



APPENDIX – Ausgrid Amendments

DRAFT

Ring-Fencing Guideline

Electricity Distribution

August 2016

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1 Nature and authority

1.1 Application of this guideline

This Electricity Distribution Ring-fencing Guideline (**Guideline**) is made under clause 6.17.2 of the National Electricity Rules (**NER**).

Under clause 6.17.1 of the **NER**, this **Guideline** is binding on all Distribution Network Service Providers (**DNSPs**).

The objectives of this **Guideline** are to promote the National Electricity Objective by providing for the accounting and functional separation of the provision of **direct control services** by **DNSPs** from other services provided by them, or by their **related bodies corporate**. It includes obligations on **DNSPs** targeted at:

- cross-subsidisation, with provisions that aim to prevent a **DNSP**:
 - providing **non-network services** that could be cross-subsidised by its ~~network services distribution services~~; or
 - inefficiently inflating its prices for **direct control services** and **regulated transmission services**, and
- discrimination, with provisions that aim to:
 - prevent a **DNSP** providing an inappropriate competitive advantage to its ~~own service providers or related bodies corporate which provide competitive or contestable energy-related services to the disadvantage of competitors of its related bodies corporate~~; and
 - ensure a **DNSP** treats and protects information it acquires appropriately.

This **Guideline** commences on 1 December 2016.

1.2 Confidentiality

The **AER** will assess confidentiality claims by **DNSPs** arising under this **Guideline** in accordance with its **Confidentiality Guideline**, the **Competition and Consumer Act 2010** and the National Electricity Law (**NEL**).

1.3 Definitions and interpretation

In this **Guideline**:

- The words, phrases and abbreviations presented in bold **such as this** have:
 1. the meaning given to them in the **NER**; or
 2. if not defined in the **NER**, the meaning given to that term in this clause 1.3;

- The words 'shall' and 'must' indicate mandatory requirements, unless the overall meaning of the phrase in which one of these words appears, is otherwise. Explanations in this **Guideline** about why certain information is required are provided for guidance only. They do not limit in any way the **AER's** objectives, functions or powers.

- In this **Guideline**:

electricity related service means an 'electricity service' as defined under the **National Electricity Law** and services relating to the storage of electricity;

entity has the meaning given to that term in the *Corporations Act 2001* (Cth)

competitive service means a service that meets the criteria in clause 3.1(b) requiring that service to be provided by **related body corporate**;

non-distribution service means a service that is not a distribution service;

related body corporate has the meaning given to that term in the *Corporations Act 2001* (Cth);

regulated transmission service means any service that is subject to regulation under Chapter 6A of the **NER**.

Ausgrid explanatory note: The below definitions are important because DNSP has a specific meaning in the NEL and NER. While it should be consistent, we consider it important to make clear what it means in the context of this Guideline.

We have amended the references to 'legal entity' to refer to 'entity' as defined in the *Corporations Act* as the reference to legal entity is not consistent with the scope of persons and bodies that may be registered in the category of DNSP. See definition of person in clause 10 of Schedule 2 of the *National Electricity Law*

- References in this document to

a **DNSP** are references to the DNSP in its capacity as a **separate entity** from its related bodies corporate; and

related bodies corporate are references to related bodies corporate established by the **DNSP** as required to comply with the requirements in this **Guideline**.

1.4 Process for revisions

The **AER** may amend or replace this **Guideline** from time to time to meet changing needs, in accordance with clause 6.17.2 of the **NER** and the **distribution consultation procedures**.

2 Relationship with other regulatory instruments

This **Guideline** should be read in conjunction with:

- (a) The decision in the **AER's** distribution determination on the classification of the services to be provided by a **DNSP** in a **regulatory control period**, in accordance with clauses 6.2 and 6.12.1(1) of the **NER**;
- (b) Clause 6.15 of the **NER**, the **Cost Allocation Guideline** and the **AER-approved Cost Allocation Methods (CAM)**;
- (c) Clause 6.4.4 of the **NER** and the **Shared Asset Guideline**;
- (d) A **Regulatory Information Instrument** served on a **DNSP** by the **AER** under section 28F of the **NEL**.

Ausgrid explanatory note: The purpose of the below insertion is to make clear how the relevant regulatory instruments should be interpreted in the event of an inconsistency. We consider this is important as all of the documents are subject to change.

