385 | 65.912 |
| Z.13 | 150 | High Pressure Sodium | 27.126 | 28.116 | 33.682 |
| Z.15 | 250 | High Pressure Sodium | 40.205 | 42.350 | 50.611 |
| Z.18 | per kW | Auxiliary Lighting in Public Places | 115.181 | 121.583 | 146.762 |
| <i>Street lighting for existing services only</i> | | | | | |
| Z.05 | 250 | Mercury Vapour | 46.046 | 47.839 | 54.593 |
| Z.06 | 400 | Mercury Vapour | 63.151 | 65.912 | 76.384 |
| Z.08 | 250 | Mercury Vapour 50% E.C. cost | 40.777 | 42.559 | 49.335 |
| Z.09 | 250 | Mercury Vapour 100% E.C. cost | 46.046 | 47.839 | 54.593 |
| Z.11 | 400 | Mercury Vapour 50% E.C. cost | 57.893 | 60.654 | 71.137 |
| Z.12 | 400 | Mercury Vapour 100% E.C. cost | 63.151 | 65.912 | 76.384 |
| Z.14 | 150 | H.P. Sodium | 41.844 | 42.823 | 48.367 |
| Z.16 | 250 | H.P. Sodium 50% E.C. cost | 48.081 | 50.237 | 58.487 |

| Item | Wattage | Type | Midnight Switch-off (Obsolescent) Cents per day | 1.15 a.m. Switch-off Cents per day | Dawn Switch-off Cents per day |
|-------------|----------------|-------------------------------|--|---|--|
| Z.17 | 250 | H.P. Sodium 100% E.C. cost | 55.935 | 58.124 | 66.374 |
| Z.51 | 60 | Incandescent | 19.657 | 20.086 | 21.604 |
| Z.52 | 100 | Incandescent | 19.657 | 20.086 | 21.604 |
| Z.53 | 200 | Incandescent | 23.155 | 23.672 | 26.037 |
| Z.54 | 300 | Incandescent | 28.633 | 29.557 | 32.912 |
| Z.55 | 500 | Incandescent | 46.046 | 47.839 | 54.593 |
| Z.56 | 40 | Fluorescent | 19.657 | 20.086 | 21.604 |
| Z.57 | 80 | Fluorescent | 23.155 | 23.672 | 26.037 |
| Z.58 | 160 | Fluorescent | 32.384 | 32.835 | 38.093 |

[Schedule 2 inserted in Gazette 30 Mar 2009 p. 980-2.]

Schedule 3 — Meter rental

[bl. 6(1)]

The rental payable in respect of a subsidiary meter is 15.97 cents per day.

Note: Subsidiary meters are available on application for purposes approved by the corporation.

Schedule 4 — Fees

[bl. 7 and 9(5)]

| Description of fee | Amount |
|---|--------------|
| 1. Non-refundable account establishment fee payable on the establishment or transfer of an account | \$29.80 |
| 2. Three phase residential installation — | |
| (a) new installation or replacement of single phase meter | \$240.40 |
| (b) installation of subsidiary three phase meter (each installation) | \$148.50 |
| 3. Non-refundable reconnection fee where supply has been terminated for non-payment of charges or for any other lawful reason | \$27.50 |
| 4. Connection to standard public telephone facility where supply not independently metered (per day) ... | 35.277 cents |
| 5. Temporary supply connection — | |
| (a) single phase (overhead) | \$300.00 |
| (b) three phase (overhead) | \$600.00 |
| 6. Meter testing — | |
| (a) standard meter testing fee | \$152.00 |
| (b) reduced meter testing fee | \$139.80 |
| 7. Disconnection of overhead service leads following unauthorised reconnection | \$190.00 |
| 8. Meter reading where reading requested by consumer | \$19.20 |
| 9. Supply of electricity to standard railway crossing lights (per day) | 45.089 cents |
| 10. Overdue account notices | \$4.10 |
| 11. Tariff R1 or R3 “time-of-use meter” installation fee | \$709.00 |

[Schedule 4 amended in Gazette 26 Jun 2007 p. 3017; 30 Mar 2009 p. 982.]

Notes

¹ This is a compilation of the *Energy Operators (Electricity Retail Corporation) (Charges) By-laws 2006* and includes the amendments made by the other written laws referred to in the following table ^{1a}.

Compilation table

| Citation | Gazettal | Commencement |
|--|---------------------------|--|
| <i>Energy Operators (Electricity Retail Corporation) (Charges) By-laws 2006</i> | 31 Mar 2006 p. 1225-46 | 1 Apr 2006 (see bl. 2) |
| <i>Energy Operators (Electricity Retail Corporation) (Charges) Amendment By-laws 2006</i> | 1 Dec 2006 p. 5349-50 | 1 Dec 2006 |
| <i>Energy Operators (Electricity Retail Corporation) (Charges) Amendment By-laws 2007</i> | 26 Jun 2007 p. 3013-17 | bl. 1 and 2: 26 Jun 2007 (see bl. 2(a)); By-laws other than bl. 1 and 2: 1 Jul 2007 (see bl. 2(b)) |
| <i>Energy Operators (Electricity Retail Corporation) (Charges) Amendment By-laws 2009 bl. 3 and Pt 2</i> | 30 Mar 2009 p. 967-95 | 1 Apr 2009 (see bl. 2(b)) |

^{1a} On the date as at which this compilation was prepared, provisions referred to in the following table had not come into operation and were therefore not included in this compilation. For the text of the provisions see the endnotes referred to in the table.

Provisions that have not come into operation

| Citation | Gazettal | Commencement |
|--|--------------------------|---------------------------|
| <i>Energy Operators (Electricity Retail Corporation) (Charges) Amendment By-laws 2009 Pt. 3</i> ² | 30 Mar 2009 p. 967-95 | 1 Jul 2009 (see bl. 2(c)) |

² On the date as at which this compilation was prepared, the *Energy Operators (Electricity Retail Corporation) (Charges) Amendment By-laws 2009 Pt. 3* had not come into operation. It reads as follows:

Part 3 — Amendments commencing on 1 July 2009

10. **Schedule 1 replaced**
Delete Schedule 1 and insert:

Schedule 1 — Supply charges

[bl. 3, 4(1) and 10(1)]

- 1. Tariff L1 (general supply — low/medium voltage tariff)**
 - (1) Tariff L1 is available for low/medium voltage supply.
 - (2) Tariff L1 comprises —
 - (a) a fixed charge at the rate of 30.679 cents per day; and
 - (b) a charge for metered consumption at the rate of —
 - (i) 20.163 cents per unit for the first 1 650 units per day; and
 - (ii) 18.194 cents per unit for all units exceeding 1 650 units per day.
 - (3) Tariff L1 is available subject to the condition that the consumer satisfies the corporation that the amount of electricity supplied to the consumer's premises will be less than 50 megawatt hours per annum.
- 2. Tariff L3 (general supply — low/medium voltage tariff)**
 - (1) Tariff L3 is available for low/medium voltage supply.
 - (2) Tariff L3 comprises —
 - (a) a fixed charge at the rate of 32.142 cents per day; and
 - (b) a charge for metered consumption at the rate of —
 - (i) 21.12 cents per unit for the first 1 650 units per day; and
 - (ii) 19.063 cents per unit for all units exceeding 1 650 units per day.
 - (3) Tariff L3 is available subject to the condition that the consumer satisfies the corporation that the amount of electricity supplied to the consumer's premises will be 50 megawatt hours or more per annum.
- 3. Tariff M1 (general supply — high voltage tariff)**
 - (1) Tariff M1 is available for consumers supplied at 6.6 kV, 11 kV, 22 kV or 33 kV or such higher voltage as the corporation may approve.
 - (2) Tariff M1 comprises —
 - (a) a fixed charge at the rate of 32.142 cents per day; and
 - (b) a charge for metered consumption at the rate of —

- (i) 20.405 cents per unit for the first 1 650 units per day; and
- (ii) 18.326 cents per unit per day for all units exceeding 1 650 units.

4. Tariff R1 (time of use tariff)

- (1) Tariff R1 comprises —
 - (a) a fixed charge at the rate of \$1.2577 per day; and
 - (b) an energy charge consisting of —
 - (i) an on peak energy charge at the rate of 22.077 cents per unit; and
 - (ii) an off peak energy charge at the rate of 6.809 cents per unit.
- (2) Tariff R1 is available subject to the following conditions —
 - (a) the consumer agrees to take the tariff for a minimum period of 12 months;
 - (b) the consumer pays the fee set out in Schedule 4 item 11;
 - (c) the consumer satisfies the corporation that the amount of electricity supplied to the consumer's premises will be less than 50 megawatt hours per annum.