Together, these instruments achieve the desired ring-fencing outcomes in the long term interest of consumers. In the event of any inconsistency between the above instruments and this Guideline, the above instruments are to prevail to the extent of the inconsistency. This means that if complying with a requirement under this Guideline conflicts with a requirement under one of the above instruments, the **DNSP** does not have to comply with the requirement imposed in this Guideline.

Ausgrid explanatory note: The below deletion has been made because classification relates only to distribution services that are direct control services or negotiated distribution services. Furthermore consistent with paragraph (a) above the distribution determination and classification decision affects the whole Guideline not just clause 4.2. For this reason the below statement provides no additional clarification or requirement.

~~The **AER's** service classification decision determines the nature of the economic regulation, if any, applicable to a **DNSP's** specific **distribution services**. The classification affects the application of obligations in clause 4.2 of this **Guideline**.~~

The **Cost Allocation Guideline** and a **DNSP's CAM** relate to the allocation and attribution of its costs between its **distribution services**. They complement the obligations in clause ~~4~~3.2.2 of this **Guideline**, which relate to the allocation and attribution of a **DNSP's** costs between **distribution services** and **non-distribution services**.

The **Shared Asset Guideline** enables the adjustment of a **DNSP's** revenues that it can recover from its **distribution services** where its **CAM** no longer accurately reflects how its assets are used. The shared asset mechanism therefore modifies the effect of the **CAM**.

The **Regulatory Information Instruments** can require a **DNSP** to provide information to the **AER** and to have this information certified and audited. This can include information that is subject to ring-fencing obligations under this **Guideline**.

3 Scope of this Guideline

3.1 Services subject to ring fencing obligations

Ausgrid explanatory note: The purpose of this new clause 3.1 is to determine the basis for the ring fencing requirements in this Guideline including legal, accounting and functional separation. It is drafted consistently with the AER's powers in cl. 6.17.2 and aims to impose legal, functional and accounting separation consistently.

To avoid any doubt, Ausgrid considers it prudent to make clear the ring fencing requirements do not apply to shared assets (see paragraph (d)) or to corporate services.

- (a) Subject to paragraph (b), a **DNSP** may provide **distribution services, transmission services** and other services.
- (b) Subject to paragraph (d), in accordance with this **Guideline**, the **DNSP** must establish **a related body corporate or related bodies corporate** to provide a service that is **not**:
- 1) a direct control service;**
 - 2) a negotiated distribution service;**
 - 3) a regulated transmission service; or**
- where the service is an electricity related service and:**
- 1) the provision of the electricity related service is being provided on a competitive basis; or**
 - 2) the cost of providing the service is more than \$2 million dollars in any regulatory year.**
- (c) In determining whether the **electricity related service** is being provided on a competitive basis, the **DNSP** must have regard to:
- 1) if applicable, whether the AER has decided not to classify the distribution service under rule 6.2;**
 - 2) whether the DNSP is competing with one or more service providers in the provision of the electricity related service or whether there is the potential for other service providers to provide the electricity related service;**
 - 3) whether the electricity related service would naturally be perceived as a service that is, or should be, provided on a competitive basis.**
- (d) Paragraph (b) does not apply to:
- 1) services that are provided by shared assets (as defined by reference to the Shared Asset Guidelines);**
 - 2) corporate services (including payroll and human resources) that are not directly related to the provision of direct control services, negotiated distribution services, regulated transmission services or competitive services.**

34 Prevention of cross subsidies

4.1 Legal separation

Ausgrid explanatory note: As the new clause 3.1 sets out when services should be ring-fenced and provided by a related body corporate, the amendments to this clause are consequential to ensure the legal separation requirements are consistent with clause 3.1

~~A **DN**SP must be a legal entity and, subject to clause 3.1(b), must only provide **network services**.~~

~~(a) A **DN**SP must not provide **competitive services**.~~

~~(a) A **DN**SP may incur costs of up to \$500,000 (identified and allocated in accordance with clause 3.2.2) in any regulatory year for providing **non-network services**. A **DN**SP must not provide non-network services where doing so would involve the **DN**SP incurring such costs in excess of \$500,000 in any regulatory year.~~

(b) For the avoidance of doubt, clauses ~~34.1(a) and 3.1(b)~~ does not prevent a **related body corporate** of a **DN**SP from providing **non-network competitive services**.