5. Tariff R3 (time of use tariff)

- (1) Tariff R3 comprises —
 - (a) a fixed charge at the rate of \$1.5123 per day; and
 - (b) an energy charge consisting of —
 - (i) an on peak energy charge at the rate of 26.477 cents per unit; and
 - (ii) an off peak energy charge at the rate of 8.151 cents per unit.
- (2) Tariff R3 is available subject to the following conditions —
 - (a) the consumer agrees to take the tariff for a minimum period of 12 months;
 - (b) the consumer pays the fee set out in Schedule 4 item 11;
 - (c) the consumer satisfies the corporation that the amount of electricity supplied to the consumer's premises will be 50 megawatt hours or more per annum.

6. Tariff S1 (low/medium voltage time based demand and energy tariff)

- (1) Tariff S1 is available for low/medium voltage supply.
- (2) Tariff S1 comprises —

- (a) a minimum charge at the rate of \$335.3634 per day; and
 - (b) a demand charge at the rate of 85.184 cents per day multiplied by —
 - (i) the on peak half-hourly maximum demand; or
 - (ii) 30% of the off peak half-hourly maximum demand,whichever is the greater; and
 - (c) an energy charge consisting of —
 - (i) an on peak energy charge at the rate of 12.188 cents per unit; and
 - (ii) an off peak energy charge at the rate of 7.711 cents per unit.
- (3) Tariff S1 is available subject to the following conditions —
- (a) the consumer must agree to take the tariff for a minimum period of 12 months;
 - (b) the power factor must be 0.8 or better during the on peak period.
- (4) The corporation reserves the right to levy a charge of 41.06 cents per day per kVAR for the kVAR necessary to improve the power factor to 0.8 lagging in any period during which the power factor at the time of the consumer's maximum demand is less than 0.8.

7. Tariff T1 (high voltage time based demand and energy tariff)

- (1) Tariff T1 is available to consumers supplied at 6.6 kV, 11 kV, 22 kV or 33 kV or such higher voltage as the corporation may approve.
- (2) Tariff T1 comprises —
- (a) a minimum charge at the rate of \$442.4244 per day; and
 - (b) a demand charge at the rate of 77.946 cents per day multiplied by —
 - (i) the on peak half-hourly maximum demand; or
 - (ii) 30% of the off peak half-hourly maximum demand,whichever is the greater; and
 - (c) an energy charge consisting of —
 - (i) an on peak energy charge at the rate of 11.396 cents per unit; and
 - (ii) an off peak energy charge at the rate of 7.579 cents per unit.
- (3) Tariff T1 is available subject to the following conditions —

- (a) the consumer must agree to take the tariff for a minimum period of 12 months;
 - (b) it applies to a consumer who owns all equipment except tariff metering equipment on the load side of the consumer's high voltage terminals;
 - (c) the power factor must be 0.8 or better during the on peak period.
- (4) The corporation reserves the right to levy a charge of 41.06 cents per day per kVAR for the kVAR necessary to improve the power factor to 0.8 lagging in any period during which the power factor at the time of the consumer's maximum demand is less than 0.8.

8. Standby charges

- (1) Standby charges are applicable to consumers with their own generation and supplied on Tariff L1, L3, M1, R1, R3, S1 or T1 and are payable in addition to those tariffs.
- (2) In the case of Tariff L1, L3, R1 or R3, the standby charge is 5.72 cents per day per kW based on the difference between total half-hourly maximum demand and normal half-hourly maximum demand.
- (3) In the case of Tariff M1, the standby charge is 5.10 cents per day per kW based on the difference between total half-hourly maximum demand and normal half-hourly maximum demand.
- (4) In the case of Tariff S1, the standby charge is 5.72 cents per day per kW based on —
 - (a) the difference between total half-hourly maximum demand and normal half-hourly maximum demand; or
 - (b) the difference between total half-hourly maximum demand and registered half-hourly maximum demand,whichever is less.
- (5) In the case of Tariff T1, the standby charge is 5.10 cents per day per kW based on —
 - (a) the difference between total half-hourly maximum demand and normal half-hourly maximum demand; or
 - (b) the difference between total half-hourly maximum demand and registered half-hourly maximum demand,whichever is less.
- (6) The normal half-hourly maximum demand is to be assessed by the corporation and is to be based on loading normally supplied from the corporation's supply.

- (7) Notwithstanding the corporation's assessment, in any accounting period the normal half-hourly maximum demand is taken to be not less than —

$$\frac{\text{kWh registered for the accounting period}}{24 \times (\text{number of days in the accounting period}) \times 0.4}$$

- (8) The total half-hourly maximum demand is to be assessed by the corporation as the consumer's expected half-hourly minimum demand on the corporation's system without the consumer's generation equipment in operation.
- (9) The difference between total half-hourly maximum demand and normal half-hourly maximum demand is not to exceed —
- (a) the capacity of the consumer's generation equipment; or
 - (b) the expected maximum loading of such generation equipment, as assessed by the corporation.
- (10) The provision of a standby service is subject to the following conditions —
- (a) the consumer must pay for the cost of all additional mains and equipment necessary to provide the standby service;
 - (b) the standby service agreement must be for a minimum period of 12 months;
 - (c) the consumer must give 6 months notice in writing to the corporation of intention to terminate the standby service agreement.

9. Tariff A1 (residential tariff)

- (1) Tariff A1 is available for residential use only.
- (2) Tariff A1 comprises —
- (a) a fixed charge at the rate of 32.329 cents per day or, for multiple dwellings supplied through one metered supply point, a fixed charge at the rate of —
 - (i) 32.329 cents per day for the first dwelling; and
 - (ii) 25.102 cents per day for each additional dwelling;
- and
- (b) a charge for metered consumption at the rate of 17.611 cents per unit.

10. Tariff B1 (residential water heating tariff)

- (1) Tariff B1 is available for residential water heating during a 6 hour period between the hours of 11.00 p.m. and 6.00 a.m. for

installations approved by the corporation. Other single phase hardwired appliances may be connected in conjunction with the water heater.

- (2) Tariff B1 comprises —
 - (a) a fixed charge at the rate of 18.458 cents per day or, for multiple dwellings supplied through one metered supply point, a fixed charge at the rate of 18.458 cents per day for each dwelling; and
 - (b) a charge for metered consumption at the rate of 10.197 cents per unit.

11. Tariff C1 (special community service tariff)

- (1) Tariff C1 is available for small voluntary and charitable organisations, subject to the conditions listed in subclause (3).
- (2) Tariff C1 comprises —
 - (a) a fixed charge at the rate of 29.524 cents per day; and
 - (b) a charge for metered consumption at the rate of —
 - (i) 16.093 cents per unit for the first 20 units per day; and
 - (ii) 20.163 cents for the next 1 630 units per day; and
 - (iii) 18.194 cents per unit per day for all units exceeding 1 650 units.
- (3) Tariff C1 is available subject to the following conditions —
 - (a) the consumer must be a direct customer of the corporation;
 - (b) the consumer must be a voluntary, non-profit making organisation;
 - (c) the consumer must be endorsed as exempt from income tax under the *Income Tax Assessment Act 1997* (Commonwealth) Subdivision 50-B;
 - (d) the consumer must provide a public service, which is available to any member of the public without discrimination;
 - (e) the consumer must not be a Commonwealth, State or local government department, instrumentality or agency;
 - (f) the consumer must not receive the major part of its funding from any organisation mentioned in paragraph (e).
- (4) A consumer seeking supply under Tariff C1 must make an application to the corporation in writing accompanied by evidence

which clearly demonstrates that the consumer meets all the conditions listed in subclause (3).

12. Tariff D1 (special tariff for certain premises)

- (1) Tariff D1 is available for premises wholly used by a charitable or benevolent organisation for providing residential accommodation other than for commercial gain, being premises for which Tariff A1 is not available.
- (2) Tariff D1 comprises —
 - (a) a fixed charge at the rate of 29.524 cents per day; and
 - (b) if under subclause (3) there is deemed to be more than one equivalent domestic residence in the premises, a charge of 22.924 cents per day for each equivalent domestic residence except the first that is deemed to be in the premises; and
 - (c) a charge for metered consumption at the rate of 16.093 cents per unit.
- (3) The number of equivalent domestic residences deemed to be in particular premises is ascertained by dividing the facility's total bed capacity by 5 and, where the quotient is not a whole number, by increasing it to the next highest whole number.