(c) For the avoidance of doubt, clauses ~~34.1(a) and 3.1(b)~~ does not prevent a **DN**SP and a **TNSP** being the same **legal entity**.

~~(d) A **DN**SP cannot apply for a waiver of the obligations set out in clauses 34.1(a) and 3.1(b).~~

~~(d)~~

3.14.2 Establish and maintain accounts

3.1.14.2.1 Separate accounts

~~(a) A **DN**SP must establish and maintain appropriate internal accounting procedures to ensure that it can demonstrate the extent and nature of transactions between the **DN**SP and its **related bodies corporate**.~~

Ausgrid explanatory note: We have deleted the below requirement as we consider that it is not necessary and the AER impose the below requirement under the NEL consistent with its power to issue regulatory information notices.

~~(e) The **AER** may include a requirement in a **regulatory information instrument** for a **DN**SP to:~~

~~i. provide its internal accounting procedures to the **AER**;~~

~~ii. report on transactions between it and its **related bodies corporate**.~~

~~(f)(b) A **DN**SP cannot apply for a waiver of the obligations set out in clauses 34.2.1(a).~~

3.1.24.2.2 Cost allocation and attribution

(a) A **DNSP** must not allocate or attribute to **distribution services** any costs ~~that properly relate to non-~~which are not directly attributable to the provision, or are not incurred in providing, **distribution services**.

(b) A **DNSP** must allocate or attribute costs to **distribution services** in a manner that is consistent with the **cost allocation principles** and its approved **CAM**, as if those cost allocation principles and **CAM** otherwise applied to the allocation and attribution of costs between **distribution services** and **non-distribution services**.

Ausgrid explanatory note: We have deleted the below paragraph as the AER can only impose in accordance with its powers under the NEL when it issues a regulatory information notice. It is outside the scope of its powers under cl. 6.17.2

~~(b) A **DNSP** must demonstrate to the **AER** whenever it provides financial information to the **AER** in accordance with a **regulatory information instrument** how it meets the obligation in clauses 3.2.2(a) and 3.2.2(b).~~

(c) A **DNSP** cannot apply for a waiver of the obligations set out in this clause ~~43~~.2.2.

45 Non-discrimination

4.15.1 General obligations to not discriminate

Ausgrid explanatory note: The amendments to clause 5.1 are consequential and are designed to give effect to the service distinction contained in clause 3.1. The nature of the requirements are unchanged.

- (a) A **DNBP** must not discriminate (either directly or indirectly) between its **related body corporate** (including customers of its **related body corporate**) and competitors of its related body corporate (including customers of a competitor of its **related body corporate**) in connection with the supply of services by the **DNBP**. ~~distribution services or non-distribution services.~~
- (b) Without limiting the scope of 54.1(a), this provision requires a **DNBP** to:
- i. in the provision of services deal or offer to deal with its **related body corporate** as if its related body corporate was not a related body corporate of the **DNBP**;
 - ii. in the provision of services deal or offer to deal with competitors of its **related body corporate** (including customers of those competitors) on substantially the same terms and conditions, (including in relation to quality, reliability and timeliness of service) as those for its **related body corporate** (including customers of its **related body corporate**);
 - ~~iii. provide substantially the same quality, reliability and timeliness of service to competitors of its **related body corporate** (including customers of its **related body corporate**), as it provides to its **related body corporate** (including customers of those competitors);~~
 - ~~iv.iii.~~ not provide information to its **related body corporate** that the **DNBP** has obtained through its dealings with a competitor of the **related body corporate** that may advantage enables its the **related body corporate** to gain or explain an unfair advantage in relation to the provision of ~~competitive or contestable energy-related services;~~ competitive services provided by the **related body corporate**;
 - ~~v.iv.~~ not advertise or promote the services provided by its **related body corporate**; and
 - v. have independent and separate branding ~~for its **distribution services**~~ from a **related body corporate** that provides non-distribution competitive services.
- (c) A **DNBP** cannot apply for a waiver of the obligations set out in clause 45.1.

5.2 Specific obligations for functional separation

Ausgrid explanatory note: The amendments to clause 5.2 are consequential and are designed to give effect to the service distinction contained in clause 3.1. The nature of the requirements are unchanged.