13. Tariff K1 (general supply with residential tariff)

- (1) Tariff K1 is available for premises where the circuit wiring is not separate and the electricity is used partly for general purposes and partly for residential purposes.
- (2) Tariff K1 comprises —
 - (a) a fixed charge at the rate of 32.329 cents per day; and
 - (b) a charge for metered consumption at the rate of —
 - (i) 17.611 cents per unit for the first 20 units per day; and
 - (ii) 22.077 cents per unit for the next 1 630 units per day; and
 - (iii) 19.932 cents per unit per day for all units exceeding 1 650 units.

14. Tariff W1 (traffic light installations)

Tariff W1 comprises a charge of \$3.8833 per day per kW of installed wattage.

11. Schedule 2 replaced

Delete Schedule 2 and insert:

Schedule 2 — Street lighting

[bl. 4(2)]

| Item | Wattage | Type | Midnight Switch-off (Obsolescent) Cents per day | 1.15 a.m. Switch-off Cents per day | Dawn Switch-off Cents per day |
|--|---------|--|--|--|-------------------------------------|
| Street lighting on current offer and for existing services | | | | | |
| Z.01 | 50 | Mercury Vapour | 22.605 | 23.089 | 24.838 |
| Z.02 | 80 | Mercury Vapour | 26.620 | 27.214 | 29.942 |
| Z.03 | 125 | Mercury Vapour | 32.923 | 33.990 | 37.840 |
| Z.04 | 140 | Low Pressure Sodium | 33.693 | 34.793 | 39.215 |
| Z.07 | 250 | Mercury Vapour | 40.854 | 42.933 | 50.688 |
| Z.10 | 400 | Mercury Vapour | 60.522 | 63.690 | 75.790 |
| Z.13 | 150 | High Pressure Sodium | 31.185 | 32.329 | 38.731 |
| Z.15 | 250 | High Pressure Sodium | 46.233 | 48.697 | 58.201 |
| Z.18 | per kW | Auxiliary Lighting in Public Places | 132.451 | 139.810 | 168.773 |
| Street lighting for existing services only | | | | | |
| Z.05 | 250 | Mercury Vapour | 52.943 | 55.011 | 62.777 |
| Z.06 | 400 | Mercury Vapour | 72.622 | 75.790 | 87.835 |
| Z.08 | 250 | Mercury Vapour 50% E.C. cost | 46.893 | 48.939 | 56.727 |
| Z.09 | 250 | Mercury Vapour 100% E.C. cost | 52.943 | 55.011 | 62.777 |
| Z.11 | 400 | Mercury Vapour 50% E.C. cost | 66.572 | 69.751 | 81.807 |
| Z.12 | 400 | Mercury Vapour 100% E.C. cost | 72.622 | 75.790 | 87.835 |
| Z.14 | 150 | H.P. Sodium | 48.114 | 49.236 | 55.616 |
| Z.16 | 250 | H.P. Sodium 50% E.C. cost | 55.286 | 57.772 | 67.254 |
| Z.17 | 250 | H.P. Sodium 100% E.C. cost | 64.317 | 66.836 | 76.329 |
| Z.51 | 60 | Incandescent | 22.605 | 23.089 | 24.838 |
| Z.52 | 100 | Incandescent | 22.605 | 23.089 | 24.838 |
| Z.53 | 200 | Incandescent | 26.620 | 27.214 | 29.942 |
| Z.54 | 300 | Incandescent | 32.923 | 33.990 | 37.840 |
| Z.55 | 500 | Incandescent | 52.943 | 55.011 | 62.777 |

| Item | Wattage | Type | Midnight Switch-off (Obsolescent) Cents per day | 1.15 a.m. Switch-off Cents per day | Dawn Switch-off Cents per day |
|-------------|----------------|-------------|--|---|--|
| Z.56 | 40 | Fluorescent | 22.605 | 23.089 | 24.838 |
| Z.57 | 80 | Fluorescent | 26.620 | 27.214 | 29.942 |
| Z.58 | 160 | Fluorescent | 37.235 | 37.752 | 43.802 |

12. Schedule 4 amended

Amend the provisions listed in the Table as set out in the Table.

Table

| Provision | Delete | Insert |
|------------------|---------------|---------------|
| Sch. 4 it. 1 | \$29.80 | \$32.10 |
| Sch. 4 it. 3 | \$27.50 | \$29.60 |
| Sch. 4 it. 4 | 35.227 cents | 40.568 cents |
| Sch. 4 it. 9 | 45.089 cents | 51.843 cents |
| Sch. 4 it. 10 | \$4.10 | \$4.40 |