4.1.15.2.1 Physical separation/co-location

- (a) A **DNSP** must operate independent and separate offices for the provision of services provided by the **DNSP** direct control services and regulated transmission services from the offices from which any of its ~~separate service providers or related bodies corporate~~ provides other energy-related competitive services. For example, a **DNSP** must operate in a different building location, and prevent staff from mixing in the normal course of undertaking work activities.
- (b) The obligation set out in clause 54.2.1(a) is subject to the following exceptions:
- i. Office accommodation for staff of its ~~separate service providers or related bodies corporate~~ that do not provide energy-related competitive services; or
 - ii. Office accommodation for staff who ~~are not directly involved in the provision of direct control services and regulated transmission services and who therefore~~ do not have access to information about electricity customers and services, ~~such as staff who exclusively perform corporate services, for example in payroll and human resources~~; or
 - iii. Any arrangements agreed through the waiver process set out in Section 6 of this **Guideline**.

4.1.25.2.2 Staff sharing

- (a) A **DNSP** must ensure that its staff directly involved in the provision of a direct control service or a regulated transmission service service by the **DNSP** are not also involved in the provision or marketing of a competitive or contestable energy-related service by a **related body corporate**.
- (b) The restriction set out in clause 54.2.2(a) does not apply to:
- ~~i. A member of staff who is not involved in the provision of energy-related services;~~
~~or~~
 - ~~ii.i. A member of staff who is a senior executive of both a **DNSP** and a related body corporate; or~~
 - ~~iii.ii. A member of staff who is not directly involved in the provision of any direct control services or regulated transmission services, and who therefore does not have access to information about electricity customers and services provided by the **DNSP**, such as staff who exclusively perform corporate services, for example in payroll and human resources; or~~
 - ~~iv. A member of staff who is involved in the provision of a **DNSP's** negotiated distribution services and unregulated distribution services; or~~
 - ~~v.iii. Any arrangements authorised through the waiver process set out in Section 6 of this **Guideline**.~~
- (c) A **DNSP** must not remunerate or otherwise incentivise its staff (other than a staff member who is a senior executive of both the **DNSP** and a **related body corporate**) based on the performance of a **related body corporate**.

5.3 Information access and disclosure

Ausgrid explanatory note: The purpose of the amendments in this clause is to:

1. ~~remove obligations and requirements that are contained in other regulatory instruments. For this reason, the clauses relation to protection of information and disclosure of information have been deleted as these requirements are contained in clause 8.6 of the NER.~~
2. ~~to ensure the sharing of information requirements are consistent with the ring-fencing requirements in clause 3.1 so that the ring fencing requirements can be applied and implemented consistently.~~

4.1.3 ~~Protection of information~~

~~A DNSP must keep information provided by a customer, prospective customer or service provider for **direct control services** and/or regulated **transmission services** confidential. The DNSP must only use this information for the purpose for which that information was provided.~~

4.1.45.3.1 Sharing of information

Where a DNSP acquires information in providing ~~its services~~ **direct control services** and/or regulated **transmission services**, ~~it must not discriminate on the basis for, or the terms and conditions on which, it provides access to and shares~~ that information (including information derived from that information) ~~with aas between a~~ **related body corporate** ~~which provides competitive services~~ and competitors of that **related body corporate**, ~~it must provide access to that information (including the derived information) on an equal basis with third parties competing with the~~ **related body corporate**.

~~To avoid doubt, nothing in this clause authorises a DNSP to provide access to information to either a **related body corporate** which provides **competitive services** or competitors of that **related body corporate**, where it is not permitted to do so by any law.~~

4.1.5 ~~Disclosure of information~~

~~A DNSP must not disclose information acquired in providing **direct control services** or regulated **transmission services** (including information derived from that information) to any party, including a **related body corporate**, without obtaining the explicit informed consent of the relevant customers or prospective customers to whom the information relates.~~

4.1.65.3.2 No waiver

A DNSP cannot apply for a waiver of the obligations set out in this clause ~~54.3~~.

56 Waivers

5.16.1 DNSP's application for a waiver

A **DNSP** may apply in writing to the **AER** for a waiver of its obligations under clause 54.2 of this **Guideline**. An application for a waiver must include all information and materials necessary to support the **DNSP's** application, including:

- (a) Details of The service, or services, in relation to which the **DNSP** is requesting the waiver;
- (b) Whether the waiver being sought relates to the physical separation/co-location obligation in clause 45.2.1 and/or to the staff sharing obligation in clause 54.2.2 and the reason that the **DNSP** is requesting the waiver;
- (c) Details of The costs associated with the **DNSP** complying with clause 45.2 if the waiver is refused and how these costs will vary if the waiver is granted;
- (d) Whether the **DNSP** seeks the waiver to apply to the current **regulatory control period**, the next **regulatory control period** or both;
- (e) Any additional measures that the **DNSP** proposes to undertake in conjunction with the waiver; and
- (f) The reasons why the **DNSP** considers the waiver should be granted with reference to the matters set out in clause 56.2.2, including, but not necessarily limited to, the benefits, or likely benefits the grant of waiver would bring to electricity consumers.

5.26.2 AER's consideration of a waiver application

5.2.16.2.1 Requirement to consider a waiver

- (a) The **AER** must consider an application under clause 65.1, and may subject to this clause, grant, or refuse to grant, the waiver subject to such conditions as the **AER** considers necessary.

Ausgrid explanatory note: The purpose of the below insertion is to ensure that there is a process in place for the AER's consideration and determination in relation to a waiver application.

- ~~(a)~~(b) The **AER** must provide the **DNSP** with its decision in respect of an application for a waiver within 90 days of receiving an applicable under clause 6.1. If the **AER** does not provide notice of its decision within that time, the **AER** is taken to have approved the **DNSP's** waiver application.

5.2.26.2.2 Matters AER will consider

- (a) In considering an application under clause 6.1, and deciding whether to grant, or refuse to grant, the waiver, the **AER** may consider any matter it considers relevant but will have regard to at least:
 - i. the **National Electricity Objective**;

- ii. the potential for cross-subsidisation and discrimination if the waiver is granted or refused;
- iii. whether the benefit, or any likely benefit, to electricity consumers of the **DNSP**'s compliance with clause **54.2** would be outweighed by the cost to the **DNSP** of complying with that obligation.

5.2.36.2.3 The AER's assessment of the waiver application

- (a) When the **AER** receives an application under clause **56.1** it:
 - i. may reject the application without further consideration if it considers that the application has been made on trivial or vexatious grounds;
 - ii. may request any further information that it considers is necessary for it to consult on, and/or make a decision on, the application;
 - iii. may invite public submissions on the application; and
 - iv. may impose such conditions as it considers appropriate when granting a waiver.
- (b) If the **AER** undertakes a public consultation process it may publish its decision that explains the reasons to grant, or refuse to grant, a waiver.
- (c) The **AER** may publish the terms and conditions of any waiver that is granted.

5.2.46.2.4 Form of waiver

The **AER** may grant a waiver to:

- (a) apply to one or more **DNSP**;
- (b) apply for the current **regulatory control period**, the next **regulatory control period** or both; and
- (c) be made subject to such terms and conditions as the **AER** considers appropriate.

5.36.3 Reviewing a waiver within a regulatory control period

The **AER** may review a waiver within a **regulatory control period** if it considers that it may no longer be required. The **AER** may vary or revoke a waiver, having regard to the matters set out in clause **56.2.2**.

Ausgrid explanatory note: The purpose of the below insertion is to ensure that the **DNSP** is given advance notice of any potential revocation of an existing waiver.

Where the **AER conducts a review of a waiver, the **AER** must notify the relevant **DNSP** in writing at least 30 days prior to making its decision to vary or revoke the waiver.**

The **AER** may:

- (a) conduct such consultation as it considers appropriate;
- (b) publish its decision that explains the reasons to vary or revoke the waiver; **and**

- (c) publish the terms and conditions of any varied waiver that is granted ~~;~~ ~~and~~
- ~~(d) consider an appropriate transition for the **DNSP** to implement the **AER's** new decision.~~

67 Compliance and enforcement

Maintaining compliance

Ausgrid explanatory note: We have deleted the below clause as we consider the requirements are already captured by the AER's general compliance and monitoring requirements.

~~A **DN**SP must establish and maintain appropriate internal procedures to ensure it complies with its obligations under this **Guideline**. The **AER** may require the **DN**SP to demonstrate the adequacy of these procedures upon reasonable notice. However, any statement made or assurance given by the **AER** concerning the adequacy of the **DN**SP's compliance procedures does not affect the **DN**SP's obligations under this **Guideline**.~~

6.17.1 Compliance reporting

6.1.17.1.1 Annual compliance report

- (a) A **DN**SP must prepare an annual ring-fencing compliance report and submit it to the **AER**. The annual compliance report must identify and describe, in respect of the regulatory year to which the report relates:
- all measures a **DN**SP has taken to ensure compliance with (all) its obligations under this **Guideline**
 - any breaches of this **Guideline** that relate to the **DN**SP
 - all ~~non-network competitive~~ services provided by the **DN**SP, and all associated activities undertaken by the **DN**SP, in accordance with clause 3.1.(b)
- (b) The annual compliance report must be accompanied by an assessment of compliance by a suitably qualified independent authority.

Annual compliance reports may be made publicly available by the **AER**.

6.1.27.1.2 Timing of annual compliance reporting

- (a) Subject to clause 7.1.2(b) A **DN**SP must submit to the **AER** an annual compliance report within 4 months of the end of the regulatory year to which the compliance report relates.
- (b) A **DN**SP will not be required to start reporting on its compliance with this **Guideline** until the end of the first full regulatory year after this **Guideline** commences.

6.1.37.1.3 Reporting by AER

The **AER** may publish reports from time to time about **DN**SPs' compliance with this **Guideline** on the basis of information provided to it under this clause 67.2.2.

~~6.2 Compliance breaches~~

Ausgrid explanatory note: We have deleted the below clause as we consider a mandatory requirement to report breaches within 5 business days is not appropriate for the requirements under this Guideline and such a reporting requirement should be subject to separate and express power.

~~A **DNSP** must notify the **AER** in writing within five business days of becoming aware of a material breach of its obligations under this **Guideline**. The **AER** may seek enforcement of this **Guideline** by a court in the event of any breach of this **Guideline** by a **DNSP**, in accordance with the **NEL**.~~

6.37.2 Complaints and investigations

At any time, the **AER** may require a **DNSP** to provide a formal response to particular complaints or concerns about compliance with this **Guideline**.

78 Transitional arrangements

Despite clause 1.1:

Ausgrid explanatory note: We have renumbered this section as clause 8 to ensure there is no doubt that it is a binding section of the Guideline.

The additional insertions in this clause are to capture how the requirements in this Guideline should be treated on commencement as well as in relation to distribution determinations and the classification of services. It also seeks to address how the requirements will apply while a waiver application is being considered or has been considered by the AER.

- (a) On commencement of this **Guideline** the obligation **requirements** set out in clause ~~34.1(a)~~ **and 5.1(b)(v)** commences on a date that is 12 months after the commencement date provided in clause 1.1; ~~and~~
- (b) The obligations set out in clauses ~~54.2.1~~ and ~~54.2.2~~ commence on a date that is ~~six~~ **12** months after the commencement date provided in clause 1.1.
- (c) Where the **distribution determination** of the relevant **DNSP** results in a change to the classification of **distribution services** provided and that change materially affects the **DNSP's** obligations under this **Guideline**, the **DNSP** must implement changes to comply with the changed obligations with 12 months after the commencement of the relevant **distribution determination**.
- (d) In the event that a **DNSP** submits a waiver application within 30 days of commencement of this guideline, the obligations under this Guideline that are the subject of this Guideline do not apply until the AER makes its decision on the waiver application.
- (e) A **DNSP** is not required to discharge its obligations under this **Guideline** in relation to a **distribution service** until such time as that **distribution service** is classified by the **AER** in accordance with **NER** r. 6.2.1(a) (this includes a decision against classifying a **distribution service**, as noted in **NER**. 6.2.1(a)).
- (f) Where a **DNSP** has made an application for a waiver in accordance with clause 6.1, until such time as the **AER** makes its decision in accordance with clause 6.2.1 the **DNSP** is not required to discharge its obligations in respect of which the application was made.
- (g) Where the **AER** refuses to grant a waiver in accordance with clause 6.2.1, the **DNSP** has 6 months after the date of the refusal to implement the changes required to discharge its obligations under this **Guideline**.
- (h) Where the **AER** revokes or varies a waiver in accordance with clause 6.3, the **DNSP** has 12 months after the date of the relevant revocation or variation decision to implement the changes required to discharge its revised obligations under this **Guideline**.